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The Impact of the Tax Revolt and School Reform on Oregon Schools during the 1990s

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The Impact of the Tax Revolt and School Reform on Oregon Schools during the 1990s

by

Beth Cookler

A thesis submitted in partial fulfillment of the requirements for the degree of

Master of Art
in
History

Thesis Committee:
David A. Johnson, Chair
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Patrick Burk
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Portland State University
2014
Abstract

When Oregon voters passed the property tax limitation initiative, Measure 5, and the state legislature enacted school reform under the Oregon Educational Act for the 21st Century during the 1990-91 school year, the trajectory of the public schooling in the state changed significantly. After Oregon’s tax revolt, the state legislature also enacted legislation that equalized school funding throughout the state. The combination of equalization and the Measure 5 step-down to the $5 per $1000 tax limitation led to a decrease in statewide school funding over the decade. Many wealthy urban districts experienced years of budget cuts, while rural districts received additional funding. Despite differences in school funding, teachers emphasized the importance of student teacher relationships for teaching and learning. This thesis traces the history, passage, and implementation of these pieces of legislation and evaluates the impact of school funding and school reform, two simultaneous but uncoordinated movements, on the school system in the state.

Through historical research and oral history interviews with teachers from the large urban district, Portland Public School, and the small rural district, Nyssa School District, this thesis demonstrates that teachers experienced school reform similarly. When school reform implementation relied upon teachers’ collaboration to align, develop, and assess curriculum, teachers embraced change. However, when school reform shifted from outcome-based to standards-based, teachers disengaged from the reform process. They rejected reform when standardized testing drove the curriculum, was deemed irrelevant to the lives of their students, utilized inauthentic assessment, did
not treat teachers as professionals, and disregarded teachers’ knowledge and skills.

Teachers viewed their profession as a craft and disagreed with a business model of schools. Taken together, however, school funding and school reform led to a more uniform school system centralized by the state.
Dedication

To Oregon’s teachers
Acknowledgements

This thesis could not have been completed without the assistance of many individuals for which I am grateful. First, I owe much to the support and guidance of my thesis committee who challenged me to produce this work. They reinforced the value of history to speak not only of the past but also to reflect upon the present. I am much indebted to Pat Burk, in Portland State University School of Education’s Department of Educational Leadership, whose wisdom, questions, experience, and knowledge guided me along this journey. When I walked into his office unannounced in the fall of 2012 with questions about Measure 5, I could not have anticipated the support he would provide me over the next two years. While Pat led with me through the worlds of school finance and reform, David Johnson, my thesis advisor in the Portland State University History Department, led me kindly through the research and writing process. His positive affirmations strengthened my belief in myself. I am grateful also to Catherine McNeur for her openness to be a part of my thesis committee during her own very hectic year. Katrine Barber’s high expectations and depth of knowledge, particularly in oral history, allowed me to produce a quality oral history project, on which much of my conclusions stand. I appreciate how she pushed me to develop this project from start to finish. Thank you to all my professors who approached my work with sincerity and a critical eye.

I would also like to acknowledge those that participated in my oral history project. Most importantly, I would like to thank Bill Bigelow of Portland and Jill Conant of Nyssa who first described to me the context of their districts and schools during the 1990s and
ultimately connected me with teachers willing to be interviewed. I am particularly indebted to Jill who hosted me on my trip to Nyssa, forged introductions with teachers, and greased the wheels when I encountered roadblocks to my research in this small community. Thank you to all my narrators, whose thoughts and memories shaped my research: David Boyer, Ken Dickey, Dennis Savage, and Christiane Smith of Nyssa; Sandra Childs, Theresa Hawkins, and Manuel Mateo of Portland.

Through the PSU Special Collections Fellowship, I was fortunate to encounter Cristine Paschild, Head of Special Collections and University Archivist, whose skilled listening, advice, and depth of knowledge about the collection propelled me through my research.

I could not have completed this work without the love and support of my parents, Faith and Jonathan Cookler, my brother, Weston Cookler, and my friends here in Portland. Thank you for the countless hours listening to my trials as I progressed through this thesis.

Most importantly, thank you to my love, Jonas Merrill, whose words, “We’re going to get through this together,” gave me the strength to undertake this adventure. I could not have accomplished this without your unconditional love and support.
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Introduction

Two distinct forces collided during the 1990-91 school year to change the trajectory of public schools in Oregon, the tax revolt and school reform. Each emerged out of a national movement and went into effect at the same time in the state, producing major changes in Oregon public schools. Although these movements were not coordinated with each other, when teachers walked into their classrooms in the fall of 1991, they faced the impacts of both the tax revolt and school reform at once.

Together, property tax limitation and school reform centralized control over schools at the state level. Both garnered public support because of their personal, idealistic appeal—lower property taxes in the case of the tax revolt, and better schools in the case of school reform. By capturing public support, the combination replaced local autonomy with state management of public schools.

While experts, officials, professional associations, and the public debated the merits of the tax revolt and school reform at the state and national level, they left out of the conversation those most affected: teachers and administrators. Determining how these two movements affected schools and classrooms in Oregon during the 1990s requires an examination of both movements. One without the other obscures the changes schools faced. However, previous researchers—experts on public finance or education—have failed to look at the simultaneous impact of both movements on schools at the ground level.¹

¹ For research on the tax revolt, see David O Sears and Jack Citrin, Tax Revolt: Something for Nothing in California (Cambridge, Mass.; London, England: Harvard University Press, 1985); Isaac William Martin and Jack Citrin, eds., After the Tax Revolt: California’s Proposition 13 Turns 30 (Institute of Governmental
The tax revolt and school reform compounded to shift schooling in Oregon in terms of the structure of its funding and curriculum. This makeover produced much more centralized public schools. Those seeds planted over twenty year ago have blossomed into today’s unstably funded, anonymous, uniform system grounded in standardized testing. While teachers and schools used standardized tests to inform instruction in the 1990s, today students must pass tests in language arts, writing, math, and science in order to graduate. The content of those tests significantly drives the curriculum. Local voice, power, and autonomy suffer in favor of state centralized control, leaving a fundamental question: has this shift toward uniformity and centralization benefited students and learning?

The changes in public schools during the 1990s merits investigation because it mirrors the challenges schools face today: higher expectations in a time of financial constraint. To that end, examining the effects of the tax revolt and school funding on classrooms at the ground level offers us lessons for the present.

The tax revolt in Oregon, Measure 5, led to adverse effects on public schools. Influenced by supply-side economics and burdened by ever-increasing property taxes, voters hoped to have it all when they passed Measure 5 in 1990. They assumed that the

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property tax limitation would force the legislature to act and pass an alternative revenue source to balance the Oregon tax structure. Despite Governor Barbara Roberts’ best efforts, however, the legislature failed to act, leaving an unstable system to sustain government services. After that debacle, the state had no means to replace funds lost to schools because of the tax limitation, despite the mandate in the measure to do so. Voters also realized that, by limiting property taxes, the primary finance mechanism for public schools, responsibility for funding schools would transfer to the state. Voters hoped this shift would result in equalization across the state, ensuring that all students had parity in school funding. In 1991, the legislature passed the Senate Bill 814, creating the school funding equalization formula.

Equalization combined with the tax limitation created a system of interconnected winners and losers. Formerly wealthy urban districts watched their funding decrease over the decade as the state redistributed dollars to poorer, mostly rural districts, which saw an increase in funding. Driven by the goals of school reform, urban districts cut courses down to a skeleton, while rural districts expanded to create practically identical course offerings. This resulted in a more uniform school system centralized under the state Oregon Department of Education.

Another major way these changes manifested was class size. In urban districts class size increased over the 1990s to the upper 20s-low 30s, while rural districts managed to reduce classes to below 20. Regardless, teachers from both urban and rural schools understood the value of smaller class size for strong teacher student relationships. In fact, research also demonstrated that lower class size improved teaching and learning
for both students and teachers. Consequently, while school funding tied together urban and rural districts, it affected districts differently. At the same time that Measure 5 transformed school funding statewide, the curriculum underwent a metamorphosis through the passage in 1991 of the Oregon Educational Act for the 21st Century. The act redesigned the education system around the ideas of outcome-based education, creating the Certificate of Initial Mastery (CIM) and Certificate of Advanced Mastery (CAM). While teachers across the state worked together to negotiate these changes in their teaching, the controversy over outcomes versus standards exploded. In 1995, the legislature revised the act shifting it from outcome-based to standards-based education. This move further centralized power at the state level by mandating standardized testing.

While changes resulting from school funding affected districts differently because of the relative wealth of urban and rural schools, teachers across the state reacted to the reform in similar ways because of their shared values, as oral history interviews of teachers demonstrated. Despite teacher cynicism that the state did not sufficiently fund the changes necessitated by the reform, and that CIM and CAM might become yet another teaching fad, teachers overall embraced the initial outcome based reform model passed in the Oregon Educational Act for the 21st Century. They welcomed collaboration, curriculum alignment, common language, uniform rubrics, and teacher-led professional development. Teachers appreciated the professionalism afforded them and effectively began to implement the reform. Teachers reacted positively because the reform aligned with their deeply held values; they saw teaching as a craft and valued the autonomy and trust demonstrated when encouraged to work together to create lessons and
units that incorporated clear expectations, project-based learning, authentic assessment,
and strong student teacher relationships. This worked because the state used a top-down
bottom-up strategy to implement school reform.

However, when the CIM and CAM shifted from outcome to standards based after
a 1995 revision of the law, teachers rejected the change. They found outside experts
brought in for professional development to be ineffective and a waste of time and money.
They objected to the stronger emphasis on testing because it narrowed the curriculum,
promoted inauthentic assessment, was irrelevant to the lives of their students, and
encouraged teaching to the test. Teachers decried the elimination of electives and
vocational programs as a result of standardization, which directly contradicted the goals
of the CAM. Teachers emphasized the importance of student opportunities to try out new
things, to engage in elective courses in which they find passion, and to learn to act as
citizens in their communities. On the whole, teachers rejected the business influence on
schools. As Franklin High School (Portland, Oregon) English teacher Manuel Mateo
emphasized, “I think they were losing sight of what the mission of education was. For
me, the mission of education, or the business of education, is not business.” In general,
teachers saw the purpose of education as more than economic; they aimed to mold human
beings. As a result of the tax revolt and school reform, Oregon’s education system
shifted to an economically driven uniform system controlled by the state.

Despite differences in district funding, teachers shared similar experiences
because they defined their profession in similar ways. Mateo remarked, “I’m going to try
to be as humanistic, and helpful, and caring, and nurturing as possible. …I am not an

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assembly-line worker. I work on my craft, and it is a craft, and it is a profession.”

While very willing to adapt, change, and improve their teaching, teachers opposed mandated changes that contradicted their values and beliefs. Both the urban and rural teachers whom I interviewed shared this perspective.

Chapter one traces the tax revolt movement from its origin in California through the aftermath of the passage of Measure 5 in Oregon. Beginning in 1978 with Proposition 13 in California, the tax revolt emerged from a national movement to limit skyrocketing property taxes. Following the passage of Proposition 13, copycat ballot measures spread like wildfire across the country. It took Oregonians until 1990 to be primed for a similar property tax limitation, but when voters reached the point where property taxes soared and satisfaction with government services evaporated, voters passed Measure 5 52% to 48%. The first chapter contrasts the arguments in favor and against Measure 5 and follows the drama of the campaign. The chapter evaluates voters’ assumptions in passing the tax limitation and whether those assumptions came to fruition.

Chapter one also follows the long-term consequences of Measure 5 on the school system and determines how school funding transformed across the state. Prior to Measure 5, local property taxes had been the primary method for funding schools, but after its passage, that responsibility shifted to the state level. In charge of funding schools, the state could no longer tolerate funding discrepancies between wealthy and poor districts. State legislators passed the school fund equalization formula in 1991, which aimed to distribute school funds equitably to districts. By 1991-92, the method for

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3 Ibid.
funding changed from locally determined property taxes to state distributed equalized funds.

At the same time school funding shifted the structure of schooling in Oregon, another movement, school reform, transformed the curriculum within classrooms. Chapter two follows the school reform movement put in motion by the publication of *A Nation at Risk* in 1983, which aimed to craft a system with more uniform expectations that could be responsive to the needs of a global economy. Utilizing new research in the 1980s from cognitive science about how students learn, two competing school reform movements emerged: outcome-based education and the standards movement. Proponents of outcome-based education believed in creating outcomes through which students demonstrated their learning on performance based assessments and portfolios. In 1990 a coalition of education researchers and politicians published a national report titled *America’s Choice: High Skills or Low Wages!*, grounded in the principles of outcome-based education. *America’s Choice* became the model for the Oregon Educational Act for the 21st Century, introduced to the Oregon legislature by Representative Vera Katz (D-Portland), who also served on the board of trustees of the commission that had produced *America’s Choice*. Chapter two examines the origins, implementation, and revision of the Oregon Educational Act for the 21st Century. It considers Oregon’s experience with school reform in relation to the national context.

Finally, chapter two examines the controversy between outcome-based education and the standards movement. Critics in Oregon and nationwide attacked the perceived nebulous nature of outcome-based education. Meanwhile, based on similar cognitive principles, the standards movement gained traction. In contrast to outcome-based
education, advocates of the standards movement argued for clear and precise standards that relied on standardized tests to demonstrate students’ achievement. In 1995, after four years experimenting with outcome-based education, the Oregon legislature revised the Oregon Educational Act for the 21st Century, shifting it from outcome- to standards-based. The pivot towards standards again created a more uniform statewide school system. However, as one teacher emphasized, “Everything became standardized, instead of standards-based.”

Chapter three analyzes the effects of the tax revolt and school reform on classrooms in Oregon. Using representative case studies from a wealthy urban district, Portland Public Schools, and a poor rural district, Nyssa School District, this chapter describes the differentiated effects on classrooms of school reform in the context of the tax revolt. State reports, academic studies, newspaper articles, and oral history interviews with Portland and Nyssa teachers highlight the consequences when shifting school funding and curricular reform converged.

To uncover how school funding and reform affected the classroom level, I needed to go straight to the source: teachers. I set out to conduct oral history interviews with teachers in a rural district and an urban district. I chose Portland Public Schools as the urban district, because it was the most representative of the urban experience: high property taxes prior to Measure 5, years of budget cuts during the 1990s, and changing student demographics, including a increasing proportion of English-language learners (ELL). I narrowed my sample size to Franklin High School, because its demographics most closely matched that of the district as a whole. I then chose Nyssa School District

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4 Sandra Childs, Oral History Interview of Sandra Childs, interview by Beth Cookler, digital recording, February 4, 2014, Portland State University Special Collections.
as the rural district, with its one high school, Nyssa High School. Nyssa gained funds from equalization and Measure 5 and also faced a growing population of ELL students. Because both districts experienced growth of their ELL populations during the 1990s, this acted as a constant in my comparison.

To connect with teachers that had taught in these schools, I contacted individuals I knew that worked in the district, asking them to put me in touch with possible interviewees. After approval from the Portland State University Institutional Review Board, I contacted Bill Bigelow, who had taught at Franklin High School for part of the decade, and Jill Conant, who taught at Nyssa Elementary School, and, as president of the union and longtime Nyssa resident and teacher, knew practically all the high school teachers from the 1990s. Bill and Jill suggested I contact many of the teachers I ended up interviewing. Other participants came from suggestions from my first interviewees.

In total, I interviewed three teachers who taught at Franklin High School in PPS—social studies teacher Sandra Childs, business teacher Theresa Hawkins, and language arts teacher Manuel Mateo—and three teachers who taught at Nyssa High School in Nyssa School District—art teacher David Boyer, science teacher Ken Dickey, and language arts teacher Christiane Smith. I also interviewed the superintendent of Nyssa School District during the 1990s, Dennis Savage. The participants selected represented a sampling of disciplines, ages, and backgrounds, and therefore spoke to a wide range of issues. Though a relatively small sample size, my interviews reached a point of
saturation, where regardless of the individual, I heard again and again the same conclusions.⁵

These interviews got to the heart of what happened in classrooms. To analyze the transcripts, I first text-marked printed transcripts and then coded them using Dedoose software. Dedoose was helpful to identify where codes co-occurred and evaluate the proportions of various code families. Dedoose allowed me to abstract common themes more easily and draw conclusions from those themes. This lengthy process allowed me to analyze how the tax revolt and school reform impacted classrooms in Oregon during the 1990s.

Measure 5 and equalization of school funding affected individual school districts differently in the 1990s. Wealthy districts such as urban Portland Public Schools suffered through a decade of budget cuts, while poor districts like rural Nyssa School District welcomed an influx of funds as the state equalized per pupil spending. Changes in school funding affected class size, workload, and the climate of schools. Resoundingly, in the face of increasing class size, teachers reiterated the primacy of the student-teacher relationship for effective learning and the difficulty in forging these relationships. Overall, because of the new limit placed on property taxes and the instability of the Oregon tax structure, which relied upon income taxes, the shift in school funding led

statewide to a decrease in per pupil spending. In short, on average, the state as a whole spent more on its schools prior to Measure 5 than it did a decade later.

The third chapter also assesses the impact of school reform on teachers in Oregon. After the passage of the Oregon Educational Act for the 21st Century in 1991, built on the principles of outcome-based education, teachers began, often for the first time, to open their doors and talk to each other about what students needed to be able to do and understand by the end of each course. Teachers aligned their curriculum and collaborated to create projects for students to demonstrate their learning. Reports, news articles, and oral history interviews confirm that teachers embraced this reform as a meaningful transformation of schooling. Despite affirmation by teachers in classrooms, the reform failed to gain widespread support because the public viewed outcome-based education as vague.

Consequently, the legislature revised the Oregon Educational Act for the 21st Century, moving to a standards-based model in 1995. Teachers reacted negatively. Instead of the collaborative climate of teacher-led curriculum development from the outcome-based reform model, this shift to standardized tests led to professional development usurped by outside experts. Constrained by both funding and reform, the curriculum narrowed uniformly across the state to include only course offerings necessary to comply with the testing. Increasingly, schools eliminated electives and vocational education (and related teaching positions), courses that for many students uncovered new passions and motivated them to succeed in school.

The history of schooling in Oregon over the 1990s illuminates persistent challenges facing the public education nationwide over the last three decades. Patterns
initiated by the compound effects of school reform and the tax revolt continue to this day. Though new iterations of school reform have followed, such as No Child Left Behind and the current Common Core State Standards, Oregon’s school finance structure created during the 1990s remains. Consequently, the instability of an underfunded system heavily reliant on income taxes becomes more apparent with each economic recession. In this state of decreasing educational funding and increasing standardization, many suggest increasing productivity and efficiency are the answer. In contrast, this thesis reiterates the common-sense notion that a good education system depends most on the ability of teachers to affect their students. In fact, teachers want to improve their schools and will work hard to do so if allowed to collaborate in translating reforms into the language of school. Obstacles to this goal, such as increasing class size, professional development led by outsiders, and standardized testing, negatively affect teachers’ ability to reach students. This research underscores the notion that education is a system based on human interaction, which diminishes its success when designed to be a machine.
Chapter One: Tax Revolt

Oregonians passed Measure 5, a property tax limitation that shifted school funding from the local to state level, by a margin of 52% to 48% on November 6, 1990. Although Measure 5 began a new era in the history of taxation, legislation, and education for Oregon, it continued a long tradition of tax revolts at the state level. Property taxes had long been used to fund local schools. Beginning in the 1970s however, a movement towards equalization of school funding combined with rapidly increasing property taxes to ignite the tax revolt movement across the United States, beginning with the passage of California’s Proposition 13 in 1978. Two underlying causes, increasing property taxes and school funding equalization, led to popular support of this movement. Twelve years later, the passage of Measure 5 in Oregon produced unintended consequences for schools across the state.

Historical Context of the Tax Revolt

California’s Proposition 13 passed on June 6, 1978 in a landslide with 65% of the vote. It was the highest recorded voter-turnout for an off-year election in the state’s history. Written by Howard Jarvis and Paul Gann, Proposition 13 amended the state’s constitution to limit the property tax to one percent of full cash value, restrict increases in the property tax to two percent a year, and require a two-thirds vote of the legislature for all new taxes. The measure also dictated that the base assessment revert back the to

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2 Martin and Citrin, After the Tax Revolt, vii.
1975-1976 tax year. Supporters represented a wide range of Californians, encompassing all income levels, with the greatest support among those earning between $20,000 and $30,000; all educational levels, though dropping to only 51% of those with college degrees or above; and 55% of Democrats. Opponents, who represented a mere 35% of the vote, included government employees, renters, and a majority of the black community. Thirty-five years following its passage, Proposition 13 remained popular in California.

The tax revolt spread like wildfire throughout the country after Proposition 13. Though the tax revolt had been brewing throughout the nation with unsuccessful attempts to reform the property tax beginning in the early 1970s, after the landslide victory of Proposition 13 in California, forty-three states followed suit and passed some form of tax relief between 1978 and 1980. Ballot initiatives modeled after California became the favorite method of tax reformers.

The circulation of Proposition 13-like initiatives occurred as a result of common contexts within states. Jack Citrin, political science professor at UC Berkeley and a leading expert on Proposition 13, and David O. Sears, professor of social psychology and political science at UCLA, found that states that passed tax cuts similar to Proposition 13 in the late 1970s had two features in common: a high overall tax burden and an electorate cynical about the effectiveness of elected officials to manage taxes. In the climate of the

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4 Ibid., 166.
5 In a survey conducted in 2008, 57% of California voters would approve the measure if it appeared on the ballot today, while only 23% of voters would vote against it. See Mark DiCamillo, “Californians’ Views of Proposition 13 Thirty Years after its Passage,” in Martin and Citrin, After the Tax Revolt, 13.
6 Sears and Citrin, Tax Revolt, 261.
7 Martin, The Permanent Tax Revolt, 14.
8 Sears and Citrin, Tax Revolt, 263.
late 1970s, the effect of inflation on citizens’ tax burden and distrust in government combined to produce a tax revolt across the United States.

Until the 1990s Oregon was not yet ready for the tax revolt that Proposition 13 had ignited. Two tax-cutting initiatives, Measure 11 and Measure 6, failed at the ballot box in November 1978. As state senator Charles J. Hanlon explained to The Oregonian, “Oregon is not California. Oregon does not enjoy a massive state surplus.” This much was true. California’s estimated $7.1 billion surplus gave that state a buffer against the immediate impact of Proposition 13’s cuts. As Hanlon pointed out,

Oregon expects a general fund deficit for the 1979-81 biennium of as much as $400 million…Oregon has no sales tax…Oregon’s average property tax rate is 2.2 percent of true cash value, a mere 0.7 percent higher than the rate imposed by Jarvis-Gann. Also, Oregon’s average property tax rate is falling…Finally, Oregon has a very effective method of transferring general fund monies into the pockets of low-income property taxpayers…Perhaps the major difference between California and Oregon is that here the people decide how much they will pay in property taxes.

Because Oregon did not fulfill Sears and Citrin’s prerequisites for a tax revolt—its taxes remained at a reasonable level, and Oregonians felt their democratic system was responsive to their needs—the measures failed at the ballot box. But even though Oregonians might not have been ready in 1978, California’s experience with Proposition 13 nonetheless greatly influenced Oregon’s story.

The national property tax revolt changed the relationship between the government and its people. Journalist Robert Kuttner concluded, “Whatever its origins, the national tax revolt sparked by California’s Proposition 13 has assumed the status of political

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11 Sears and Citrin, Tax Revolt, 32–33.
12 Hanlon, “Oregon’s Situation Unlikely California’s.”
watershed, conveniently separating the New Deal-Great Society era from a newer, leaner period that finds the public far stingier with tax dollars and increasingly skeptical about government’s basic competence to solve problems.”

Beginning with President Roosevelt’s New Deal during the Great Depression and continuing through President Johnson’s Great Society, taxpayers generally supported government and social programs that increased opportunities for citizens to access the American dream. During this period, Americans felt confident in their government to act on behalf of the people to better society. However, the Vietnam War, Watergate, and Nixon’s resignation from office in 1974 shattered trust in government. Faced with ever-increasing property taxes resulting from inflation during a period in which wages stagnated, Americans no longer trusted that government officials had their constituents’ best interests at heart.

Proposition 13 bookended a new era in which Americans no longer readily gave way to increases in government’s size; instead, citizens expected a more efficient government; in fact, they expected the same services for less.

Table 1 Tax Revolt Timeline

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1967</td>
<td>California Assembly Bill 80 standardized property tax collection</td>
</tr>
<tr>
<td>1971</td>
<td><em>Serrano v. Priest</em>: California Supreme Court decided in favor of school funding equalization</td>
</tr>
<tr>
<td>1973</td>
<td><em>San Antonio Independent School District v. Rodriguez</em>: United States Supreme Court decided states not required to equalize school funding</td>
</tr>
<tr>
<td>1977</td>
<td>California Assembly Bill 65, <em>Serrano</em> compliance, redistributed property taxes to equalize school funding</td>
</tr>
<tr>
<td>1971-1978</td>
<td>24 states passed equalization of school funding</td>
</tr>
<tr>
<td>Jun 6, 1978</td>
<td>California’s Proposition 13 passed; Proposition 8 failed</td>
</tr>
<tr>
<td>Nov 7, 1978</td>
<td>Oregon’s tax cut initiatives, Measures 6 and 11, failed</td>
</tr>
<tr>
<td>1978-1980</td>
<td>43 states pass tax cut initiatives following Proposition 13</td>
</tr>
<tr>
<td>Nov 6, 1990</td>
<td>Oregon’s property tax limitation, Measure 5, passed</td>
</tr>
<tr>
<td>1991</td>
<td>Oregon Senate Bill 814 created the equalization formula</td>
</tr>
</tbody>
</table>

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Citrin concluded, “There is no great mystery about a primary cause of the tax revolt. It was higher taxes.”\textsuperscript{14} High property taxes stemmed from a change in the process of tax collection by the assessor. Before 1967, property tax collection included informal tax privileges not codified in law, such as fractional assessment. Fractional assessment “refers to the custom of taxing people on a fraction of the value of their taxable property.”\textsuperscript{15} Because the value of a property is determined hypothetically, except for the rare year that a property is actually sold, the practice of fractional assessment is hard to trace. Additionally, because local homeowners elected local tax assessors, these officials often exchanged favorable property assessments for campaign contributions, votes, and even bribes. Even homeowners who did not actively engage tax assessors benefitted. Many assessors copied the assessment roles of a property from year to year, ignoring changes in the market.\textsuperscript{16} Consequently, most homeowners paid property taxes only on a small fraction of their home’s value.

UC San Diego sociology professor Isaac William Martin, who studied the causes and effects of the tax revolt in California after the passage of Proposition 13, argued that tax privileges like fractional assessment belonged to an ever-growing American welfare state benefitting middle and upper class property owners. “We now see [the American welfare state] as middling in size and generosity—but as unusually reliant on tax expenditures that favor middle- and upper-income groups.”\textsuperscript{17} From this perspective, it is

\begin{flushright}
\textsuperscript{14} Martin and Citrin, \textit{After the Tax Revolt}, 3.
\textsuperscript{15} Martin, \textit{The Permanent Tax Revolt}, 6.
\textsuperscript{16} Ibid., 6–7.
\textsuperscript{17} Ibid., 8.
\end{flushright}
not hard to understand how the anger at increasing property taxes following 1967 led to the tax revolt of Proposition 13.

Assembly Bill (A.B.) 80, passed by the California legislature in 1967, standardized the discretionary collection of taxes by the assessor. It required immediate reassessment of all property at twenty-five percent of market value followed by reassessments every two or three years to keep the ratio intact. Moreover, before the passage of this statute, commercial properties had been customarily assessed at a higher ratio of market value and therefore assumed a greater burden of property tax revenue. By standardizing both housing and commercial property at twenty-five percent, a greater burden fell on homeowners for property tax revenue. At the same time, the economic picture in California changed: the California housing market boomed and so did inflation. Standardization, the housing boom, and inflation combined to create a rapid increase in property taxes. As Sears and Citrin noted, “numerous homeowners thus faced abruptly higher property tax bills without a corresponding rise in their incomes.”

**Oregon’s Measure 5**

By 1990, Oregon was primed for a tax revolt. Since 1968, Oregonians had rejected nineteen tax reform or school financing measures. However, in the 1970s and 1980s, property tax rates kept climbing. For example, in 1978 Portland taxed residential property at $24.32 per $1000 of assessed value of a property; by 1990 the rate had

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19 Ibid., 22.
jumped to almost $35 per $1000, and the assessed value of property had doubled.\textsuperscript{21}

Homeowners consequently felt the pang of both an increased assessed value of their home and an increase in the tax rate. By 1990, a groundswell finally garnered enough support to pass a property tax limitation, Measure 5.

Don McIntire, a health club owner from Gresham, founded and chaired the organization that filed the Measure 5 petition, Protect Oregon Property Society (POPS). The \textit{Gresham Outlook} attributed much of the success of the ballot initiative to McIntire’s leadership. Vern White, research director of the non-profit Oregon Tax Research, which provided much of the data and analysis to POPS, remarked that McIntire, “was the chief petitioner, the principal spokesperson, and the spark.”\textsuperscript{22} McIntire’s charisma shined through in tv spots, interviews, and his writings. He represented a wave of Oregonians ready to support a limit on taxes.

McIntire reasoned that limiting property taxes would repair an ineffective and oversized government. In the first edition of the POPS-published \textit{Grassroots Gazette} newsletter in August of 1989, McIntire proclaimed his frustration with government efforts to manage property taxes.

It should be clear to every Oregon property owner by now that our state legislature is not going to do anything responsible to limit property taxes. We have heard promise after promise, session after session, but have seen no results...In most areas of our state, property taxes have increased more rapidly than any other tax we pay. Something must be done to limit that growth—permanently—or most of us are going to be in more serious trouble in the near future than we are now, and that’s trouble enough.\textsuperscript{23}


McIntire saw the government as dominated by a lazy bureaucracy without the political will to fight inertia. From his perspective, Oregonians suffered because of the inability of their elected officials to act, the results of which manifested in wasteful spending and government programs of questionable value. However, for all his rhetoric, McIntire and his supporters knew the limits of their platform. In a retrospective article in the *Statesman Journal* in 1995, petitioner Thomas Dennehy commented, “We’re not grenade throwers. We never wanted to destroy government. We did need to reduce the growth of government.”

To do so, McIntire, Dennehy, and George Choban worked to file an initiative petition to restrict that growth by limiting property taxes. The movement to put what was to become Measure 5 on the November ballot had begun. In *Grassroots Gazette*, McIntire pressed, “We must—once again—put the matter in the hands of our citizens. Then, we are convinced, we will get results.” He urged supporters to go out into their communities and collect valid registered-voter signatures for the petition. “We will need 87,000 valid signatures by July 6, 1990. In excess of 100,000 signatures are needed to be sure we have enough registered voters’ signatures.” On an undated handwritten ledger paper supporters tallied petition signatures by county, by their count totaling 116,371. The Portland metro area counties accounted for the most significant totals on this unofficial tally. On 3,446 pages, Multnomah County accounted for 39,448 signatures of registered voters; Clackamas contained 14,398 signatures on 1,362 pages; and

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25 McIntire, “Growth of Property Taxes Must Be Limited.”
26 Don McIntire, “Petition Signing Going Well, But We Need Your Help!,” *Grassroots Gazette*, August 1989, (In BMAP).
Washington County tallied 11,546 signatures on 1,219 pages. Outside of the Portland metro area, Lane County added a significant number of signatures, 12,838 on 968 pages.27 These four counties are some of the most heavily populated areas in Oregon, but none voted reliably for Republican issues such as tax limitations. In the 1988 presidential election two years earlier, both Multnomah and Lane Counties voted for the Democratic candidate, Michael Dukakis. Though Clackamas and Washington Counties swung for the Republican candidate, George H.W. Bush, they did so only by slim margins.28 This suggested that Protect Oregon Property Society hit upon an issue popular with Oregonians across the political spectrum, the high rate of property taxes.

Outside of metropolitan Portland and Lane County, Measure 5 appealed to voters as well. In a letter to the editor of The Argus Observer, Jay Rucker of Vale, in eastern Oregon, wrote,

The problem is real. People are really hurt by these taxes—all ages, all groups. Young people pay more in taxes on their monthly mortgage payments than they do on principal. Older citizens find that they must pay hundred or thousands of dollars per year to live in their own home, even if it’s paid for. In lieu of the ever-expanding programs demanding more and more from us each year, I agree with those who say stop, and will support Measure 5.29

Voters reacted not only to their own individual tax circumstance, but also to the notion that Oregon trailed behind the majority of states that had passed tax limitation measures after Proposition 13.30 By 1990, Oregonians were ready to pass a tax limitation measure;

27 “Petition Signature Tally” (Protect Oregon Property Society, 1990), (In BMAP).
30 Sears and Citrin, Tax Revolt, 261.
on May 8, 1990, Don McIntire, George Choban, and Thomas Dennehy filed the petition for Ballot Measure 5.\textsuperscript{31}

Learning from failed initiatives in the past, the petitioners wrote a smarter ballot measure. Measure 5 aimed to amend Article XI of the state’s constitution to limit property taxes to $15 per $1000 of assessed real market value. However, in contrast to previous ballot initiatives, Measure 5 separated taxes into two categories, one for public schools and another for all other government services. According to the measure, property taxes for schools would ultimately be limited to $5 per $1000 on assessed real market value, and the remaining $10 per $1000 would be allocated to local government services such as police, fire, and libraries. By separating public schools, petitioners hoped to protect school funding by not competing with other government services. The second innovation was the implementation of the initiative over five years. By ratcheting down the property tax limitation slowly by $2.50 per $1000 each year, the petitioners designed the measure to blunt the full impact of the constriction until 1996-97. Other components of Measure 5 included the exemption of capital bonds from the limitation, the continual readjustment of proportions for local revenues so as not to exceed the cap of $10 per $1000 for government services, and a mandate for state replacement funds for the public school system during the first five years.\textsuperscript{32} The petitioners, Don McIntire, George Choban, and Thomas Dennehy, succeeded in crafting a winning measure.


\textsuperscript{32} Don McIntire, George Choban, and Thomas P. Dennehy, “State Constitutional Limit on Property Taxes for Schools, Government Operations” (Oregon Secretary of State Elections Division, November 6, 1990), (In BMAP).
In addition to the chorus of “wasteful government” and “ineffective leaders,” a number of other persuasive arguments emerged in favor of Measure 5. The primary argument, that property taxes were too high, Patricia Fairchild, Executive Director of Oregonians for Cost-Effective Government, presented in the election’s Voters’ Pamphlet. “Property taxes have outstripped many homeowners’ ability to pay. Taxes have increased more than our pay and retirement checks. In the last twenty years, property taxes grew at twice the rate of inflation.”33 This argument led the measure’s support by 69% of voters in a poll conducted by The Oregonian in September.34

An economic argument embedded in the measure reflected the rhetoric of the Reagan-era supply-side economics. This argument reasoned that the state’s coffers would continue to grow, though at a modest rate, after the passage of Measure 5. A prosperous economy would make up the difference as the limitation was implemented over five years. Petitioner Dennehy argued in the Voters’ Pamphlet that, “Given the five-year phase-in of the limits of Measure 5, the normal economic growth of the State will be sufficient to absorb the impacts of Measure 5 and still allow modest growth in existing

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34 Ellis, “Support Aired for Tax Limitation Plan.”
State programs.” While Measure 5 placed a cap on property tax rates, it did not place a cap on the growth of property assessments. Assuming property values rise over time, state property tax revenue would increase regardless of the cap. “Here’s going to be the big surprise,” McIntire predicted. “After we get to the lowest limits, they’re going to find that property tax revenues keep increasing, and the citizens are still protected by a predictable limit, but they’re going to be paying more property taxes. You can’t avoid that, because the value will increase.”

Additionally, the money property owners saved because of lower taxes would be reinvested in the economy, leading to greater incomes, and in turn greater state income tax revenue. Frank Eisenzimmer, POPS Treasurer, explained,

Passage of Measure 5 will improve the economy in other ways. Some of the money that is saved by property owners will be funneled into the marketplace. This will create a higher demand for products and services, which will equate to more jobs. Some of the money will be placed in savings, which can be loaned to start new businesses, or purchase homes. Again, more jobs. That means the General Fund will grow, thereby providing more money for funding schools.

This justification of tax cuts as a method to create jobs and benefit the state evolved from the sweeping influence of the Republican economic policies of the Reagan administration.

Just two years after the conclusion of Reagan’s presidency, and with his Vice President, George H.W. Bush, in office, supply-side economic theories permeated mainstream society. Consequently, its use as an argument in favor of Measure 5 was both familiar and logical to many voters.

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35 Ellis, “Measure 5 Oregon’s Property Tax Tangle.”
36 Frank Eisenzimmer in “Oregon Voters’ Pamphlet, General Election, November 6, 1990,” 34.
Another influential argument revolved around school funding. Up until this point, Oregon based the level of public school funding through local property tax collection. Measure 5 shifted the responsibility to finance public schools from local property taxes to the state’s general fund and the income tax. Proponents argued that a yes vote on Measure 5 “is the first logical step towards fairness in education. Our children and teachers are being held hostage due to the overdependence on property taxes to finance education. Property owners are voting down school levies because they cannot afford to carry more of the burden. Passage of Measure 5 will force the legislators to finance education from the General Fund.”

Many Oregonians felt incapable of funding their local schools at the level they deserved and therefore supported Measure 5. The school fairness argument also allowed Democrats to cross the aisle with a clear conscious and vote for the property tax limitation on behalf of equitable school funding.

Perhaps the greatest indication of the broad base of support Measure 5 captured was the endorsement of Mark Zusman, editor of Willamette Week, a liberal weekly paper in Portland. In two articles, published on August 23 and August 30, 1990, Zusman endorsed Measure 5. In Grassroots Gazette, McIntire commented, “Zusman’s well-reasoned analysis of the problem and the solution not only shocked the Education Establishment; it came as a major surprise to us too. Willamette Week is the most ultraliberal publication in the state.” Zusman argued that the ballot measure surpassed previous ones because of the petitioners’ changes to its structure: separating schools from other government services and the five-year implementation plan. “The retooling has

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38 Frances Hyson in “Oregon Voters’ Pamphlet, General Election, November 6, 1990,” 35.
39 Don McIntire, “‘It’s Time to Support Measure 5’ So Says Willamette Week (!),” Grassroots Gazette, October 1990, (In BMAP).
worked: Measure 5 is the most sensible attempt of its kind."\textsuperscript{40} Zusman contended that the current school financing system was disastrous and that Measure 5 would be a welcome change. “The enactment of this proposal would be the first step in a reform of Oregon’s archaic system of school finance. It’s a system so dependent on local property taxes—and therefore on the economic bases of individual districts—that it makes a mockery of the ideal of an equitable educational system.”\textsuperscript{41} Zusman countered that the subsequent loss of local control over schools would be worth it in exchange for stabilization of school funding.

Zusman also believed that the property tax limitation would force the legislature to develop an alternative revenue source to ensure stable funding for education. This became a popular argument, despite the objections of the petitioners. “Even if the measure does create chaos,” Zusman wrote, “it is a necessary sort of chaos that will eventually lead to support for an alternative source of revenue.” He recognized that it was improbable that Oregonians would pass a sales tax. “This approach has failed pathetically over the past 15 years…Oregonians have shown a real reluctance to approve one tax at the same time they are reducing another.”\textsuperscript{42} The petitioners agreed that limiting the property tax would not force a sales tax. “Our legislators might try, as they have in the past, but remember, they have asked for a sales tax eight different times and the best return they ever got from Oregonians was 29% of the vote!”\textsuperscript{43} However, there

\textsuperscript{41} Ibid.
\textsuperscript{43} “Property Protection Act: Most Asked Questions” (Protect Oregon Property Society, 1990), (In BMAP).
was a general consensus that Oregonians needed another stable revenue source and that Measure 5 would force the legislature to act.

While the petitioners dispelled the alternative revenue source argument, many voters supported Measure 5 on the grounds that it would pressure the legislature to act. Even opponents to the measure, such as State Superintendent of Schools Norma Paulus, felt that Measure 5 would pressure the legislature to pass an alternative tax. Paulus claimed, “If this measure only dealt with schools I could deal with it by asking the public to substitute a sales tax for the property tax we now pay for schools...I urge you to vote “no” on Measure 5, and join me next January in a genuine grassroots effort to put state priorities in order.”44 In other words, though she did not support Measure 5, she did feel it was time to pressure the legislature to push through a sales tax.

Others, such as the City Club of Portland, predicted that a crisis brought about by Measure 5 would not ensure the passage of an alternative revenue source. “Your committee could find no historical basis for believing the Legislature would accomplish these difficult tasks to the satisfaction of Oregon voters, and the majority of your Committee was not persuaded that creating a crisis would improve the situation.”45 Nonetheless, many supporters assumed the passage of Measure 5 would pressure the Legislature to develop an alternative revenue source that would stabilize school funding.

Supporters and opponents also disputed the meaning of Paragraph 1, Subsection 5 of the measure, which concerned the state’s obligation to replace funds lost by schools. It read,

The Legislative Assembly shall replace from the State’s general fund any revenue lost by the public school system because of the limitations of this section. The Legislative Assembly is authorized, however, to adopt laws which would limit the total of such replacement revenue plus the taxes imposed within the limitations of this section in any year to the corresponding total for the previous year plus 6 percent. This subsection applies only during fiscal years 1991-92 through 1995-96, inclusive.\textsuperscript{46}

While supporters applauded the mandate to replace lost funds through the state’s General fund, many noted, “This is language without any teeth.” Requested by the legislature to interpret the measure, Attorney General David Frohnmayer determined that, although the measure mandated the state to replace funds, it only required the state to do so for the first five years; there was no mandate for the state to allocate any funds to education following 1996. Additionally, according to the text of the measure, replacement funds would be capped at a six percent increase over the previous year. If a school district’s expenses increased more than six percent, the state was not obligated to fund this additional increase. The measure also did not require the state to replace funds dollar-for-dollar to individual districts. It only required the state to replace the total aggregate sum of losses incurred from the limitation on property taxes. This meant that the state could simply relabel Basic School Support Funds already provided to individual school districts, producing a net loss of funds to individual districts.\textsuperscript{47} As the Oregon Education Association noted, “Clearly, the Legislature would not devote that much money for schools. The consequences would be sharp drops in their basic school support funds and

\textsuperscript{46} McIntire, Choban, and Dennehy, “Measure 5.”
\textsuperscript{47} “Summary of Attorney General’s Opinion Ballot Measure 5” (The Oregon Committee, September 7, 1990), (In BMAP).
in funds that have been available for other programs."\textsuperscript{48} The bottom line was a net loss of school funds.

Aside from the technicalities of where the funds might come from, the enormity of the tax cut alone led many to question the state’s ability to make up the difference. \textit{Oregon Business Magazine}, which opposed Measure 5, wrote, “This would force the state to come up with estimated revenues of $857 million in 1991-92, $2.1 billion in 1993-94, and $3.3 billion in 1996-97, or limit spending by that amount…It is tempting to believe that forcing the Legislature to change the Oregon tax structure will result in an improvement. But it is just as likely we could end up with something worse. Putting a gun to someone’s head can usually force him to act, but not always rationally.”\textsuperscript{49} The business community feared the uncertainty that would arise from the unfunded replacement mandate and hoped the state would not turn to them to fill that void.

Opponents also feared that in order to fulfill the replacement mandate, the state would raise income taxes. If so, Measure 5 would ultimately benefit businesses more than homeowners. In the current tax model, 58\% of property tax revenue came from businesses while 39\% came from homeowners. “Giving 58\% of property tax relief to commercial property owners and landlords while threatening funding to education, police, fire, and other services is a tragic mistake,”\textsuperscript{50} exclaimed Betty Rademaker, President of Oregon Fair Share. By shifting responsibility to pay for services to the state’s general fund and the income tax, savings from the property tax cut would

\textsuperscript{50} “Oregon Voters’ Pamphlet, General Election, November 6, 1990,” 38.
eventually be offset by increases in the income tax, which relied on individuals, not businesses. As Ira Fletcher, President of Oregon AFL-CIO, argued, “Measure 5 looks like a tax cut, but it will end up being a tax shift—on to the backs of working people…unlike property taxes, income taxes and sales taxes are paid for primarily by individuals…Shifting the tax load from the property tax to the sales or income tax may be great for businesses and landlords, but it’s a disaster for ordinary working people.”

In other words, opponents argued that Measure 5 was merely a façade that masked unjust tax relief for businesses.

Though a September 1990 Oregonian poll found 69% of voters in favor of Measure 5, by October a KATU-TV poll showed that the lead had narrowed to 47% in favor, 42% opposed, and 11% undecided. Opposition spending and a media blitz accounted for the decline in support. As Election Day neared, opponents spent over $900,000 to defeat Measure 5, of which $500,000 came from Oregon Education Association. The Oregonian observed, “It should come as little surprise that the measure’s critics include such political heavyweights as Governor Neil Goldschmidt, the vast majority of the Legislature, the Oregon Mayors’ Association and the Association of Oregon Counties; public employees unions; and civic groups such as the Portland Chamber of Commerce and the Association for Portland Progress.”

These critics argued that deep cuts would choke state and local services, school districts would lose local control. The uncertainty of stable funding was a bad bet for Oregon. Endorsements

51 Ibid., 43.
53 Ellis, “Measure 5 Oregon’s Property Tax Tangle.”
published in the Voter’s Pamphlet demonstrated that Measure 5 pitted mobilized citizens against the state’s political establishment.

*Table 3 Measure 5 Endorsements*

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<tr>
<th>Measure 5 Endorsements from 1990 Voter’s Pamphlet$^{54}$</th>
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<td>Oregon Homeowner’s Association, Inc.</td>
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<td>Neil Goldschmidt, Governor of Oregon</td>
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<td>Barbara Roberts, Secretary of State</td>
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<td>Dave Frohnmayer, Attorney General</td>
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<td>Norma Paulus, Superintendent of Public Instruction-Elect</td>
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The opponents’ main argument against Measure 5 focused on the cuts that the initiative would necessitate. City governments across the state publicized anticipated cuts. Officials estimated that Measure 5 would cost the City of Portland $37 million, the equivalent of a twenty percent across-the-board cut. *The Oregonian* reported that “The Parks Bureau brochure [wrote] its obituary” after its analysis of Measure 5’s impact.$^{55}$

$^{54}$“Oregon Voters’ Pamphlet, General Election, November 6, 1990.”

Mayor Bud Clark lamented that Measure 5 would “stick local government in the eye.”

Eastern Oregon Pendleton Mayor Joe McLaughlin claimed Measure 5 would force $300,000 from the city’s $5.1 million budget. “In a place like Portland, that’s a drop in the bucket. In a town this size and that small of a budget, that’s quite a bit.”

State officials also cried cuts; by the 1993-95 biennium, they estimated it would cost the state an estimated $1.6 billion in replacement funds, which equated to about 9,600 jobs, or a quarter of all state employees. Salem Mayor Tom Neilsen bemoaned, “The city will get a triple whammy. There will be budget cuts. Secondly, 60 percent of state employees are in Salem, and they will add to the reduced work force. And, if the county reduced its criminal justice system, and Salem reduces its crime prevention, Salem will see the results.” To grab the public’s attention, Mayor Neilsen played upon fears that criminals would walk the streets of Salem. While officials didn’t necessarily lie about the severity of the cuts following Measure 5, they certainly used hyperbole to their advantage in crafting the opposition campaign. The drop in the polls suggested, at least initially, that “the doomsday deluge,” as The Oregonian called it, had worked.

Cuts to public schools were opponents’ greatest concern. While many cities already taxed below the Measure 5 limit, school funding was a different story. Those school districts that taxed above $5 per $1000 did so because their citizens had voted for that level of taxation and used the funds for an array of programs. For example, Portland Public Schools (PPS) provided social programs including health care, after-school care,

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56 Ellis, “Measure 5 Oregon’s Property Tax Tangle.”
58 Ellis, “Measure 5 Oregon’s Property Tax Tangle.”
60 Ellis, “Details Lost in Measure 5 Rhetoric.”
61 Ellis, “Support Aired for Tax Limitation Plan.”
drug therapy, counseling, and job training, among others. PPS had by far the state’s highest concentration of high needs students, such as students with learning disabilities, students for whom English was not their first language, and students from impoverished homes. As school board member Forrest Rieke explained, “We have more and more youngsters showing up less and less prepared to start learning for any number of reasons that don’t have anything to do with the educator’s mission, but they are real issues.”

Over the years, Portland taxpayers had agreed to pay higher taxes and provide for a large number of programs. Portland’s high property values and commercial property also benefited their extensive funds.

In the weeks leading up to the election, Portland Public Schools Superintendent Matthew Prophet became the loudest critic of the disastrous effects that would follow from the passage of Measure 5. Prophet sent a videotaped address to Portland teachers in October, in which he emphasized that the measure would cost the district between $25 and $45 million in its first year alone. The results, he argued, “would virtually guarantee the Portland School District’s return the dark ages of urban public education.” Prophet appeared on news programs and public forums with sharp retorts about the implications of Measure 5, often opposing Don McIntire in person. At a November 1 forum at Buckman School, Prophet attacked proponents of the measure. “What I resent is people coming through with half-cocked solutions,” he declared. The measure’s backers, he claimed, “could care less about kids,” and he vowed Portland students would not be

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63 Ellis, “Cities Fear Effects of Measure 5”; Ellis, “Details Lost in Measure 5 Rhetoric.”
“political pawns for political hacks.”

Two days before the election, Prophet claimed that, if the measure passed, he would have to send every teacher in the district a pink slip. The superintendent prophesized a bleak future for schools.

In contrast to Portland, taxpayers in some districts failed consistently to pass school levies for their local schools. By 1990, 46 districts relied on the state’s safety net, which allowed districts whose levies had failed to revert to tax levels from the last successful levy. Many of these poor districts faced the problem of tax effort. Basically, “tax effort” refers to the fact that poor districts with lower property values needed to increase their tax rates to raise as much money as wealthy districts with higher property values and more commercial property. To raise the same amount of money per student as wealthy districts, poor districts had to impose higher tax rates. Consequently, many poor districts had very high property tax rates but still had lower per-pupil spending than wealthy districts, and therefore greater hurdles to get taxpayers to vote for higher tax rates. The problem of tax effort compounded as districts faced population growth. As The Oregonian explained,

If a district lacks a strong industrial base and support for its community, growth can cripple services. More students demand more expenses for space, textbooks, supplies, transportation, and teachers. Schools must find most of their money to pay those costs in local property taxes. For some districts like Tigard, where businesses are expanding and property values are climbing, that usually is not hard. But getting more money can be difficult in other districts—such as Forest Grove, Molalla, even Bend-LaPine and Salem—where there are few heavy industries driving up property values. These districts must rely on the willingness

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of residents to tax themselves heavily for schools. That willingness diminishes as taxes climb.\textsuperscript{67}

By the time Measure 5 appeared on the state ballot, some districts had fallen into the state’s safety net for the fourth and fifth year in a row.

School districts in the state safety net failed to pass necessary levies and, because of tax effort, generally needed to tax at a higher rate than the $5 per $1000 imposed by Measure 5. Following the school levy election September 18, 1990, \textit{The Oregonian} reported that approximately 70,000 students would attend schools in safety net districts, twice the amount of the previous year. “These students in many cases will get fewer educational opportunities than their peers elsewhere in the state. Many safety net districts, such as Forest Grove and Reynolds, lack bus service. And most of them offer fewer courses, activities, books and resources than schools with stronger tax support.”\textsuperscript{68}

Because of the problem of tax effort many of these districts faced, “Oregon schools may face even deeper financial problems if voters on Nov. 6 approve Measure 5, a property tax limitation proposal. The measure would lower a lid in phases on property taxes to $5 per $1,000 of property value—a rate $10 to $15 below what most districts levy.”\textsuperscript{69}

Foreseeing a severe drop in funding, the vast majority of Oregon school districts opposed Measure 5.

Although some argued that school districts taxing below $5 per $1000 would “win” in a Measure 5 landscape, the vast majority of districts opposed the initiative because of the uncertainty of secure funding for schools. Even if many hoped that Measure 5 would pressure the legislature for a new revenue source for education, the


\textsuperscript{68} Graves, “School Chaos Feared after New Round of Levy Failures.”

\textsuperscript{69} Ibid.
history of failed tax measures suggested that voters would turn down a new tax. The City Club of Portland determined in its analysis that it would be unlikely that the state would be able to create a new revenue source and therefore predicted serious cuts. It estimated that the state had three options: reduce funding for state programs, increase the income tax, or create a new tax such as a sales tax. The City Club report concluded, “Since Oregon already ranks fourth in the country in the percent of personal income spent on income taxes, any increase in the income tax appears unlikely. A sales tax has repeatedly been defeated by voters. Thus, the most likely option, at least initially, would be to cut state programs.”70 Additionally, while Measure 5 did require the legislature to replace funds, it did not stipulate from where or how much, nor did it require those additional resources to extend beyond 1995-96. Oregon State University economist Bruce Weber pointed out, “If the Legislature found no other source of revenue to replace the property tax revenue and decided not to continue the replacement revenue, school districts, which currently depend on property taxes for over half their revenue, would find property taxes reduced by 67%.”71 Measure 5 created too many financing uncertainties for most school districts to support. In an editorial “Measure 5 is not the answer,” the eastern Oregon Argus Observer’s editorial board wrote, “There is no way we can see Measure 5 as not crippling the education of our Oregon youth.”72

The elimination of local control of school finances became yet another argument against Measure 5. By reallocating decision making over school financing to the state and preventing local districts from determining at which level to fund their schools,

70 City Club of Portland (Portland, City Club of Portland Bulletin Vol. 71, No. 23 (1990-11-2).
Measure 5 would eliminate local control over local school funding. As Mayor McLaughlin of Pendleton put it, “The state’s going to be telling us what we can do and what we can’t do. If we want to do something here, and the people want it, we should be able to do it.”

Similarly, Portland Public Schools feared losing its investments in social service programs such as counseling and after-school care.

Malheur County’s Education Service District best summarized the arguments against Measure 5 in a letter to the editor of the *Argus Observer*.

> Malheur County ESD Board joins Oregon School Boards Association, Confederation of Oregon School Administrators and other school boards in opposing ballot measure 5 and 11 as not being a responsible solution to the problems they address. The board agrees that while our present tax system needs an overhaul, these measures are not the answer.

> Ballot Measure #5 provides no assurance of alternative replacement revenue. The state cannot replace the revenue loss from property taxes without increasing the remaining sources of revenue such as income tax and decreasing tax dollar support to dependent agencies and programs such as cities, counties, and welfare programs. In its attempt to provide school funding, other agencies would definitely have their resources reduced…

> There are no provisions made to deal with the revenue problem for education after the fiscal year period 1995-96. Under Measure 5 the legislature would decide the issue of funding for schools instead of voters. Again, it is believed that while local voters decry high property taxes they hold clearly their right to make decisions about school funding on a local basis…the concept of local control.

Despite protests, Measure 5 remained popular with voters.

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73 Ellis, “Cities Fear Effects of Measure 5.”
74 Graves, “Budget Dilemmas Grip Education.”
Table 4 Measure 5 Arguments

<table>
<thead>
<tr>
<th>Measure 5 Arguments</th>
<th>Opponents NO on Measure 5</th>
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<tbody>
<tr>
<td><strong>Supporters YES on Measure 5</strong></td>
<td><strong>Opponents NO on Measure 5</strong></td>
</tr>
<tr>
<td>• Property taxes too high</td>
<td>• Loss of local control</td>
</tr>
<tr>
<td>• Supply-side economics: tax cuts grow</td>
<td>• Benefits businesses more than homeowners</td>
</tr>
<tr>
<td>state revenue</td>
<td>• Cuts to state, city, and school services</td>
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<td>• Education funding fairness</td>
<td>• Net loss of funds to schools</td>
</tr>
<tr>
<td>• Mandates replacement funds for schools</td>
<td>• Uncertainty of secure school funding</td>
</tr>
<tr>
<td>• Legislature forced to develop alternative revenue source</td>
<td>• New revenue source unlikely</td>
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The Aftermath of Measure 5

On Election Day, Tuesday, November 6, 1990, Measure 5 passed by a margin of 528,597 votes to 485,765 (52% to 48%), with broad support from traditionally Democratic counties. For example, Multnomah County overwhelmingly voted in favor of the politically conservative measure, 117,599 to 97,228 (55% to 45%). The county provided 22% of the statewide yes vote. At the same time, 73% of citizens in Multnomah County voted for the Democratic candidate for governor, Barbara Roberts. That Multnomah County voted in favor of both conservative Measure 5 and liberal Barbara Roberts suggested that, despite the prophesized doomsday cuts that awaited voters after Election Day, the individual burden of property taxes outweighed the fears of cuts.

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76 Ellis, “Officials Begin to Wrestle with Tax Limit.”
Oregonians did not take seriously the fears of cuts; they hoped to have it all. Voters aimed to limit property taxes while sending a message to the legislature to pass replacement revenue. Two polls conducted in November 1990 concluded that voters passed Measure 5 simply to cut property taxes and that a majority (including those who voted in favor of Measure 5) supported a new replacement tax. The Oregon State University Survey Research Center poll concluded, “The strength of support for a state replacement tax to fund schools suggests to us that most voters did not view their vote as a mandate for significant cuts in spending. Indeed it is more consistent with the idea that voters were seeking a replacement sales tax for schools than that they wanted the major
spending cuts now being proposed in state and local government budgets.” Similarly, an Oregonian poll found that 71% of all respondents, and 66% of respondents who voted for Measure 5, favored finding other sources of revenue. 55% favored creating a sales tax; 50% favored increasing corporate income taxes. Only 9% favored increasing income taxes. The message voters sent on Election Day was not about cuts, but rather about changing the tax revenue structure.

The message that Oregon voters wanted to have it all reflected Citrin’s conclusion in his study of Proposition 13; in fact, he subtitled his book, Tax Revolt, “something for nothing in California.” As he explained, “People want to pay less in taxes; a majority also says it prefers a smaller government, even if this means fewer services. But when asked whether government should spend more or less on a particular category of service, an overwhelming majority consistently says more for everything except welfare and ‘administration.’” Oregonians too were looking for “something for nothing.”

Similarly, Kuttner concluded that the relationship between the government and the people had shifted; taxpayers had lost faith in government to provide services for the current price. Instead, the public believed there existed massive inefficiencies and that taxes should be cut without a proportional cut in services. As Kuttner expressed, “the public believed that the government contained massive amounts of ‘fat,’ like the glistening gristle around the edge of a sirloin, which could be trimmed away without affecting the quality of public services.” Unfortunately, Kuttner contended, “The ‘fat’

79 Sears and Citrin, Tax Revolt.
80 Martin and Citrin, After the Tax Revolt, 5.
metaphor really misses the point...One man’s fat is another’s meat.’’ In other words, voters’ hoped government could emerge from the tax limitation slimmer but unscathed. It could not.

In his study of Oregon polls from the 1970s forward, Bruce Weber found that much of the impetus to pass a property tax limitation stemmed from the perception that the exchange between what people paid in taxes and what the government provided in services, or rather the exchange-equity measure, had diminished since OSU began monitoring it in 1975. In 1975, 75% of the adult population of Oregon thought the tax system was equitable to them. By 1990, only 35% agreed. Over fifteen years, increased property taxes without a perceived increase in government services had eroded faith in the exchange-equity measure. “The erosion in the number who believe that the existing tax system is equitable is proposed as a fundamental reason Measure 5 was successful.’’

<table>
<thead>
<tr>
<th>Exchange-Equity Measure</th>
<th>Is the tax system equitable to you?</th>
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<tbody>
<tr>
<td>Year</td>
<td>Yes</td>
</tr>
<tr>
<td>1975</td>
<td>75%</td>
</tr>
<tr>
<td>1980</td>
<td>48%</td>
</tr>
<tr>
<td>1986</td>
<td>50%</td>
</tr>
<tr>
<td>1990</td>
<td>35%</td>
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This perspective also reflected Reagan-era supply-side economics. President Reagan sought to cut taxes to restrict the size of government by reducing the amount of money available for social programs and strengthen the economy by “liberating the private sector and individual initiative from the nefarious grip of big government and its attendant bureaucracies,’’ as historian William C. Berman explained. Tax cuts appealed

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81 Kuttner, Revolt of the Haves, 25.
82 Weber et al., Measure 5, 3.
to businesses, which argued that new capital would spur investment, in turn increasing government tax revenue, while ordinary citizens hoped it would ease their pocketbooks.\footnote{Berman, \textit{America’s Right Turn}, 91–94.}

Though Reagan’s supply-side economics provided an effective political model for tax cuts, it had negative long-term consequences. Like Measure 5, it created an unstable underlying economic foundation. Supply-side economics contributed to increasing income inequality, declining standard of living, stagnating real income, and necessitating a two-income household. After the tax cuts of 1981 and 1986, reductions in government services, and a massive increase in military spending, the national deficit exceeded $60 billion by 1990, funded mostly from abroad, an anomaly in its history.\footnote{Ibid., 124–135.}

So why did Oregon follow in California’s footsteps a decade later? Measure 5 embodied the beliefs of the supply-siders. It aimed to reduce taxes by limiting the property tax; it forced government to cut back on social programs and become slimmer and more efficient; and it wielded broad support from both Republicans and Democrats, as well as from business. Much of the instability of Reagan’s economic system remained hidden behind the ability of the nation to issue debt. While the state of Oregon could not run a deficit, the burgeoning economy of the 1990s concealed the economic instability of Measure 5.

Oregon’s passage of Measure 5 fit into the long legacy of tax revolts prompted by California’s Proposition 13. On November 6, 1990, Oregonians informed their government that they wanted a fundamental change in the system. Democratic Governor-elect Barbara Roberts faced insurmountable challenges. As she put it, “If I won the governorship but was faced with the passage of Measure 5 and the potential loss
of Democratic control in the House, it could tie my hands both in terms of the state budget and my policy agenda. Unfortunately for Roberts, all three came to pass. She noted, “As I contemplated these cuts, I thought back over the last decade of America’s so-called tax revolution. From the 1978 passage of the trend-setting Proposition 13 in California that immediately cut $6-$7 billion out of local tax revenues…until Oregon’s passage of Measure 5 in 1990, tax revolt was part of the nation’s political lexicon.” How Oregon would manage these new limitations remained to be seen.

Voters expected Measure 5 to create a more equitable system. They made three assumptions: legislators would create and implement an alternative revenue source; Oregon would equalize school funding across the state; and the state would be able to replace the lost funds to schools from the property tax limitation. Each of these assumptions weighed into the decision to vote for Measure 5, but not all came to fruition. Although Oregon did equalize school funding, it neither passed a new revenue source nor replaced the funds cut by Measure 5.

*Alternative Revenue Source*

In the year following the passage of Measure 5, a strong economy enabled the state to buy some time before the predicted cuts set in. The governor and legislature used the excess revenue to restore many of the planned cuts in human resources and

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86 Ibid., 225.
However, the upswing in the economy only masked the new structural revenue challenges created by Measure 5. The increased funds provided by the legislature did not outpace rising costs. “The significance in the first year of Measure 5 for most state agencies is more money, in real dollar terms, but reduced services for clients as inflation, wage increases, and turbocharged health-care costs eat into the additional taxes.” Despite this reality, the media’s portrayal of continuing abundance in the media numbed voters to the true effects of Measure 5.

Governor Roberts heeded the voters’ call for an alternative revenue source. She aimed to pass a sales tax, but the strong economy transformed the perception of need from dire to muted. The Oregonian explained, “Despite gloomy predictions about Measure 5, a healthy economy, some new taxes and fees and the slow phase-in of the tax measure made its debut anti-climatic…” The contrast between the early doomsday scenarios and a state general fund budget $800 million larger than the last one will make it harder for Roberts to convince voters that government can be trusted to spend wisely.” Don McIntire, the initiative’s leader, capitalized on the healthy economy to declare the accuracy of his predictions. “When everyone was talking doomsday, I said, ‘Remember, in a lot of areas we’ll be cutting rates in more than half. But that doesn’t mean it cuts revenues in half’…What we did was put a reasonable, prudent protection for citizens in place…We certainly didn’t eliminate the property tax.” He cautioned that Oregonians “should think twice about getting suckered into giving government any new

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87 Ibid., 244.
88 Ellis, “It’s Bottom-Line Time for Measure 5 Effects.”
general tax.”

Roberts faced what proved to be an insurmountable challenge: changing perceptions.

Oregon’s basic problem stemmed from an unstable tax structure. Oregon relied solely on property and income taxes, while most states also included a sales tax. As the state’s economy grew, rising property values and increased incomes translated into higher state revenues. However, during recessions or even minor downswings in the business cycle, the state was left vulnerable when Oregonians in need more often turned to government services. Governor Roberts foresaw the need to address this flaw: “As 1992 passed, as we edged closer to the billion dollar budget ‘cliff’ we would face in 1993-95, I saw little indication of any major tax proposals under discussion by the interim committees of the House or Senate. I was willing to be the ‘bad cop’ if it meant a chance to reform our tax structure and avoid the ugly cuts.”

A sales tax would mean additional revenue for the state, but voters had turned down a sales tax eight times in Oregon’s history, most recently in 1986 when 78% of voters opposed the measure. Could Governor Roberts accomplish what so many had failed to do before?

Because the Oregon Constitution required a sales tax to go before a vote of the citizens, Roberts began a campaign, which she called “Conversation with Oregon,” to shift public opinion about taxes. The goal behind the publicity push was to reach out and educate citizens across the state about “their tax structure, its dollar impact on state and

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90 Ellis, “It’s Bottom-Line Time for Measure 5 Effects.”
92 Roberts, Up the Capitol Steps, 275.
93 Hill, “Roberts Starts Push to Revamp Taxes and Public Opinion.”
local government programs, and the detailed expenditures of the state budget.” Roberts recalled,

This extensive effort to bring “real” numbers and better understanding of taxes and budgets to thousands of my state’s citizen was much more than Taxes 101 for these Oregon participants. We wanted them to share their newfound knowledge in their homes, at work, at the barbershop, bowling alley, PTA, and coffee shop. The knowledge these citizens would carry away from the Conversation could easily multiply into a million better informed voters…or so I hoped.94

Roberts held six regional meetings set up and run by volunteers, which were broadcast simultaneously to satellite meetings across the state. By its close, over ten thousand Oregonians had participated in nine hundred local meetings of the Conversation with Oregon.95

Despite Roberts’ inclusive approach to rebuilding citizens’ trust in government, the media generally panned the meetings. The Oregonian reported that she only reached 10,000 of the 20,000 anticipated voters, that “the latest conversations with the governor are sparsely attended and most opinions favor budget cuts, not reform,” and that “cynics have suggested that Roberts’ ‘Conversation with Oregon’ is little more than a dog-and-pony show to give her the cover to drag out her favored solution to the Measure 5-induced budget crunch: a 5 percent tax on goods and services.”96 Indeed, the Conversation with Oregon did just that. After tabulating surveys collected at the various meetings, results found that 90% of participants wanted greater efficiency from government and that 73% said the tax system needed restructuring.97 Though many

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94 Roberts, Up the Capitol Steps, 257.
95 Ibid., 259.
insisted that the Conversation failed to create a “groundswell of support for increases in taxes among the people,” and that “it would be political suicide to float this kind of [sales tax] proposal,” Roberts moved forward with her plan to enact a sales tax.

The Governor called a special session of the legislature on July 1, 1992, to consider her tax package, but the legislature refused to refer it to the voters. The plan included a 3.5% sales tax on goods, an increase in the property tax rate for commercial property, a personal income tax graduated reduction, and immediate implementation of the Measure 5 tax relief instead of the five-year step-down. The package was expected to raise $950 million per biennium.

The Roberts tax plan failed because of politics. First, while Roberts invested time and money to convince voters of the need for tax reform, she failed to do the same with the legislators in Salem, who felt “snubbed.” In addition, Roberts sparred with House speaker Larry Campbell (R-Eugene), over the date of the election: Roberts wanted a special election in September using vote-by-mail, while Campbell insisted on the November general election at the polls. Neither budged. Ultimately, Campbell blocked the legislation. The bill never left the House floor to a referendum to the voters. Roberts described this as “the largest failure of my political career,”

The bipartisan panel the Legislature created thereafter to develop a revenue source for the state also failed to come up with solutions. According to Roberts, “My answer had been rejected. Theirs never materialized…Legislative egos can outweigh

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98 Mapes, “Roberts’ New Year Resolutions Won’t Include Sales Tax.”
99 Roberts, Up the Capitol Steps, 276.
101 Roberts, Up the Capitol Steps, 258.
102 Hill, “Rebuff to Roberts’ Tax Plan Leaves Raw Wounds.”
good public policy.”

Despite indications that voters were ready to support a sales tax, the politics became insurmountable.

The last chapter in the sales tax question came and went half-heartedly. In the 1993 legislative session, a group of politicians from both parties managed to squeak by a sales tax measure to be referred to the voters in the November 1993 election. This was not the more comprehensive tax package developed by Roberts, but rather a simple 5% sales tax dedicated to schools. Fraught with debate, no true grass roots supporters, and even little money behind the opposition, the sales tax referendum, Measure 1, failed 721,930 (75%) to 240,991 (25%).

A sales tax in Oregon had fallen short for the ninth time. Norma Paulus, the state superintendent of public instruction concluded, “The message is very clear…The people will not change the [tax] system until they see state government downsize.” Tim Hibbitts, who conducted an October poll showing that nearly two-thirds of voters opposed the measure, concluded, “‘There is no confidence in government out there,’…adding that the cynicism among voters was the highest he has seen in his 20 years of political polling.” Although polls indicated that the voters who passed Measure 5 did so because they favored an alternative revenue source, it took two years before the legislature even considered one, and three years before a proposal

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103 Roberts, Up the Capitol Steps, 277.
reached the voters. In that time, the wavering faith of Oregonians in state government had evaporated.

Furthermore, by 1996 Oregonians demanded even more tax relief. Bill Sizemore of Oregon Taxpayers United sponsored Measure 47, which aimed to cut-and-cap taxes by rolling back property taxes by ten percent and capping its increase to three percent annually. He argued, “Putting a cap on property tax increases is the only way to repair an unfair system…Judging by history, the Legislature is politically incapable of resolving this problem. Leadership from the governor's office is also highly unlikely…It is clear, therefore, that if Oregonians want to limit property taxes, they will have to do so themselves.”\textsuperscript{110} In November 1996, Measure 47 passed 52\% to 48\%.\textsuperscript{111} Six months later Measure 50 passed, a follow-up referendum from the legislature to clarify the complexities of Measure 47. Measure 50 converted property tax from a tax base system to a tax rate system by establishing a permanent tax rate based on the assessed value of each property. Consequently, while the total amount of taxes collected by a local tax district could increase, the assessed value of a property could not increase more than 3\% per year, regardless of real market value.\textsuperscript{112}

Measure 50 created a gap between the total possible revenue that could be collected under the Measure 5 limitations of $15 per $1000 and the amount collected under the three percent annual assessed value increase. To recapture the eligible funds, voters were allowed under Measure 50 to approve temporary bonds or local-option levies

\textsuperscript{112} The New Direction of the Oregon Property Tax System Under Measure 50, Research Report (Salem, Or: Legislative Revenue Office, November 1999).
to supplement revenue so long as an individual’s property tax bill remained under the Measure 5 threshold. However, Measure 50 further restricted the passage of local option levies by requiring that a double majority, half of registered voters, must turnout to validate a local levy election, which made it exceedingly difficult to recapture these funds. Consequently, whereas under Measure 5 property tax revenue increased as assessed value increased, after Measure 50 revenue increased more slowly since assessed value was restricted to a three percent annual increase.

**Equalization of School Funding**

The second assumption Oregonians made in voting for Measure 5 was that the legislature would equalize school funding. Equalization meant that every student, regardless of location, class, or race, would receive the same amount of school funding. Prior to Measure 5, Oregon’s system of school funding had depended on local property taxes, resulting in wealthy districts’ ability to spend more per-pupil than poor districts. In 1971, California struck down this method of funding and instituted equalization, starting a trend away from local control of school funding. This move influenced Californian voters to pass Proposition 13. Like the tax revolt, Oregonians hoped to follow California and implement equalization of school funding.

By the time Californians faced Proposition 13 at the ballot box, school-funding equalization had also transformed the local property tax. In August 23, 1968, parents of twenty-seven students filed suit against the State of California. They argued that

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California’s system of funding public schools discriminated against the poor, because the quality of education depended upon the wealth of the district, violating the equal protection clause of the Fourteenth Amendment. The parents were influenced by the Arthur Wise’s 1967 book, *Rich Schools, Poor Schools: The Promise of Equal Educational Opportunity*, which argued, “there is no justification—constitutional or otherwise—for permitting the circumstances of parental wealth and geography to determine the quality of a child’s education in the public schools of a state.”¹¹⁵ In *John Serrano Jr. et al., v. Ivy Baker Priest* (Priest was the Treasurer of the State of California), the Supreme Court of California decided 6-1 in favor of the plaintiffs on August 30, 1971. The majority opinion declared,

> We have determined that this funding scheme invidiously discriminates against the poor because it makes the quality of a child's education a function of the wealth of his parents and neighbors. Recognizing as we must that the right to an education in our public schools is a fundamental interest which cannot be conditioned on wealth, we can discern no compelling state purpose necessitating the present method of financing.¹¹⁶

*Serrano* required a significant change to the method of funding schools through local property taxes, severing the connection between wealth and per-pupil spending. However, it did not dictate how to fund schools equally. Opponents of the decision feared that wealthy districts would be dragged down to the median level. Lawyers for the plaintiffs asked the court for restraint from mandating the new system of school financing. “All the California court was asked to do was to establish the principle of ‘fiscal neutrality’—that is, to declare that whatever method is used to support schools it may not constitutionally be a function of wealth, other than the wealth of the state as a

whole.” The Supreme Court of California complied, striking down the current method of funding without dictating a new one. Consequently, in 1977, the California legislature passed A.B. 65 to implement school funding equalization.

_Serrano_ proponents suffered a setback on March 21, 1973 when the U.S. Supreme Court ruled against a group of Mexican-American parents from Texas who filed suit against their school district in _San Antonio Independent School District et al. v. Rodriguez, et al._ Similar to _Serrano_, these parents argued that Texas’ school funding system based on local property taxes violated the Fourteenth Amendment by discriminating against the state’s poor and minority students. The court rejected this argument, holding that education was not a fundamental right. Justice Powell wrote, “The Equal Protection Clause does not require absolute equality or precisely equal advantages.” Therefore, Powell reasoned, Texas was not obstructing the education of students, it merely did not step in to equalize school funding. “Even if it were conceded that some identifiable quantum of education is a constitutionally protected prerequisite to the meaningful exercise of either right,” Powell asserted, “we have no indication that the present levels of educational expenditures in Texas provide an education that falls short.” Consequently, the court left it up to states to decide how to fund their school systems.118

Despite this ruling against equalization, by 1978, twenty-four states had followed California and passed similar school-tax reforms based on equal protection clauses in their state constitutions. While varying in method, virtually all these measures subsidized the taxing power of poor districts with state income tax funds. By 1978, when

Proposition 13 passed, some of the effects of equalization were apparent. *The New York Times* reported, “According to studies in California, Michigan, and elsewhere by the Rand Corporation, poor districts have used the overwhelming bulk of their funds for auxiliary educational services, such as counselors and teaching aids. Such districts have also shown themselves to be more likely to hire new teachers to reduce class size than to increase the salaries of present teachers” (as opponents had feared). On the other hand, these states also demonstrated that local control of schools was diminishing. As the state took on more responsibility for funding, it became “more inclined to make sure that their policies are working satisfactorily.” This influx of state funding into education, as well as new state taxes to “level-up” poor districts, increased school financing by 58% in the 14 states with equalization from 1973-1977, while the national average remained at 51%. Equalization increased school funding overall.119

While many voters favored equalization of school funding, others saw the *Serrano* decision as destroying local control of schools, and contributing to the passage of Proposition 13 in California. Prior to *Serrano*, taxpayers could see the link between their taxes and schools. If local voters chose to tax themselves greatly, then their local schools benefitted. This bettered not only families with school-age children but all homeowners because good schools increased their home values.120

After the California legislature implemented the *Serrano* decision through A.B. 65 in 1977, that link between property taxes and schools unraveled. California centralized property tax collection and redistributed funds to equalize education spending across the

state.121 “By giving the state, in essence, a uniform statewide property tax, distributed by the State Legislature, it has already had the effect of forcing greater equalization of school spending.”122 As property taxes increased, homeowners did not see the additional funds directed to their local schools. As Dartmouth economics professor William Fischel has argued, “homeowners supported property taxes as long as those taxes paid for local schools, because well-financed local schools were good for their property values. But once property taxes were to be redistributed away from local schools to other districts, many voters who had previously opposed property-tax limitation swung in favor of Proposition 13.”123

Equalization shaped Oregonians’ views of Measure 5 as well, although for a different reason. There was no equivalent to the Serrano decision in Oregon. Voters hoped that the centralization of school funding produced by Measure 5 would lead to equalization. In 1989, a collection of students, parents, and 56 school districts across the state, representing over 20% of Oregon students, filed suit against the state in Coalition for Equitable School Funding v. State of Oregon. Lower courts decided in favor of the state, citing Olsen v. Oregon (1976) in which the Oregon Supreme Court ruled that the

121 Ibid., 90.
122 Fiske, “Does School-Tax Reform Really Work?”.
123 Fischel in Martin and Citrin, After the Tax Revolt, ix, 92–93. Fischel substantiated his Serrano-Proposition 13 hypothesis on the voters’ refusal of another proposition on that June 1978 ballot, Proposition 8, the Behr bill. The Behr bill, introduced by California Senator Philip Behr, proposed an alternative form of tax relief to Proposition 13 while complying with the Serrano decision. It lowered some taxes and shifted the burden away from homeowners to commercial property owners, while maintaining all taxes necessary for schools. In effect, this bill had little benefit for homeowners in wealthy school districts, whom Fischel termed “Serrano losers.” These taxpayers would see little relief from their increasing property taxes. The condition on the ballot whereby Proposition 8 would be enacted into law only if it received a majority and that majority was greater than that of Proposition 13, suggested that voters induced by tax reform should have voted for both Proposition 8 and 13, since both would have reduced the tax burden. However, voters did not pass both measures; Proposition 8 failed, receiving only 47% of the vote. Additionally, in analyzing the data, Fischel discovered that Serrano losers overwhelmingly voted against Proposition 8 while voting in favor of Proposition 13, leading to his conclusion that Proposition 13 passed because of school funding equalization.
Oregon constitution did not require equitable funding for “the establishment of a uniform and general system of common schools.”\footnote{Fran Gardner, “Schools Plan to Sue State Over Funding,” \textit{The Oregonian}, June 13, 1989, Fourth edition; “Court to Take up School Financing,” \textit{Argus Observer}, November 8, 1990; Oregon State Legislature, \textit{Constitution of Oregon}.} However, following the passage of Measure 5, the Oregon Supreme Court agreed to reconsider the case since the system of school funding had suddenly and significantly changed. Nonetheless, the Supreme Court again found that the Oregon constitution accepted inherent inequities resulting from property tax disparities. Justice Graber wrote, “the state must fund centrally whatever it requires and that the constitution does not countenance disparities from one school district to another, with respect to either financial benefits or tax burdens…[it] contemplates and permits those disparities.”\footnote{Susan P. Graber, Coalition for Equitable School Funding v. State of Oregon, 811 P. 2d 116 (Supreme Court 1991).} Though many had hoped a court decision would force the legislature to develop an equitable system of funding schools, now their hopes hinged on the legislature’s will to equalize as it attempted to solve the school financing mess brought about by Measure 5.\footnote{Bill Graves, “Court Upholds School Funding,” \textit{The Oregonian}, May 3, 1991, Fourth edition.}

Should the legislature have failed to pass some sort of equalization, many feared the district inequities as they existed in the 1990-91 school year might be etched in stone. The Oregon Education Association predicted that each individual district would lobby the state for increased funding, opening up opportunities for favoritism and corruption. “You can believe that every school superintendent and many administrators will be down there saying, ‘My district deserves more.’…It will come down to perceptions, who is perceived
as wealthy and who is not…I see a big free-for-all down there…and that’s just for schools.”

The state legislature did take steps to equalize school funding in its 1991 session. Senate Bill 815 created a transition formula for the 1991-92 school year, and Senate Bill 814 created a permanent equalization formula. SB 815, the transition formula, aimed to replace funds lost by Measure 5, although without any adjustments for rising inflation or health care premiums, or the 30% the state already provided through the Basic School Support Fund. Wealthy districts were “flat-funded” while the state allocated an additional $30 million to 85 of the state’s poorest district to help level up to the mean per-pupil spending. SB 815 met the challenge of how to fund the first year of Measure 5 implementation, 1991-92, when the property tax limitation could not exceed $15 per $1000 for schools by restraining wealthy districts and aiding poor districts.

SB 814 created the equalization formula moving forward. The formula recognized that districts had different costs based on a number of factors. First, the state calculated the number of students in a district by average daily membership (ADM) and then adjusted the count “to reflect the difference in cost of educating different types of students,” creating a weighted per-pupil distribution (ADMw). For example, students received a weight of 2.0 for special education, 1.5 for English as a Second Language, and 1.25 for poverty, as well as a few other weights to account for small rural school districts. The maximum weight a student could receive could not exceed 3.0. Next, the state

127 Ellis, “Officials Begin to Wrestle with Tax Limit.”
adjusted the base funding per student by the district’s average teacher experience. Since teacher salaries are partially based on years of experience, districts with more senior teachers had higher salary costs each year, for which the formula needed to account. Last, the state also agreed to provide 70% of approved transportation costs in the transportation grant. The state distributed the general purpose grant from the newly created State School Fund (SSF), which replaced the Basic School Support Fund. The final permanent equalization formula became:

Table 6 Equalization Formula

| State School Fund Grant | + | Local Revenues | Base Funding Per Student | Adjusted By Teacher Experience X | ADMw | + | Transportation Grant |

The system created by this formula did not favor or disadvantage districts based on their ability to raise tax revenue, but instead looked at the cost of educating each student and left the allocation of those funds up to local districts. The League of Women Voters reported, “Thus, each district’s total funding is based solely on the base funding and the cost factors…It does not matter what a district receives in property taxes. The only thing that matters is the state-wide total.” As The Oregonian noted, “In one sense, Measure 5 solves Oregon’s chronic school-finance problem: The state never carried enough of the burden to assure stability, leaving the fate of schools to the whims of local voters.”

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of local citizens in levy vote after levy vote.” The equalization formula created a stable and predictable equation for distribution of funds; nonetheless, districts now relied on the whims of the state to determine the base funding per student, the most significant variable in this formula.

Immediate implementation of the new formula would have created extreme losses and increases for individual districts. Therefore the state constrained the application of the formula to minimize cutbacks to wealthy districts while leveling-up poor districts during the ratcheting down of Measure 5 limitations through 1995-96, when the limitation would hit bottom at $5 per $1000. “Given the limited money available this budget cycle, the bill is designed to phase in the pain for the losers.” The state took different approaches to this constraint based on the available revenue each year. For example, in 1992-93, it held steady allocations for wealthy districts, while capping increases in poor districts at 25%. However, with fewer funds in 1993-94, the state chose to “spread the pain equally” by freezing all district allocations but providing $10 million in aid for the poorest districts. “The main effect of this was to ‘equalize up’ many districts into much closer parity with other districts. In addition, the high spending districts were ‘equalized down’ somewhat because they were given no allowance for inflation or enrollment growth.” Constraining the state school funding formula to mitigate (but not eliminate) losses to wealthy districts resulted at first in 71% of districts funded through the equalization formula in 1992-93; by 1998-99, 92% of districts

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received their funds through the formula.\textsuperscript{136} Step by step, through the 1990s Oregon equalized school funding.

\textit{Replacement of Lost Funds}

Despite this, over the course of the decade education spending decreased in Oregon. Although Oregonians banked on the mandate in Measure 5 that the state would replace lost funds, and therefore school monies would not decline, this assumption only became partially true in the years that followed. As Attorney General Frohnmayer indicated during the campaign, Measure 5 required the state to replace funds lost because of the limitation, but this did not include the 30\% of funds schools already received from the state’s Basic School Support Fund (BSSF).\textsuperscript{137} Consequently, “The state, under the guidelines of Measure 5, replaced only 70\% of the revenue lost by school districts as a result of the property tax limitation measure. Many districts experienced reductions in their budgets.”\textsuperscript{138} At the starting gate, districts began the decade with a 30\% reduction. Despite a strong economy, the state lost revenue overall as a result of the property tax limitation. Legislators worried about even finding the funds for the equalization formula. After SB 815 passed, Senator Bill Bradbury (D-Bandon), co-chair of the Joint Ways and Means Committee, remarked, “‘Everyone’s in denial’ about the consequences of Measure 5 on the state budget. ‘Where does that money come from?’”\textsuperscript{139}

\begin{footnotesize}
\textsuperscript{136} K-12 School District Financing: An Update of Changes in the 1990s, 3.
\textsuperscript{137} “Summary of Attorney General’s Opinion Ballot Measure 5.”
\textsuperscript{138} The Oregon Quality Education Model (Legislative Council on The Oregon Quality Education Model, Oregon Legislative Assembly, June 1999), 23, http://www.ode.state.or.us/initiatives/qualityed/or-quality-education-model.pdf.
\textsuperscript{139} “Senate OKs Money to Replace Funds Lost by Measure 5.”
\end{footnotesize}
The money never materialized; in fact, school funding, now the largest portion of the state’s budget, decreased over the decade. The first Oregon Quality Education Model (QEM) report, published in 1999 by a committee appointed to study the cost of education in Oregon, noted that when adjusted for inflation, per-pupil spending had decreased since the passage of Measure 5. “For the last ten years, Oregon state and local school resources on a per student basis have grown at 60% of the rate of inflation, reducing the inflation adjusted dollars from $4100 (per weighted student) in 1990 to $3300 per student in 1998.” Additionally the QEM declared that even this “reasonable” level of funding was only possible because of “a remarkably strong state economy.”

Oregonians had hoped for a highly funded, more equitable system of school financing; instead Measure 5 created an equalized system of poorly funded schools. Education in Oregon had been leveled-down.

The three assumptions upon which many Oregonians based their votes in favor of Measure 5 in 1990 did not result in the system they expected. While the legislature equalized school funding across the state, it did not create a new source of revenue, which diminished its ability to sufficiently fund public schools. Over the course of the 1990s, Oregonians watched school funding decrease. Instead of “something for nothing,” Oregonians got what they paid for: an equitable system of poorly funded schools.

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140 QEM, 23.
141 Sears and Citrin, Tax Revolt.
Chapter Two: School Reform in Oregon

At the same time Oregon radically altered its structure of school financing, it also transformed the curriculum in its public schools. Directly in the wake of Measure 5, Oregon legislators, bolstered by their expanded authority over school funding, passed House Bill 3565, the Oregon Educational Act for the 21st Century in the June 1991 legislative session. Representative Vera Katz (D-Portland), the bill’s author, declared, “This is bold. It is a revolution.” For a “revolutionary” piece of legislation, it “passed both houses with surprisingly little opposition,” with a vote of 53-5 in the House and 26-1 in the Senate. Most explained the inattention to the bill as a result of Oregonians’ focus on Measure 5.1 But as the implementation of this equally monumental change to education began, growing opposition led Oregonians to question the content, purpose, and structure of schooling.

The Oregon Educational Act for the 21st Century proposed to redesign the educational system from pre-kindergarten through high school in order to “achieve educational standards of performance and outcomes that match the highest of any in the world for all students.” The bill stated that “a restructured educational system is necessary to achieve the state’s goals of the best educated citizens in the nation by the year 2000 and a work force equal to any in the world by the year 2010.”2

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2 Oregon Legislative Assembly, Oregon Educational Act for the 21st Century, 1307.
many provisions, the bill stipulated providing pre-kindergarten Head Start to all children by 1999 and creating wrap-around support services such as health care and social workers in all schools.\(^3\) It recommended mixed-age grouping of elementary students in kindergarten through third grade, and small schools within schools at the middle school level. It focused on untracked classes, performance-based assessments, project-based learning, and real-world problem solving.\(^4\) Students would need to meet statewide benchmarks in the third, fifth, eighth, and tenth grade to demonstrate they were on-target.

The main focus of the bill was the creation of the Certificate of Initial Mastery (CIM) and the Certificate of Advanced Mastery (CAM) at the high school level. It required students to obtain the Certificate of Initial Mastery around the tenth grade before proceeding to earn the Certificate of Advanced Mastery by the end of high school. To pass the CIM, a student needed to demonstrate “the knowledge and skills to read, write, problem solve, think critically, and communicate across the disciplines, at national levels” through work samples, tests, and portfolios.\(^5\) Students would be able to demonstrate their abilities when they felt ready, which, *The Oregonian* indicated, “represents a fundamental shift in the education system. Students would advance on the basis of performance rather than of age and time served in class.”\(^6\) After receiving a Certificate of Initial Mastery, the final two years of high school would be focused on the Certificate of Advanced Mastery, in which students would specialize in one of six

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pathways to prepare them for college and the workforce.\textsuperscript{7} The pathways from which students could choose included arts and communications, business and management, health services, human resources, industrial and engineering systems, and natural resource systems. Students would work towards the CAM through traditional classroom courses, community college courses, vocational schools, or through school-business partnerships that offered apprenticeships or technical training programs.\textsuperscript{8} Together the CIM and CAM fundamentally changed the system to become individually paced and student-centered. \textit{The Oregonian} observed, “This move from credits to standards marks a fundamental shift in focus, from the process of education to the results, from what schools teach to what students learn, from what goes into education to what comes out.”\textsuperscript{9}

\textsuperscript{7} Ibid.
The Oregon Educational Act for the 21st Century made Oregon a forerunner in statewide school reform. It emerged from a growing national movement for school change initiated by the release of *A Nation at Risk* by Secretary of Education Terrell H. Bell in 1983. *A Nation at Risk: The Imperative for Educational Reform* alerted the public to the dire state of American education, often using hyperbolic rhetoric. The report proclaimed, “The educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people.” This “mediocrity” stemmed from low standards, minimum requirements, poor teachers, and less time spent in school and on homework. It criticized schools for offering a “curricular smorgasbord” with no central focus: “we have a cafeteria style curriculum in which the appetizers and desserts can easily be mistaken for the main courses.”

The report understood an economic purpose to schooling and aimed to become more competitive in the global economy by improving the educational system of the United States. “Knowledge, learning, information, and skilled intelligence are the new raw materials of international commerce and are today spreading throughout the world…individuals who do not possess the levels of skill, literacy, and training essential to this new era will be effectively disenfranchised.” Infusing Cold War rhetoric into the plea for school reform, the commission placed education atop the national agenda.

*A Nation at Risk* awoke the nation to the quality of schooling in America. In the 1960s and 1970s, following Civil Rights legislation and President Johnson’s Elementary and Secondary Education Act of 1965, the focus of educational reform had been access—

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12 Ibid., 4.
opportunities for those traditionally left out of the educational system including blacks, other minorities, the poor, women, and students with special needs. *A Nation at Risk* reoriented those priorities, shifting the focus of educational reform from inclusion to achievement. Americans saw the educational system as the answer to global competitiveness and capable of solving virtually any societal problem. Following *A Nation at Risk*, a multitude of education reports released throughout the 1980s documented the need for increased academic achievement.  

**Outcome-Based Education**

The Oregon Educational Act for the 21st Century answered the call of *A Nation at Risk* to raise standards for all students and produce a more competitive workforce. It followed a map presented in a 1990 report from the Commission on the Skills of the American Workforce of the National Center on Education and the Economy entitled *America’s Choice: High Skills or Low Wages*! This report diagnosed the problem that real average weekly earnings in the United States had fallen by more than twelve percent since 1969 as a failure to increase workforce productivity. Because of globalization, the commission explained, the United States could not strengthen its economy simply by adding new jobs or better machinery because low wage countries would undercut American wage standards. Therefore, “the key to productivity improvement for a high

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14 Commission on the Skills of the American Workforce, *America’s Choice: High Skills or Low Wages!* (Rochester, NY: National Center on Education and the Economy, June 1990). Headed by University of Rochester education professor Mark Tucker, its statement of purpose reads, “The National Center on Education and the Economy is a not-for-profit organization created to develop proposals for building the world class education and training system that the United States must have if it is to have a world class economy. The Center engages in policy analysis and development and works collaboratively with other at local, state, and national levels to advance its proposals in the policy arena.”
wage nation lies in the third industrial revolution…the advent of the computer, high speed communication and universal education.” Taylorist work organization developed for factories of the 1900s declined as management layers disappeared in the new information age and front-line workers assumed more responsibility. This shift required large investments in training. As the commission explained, “the American post-secondary education and training system was never designed to meet the needs of our front-line workers…Education is rarely connected to training and both are rarely connected to an effective job service function.” The commission asserted that Americans were making a choice, consciously or by default:

It is a choice that will lead to an America where 30 percent of our people may do well—at least for a while—but the other 70 percent will see their dreams slip away. The choice that America faces is a choice between high skills and low wages. Gradually, silently, we are choosing low wages. We still have time to make the other choice—one that will lead us to a more prosperous future. To make this choice, we must fundamentally change our approach to work and education.\(^\text{16}\)

*America’s Choice* laid out a path to choose “high skills” through the reorganization of education to develop the relevant connections between the workplace and the schoolhouse. The commission created and defined the Certificate of Initial Mastery as the pinnacle of a new system through which students would progress from pre-kindergarten to the workforce. “The Certificate of Initial Mastery would certify labor market readiness, and mastery of the basic skills necessary for high productivity employment. The same Certificate would also be required for entry into all subsequent forms of education, including college preparatory and certified professional and technical

\(^{15}\) Ibid., 1–4.  
\(^{16}\) Ibid., 5.
programs.”17 By reengineering the school system in terms of preparation for the workforce, the commission reiterated the economic purpose of education.

_America’s Choice_ became the foundation of the Oregon Educational Act for the 21st Century, and by no mistake. On the board of trustees of the National Center on Education and the Economy sat Vera Katz,18 who crafted and introduced the bill to the Oregon House. She insisted that “the state can no longer afford to ‘waste’ children by allowing them to drop out of school. Industry needs them all if Oregon’s economy is to compete and prosper.”19 The Oregon Legislature agreed. By 1995, ten other states had signed on to the High-Skills Consortium and committed to pursue the goals published in _America’s Choice_.20

Unlike the preponderance of standardized testing, _America’s Choice_ emphasized, “thinking based achievement [such as performance assessments, portfolios, and project-based learning], not routinized skills.”21 The commission argued that the new workforce needed more than standardized testing. “Standardized tests used for secondary school students favor superficial answers not based on real understanding over those requiring thoughtful analysis…As it exists, the testing system this country uses to measure its students discourages the development of higher order thinking.”22 The commission recommended instead a cumulative certification system.

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17 Ibid., 69.
18 Ibid., 133.
19 Graves, “Katz Unveils Revolutionary Education Plan.”
21 Commission on the Skills of the American Workforce, _America’s Choice_, 100.
22 Ibid., 101.
This concept of “thinking based achievement” and “performance assessments” derived from a type of school reform called outcome-based education (OBE). Education professor William Spady, the movement’s founder, grew up in Milwaukie, Oregon, and during the 1970s worked with James Block (also an Oregonian) and Benjamin Bloom on “mastery learning,” the precursor to outcome-based education.²³ The main underpinning for mastery learning and outcome-based education was that school should not be based

on Carnegie units of seat time—a student earning credit for a course based on the number of hours of class time—but instead on demonstrations of what the student knew and could do. Spady wanted to turn “time into a variable instead of time being a constant.”

Because students learn at different rates, they should be able to earn credit based on their outcomes, not time. “Spady was not interested in whether graduates passed any courses. He wanted indicators they could actually do something in their ‘performance roles.’”

This thrust became outcome-based education.

In 1980 Spady founded Network for Outcome-Based Schools and from 1980-1993 OBE expanded into school districts in forty-two states, including Minnesota, Pennsylvania, New York, Colorado, and Arizona. Despite the spread of outcome-based education, OBE experienced some resistance as Spady struggled to communicate its definition. In terms of the work of teachers, he wrote,

> Being outcome-based meant developing a clear focus on what was essential for their student to be able to do successfully, then applying good common sense to get there. These instructors assessed their students’ performances on exactly the thing they told them and taught them were most important. And they didn’t consider either the students or themselves ‘done’ until the learners could demonstrate the intended outcome, or performance successfully. Grades, credit, advancement to a new curriculum level, and final credentials and certification were all directly tied to these successful demonstrations.

Throughout the 1980s and early 1990s, Spady traveled around the country, conducted seminars with educators, and helped districts develop their own outcomes. Put simply,

> “outcomes are clear, observable demonstrations of student learning that occur after a

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significant set of learning experiences.” These demonstrations should show what the student knows and can do and “the student’s confidence and motivation in carrying out the demonstration.” Outcomes were often cross disciplinary and focused on “real-world” goals for their graduates.\(^\text{28}\)

Following the 1991 passage of the Oregon Educational Act for the 21\(^{st}\) Century, the state Board of Education first adopted Oregon’s outcomes in 1992 grounded in OBE. The Oregon Department of Education also struggled to communicate what exactly outcome-based education meant, explaining that, “outcome-based education clearly defines the standards students must achieve. At the heart of outcome-based education is an important question: ‘What do we want students to know and be able to do?’ The answers to this question are the results, or outcomes, we want students to achieve.” In Oregon, to earn a Certificate of Initial Mastery, students needed to demonstrate proficiency in eleven outcomes:

1. Apply mathematics and science to practical situations  
2. Think critically, creatively and reflectively in making decisions and solving problems  
3. Communicate by reading, writing, speaking and listening  
4. Direct own learning by planning and carrying out complex projects  
5. Deliberate on public issues by applying the social sciences  
6. Use computers and other technology to process information and produce documents  
7. Interpret literature and the visual and performing arts  
8. Quantify numerical relationships by applying measurement, statistics, probability, geometry and algebra  
9. Understand human diversity and communicate in a second language  
10. Work with others and in teams  
11. Understand positive health habits\(^\text{29}\)

\(^\text{28}\) Ibid.  
The Oregon Department of Education (ODE) revised these outcomes, or performance standards as they were also called, in 1994 in order to replace course credits for graduation. ODE likened performance standards to earning a drivers license; by passing a written examination and behind-the-wheel test, students demonstrated both what they knew and were able to do. *The Oregonian* differentiated these performance standards from traditional methods of assessment in that “they define acceptable levels of performance on the basis of a well-defined scoring scale that can be used consistently by all teachers.” The success of Oregon’s reform efforts hinged on these performance standards. “If they are weak, murky or inconsistent, state educators say, the improvement plan will fail.”

The nationwide controversy over outcome-based education reached a crescendo in 1994. Entire issues of the journals *Educational Leadership*, *School Administrator*, and *The American School Board Journal* were devoted to debating OBE. Critics across the political spectrum argued that its foundation, the outcomes, were vague and illusive. Albert Shanker, the president of the American Federation of Teachers (AFT), admonished, “OBE standards do include academic outcomes, but these outcomes are so few and so vague that they would be satisfied by almost any level of achievement.” Critics also objected to OBE’s emphasis on behaviors. “We also oppose transformational OBE because it shifts the focus from cognitive education to affective education. Rather than giving instruction in facts, information, and academics, the educator provides

31 See *Educational Leadership* 51, no. 6 (March 1994); *School Administrator* 51, no. 8 (September 1994); *The American School Board Journal* 181, no. 11 (November 1994).
instruction in feelings, values, and attitudes.”

Conservative Christian groups found OBE offensive. “Traditionalist Christian parents have serious problems with outcomes that purport to celebrate diversity, choice, and tolerance. For them, such outcomes constitute an implied repudiation of traditional family structures.” To most of these critiques, Spady replied that critics misunderstood OBE, or that “not everything that is called OBE actually is.” In article after article, he continued to debunk the “myths” surrounding outcome-based education.

In Oregon, opposition grew after passage of Oregon Educational Act for the 21st Century. Skeptics feared “that what appeared to be a liberal education would in fact teach students only technical skills needed for private industry jobs; that the career-decision made after the 10th grade would result in a rigid tracking system; and that the state should be doing more to work with the present system rather than trying to design an entirely new one.” By 1995 concerns extended to direct critiques of OBE. The Oregonian noted,

Some lawmakers, such as Sen. Tom Hartung, R-Portland, chairman of the Senate Education Committee, question the premise of the reform plan, which stresses learning techniques and demonstrations of competency through portfolios rather than traditional curriculum and grades. “I’ve found very little enthusiasm,” said Hartung. “People particularly didn’t like the outcomes-based education aspect of it.”

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36 Spady, Marshall, and Rogers, “Light, Not Heat on OBE.”
37 Hortsch, “Katz Defends Education Reform Bill at Forum.”
In 1994 Ron Sunseri, a former Republican legislator and one of the few votes against H.B. 3565, published *Outcome-Based Education: Understanding the Truth about Education Reform*, which became a manual in the fight against OBE. He wrote, “Don’t be fooled into thinking that it couldn’t happen in your state. It is happening everywhere. If OBE isn’t in your district now, it is only a matter of time...But don’t despair. This book is designed to give you the information you need to stand up for what you believe education should accomplish in your school district.”

Upon a visit to Oregon, Spady commented, “Probably no state has been as personalized in their attack against me as these Oregon people.” Norma Paulus, the state Superintendent of Public Instruction, called the critiques “nonsense.” “Standards will be higher, not lower, she says. And students will be learning the basics while they develop skills such as teamwork, self-directed learning and communication.” However, the greatest impediment to the success of the Oregon Educational Act for the 21st Century was public misunderstanding. In 1995, four years after its passage, *The Oregonian* reported that many students and parents were unfamiliar with the reform.

**The Standards Movement**

Meanwhile, another force was afoot in school reform, the standards movement. The standards movement was born out of research in cognitive science. (Much of the assumptions of outcome-based learning also originated from these same cognitive...
As the focus of education moved from “access” to “achievement,” cognitive scientists developed new theories of how students learn that were used to improve instruction and assessment. A leader in this field, Robert Glaser from the University of Pittsburgh, noted that in the past, tests had been used to limit access to education through admissions and tracking. Instead, he argued that tests ought to be used to inform instruction, to find out what student had learned and why they missed some of what had been taught. Glaser proposed that by analyzing and understanding student errors, teachers would better be able to adjust instruction and increase student learning.43

During this period, cognitive scientists developed several principles that underpinned student learning. First, student knowledge is “constructed” out of previous knowledge, personal experience, and understanding. Second, previous knowledge is very important; the more students know, the more they can learn. Next, assessments should be designed so that students can demonstrate learning through “exhibitions” of proficiency. Fourth, students learn best when they apply their learning to real world situations, when they work actively with others, and when they understand and can “think out loud” about their own learning process. Last, skills cannot be taught in isolation; learning is “domain specific.”44

Lauren Resnick, a colleague of Robert Glaser at the University of Pittsburgh, applied these principles to new assessment strategies. She assumed that what was tested determined what teachers taught and therefore changing assessments would change the curriculum. She argued that the current multiple-choice standardized tests, divorced from the curriculum, could not be used to assess learning and improve instruction. Resnick

44 Ibid., 103–104.
instead favored performance assessments such as portfolios or projects in which students demonstrated their learning and from which teachers adjusted their instruction.\textsuperscript{45} She recommended “external examinations in American schools as a way of raising and maintaining standards for all students and not only for very strong and very weak students. Examinations coupled with publicized syllabi should guide the preparation of students in various subjects.”\textsuperscript{46} In other words, Resnick argued for performance assessments that evaluated specific content standards both for learning and instruction.

In 1991, Resnick partnered with colleague Marc Tucker to found the New Standards Project, which aimed to design a nationwide examination system using performance assessments. Together they assembled a group of 450 education policy-makers and classroom teachers during the summer of 1991 to begin developing these tests. Resnick believed that in order to create a sense of ownership, teachers had to be involved in the process of creating the assessments. “The plan would allow regions to develop their own tests and grade them according to a national standard so that the result could be compared across the country.”\textsuperscript{47} In 1992, the New Standards Project piloted 10,000 fourth grade performance assessments, which expanded to 50,000 fourth and eighth grade tests in 1993. Education historian Diane Ravitch argued that the New Standards Project gave “legitimacy to the value of performance assessments as a way to encourage thoughtfulness and understanding, high standards for all children, external

\textsuperscript{45} Ibid., 105–106.
examinations tied directly to the curriculum, and the involvement of teachers in a central role.⁴⁸

Resnick and Spady influenced each other. Both utilized cognitive science principles in understanding how students learn. Both focused on using real-world performance assessments to demonstrate learning and maintain high expectations. However, while Resnick foresaw a national testing system mandated at set times, Spady argued for allowing students to demonstrate learning at their own pace. Additionally, Resnick understood educational goals as domain-specific content standards, whereas Spady advocated broad interdisciplinary learning outcomes. Nonetheless, the interplay was evident. For example, it was clear that America’s Choice: High Skills or Low Wages! evolved from Spady’s outcome-based education through its use of time as a variable and performance demonstrations, and Resnick sat on the Commission on the Skills of the American Workforce, which produced the report.⁴⁹ Similarly, Tucker, President of the National Center on Education and the Economy, the organization that published America’s Choice, partnered with Resnick to create the New Standards Project.⁵⁰ In fact, the New Standards Project agreed to draft “the standards that could form the basis for awarding a certificate of initial mastery.”⁵¹ Though these policy heavyweights argued for different strategies of school reform, they operated from similar assumptions and built on one another’s ideas.

In addition to growing movements for school reform originating in academia, the federal government also answered the call to action following A Nation at Risk. After

⁴⁹ Commission on the Skills of the American Workforce, America’s Choice, 141.
⁵⁰ Ibid., 143; Chira, “Educators Draw Outline for Nationwide Testing.”
⁵¹ Olson, “11 States Sign on to ‘high Skills’ Consortium.”
declaring himself “the education president” during the 1988 campaign, President George H.W. Bush convened the nation’s governors at an education summit in Charlottesville, Virginia in 1989. Led by Arkansas Governor Bill Clinton, the governors agreed to adopt national education goals, a first step towards national standards and testing. An optimistic Clinton declared, “This is the first time a President and governors have ever stood before the American people and said, not only are we going to set national performance goals, which are ambitious, not only are we going to develop strategies to achieve them, but we stand here before you and tell you we expect to be held personally accountable for the progress we make in moving this country to a brighter future.” Attending the meeting, AFT’s Shanker argued that national standards and testing could be developed without loss of teacher autonomy in the classroom and without a reliance on multiple-choice testing. “We could all agree about the kind of book students at that level need to be able to read, the kind of essays they should be able to write, the math skills they should have. And we could assess how well students meet these goals—with good tests instead of the idiotic, low-level multiple-choice test we now use.” The movement for national standards had begun.


52 “An Education President for All?,” New York Times, April 19, 1991, sec. EDITORIALS LETTERS.
Since no single test can give an accurate picture of what individual students know, the Administration leans towards a combination of written tests, portfolios and performance on projects.”

Shanker argued that these national tests needed to result in real-life consequences for students, as they do in some countries. “Kids know they need to work hard because test scores determine whether or not they get into university or what kind of job they get. This sounds harsh, but it is fairer than our system. Everybody knows exactly what is required to succeed, so students can work towards this goal and teachers can help them.”

It appeared as if the federal government would actually incentivize the creation of a national education system through investment in standards, testing, and model schools.

Two formative examples of standards already existed from which the government could draw: the state of California and the National Council of Teachers of Mathematics (NCTM). In 1982, California elected Bill Honig as state superintendent of public instruction. Although he took office as the effects of Proposition 13 began to impact schools, he sought to transform California public schools through systemic reform. He raised expectations for graduation and convened committees of teachers and scholars to write new curricular frameworks, which became the state’s new content standards. Other committees then developed new assessments based on those frameworks, which included both traditional and performance assessments. Because teachers relied on textbooks, Honig pressured publishers to rewrite their textbooks. He often rejected initial changes as insubstantial; textbook publishers complied since California was such a large share of the market. With these pieces in place, Honig then redesigned professional development to

56 “An Education President for All?”
train teachers in the use new standards, assessments, and resources. Throughout this process, Honig communicated with parents and the general public about the changes taking place.\(^5^8\)

Honig demonstrated that “A successful improvement effort must do more than merely trot out a few new instructional techniques…[it] is complicated and hard, but it is the only way to produce the result being demanded…[it] depends on networking strategies that can organize large numbers of schools around a powerful idea for instructional improvement, provide assistance, and allow conversation.”\(^5^9\) Under Honig in the 1980s, the dropout rate declined, the number of students who took Advance Placement exams tripled, and the number of twelfth graders who met the University of California admission requirements increased by one-third. Ravitch emphasized the significance of these achievements given the context of education in California:

Those achievements were all the more remarkable because Honig’s era of reform coincided with an increase in student enrollment, a rapid expansion of immigrant and non-English speaking students, and a dramatic increase in the number of children living in poverty. While enrollment exploded, state funding for education declined, dropping California’s expenditures well below national average and raising class sizes well above…He demonstrated that the model begins with a belief that all children can learn at high levels. Three broad requirements are then necessary to achieve success: clear content standards, embodied in coherent statements of what students are expected to learn and do; changes in testing, professional development, textbooks, technology, and all the other parts of the educational system; and a long-term commitment to build support for the reform agenda in every school, so that teachers come to feel a sense of ownership in success.\(^6^0\)

The other successful example of standards-based reform came from the National Council of Teachers of Mathematics (NCTM). In 1986, NCTM organized teams of


teachers and scholars to draft mathematics standards and released the draft for discussion and review. In 1988, the teams met again to revise the standards and published them the following year. The new standards rejected traditional approaches to teaching math and instead favored a “dynamic discipline, one in which problem solving and meaning take precedence over computation, in which students are expected to solve open-ended problems that have more than one right answer, and in which the strategies that students use to solve problems are more important than the answer they reach.”61 Three years later, at least forty states used these math standards in their reform efforts. Similar efforts to create content standards had been attempted by other disciplines, but math teachers alone agreed upon what should be taught and in which manner. English, history, science and geography educators failed to reach consensus.62

A comprehensive effort to create history standards came close to enacting an agreed-upon draft, had it not been for an attack from the right by Lynne Cheney, one of the primary funders of the effort when she chaired the National Endowment for the Humanities (NEH). Beginning in 1992, the National Center for History in the Schools (NCHS) at UCLA, led by historian Gary Nash, received grants from the NEH and the Department of Education to develop national history standards. Understanding the context of past controversies over teaching history, NCHS joined with the National Council for History Education and the Council of Chief School Officers, among others, to build consensus on draft standards.63 By the end of the summer in 1994, NCHS readied the drafts for publication. Mary Bicouvaris, 1989 National Teacher of the Year,

61 Ibid., 127.
62 Ibid., 121.
63 Nash, Crabtree, and Dunn, History on Trial, 158.
saw the process as inclusive, collaborative, and consensus-driven. “The army of participants in the process represented as broad a spectrum as one could expect to find in a project with limited time and resources, and the resulting national history standards are truly the product of their consensus.”

However, on October 20, 1994, Cheney wrote an article in the *Wall Street Journal* entitled “The End of History.” In it, she lambasted the not-yet-released standards as a liberal, left-wing, politically-correct revision of American history. Cheney claimed that the “forces of political correctness” had been unleashed to impose their own version of a more inclusive American history. “What got left out,” Cheney proclaimed, “was traditional history.” Right-wing conservative radio commentator Rush Limbaugh further attacked the standards as part of a multicultural conspiracy to bash America and create a “bastardization of American history.” It was not surprising that history produced the greatest controversies over standards. As historian Nash understood, “History, like politics, is about national identity…History is unceasingly controversial because it provides so much of the substance for the way a society defines itself and considers what it wants to be.”

The attack exploded in the fall and winter of 1994-95 across newspapers and magazines, over the airwaves, in televised debates, and eventually in Congress. In January 1995, the U.S. Senate passed a resolution condemning the standards created by NCHS and urged NESIC not to certify them. Secretary of Education Richard Riley

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64 Ibid., 187.
66 Nash, Crabtree, and Dunn, *History on Trial*, 5.
67 Ibid., 7.
68 Ibid., 192–193.
disowned the standards. “We have to acknowledge both the peaks and valleys in our past…but the message must be a positive one. Our school should teach our students to be proud to be Americans.”69 After the “history war,” NCHS undertook efforts to revise the standards but without much effect. History standards became a third rail; they were lethal. Consequently, Ravitch noticed, “most states, however, having seen the controversy engendered by the history standards, continued to adopt minimal and vague social studies standards, with only cursory attention to history.”70

Not all left-wing education policy advocates supported national standards and testing. Jonathan Kozol, author of bestseller *Savage Inequalities*, which exposed the deterioration of public schools,71 did not oppose standards as a conception, but rather, “how and where they are determined, and by whom, and how they’re introduced, and how we treat or penalize (or threaten, or abuse) the child or the teacher who won’t swallow them.”72 He worried that “we’ll lose the teachers who come to the world of childhood with ministries of love and, in their place, we’ll get technicians of proficiency.”73 Educator Deborah Meier objected to the centralization and loss of local control; she believed schools should set their own standards and assessments. She explained, “Our standards are intended to deepen and broaden young people’s habits of mind, their craftsmanship, and their work habits. Other schools may select quite a different way of describing and exhibiting their standards. But they too need to consciously construct their standards in ways that give schooling purpose and coherence,

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70 Ibid., 437.
73 Kozol in ibid., xii.
and then commit themselves to achieving them.”

Similarly, professor of education William Ayers argued that outside education experts should not be the ones creating standards. “Standard setting, then, should not be the property of an expert class, the bureaucrats, or special interests. Rather, standard setting should be part of the everyday vocation of schools and communities, the heart and soul of education and it should engage the widest public.”

Furthermore, Theodore Sizer, founder of Coalition for Essential Schools, added that standards and testing missed the point for high school students. “We Americans infantilize our older teenagers by holding them to the same sorts of routines and standards as those for the younger…We need a fundamental redefinition of the obligations a growing adolescent must accept for himself and for the community of which he is a part, and then of what structures will help him reach those obligations. Most adolescents are eager to take responsibility.”

These critics did not object to high expectations created by strict standards, but rather the process of their creation, adoption, and sanction. They all advocated for a more just and democratic system that took into account the differences inherent in students and communities, which they feared a system of national standards and testing would overlook.

Despite criticism, President Bush’s America 2000 set the standards wheel in motion by awarding grants to subject matter organizations, like NCTM, to begin writing voluntary national standards. After the 1992 election, President Clinton continued to advance national standards and testing through his education legislation, Goals 2000: Educate America Act. Goals 2000 aimed to create national standards by way of

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74 Meier in ibid., 22.
75 Ayers in ibid., 65.
76 Sizer in Meier, Cohen, and Rogers, Will Standards Save Public Education?.

84
statewide reform. It officially adopted seven education goals including “All children in America will start school ready to learn” as well as “All students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography, and every school in American will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our nation’s modern economy.” In addition to these goals, Goals 2000 also established the National Education Standards and Improvement Council (NESIC) to certify national voluntary and state content and performance standards. It created competitive federal grants available to states for the implementation of statewide school reform plans including the development of curriculum and assessments aligned with content and performance standards, the creation of professional development to increase teacher competency, and the promotion of safe conditions that foster a positive learning environment. States would submit reform plans to NESIC, which would then be overseen by the new National Education Goals Panel. Clinton’s Goals 2000 created the structure through which the standards movement could spread.

**From Outcomes to Standards in Oregon**

In February of 1995, Oregon’s school reform plan became the first to be approved by NESIC, receiving a federal grant of $4.1 million under the Goals 2000 legislation. To

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78 Mark Pitsch, “Clinton’s ‘Goals 2000’ Package Wins House Backing.,” *Education Week* 13, no. 7 (October 20, 1993).
earn this award, a team of five educators from across the nation met with Oregon education officials, teachers, students and parents. In a visit to the state, Secretary of Education Riley noted that “Oregon is indeed in the forefront of education in this country…We can honestly say we are starting to turn the corner from a nation at risk to being a nation on the move, and I am seeing that here.”

Despite positive affirmation, Oregon’s school reform bill faced attacks from lawmakers, parents, teachers and community members. As Michael Cohen, a Riley aide, remarked during the visit, “The whole notion of standards has been controversial…But one of the things the secretary is saying is that when we talk about setting standards, we are talking about academic standards. That’s something that should not be political football.” The Oregon legislature had adopted outcomes for the Certificate of Initial Mastery, not content standards as the federal government insisted. Ravitch, education historian, policy-maker, and advocate of standards during the 1990s, explained the difference:

OBE sounds very much like standards, but the differences are significant. Both OBE and standards start by identifying what students should know and be able to do and then work backward to construct a curriculum that will achieve the appropriate “outcomes.” But there are three main differences. First, content standards are clear and measurable. OBE outcomes are so frequently vague that they are inherently unmeasurable. Second, content standards focus on cognitive learning, while OBE outcomes may include not only cognitive learning but also affective skills, attitudes, and psychosocial behaviors. Third, content standards are usually based on traditional academic disciplines, such as history, English, science, mathematics, civics, the arts, and geography. OBE outcomes include some traditional academic disciplines but are mainly organized around interdisciplinary or nondisciplinary topics (such as “communications,”

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81 Carter, “School Reform Plan Gets $4.1 Million.”
“environment and ecology,” “self-worth,” and “adaptability to change”). Even the outcomes prescribed for academic subjects such as mathematics and science are stated in such generalities that provide little or not guidance to teachers, testmakers, or textbook writers.\textsuperscript{82} 

Ravitch’s description of outcomes as interdisciplinary or non-disciplinary fit Oregon’s revised outcomes in 1994, which included foundation skills such as “communicate,” “self-direct learning,” and “quantify,” as well as core applications such as “deliberate on public issues,” “understand diversity,” and “apply science and math.”\textsuperscript{83} 

As a result of the differences Ravitch indicated, Oregonians soured on the outcome-based education foundation of the state’s school reform. Hearings prior to the 1995 session headlined “Legislative Sharks Rip School Reform Law” in \textit{The Oregonian}. “Critics said the standards were vague, subjective, and more oriented towards skills, attitudes and values than knowledge.”\textsuperscript{84} These objections, along with others such as the career decision following the Certificate of Initial Mastery after tenth grade, the reliance on portfolios over traditional tests and grades, the timeline for implementation, and the loss of local school control, led many to call for revision or repeal of the law. \textit{The Oregonian} editorial board recommended that the state should revise the law to reflect “the legitimate concern of parents and others about the fluffiness of the state’s educational outcomes or learning standards. The goals and standards should be rigorous, specific and definable, emphasizing both content and the manipulation of knowledge—in short, academics—and eliminating attitudinal outcomes.”\textsuperscript{85} Chairman of the Senate Education Committee, 

\begin{itemize}
\item \textsuperscript{82} Ravitch, \textit{National Standards in American Education}, 163.
\item \textsuperscript{83} Oregon Department of Education, “Certificate of Initial Mastery Standard Statements” (Oregon Department of Education, 1994).
\item \textsuperscript{84} Bill Graves, “Legislative Sharks Rip School Reform Law,” \textit{The Oregonian}, February 1, 1995, Fourth edition.
\item \textsuperscript{85} “Reform School Reform,” \textit{The Oregonian}, March 7, 1995, Fourth edition.
\end{itemize}
Senator Tom Hartung, D-Portland, predicted, “I would be amazed if [the Oregon Educational Act for the 21st Century] comes through the ’95 session in its present form.”

It did not.

In the 1995 spring session the Oregon Legislature passed House Bill 2991, which revised the Oregon Educational Act for the 21st Century, beginning what became an ongoing process. While the House initially eliminated the Certificate of Initial Mastery and Certificate of Advanced Mastery completely in favor of a “certificate of accomplishment,” the Senate-House conference committee retained the CIM and CAM while delaying their implementation from 1996-97 until 1998-99. It made issuing the certificates optional, reasserting the supremacy of traditional high school diplomas. The bill allowed schools to return to graduating students based on seat time and course credits over performance and portfolio-based certificates. The legislators also revised educational outcomes to content standards for traditional academic subjects such as English, math, science and history. State Superintendent Paulus explained, “The legislature removed the fuzzy language that some people were misinterpreting…[Instead,] it spelled out very specifically the high academic standards we are trying to reach.”

This postponement ensured that the Certificate of Initial Mastery never went into effect. In 1995 Oregon’s school reform plan pivoted from outcomes-based to standards-based.

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89 Olson, “Straying from the Trail?”. 
In 1996, the state developed, reviewed, revised and adopted state academic content standards. Instead of eleven cross-disciplinary outcomes divided by foundation skills and core applications, the new standards reverted to traditional separations into six subject area: mathematics, science, English, social sciences, second languages, and the arts. To illustrate this, one can compare Oregon’s CIM goals in 1994 and 1996 around what students should understand about the U.S. Constitution. A 1994 CIM outcome for “deliberate on public issues” stated that a student must consistently “show deliberation skills across a broad range of issues including…application of democratic principles including those embodied in the Constitution and the Bill of Rights, in action proposals relative to public policy issues involving the United States and its citizens. Such principles include, but are not limited to law, common good, individual rights, minority rights, and compromise.” In contrast, a 1996 CIM benchmark in civics from the subject area of “social sciences” stated that a student must be able to “analyze contemporary and historical challenges to the U.S. Constitution and their resolutions” and “explain how the rule of law is designed to protect individual rights and serve the common good.”

Both statements required students to understand the U.S. Constitution in historical context, with particular attention to controversies over rights. However, while the 1994 statement fell under the domain of “deliberate on public issues,” which was not specifically delegated to a subject area teacher, it is clear that the civics teacher ought to maintain ownership for teaching the 1996 statement under “social sciences.” Another

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contrast rested in the skills the statements required students to demonstrate. While the 1994 outcome asked students to “show deliberation skills” by applying “democratic principles” the 1996 standard asked them to “analyze…challenges” and “explain.” “Analyze” and “explain” used words more comprehensible to the general public, whereas applying democratic principles to show deliberation skills represented what Paulus meant by “fuzzy language.” Consequently, while both outcomes and standards focused on virtually the same content, it became clearer and more concrete in the 1996 standards statements, which specified precisely what students were expected to know and be able to do, as well as whose responsibility it was to teach it to them.

Not surprisingly, the state legislature continued to revise and postpone the Oregon Educational Act for the 21st Century during the second half of the decade. In 1997, the legislature voted to delay implementation of the Certificate of Advanced Mastery until the 2004-05 school year. In 1999, it further postponed the creation of some standards and relaxed the foreign language requirement. In 2001, U.S. Congress passed President George W. Bush’s education legislation, No Child Left Behind, and again changed the game as significantly as had his father a decade earlier with America 2000. At this intersection, Oregon’s school reform yet again took a different turn.

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93 Olson, “Straying from the Trail?”
Chapter Three: Shifting Schooling

Changes in school funding and school reform shifted dramatically and independently of each other over the course of the 1990s. For classrooms in Oregon, the passage of Measure 5 in November 1990 and the Oregon Educational Act for the 21st Century seven months later produced a sudden metamorphosis of schooling in the state. How did schools in Oregon change over the decade and how did teachers, schools, and districts meet the demands incurred by the new legislation?

In short, while changes in school funding affected districts differently across the state, teachers had similar experiences with school reform. In terms of school funding, Measure 5 created a divide between urban school districts with wealthy tax bases and rural school districts that had struggled to pass levies sufficient to fund their schools. After the property tax limitation and equalization took effect, wealthy urban districts faced years of cuts while cash-strapped rural districts experienced an influx of funds. However, despite differences in funding, when Oregon teachers confronted the implementation of the Certificate of Initial Mastery (CIM) and the Certificate of Advanced Mastery (CAM), they reacted similarly because of their shared values and beliefs about teaching and learning.

To understand the compound effects of the tax revolt and school reform on classrooms, this chapter examines two school districts, one wealthy and urban, Portland Public Schools (PPS), and one poor and rural, Nyssa School District. PPS, the state’s largest district in the city of Portland, served approximately 55,000 students in 90 school buildings during the 1990s. In contrast, Nyssa School District, a small rural district on
the eastern border of Oregon with Idaho, served approximately 1,200 students in just three buildings: Nyssa Elementary School, Nyssa Middle School, and Nyssa High School. While PPS spent $6,283 per pupil prior to Measure 5, Nyssa spent just $3,610.¹ This chapter’s comparison of the two districts identified similarities and differences between urban and rural districts’ experiences with school funding and reform throughout Oregon. Published materials tell part of the story through statistics, newspaper articles, and government reports, but they often fail to zoom in at the classroom level. Oral history interviews with teachers at Franklin High School in Portland and Nyssa High School in Nyssa during the 1990s presented teachers’ experiences through a different lens: they tell how school funding and curriculum reform affected classrooms.²

Although school funding in these districts differed because of size, location, and wealth, teachers recounted their experiences with school reform in the 1990s in similar ways. In the interviews, they expressed shared values about teaching and learning. They saw themselves as craftsmen, not assembly line workers, and sought to improve their schools through collaborative curriculum alignment and development. On the whole, teachers embraced the outcome-based education reform from 1991-1995, but when it shifted to standards and testing, teachers disengaged from active implementation. Teachers felt that testing excessively drove the curriculum and they no longer had professional development time to collaborate on aligning the reform. The initial outcome-based reform trusted teachers as professionals, using a top-down bottom-up

² See discussion of methodology in introduction and short biographies of the participants in the Appendix.
implementation strategy, while the standards-based reform utilized a top-down model, eliminating teachers from the implementation process.

In the oral history interviews, teachers focused more on the effects of school reform than on the effects of school funding. This indicated that they engaged those areas that they could control, such as curriculum planning and course alignment, rather than focusing on issues beyond their influence, such as class size, which was determined by school funding, an area in which teachers had no say. This is not to say that teachers overlooked the significance of the structure of education—the courses offered, the number of students in a class, or their individual teaching assignments—but rather that they had no control over that structure. In fact, in the oral history interviews, teachers highlighted the importance of the student-teacher relationship, elective courses, and job security in evaluating the success of the school system. But on a day-to-day basis, teachers worked to shape the curriculum within their classrooms because this was within their control. They appreciated the initial outcome-based reform and disliked the shift to standards-based reform because, in an environment in which teachers faced limited control over the parameters of their work, standardization and testing greatly curtailed their autonomy and professionalism. Teachers engaged in school reform when it empowered them as change agents.

**The Effects of Measure 5 and Equalization**

Measure 5 and the new school funding equalization formula, which equalized statewide per-pupil distribution of funds across the state, impacted districts according to their size and relative wealth. Though school districts generally favored equalization, the
School Funding Coalition, which developed the school funding formula, debated the merits of the new weighting system. Urban and rural districts did manage to find common ground on shared issues such as the increase of English language learner students. In a 2014 interview, Nyssa School District Superintendent Dennis Savage explained that, because demographic changes impacted urban and rural areas alike, he was able to work with Matthew Prophet, the Portland Public Schools Superintendent, to fight for the weights distributed to students for English as a Second Language.

Fortunately, one of the larger districts, Portland, kind of had the same problems that Nyssa had—they had ESL [English as a Second Language] kids. We had one language ESL and they had 137 languages. They needed the money for them…I remember Matthew Prophet was a Portland superintendent. “You people don’t understand. Nyssa and Portland need that money for those kids.” So we had the support of the biggest school district in Oregon at that time.\(^3\)

However, not all superintendents saw eye-to-eye on these issues. Savage recalled,

The meetings that we had you could almost see the smoke come out of the room. Very, very emotional meetings with superintendents. Things were said that made sense to some, and made no sense to others. Things like, “You don’t understand. People don’t want to live in Eastern Oregon. They want to live in Western Oregon. We need the money there for that.” Other people would say, “You don’t understand. In a big district houses cost more, so you have to pay teachers more, so we need more money. You don’t need the money. You guys live in tents, so you don’t need money.” And truly, a lot of hard feelings at times, but we survived it. We came up with a formula and the state approved it.

While avenues for cooperation opened between rural and urban districts, resentments existed. The equalization funding formula ensured equitable per pupil spending across the state. Like Measure 5 itself, the formula essentially leveled down wealthy districts while adding funds to poor districts, incrementally creating parity by the end of the decade. Savage concluded, “Every child will have the same shake, and that's good.”

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\(^3\) Savage, Oral History Interview of Dennis Savage.
Despite alliances over common issues such as ESL, Measure 5 and equalization affected Portland and Nyssa school districts differently. The new school funding formula combined with the tax limitation created a system of winners and losers. While Portland Public Schools had to reduce services as the property tax limitation ratcheted down, Nyssa received unprecedented funds. Prior to Measure 5, according to Savage, Nyssa levied property taxes in equal proportion from the city, farmers, and the Amalgamated Sugar Company. The state also added some funding to support Nyssa schools since it was such a poor district. As Savage explained, “When you wanted anything that would be extra, you'd have to go for a levy, which, in districts that were poor—and Nyssa was a poor school district—was pretty hard to get anything passed, almost impossible. It wasn’t because people were bad; it was, first of all, most school boards wouldn’t put out a levy. ‘We’re giving you all we can and so learn to live with what you got.’ And we did. We were real tight.” Once equalization began, Nyssa was able to increase capital expenses and invest in supports for students. An Oregonian article aptly titled, “It Cuts Both Ways,” reported, “Nyssa School District students last week climbed into new buses to return to schools with new computers, a new baseball field and expanded music programs. They have counselors, tutoring services, and educational options they never had before. Nyssa…has seen its budget swell by 69 percent since…1990.” Measure 5 and equalization created a system of winners and losers; poor rural districts like Nyssa benefited.

Meanwhile, Portland Public Schools spent much of the decade reducing its budget and eliminating programs, departments, and employees. It cut programs for at-risk

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4 Ibid.
students; centers for talented and gifted students; drug and alcohol specialists; summer school; supplies for music, art, and other electives; textbook adoptions; technical, business, vocational, and career education; athletics and extracurricular activities; district administrative departments; and most critically, teachers, administrators, and school staff. By 1996-97 when Measure 5 was fully implemented, per student spending decreased to $4,654 from $6,283 per student in 1989-90 (in inflation-adjusted 1990 dollars). In contrast, Nyssa School District spent $3,610 per student in 1989-90 and by 1996-97 per student spending had jumped to $4,225. Nyssa added programs and positions during the decade; meanwhile Portland cut and cut.

![Dollars Per Student 1989-1996](image)

*Figure 4 Dollars Per Student 1989-1996*^

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<table>
<thead>
<tr>
<th>School Year, Budget Shortfall, Measure 5 Limit</th>
<th>A Sampling of Budget Cuts</th>
</tr>
</thead>
</table>
| **1991-92**  
$5.3 Million  
$15 per $1000 | • Eliminated tutoring programs for at-risk students  
• Eliminated counseling for at-risk students$^8$ |
| **1992-93**  
$8.1 Million  
$12.50 per $1000 | • Eliminated programs for at-risk students at elementary schools  
• Reduced funding for discipline programs at high schools  
• Reduced funding for multicultural/multiethnic programs  
• Drastically reduced funding for teen parenting programs and child care  
• Reduced summer school funding  
• Reduced funding for vocational, technical, and career education  
• Eliminated funding for musical instrument purchases  
• Reduced funding for alcohol and drug programs, including 10 half-time positions  
• Reduced funding for business education programs  
• Reduced funding for desegregation programs at elementary schools  
• Eliminated new textbook purchases  
• Reduced curriculum development$^9$ |
| **1993-94**  
$42.1 Million  
$10 per $1000 | • Eliminated 2 school days  
• Eliminated summer school  
• Eliminated about 400 employees, including 72% of special education social workers  
• Reduced funding for athletics and extracurricular activities  
• Created new participation fees for athletics and clubs  
• Closed talented and gifted centers and reduced funding for the program  
• Drastically reduced curriculum and evaluation departments at district office  
• Cut school supply budget by 50%  
• Reduced field trips$^{10}$ |
| **1994-95**  
$21 Million  
$7.50 per $1000 | • Eliminated curriculum department  
• Reduced directors of instruction  
• Reduced bussing  
• Eliminated some sports including swimming, golf, and tennis  
• Eliminated stipends for club supervision  
• Eliminated employees (in all, 661 since 1991)$^{11}$ |
| **1995-96**  
$1 Million$^{12}  
$5 per $1000 | • Reduced ending fund balance  
• Eliminated cost of living increase for employees  
• Deferred building and equipment maintenance$^{13}$ |

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$^9$ Oliver, “School District Faces $8.1 Million in Cuts.”


Between 1990 and 1996 PPS cut over 1,000 jobs. For the 1996-97 school year, Portland received $4,654 per student from the state, $400 less than it received in 1991, the first year of the state funding formula. And yet, by 1996 full equalization had not yet been completed throughout the state; Portland looked ahead to years of flat funding without adjustments for inflation, health care increases, or salary costs, which in real terms translated to further budget reductions.\(^{14}\) Between the 1989-90 and 1999-00 school years, the number of full time equivalent (FTE) teachers decreased by 60 while students’ average daily membership (ADM) increased by 893 students. In contrast, when Nyssa students’ ADM increased by 148, the number of FTE teachers actually increased by 19.\(^{15}\)

By the end of the decade, the best headline The Oregonian could muster was, “Most Schools Won’t Have to Make Cuts,” although “The biggest exception is Portland—the state’s largest district with 56,000 students—which faces an estimated $14 million in cuts over the next two years.”\(^{16}\) These budget reductions significantly reshaped education in the district for students and teachers.

**Table 8 Differences between districts, 1989-99**

<table>
<thead>
<tr>
<th>Differences between districts 1989-90 to 1999-00(^{17})</th>
<th>Portland Public Schools</th>
<th>Nyssa School District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Daily Membership (ADM)</td>
<td>48,007</td>
<td>1,052</td>
</tr>
<tr>
<td>Operating Revenue per ADM*</td>
<td>$6,283</td>
<td>$3,610</td>
</tr>
<tr>
<td>Teacher Full Time Equivalent (FTE)</td>
<td>2,945</td>
<td>61</td>
</tr>
<tr>
<td>Student Teacher Ratio</td>
<td>18.0</td>
<td>18.4</td>
</tr>
</tbody>
</table>

*Adjusted for inflation using 1990 dollars


\(^{15}\) Reeder, “State and District Comparison, 1989-1999.”


\(^{17}\) Reeder, “State and District Comparison, 1989-1999.”
Budget cuts created a climate of uncertainty and insecurity; teachers didn’t know from year to year if they’d have a job or what they’d be teaching. This made it a challenge to develop programs or improve instruction long-term. As Measure 5 began to take effect in 1991, Franklin High School in Portland hired Sandra Childs, a social studies and English teacher. Her experience in her first years of teaching reflected a common pattern.

Because of the instability of funding and what was going on, I was [hired as] temporary, so they would fire me in the spring. And then in August when they had a better sense of their numbers, they would pull me back. They did that for four years. And because at that point they had already built the schedule, I’m the pick up girl. And I’m in two subjects, so I would have four different preps and teach five classes those four years. When I left the classroom the first time I had five fully packed file cabinets, because I had taught everything in the social studies department and every level in English. Which at the time, I sort of…and now I'm like, are you kidding me? [Laughs] How did I not burn out? I don't know.18

Lewis and Clark College education professor Greg Smith uncovered a similar pattern in a 1995 comparison of two Portland metro area schools. “This sense of not knowing what the future holds weighs heavily on educators…Another consequence of long-term funding uncertainty is its impact on people’s ability to move towards shared goals.”19 This instability taxed teachers.

**Class Size**

Class size also changed schooling as a direct result of school funding. Nyssa used increasing state funds to hire more teachers and reduce class size. Former superintendent

18 Childs, Oral History Interview of Sandra Childs.
Savage explained, “When I was in elementary school [as principal], I closed one elementary building because we didn't have the money. Then I had put 36 kids in a classroom, [including] my own child. Now we were able to get down to 18 in a classroom and hire a half-time aid or a full-time aid in the younger grades because of that Ballot Measure 5.” He added, “It was a blessing for poor districts. I understand some larger districts struggled with that.” Measure 5 and equalization allowed Nyssa School District to reduce classes from the mid-thirties down to around twenty students per class. ODE reported that in 1997-98, following the full implementation of Measure 5, elementary class size in Nyssa averaged 20.7 students, whereas Portland averaged 26 students per class. At the high school level, a similar gap existed in class size between school districts. While Nyssa was able to lower class size by hiring more teachers, Portland’s class size increased as it laid off teachers.

Table 9 Average Class Size by Subject and School, 1997-98

<table>
<thead>
<tr>
<th></th>
<th>Nyssa School District</th>
<th>Portland School District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nyssa High School</td>
<td>Franklin High School</td>
</tr>
<tr>
<td>District Enrollment</td>
<td>1,229</td>
<td>55,321</td>
</tr>
<tr>
<td>School Enrollment</td>
<td>289</td>
<td>1,564</td>
</tr>
<tr>
<td>Math</td>
<td>14</td>
<td>32</td>
</tr>
<tr>
<td>Science</td>
<td>15</td>
<td>26</td>
</tr>
<tr>
<td>English</td>
<td>21</td>
<td>28</td>
</tr>
<tr>
<td>Social Studies</td>
<td>21</td>
<td>29</td>
</tr>
<tr>
<td>Second Language</td>
<td>13</td>
<td>27</td>
</tr>
</tbody>
</table>

20 Savage, Oral History Interview of Dennis Savage.
21 “District Profile Comparison.”
Student teacher ratio is another, albeit less accurate, measure of class size. Student teacher ratio measures the ratio of all students to all teachers. However, because this includes specialty teachers, for example teachers of physically handicapped students who attend small classes, it does not accurately reflect class size for the majority of mainstream students. Nonetheless, student teacher ratio is often used as a comparator. In the 1990s, University of Oregon economics professor David Figlio wrote two articles about the short-term effect of the tax revolt on school performance. The first, published in 1997, evaluated 49 states to compare school performance in states that had passed a tax limitation to states that had not. He concluded that states with a tax limitation had 6.4% higher student teacher ratios and that the gap between these two groups continued to widen. Essentially, “‘money mattered’ in the production of education. All else equal, students in schools subject to limitations perform consistently less well than students in schools without limits.”23 In his second article Figlio examined Measure 5’s effect on school service levels in Oregon, using the state of Washington, which did not enact a tax limitation, as the control. He found that, prior to Measure 5, Oregon had a lower student teacher ratio than Washington, whereas after Measure 5, Oregon’s student teacher ratio exceeded that of Washington, leading Figlio to conclude that Measure 5 did in fact lower service levels at Oregon schools. “If the goal of a property tax limit is to provide the same level of educational services, but with lower administrative overhead, my results suggest that property tax limits are not likely to achieve that goal.”24

<table>
<thead>
<tr>
<th>School Years</th>
<th>Oregon</th>
<th>Washington</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987-1991</td>
<td>19.2</td>
<td>20.4</td>
</tr>
<tr>
<td>1991-1993</td>
<td>20.9</td>
<td>20.4</td>
</tr>
</tbody>
</table>

Between 1990 and 1996, statewide student enrollment in Oregon’s public schools had grown by 9% while the number of teachers grew by only 2%, resulting in larger class sizes across the state. The Oregonian noted, “School leaders say they can’t fix this problem without more money to hire more teachers. They praise their teachers for bearing unreasonable loads.”25 While districts leveled down as a result of Measure 5 and equalization, teachers bore a great deal of this burden. The Oregonian reported, “While giving teachers more students, financially strapped districts have cut back on the kind of support that makes life easier for them—curriculum specialists for help in planning, counselors to deal with problem children, special education teachers to work with students who have learning disabilities.” To attempt to shield cuts from classrooms, districts like Portland prioritized these support services for reduction or elimination before teachers. Consequently, as class size rose, “Teachers with large class loads uniformly say they spend more time managing and less educating. They worry they cannot adequately teach each child.” As one teacher in Portland exclaimed, “I didn’t get into this profession to be a baby sitter.”26

Larger classes increased discipline issues. Theresa Hawkins, a business teacher at Franklin High School, recalled that the increased discipline issues deducted

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administrators’ time with teachers and curriculum. “Everybody in the office and the administration was stretched so thin dealing with increased discipline issues and increased attendance issues.” She attributed much of this increase to the difficulty teachers faced in building meaningful relationships with individual students when overloaded with class sizes. This loss of one-on-one attention fractured the classroom and school community. In his comparison of two schools following Measure 5, Smith concluded, “This reduction in their ability to ‘touch children’ hurts teachers deeply. They know that youngsters who remained disconnected from and distrustful of adults run the risk of falling afoul of society and ending up in prison.”

Larger class sizes allowed more students to fall through the cracks.

Every teacher interviewed described the student teacher relationship as the bedrock of teaching. Nyssa teachers described how smaller classes allowed them to know each student. “Teaching in a small town, you do get to know the students rather well. You don’t just know the student, but you also know the parents…[so you’re able to] meet every student’s needs as much as possible.”

Similarly, Franklin English teacher Manuel Mateo noted, “I realized that everyone’s background, and the backgrounds they come from really influence how they look at the world, and as a consequence, I’d like to give everyone the best opportunity for getting a quality education while they’re with me.”

At the same time, individuals from both districts argued that there existed an inverse correlation between class size and student teacher relationships. Savage noted that the reason he used the extra funding to reduce class size was “better

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28 Smith, Oral History Interview of Christiane Smith.
29 Mateo, Oral History Interview of Manuel Mateo.
relationships...When you had a decent class size and you know you're getting help...The teachers do a better job and the kids learn more. I’d say it’s all connected.”\(^{30}\) Conversely, Mateo lamented, “It’s a lot of time to get to know someone and to remediate what skills they’re lacking and to help out. And, with larger and larger classes, that means I devote less and less time to students.”\(^{31}\) As class size increased, teachers struggled to build relationships and meet the needs of individual students.

Larger class size also increased teachers’ workload. By a very practical measure, Mateo revealed that, “as a teacher, when I have overloaded classes and I’m assigning essays, it means I have to read those things. And so therefore, there’s less time teaching and more time grading papers.” This economic speed-up led many teachers to burn out, leave the profession, or retire. In 1996, \textit{The Oregonian} reported, “Anne W. Terry, a Salem high school English teacher, spends as many as 20 hours a weekend reading and grading papers. With 143 students and a workload that keeps rising, she is quitting at the end of the school year after 31 years in the profession.” Her reason: “I can’t take the workload.”\(^{32}\) In his study of Measure 5’s effects, Smith warned, “The impatience, inflexibility, and withdrawal that can accompany burnout leave in their wake long-term scars on children, who may internalize a teacher’s lack of support and assume that they have caused the problem.”\(^{33}\)

The assertion that increased class size negatively impacted student achievement and effective teaching did not simply arise from teacher complaints about workload,
budget cuts, or mandates; academic research supports the claim. In a research review published by the National Education Policy Center, Professor Diane Whitmore Schanzenbach of Northwestern University concluded, “Class size matters. Research supports the common-sense notion that children learn more and teachers are more effective in smaller classes.” She asserted that class size determined student outcomes not only in the short-term, but also students’ human capital formation in later life, and that low-income and minority students benefited most from class size reduction. Small classes, she explained, allowed teachers to use a variety of strategies to meet students’ the individual needs. “For example, they closely monitored the progress of student learning in their classes, were able to re-teach using alternative strategies when children did not learn a concept, had excellent organizational skills, and maintained superior personal interactions with their students.” These strategies worked to create higher levels of student engagement and increased time on task. Although earlier studies suggested that class size reduction was effective only if reduced to less than twenty, Schanzenbach countered, “The broader pattern in the literature finds positive impacts from class size reductions using variation across a wider range of class sizes… that is, from roughly 15 to 40 students per class.”


It should be noted that while this research review was published in 2014, to date, the most valid and reliable experiment conducted on class size remains Tennessee’s Student Teacher Achievement Ratio, which took place between 1985-1990 and published in 1990. Consequently, Oregonians had access to these findings during the Measure 5 era.
The Effects of School Reform

Because of budget pressures following Measure 5, school districts criticized the Oregon Educational Act for the 21st Century for the additional investments it required. Many districts struggled to find the money for the new reforms. “No one argues that some features of the plan clearly would cost more and must be postponed,” The Oregonian asserted. For example, lengthening the school year, expanding early childhood education centers, creating new learning centers, and even hiring enough foreign language teachers required significant state investment to become a reality. Reformers argued that other features of the law could be implemented without significant new funding, such as mixed-age groupings, career pathway community partnerships, portfolios, and common assessment rubrics.35 In a 1992-93 survey of 2000 Oregon teachers, education researchers David T. Conley and Paul Goldman discovered that “Teachers express skepticism that the act can be implemented without additional targeted funding to buy the time and expertise they perceive as necessary for their own training, learning and changing. …Educators in this study express a willingness to entertain change, but do not believe they will necessarily be given the authority or resources they need to adapt successfully.”36 To that end, the Oregon Department of Education agreed to an additional $11 million in 1994-95 for teacher training and professional development, but most agreed that at some point the tax limits “will dim prospects for even the zealous reformers to improve schools.”37 Teachers predicted those additional

36 Conley and Goldman, “Reactions from the Field to State Restructuring Legislation,” 532.
37 Graves, “Can State Afford Required School Reforms?”.
funds provided for implementation of CIM would disappear as school funding declined because of the tax limitation.

Insufficient funding, the debate between outcomes-based and standards-based education, and ultimately the passage of No Child Left Behind in 2001 (which focused less on standards and more on testing), ended Oregon’s experiment with school reform. The Certificate of Initial Mastery was never implemented as it was written in 1991; in 1995 it shifted from performance assessments driven by outcomes to standards evaluated by standardized tests. Issuing the certificate itself became optional for schools. The Certificate of Advanced Mastery, perpetually postponed, never came into existence, though many districts and schools began their own programs based on the intended goals. As David Boyer, an art teacher in Nyssa, recalled, “They pushed [CIM] really hard. I didn't know it was going to go away. But it did. And the CAM went away. I thought the CAM was really cool and it seemed to go really well with what I did anyway—I didn't have to learn new stuff, I just kinda had to twist it and make it work. I liked it, and it went away.”\textsuperscript{38}

Although many teachers enthusiastically approached the CIM and CAM, they also saw this as the next greatest fad in education. Christiane Smith, an English teacher in Nyssa explained,

I don't know why, but it seems as if teachers are very eager to make changes. I've been in education for almost thirty years; every five years there’s something new that comes on and everybody jumps on that bandwagon...And then there’s changes made, and this is going to be the solution to the problem. Ultimately, it isn’t, because we don’t give it enough time to see if it works out. Because by the time five years is over, we do something new. The CIM and CAM is a good example of that. There was a lot of time and effort and money spent developing that. And yet, I honestly think, it hasn’t remained in place long enough to really

\textsuperscript{38} Boyer, Oral History Interview of David Boyer.
see if it makes any difference. Any statistical change of improvement or lack of improvement isn’t going to show up in two years...Developing all those CIM and CAM standards, there was a lot of time and effort put into it and I’m not sure how the CIM and CAM worked out. 39

Regardless of whether Oregon’s experiment with the CIM and CAM would be left in place long enough to determine if its strategy produced positive results, teachers nonetheless had to go through the motions of implementing this continually-changing reform.

While Measure 5 and equalization affected districts differently, school reform affected teachers in similar ways. Across the state, districts hurried to fulfill the school reform law. Districts adopted blended classrooms, block scheduling, authentic performance assessments, collection of portfolios, and statewide rubrics. Some schools began working towards granting Certificates of Initial Mastery long before it was required. Some began new career programs and community internships driven by the structure laid out in the Certificate of Advanced Mastery. Although implemented unevenly across the state, teachers shared common experiences with the reform regardless of district, size, or location.

The state’s implementation strategy explained the shared experiences of teachers with the Oregon Educational Act for the 21st Century. The state approached the implementation from top-down and bottom-up. While the state set mandates about expectations for the implementation, it granted teachers autonomy and time to collaborate to transform their individual departments, schools, and districts. University of Toronto education professor Michael Fullan argued that this top-down bottom-up approach worked best to implement reform. “Combined strategies that capitalize on the center’s

39 Smith, Oral History Interview of Christiane Smith.
strengths (to provide prospective direction, incentives, networking, and retrospective monitoring) and locals’ capacities (to lean, create, respond to, and contribute) are more likely to achieve greater overall coherence. Such systems have greater accountability, given that the need to obtain political support for ideas is built into the patterns of interaction.”

Regardless of their district’s funding, Portland and Nyssa teachers recounted positive, effective, curriculum development prompted by the reform because the state empowered them to design the details while setting clear expectations through common rubrics.

**Outcome-Based Reform: “We made it our own”**

Despite their cynicism at times, teachers benefited from designing the Certificate of Initial Mastery curriculum because of the common outcomes, language, and rubrics they adopted to assess students. Even art education gained from a CIM makeover. As Nyssa teacher Boyer noted, “Art is seen as a discipline, instead of fluff or an elective. So you’re actually teaching reading, writing, and all those other things that would go with it: art criticism, art history, [art production and aesthetics]. I like how they divided it…and that we could score it. The kids could actually show us what they knew how to do because it was based on what they knew how to do and what they could perform.”

This focus on outcomes created a common vocabulary for teachers. Franklin teacher Mateo explained, “Back in the days of the CIM and the CAM, the CIM actually was pretty

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41 Boyer, Oral History Interview of David Boyer. In the section previous to the one quoted, Boyer mentioned all four learning outcomes for art: art criticism, art history, art production, and aesthetics.
helpful. I think it got a lot of people speaking the same language. They were standards that were being taught on all the grade levels, and as a consequence, even today in 2014, I’m pretty much the using 6th grade scoring rubric—the kids know what those things entail.” In fact, many teachers still use the CIM rubrics.

Teachers appreciated the collaboration and curriculum alignment the reform required. The principle embedded in the CIM was that teachers produced high quality work when they collaborated, and when that collaboration aligned with their values. Smith expanded,

The positive that came out of doing the whole process was that teachers at all grade levels got together and looked at what do we teach when and streamlined that whole process. It forced teachers to collaborate more with each other rather than each teacher sitting in his own little classroom and doing their thing. It forced grade-level teachers at the elementary and middle school to make sure that the same thing happened in each classroom during a year’s time. It forced teachers at the high school level to also seriously look at—okay, if somebody takes English, what exactly do we want them to do? I'm going to say that had not happened in the past. And it forced teachers to talk to each other and not go into their class and close the door and doing their own thing because that's what they'd been doing for 20 years. It really opened up communication between colleagues. We learned from each other. It made it easier for the students to then say, it didn't matter which teacher I was taking sophomore English from, I still covered the same material. I don't think that was the case in the past.

Across the state, teachers opened their doors to each other and deliberated about how to teach and what students should learn at each level. Though a school or district could accomplish this independently, the Certificate of Initial Mastery encouraged these conversations about alignment.

To assist teachers in this process, the state devoted funds to professional development time and collaboration. These teacher-led sessions evoked positive

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42 Mateo, Oral History Interview of Manuel Mateo.
43 Smith, Oral History Interview of Christiane Smith.
endorsements from teachers. Franklin social studies and language arts teacher Childs remembered,

We had more professional development that allowed us to collaborate. It was initially under the guise of CIM, Certificate of Initial Mastery, but we made it our own. It was really about creating good curriculum and sharing it with each other, and sharing best practices. I was the language arts liaison, and we would meet once a month and share stuff and then bring it back [to our schools]. Plus we would design the [district-wide professional development] workshops during these days. Plus we eventually started having what we called summer camp, where we’d scrounge up funding to have a week in the summer where we would cross-curricularly develop really great, amazing units and then be able to share that stuff…It was all teacher-led, except we had a TOSA, a Teacher on Special Assignment…We were trying to get that kind of connected owning going on.\(^4^4\)

Teachers found this type of professional development to be useful, relevant, timely, and effective. Teachers enjoyed learning from each other and collaborating to improve their own craft. While aligning the curriculum to sequence which outcomes belonged in which class, teachers still retained autonomy to decide how to teach each outcome. Mateo asserted, “I appreciated the academic freedom that I was allowed in the classroom. There were content standards, there were things that needed to be taught, but the way I approached them was very, very liberating.”\(^4^5\) This type of teacher-led collaborative professional development, born out of the Oregon Educational Act for the 21\(^{st}\) Century, proved to be the highlight of teachers’ experience with reform.

This professional development succeeded because it built upon values that teachers already held: collaboration, professionalism, and autonomy. Conley and Goldman’s survey results confirmed this. They concluded, “States can develop school restructuring legislation that teachers will accept if, and perhaps only if, it captures key themes that respond to concerns already felt by teachers.” Conley and Goldman

\(^{4^4}\) Childs, Oral History Interview of Sandra Childs.
\(^{4^5}\) Mateo, Oral History Interview of Manuel Mateo.
elaborated that reform can be mandated from the top, but unless teachers participate in crafting the changes themselves from the bottom, the reform will not translate to the classroom. Teachers “need to be active participants in constructing meaning from the reforms presented to them.” Therefore, to get teacher to buy-in, schools “may need to create space for educators to discuss and analyze the purposes and goals of reform and to consider its ramifications for them from the perspectives broader than their individual classrooms.”46 This professional development succeeded because it allowed teachers to develop the reform’s implementation themselves.

Standards-Based Reform: “Everything became standardized instead of standard-based”

This positive start to the Oregon Educational Act for the 21st Century soured in 1995 after the state revised the focus of the law from educational outcomes to discipline-driven standards. While teachers did not object to more specific content-based standards, they disliked its implementation. Whereas, prior to 1995 teachers taught towards outcomes using common rubrics, performance based assessments, and portfolios, after the revision, the focus shifted toward top-down professional development and testing.

Standards-based education departed from the top-down bottom-up approach to reform despite Conley and Goldman’s warning that teachers must construct their own implementation of the reform for it to be successful. Teachers noticed that outside experts began to supplant teacher-led professional development. Franklin English

teacher Mateo recalled, “I started to notice more and more that the professional
development was not really designed where we were learning from each other but they
were bringing in outside experts…As it moved further and further away from people who
were actually teaching, I found it less and less useful.” Childs emphasized,

Our days that were professional development and collaborative sort of got taken over. They brought in some people from the outside…to do a lot of top-down stuff. And we had been doing some collaborative…I don’t know how to put it. There had been some investment in developing some of the more critical thinking social studies curriculum in a coherent way…That all got undone, or co-opted, to sort of, mandate. They actually really wanted us to do everything at the same time.  

This not only shifted professional development from a collaborative setting to one of
direct instruction, it also shifted power from local schools and teachers to the district and
state. The state centralized control over the direction of reform and diminished local
input, contradicting the intention of the original school reform act. Nyssa experienced a
similar shift. Teachers craved time to work with each other rather than listening to
outside experts. Smith recalled, “I do think the district spent a lot of money to bring in
training, but it took teachers time to sit down and develop curriculum.” Teachers
opposed these changes, seeing it as a usurpation of power that kept them from best
meeting the needs of the students in their classrooms. As Childs concluded, “Everything
became standardized instead of standard-based.”

The emphasis on standardization reflected a renewed focus on testing. Oregon
had long administered standardized tests to students, but after 1995 testing became more
prominent. In general, teachers did not object to testing students, as long as the

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47 Childs, Oral History Interview of Sandra Childs.
48 Smith, Oral History Interview of Christiane Smith.
49 Childs, Oral History Interview of Sandra Childs.
assessments corresponded to their teaching, curriculum, and pedagogy. But they did object to standardized multiple-choice tests that they found irrelevant to the classroom.

For example, teachers supported the state writing test, which required students to write an essay, because those skills already belonged in the language arts curriculum. Smith explained,

> On the whole, it’s not as if the CIM asked the students to do something they had not been doing all along…In a language arts class, students have always written. They’ve always been graded on it. I will say, though, having been involved in both administering and evaluating the writing samples, that it made me a better teacher because it was fairer, more objective to evaluate students' writing because you have these set parameters.\(^{50}\)

Common standards and rubrics allowed teachers to align expectations of quality for students and that benefited teaching and learning. However, teachers objected to the CIM multiple-choice tests. Ken Dickey, a Nyssa High School science teacher, described this transformation.

> I got really excited when CIM and CAM came in…When the CIM first started, we were told there would be no CIM tests. The CIM was going to be this real-life, project-based learning…The early idea of the CIM is, there would be a problem to be solved and there are multiple dimensions that cut across multiple disciplines. You’re oftentimes working in teams to solve the problem. I was really excited about this…It was really disappointing when all that went away. “There will be no CIM tests. It’s all about authentic learning.” It’s really a test. It’s multiple choice. It’s A through D was the answer. That was pretty depressing. When the older teachers said, “Yeah right, we’ll see the pendulum swing.” I was very off put by this attitude, but they turned out to be right. I don't want to be cynical like that; you try to find value in the movements that come. But I do resent the “graft,” the money that is taken from districts to go into the agents that bring about these changes, go into the superstructure that creates standards, go into superstructure that creates assessment, go into the superstructure that creates new curriculum, be it textbook, evaluations, or whatever. So I’ve seen enough of that. In a district like Nyssa, that’s a huge amount of money that could otherwise be doing good things in schools. I know there’s a trade off.\(^{51}\)

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\(^{50}\) Smith, Oral History Interview of Christiane Smith.  
\(^{51}\) Dickey, Oral History Interview of Ken Dickey.
After 1995, the CIM transformed from a progressive bottom-up reform to a top-down standardized testing platform. Teachers questioned the merit of this change.

Teachers took issue with the testing for many reasons. They bought into the CIM’s initial pedagogy of authentic assessment, but multiple-choice tests did not fit into that framework. As English teacher Mateo explained, teachers didn’t find the tests relevant to the curriculum or to their students.

I felt like schools were getting a little bit more restrictive, because in order to have a reform effort as was envisioned through the legislation, it required a lot of testing. Some of the tests were these kind of formalized testing vehicles, which really had no connection to students’ lives…They were measuring really narrow areas…And that's all fine and well, but all of a sudden, it started influencing the curriculum, because the curriculum started being more and more designed to teach to the test, so to speak.  

This happened in science as well. Science teacher Dickey objected to the science test because it didn’t align with his curriculum. Therefore, he created a “CIM cram” to prepare students for the testing, and spent a number of days literally teaching to the test.

My problem has always been that I consider certain things as being important to science and they’re not represented in the standards. I still want to teach them. I’m not going to drop them because they’re not on the test. When it comes to the test, we created—it didn’t seem very difficult at all—we just created what we called “the CIM cram.” We still teach the CIM cram. It’s basically three days of class where we cram the material that’s going to be on CIM…There’s just not that much [material]…Because it’s so easy to cram for that test, if you just do it, you get everybody off your back. You get enough passing students, and then you don’t have to be distracted by it anymore.

Dickey saw testing as a distraction: a requirement he and his students must fulfill, but not a valuable learning experience. He also noticed in speaking with other teachers across

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52 Mateo, Oral History Interview of Manuel Mateo.
53 Dickey, Oral History Interview of Ken Dickey.
the state that, as a result of the testing, many had eliminated curricula from their courses that did not appear on the test. He reported that other teachers admitted,

“We don’t do that anymore because it’s not on the test.” I was just shocked that somebody could not teach electricity because it’s not on the test, not teach about machines because it’s not on the test. It seems horrifying to me, but that’s the way it is. I really think the canon of scientific ideas that have been passed down and are represented by all the respectable textbooks is highly worthwhile. They’re powerful ideas that apply to so many parts of life. It’s really a joy to share them with students. I don’t know why I would not do that just because someone didn’t put it on the test.54

This narrowing of the curriculum pushed social studies teachers to fight testing. In 1998, Bill Bigelow, a Franklin High School social studies teacher, wrote an opinion piece in the Sunday Oregonian entitled “Social Studies Tests from Hell.” He criticized the pilot social studies test as “a collection of random multiple choice questions, demanding rote memorization and the application of almost no higher level thinking skills…Social studies teachers will have to substantially dumb-down our curriculum to insure students’ success.” Bigelow pleaded, “Teachers will have to reorient our curricula away from the role plays, simulations, research projects, essay writing, and other in-depth activities that breathe life into social studies and allow students to probe beneath the surface of ‘the facts.’” In a later interview, Bigelow acknowledged that he felt a sense of betrayal; Vera Katz, the reform’s author, had promised to “reimagine education” and connect it to the real world, but the tests this new system produced were “so narrow, so small-minded.”55 In many ways, Bigelow was right; the multiple-choice tests created for the state by an Illinois test company, Metritech, Inc., did not satisfy the criteria of the

54 Ibid.
55 Bill Bigelow, Interview of Bill Bigelow, interview by Beth Cookler, May 16, 2013.
performance-based assessments promised by the Oregon Educational Act for the 21st Century.\textsuperscript{56}

In his \textit{Oregonian} opinion piece, Bigelow included specific multiple-choice questions from the pilot test and critiqued their purpose. For example, one question asked which Constitutional Amendment gave women the right to vote, but “said almost nothing else about the movement that resulted in the Amendment.” Bigelow explained that his students had studied “the long struggle for women’s rights. However, unless they could recall that one isolated fact—that it was the 19\textsuperscript{th} and not the 16\textsuperscript{th}, 17\textsuperscript{th}, or 18\textsuperscript{th} Amendment (the other test choices) that gave women the vote—the state of Oregon would have considered all their extensive knowledge irrelevant.” Bigelow concluded, “The Oregon Department of Education is about to inaugurate tests that will hurt education.”\textsuperscript{57}

Bigelow’s article set off a firestorm. \textit{The Oregonian} ran numerous letters to the editor and other op-ed essays supporting Bigelow’s critique. Meanwhile, state superintendent Paulus attempted to silence the teacher for drawing attention to the tests. Paulus began an investigation into who leaked the pilot test to Bigelow, and sent a letter to the state Teacher Standards and Practices Commission stating that, while Bigelow may “express his concerns,” he may not publish test materials. She then phoned the PPS superintendent and demanded Bigelow be fired.\textsuperscript{58} From Bigelow’s perspective, “Oregon’s response highlighted a basic contradiction: high-stakes testing requires

government-enforced secrecy; democracy requires unfettered discussion by knowledgeable participants.”

About a month after the controversy began, Barbara Wolfe, the state assessment coordinator, conceded the superficiality of some of the social studies test questions.

Despite unsuccessful efforts to silence Bigelow, the criticisms embarrassed the Oregon Department of Education and led it to postpone the social studies tests indefinitely. However, that too came with a trade off. Franklin social studies teacher Childs contended, “We fought the social studies multiple choice test, that would have been restrictive. But we did feel hampered, in the fact that we knew that if social studies wasn’t tested, it wouldn’t be as emphasized.”

Overall, teachers responded negatively to testing because it narrowed the curriculum, took away time from teaching, felt irrelevant to students, and did not create an authentic opportunity for assessment.

In addition to a narrowed curriculum within core classes, teachers also objected to the elimination of electives and vocational education programs for students. Few could miss the irony that the Certificate of Advanced Mastery promoted student career exploration through its six pathways while districts eliminated the very elective and vocational classes that might have naturally fit into the CAM structure. Some of this occurred as a result of budget cuts, although the reform’s emphasis on standardization was the primary cause. Smith described why this occurred in Nyssa.

The CIM and the CAM, at least here in Nyssa, did mean in order to have the students perform better on that, we asked them to take more remedial classes in

59 Ibid.
60 Carter and Learn, “History Tests Stir Talk of Revolt.”
62 Childs, Oral History Interview of Sandra Childs.
order to pass those state tests. That meant they could not take electives and that meant we had to cut out all the elective programs. When I look at the amount of electives students were allowed to take when I started teaching here compared to now, it’s really kind of sad that so many electives have been cancelled, particularly in the vocational area. That has not necessarily been a positive for quite a large number of the students.  

Dickey described in detail Nyssa’s reductions. “When I arrived, we had a full-time metal shop teacher, we had a full-time wood shop teacher, we had a full-time agriculture teacher, a full-time choir teacher and a full-time band teacher. There are a lot of justifications for the change [the reduction of these positions], but…I think the standards are an overarching explanation for that.” Portland experienced a similar reduction in electives and vocational education. Hawkins, a Franklin business teacher, described that, at the beginning of the decade, Franklin had five business teachers, but by the end of the decade, it was down to one, herself. She taught six courses instead of the standard five in order to maintain a full program. When asked why that happened, she explained, “Budget cuts. Personal finance was no longer required. Electives were no longer required…They just kept cutting. They wouldn’t replace electives with budget issues.” While Nyssa’s reduction resulted primarily from changes in the curriculum, the reductions in Portland compounded because of lack of funding. Standardization led to fewer elective and vocational offerings for students.

This outcome paralleled what happened in California following its property tax limitation and new emphasis on basic skills during the late 1970s and early 1980s. In an analysis of the eight largest urban school districts in California, education professor James Catterall, and his graduate student Emily Brizendine, found that when districts

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63 Smith, Oral History Interview of Christiane Smith.
64 Dickey, Oral History Interview of Ken Dickey.
65 Hawkins, Oral History Interview of Theresa Hawkins.
determined which courses to offer in an environment of financial constriction and new state school reform testing, they narrowed the curriculum by prioritizing some courses and treating others as expendable. In general, California districts trimmed “frill” courses—electives, upper level courses, and arts and industrial courses—while increasing support courses for state testing. Teachers in Oregon described the same pattern: districts reduced elective and vocational programs while expanding remedial courses. Catterall and Brizendine also discovered that, although districts made these decisions individually, “trimming school districts toward the bone resulted in comparable skeletons.” The researchers attributed this uniformity to three causes: “the centralizing effect of Proposition 13 on the state’s school finance system, the unifying influence of California’s state-level requirement for proficiency testing for high school graduation, and the common structural constraints faced by districts as they made decisions in retrenchment.”

In Oregon, Measure 5 and the Oregon Educational Act for the 21st Century produced similar results: centralized funding at the state level, state standardized testing requirements, and the constrained options districts could choose to satisfy both conditions. Consequently, by the end of the 1990s, public school curriculum in Oregon schools had become uniform.

Teachers rejected this narrowing of the curriculum. This rejection came from all subject areas, not just elective and vocational teachers. They believed that the purpose of school was greater than simply passing standardized tests in core subjects such as English, social studies, math, and science. Teachers valued electives and vocational courses that allowed students to explore, experiment, and experience new things.

teacher Smith observed,

Personally, I do not feel a high school education should only prepare you for a career. In high school you should have opportunities to experience, to try out all kinds of areas. If you don't have opportunities to take electives, you will not do that. Maybe you will never take an art class or take a music class or take a cooking class or a sewing class, because you have to take the math and the science and the languages and so on. I really think high school to me is exposure to a lot of opportunities and if you're not exposed to them, you might never pursue them later on.67

Similarly, Franklin teacher Hawkins charged,

I really believe firmly that vocational education is an important role. I believe high school is the last time education is free for kids. They should have the opportunity to try an accounting class or try a welding class or a forestry class or a health occupations class. …I think we are doing a disservice now to our students when we cut all those classes, for they are not having the opportunity to explore them…I think it's crucial for them to have a taste of this, to actually experience it.68

Teachers believed in school as an educational institution, not a test-prep center, that school is practical but also nurturing. Teachers wanted students to be able to try new things and stumble, and to uncover hidden passions. As Mateo stated, “I am not here to educate a workforce, to prepare them for the world of work. I am here to educate a human being to have a life, and to be a human being.”69

67 Smith, Oral History Interview of Christiane Smith.
68 Hawkins, Oral History Interview of Theresa Hawkins.
69 Mateo, Oral History Interview of Manuel Mateo.
Epilogue

The combination of the tax revolt and school reform set Oregon on a pathway that continues to this day. Structures set in place in the 1990s still influence teachers’ work: an unstable tax structure, standardized uniform reforms, and testing. These seeds planted in the 1990s have created the school system Oregonians know today.

The economic collapse of 2008 uncloaked the effects of an unstable tax structure hidden in the 1990s, relying primarily on income taxes to fund schools. As a result of the Great Recession, the state found itself without money to maintain the current school funding level. Districts had no choice but to cut. Teachers who remembered increasing class sizes during the 1990s, noted that, by today’s standards, 1990s class sizes would be considered small. Franklin teacher Childs explained that she held a discussion with her class this year (2014) around growing testing and class size. She explained that, while her students attempted to argue both sides, they couldn’t even comprehend an alternate system, because they’ve lived this one since kindergarten.

[My students] struggle. Because, there’s a part of them that, you know, this is how it is, and we understand that this is cheaper than that, and we don’t have enough money for this. And if we took all the money that’s put into evaluation and put it into smaller class sizes and mentorship and real-world learning then they we would be learning our non-cognitive skills which would allow us to be more successful both in college and career. So they get all of it, but they also know that they’re in the real world…What was really hard to make them understand was that this isn’t how it’s always been. I mean, I realized as I began the unit, when we were talking, that they just had no vision of anything else.¹

Standardized testing also experienced this amplification effect from its 1990s origin. While standardized testing increased in the 1990s, it was used as an indicator to

¹ Childs, Oral History Interview of Sandra Childs.
inform teaching, not as a high stakes bar on which grade level promotion depended. Testing became the only significant indicator for success under President George W. Bush’s No Child Left Behind (NCLB). Though the state has moved away from NCLB under President Obama, in 2011 the Oregon legislature passed Senate Bill 290, which aimed to tie teacher evaluations to test scores. Now, not only do students’ graduation depend upon standardized testing, the measure of teachers’ success relies upon their ability to prepare students for these tests. So, while the “CIM cram” may have sufficed during the 1990s, today testing determines the curriculum directly.

Furthermore, reform today has moved towards a uniform national curriculum, the Common Core State Standards. Though not developed as a national curriculum, over 40 states have adopted the Common Core in order to exempt themselves from No Child Left Behind. Unlike the teacher involvement in the initial implementation of the Oregon Educational Act for the 21st Century, the developers of the Common Core involved university professors and others with ties to testing companies, not teachers with knowledge of K-12 aged students. Instead of top-down, bottom-up, it is simply top-down. Not surprisingly, many teachers have reacted negatively and have been slow to adopt the incoming changes. They’ve criticized the creation, the age-appropriateness, the emphasis on testing, and the implementation of the standards. Even so, teachers in Oregon will be expected to teach to the new Common Core standards and tests beginning next school year (2014-15). Mateo critiqued these standards as such:

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3 Dickey, Oral History Interview of Ken Dickey.
These national standards, which we now call the Common Core State Standards, which 43 states have signed on to...I’m an educated person; I’ve read those things, 43 standards in language arts. Some of them are written in such a way, that in fact they are confusing to an educated person who is intended to teach these things. And what I believe has happened is they’ve elevated language or compacted some concepts into these little boxes that we’re expected to have students master, that I’m sorry, [are inappropriate for students at that grade level.] And then there’s the connection, well if the third grader’s not really doing it well, it jeopardizes the job of the teacher who’s really there, whose heart is more towards the kids, not towards the test scores.5

Veteran educator Stan Karp noted that these standards would hurt the most vulnerable students the most. “If a child struggles to clear the high bar at 5 feet, she will not become a ‘world-class’ jumper because someone raised the bar to 6 feet and yelled ‘jump higher,’ or if her ‘poor’ performance is used to punish her coach.”6 Unlike the period from 1991-1995, when teachers used professional development time to collaboratively design curriculum to meet state outcomes, today’s Common Core leaves teachers out of the equation, other than for reprimand. Consequently, although teachers still support rigorous expectations for all students, they struggle to implement Common Core.7

Education historian Diane Ravitch, once a proponent of standards and testing, has now renounced the very movement she helped propel. Ravitch served as Assistant Secretary of Education in President George H.W. Bush’s administration and became a leader of the standards movement. In fact, her history of school reform, published in 1995, which examined the origins of the standards movement and its conflict with outcome-based education, National Standards in American Education: A Citizen’s Guide,

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5 Mateo, Oral History Interview of Manuel Mateo.

Like many others in that era, I was attracted to the idea that the market would unleash innovation and bring great efficiencies to education…[Corporate reformers] think they can fix education by applying the principles of business, organization, management, law and marketing and by developing a good data-collection system that provides the information necessary to incentivize the workforce—principals, teachers, and students—with appropriate rewards and sanctions…[but] the effort to upend American public education and replace it with something market-based began to feel too radical for me. I concluded that I could not countenance any reforms that might have the effect—intended or unintended—of undermining public education.”

Instead, she has now come to realize, “It is time, I think, for those who want to improve our schools to focus on the essentials of education. We must make sure that our schools have a strong, coherent, explicit curriculum that is grounded in the liberal arts and sciences, with plenty of opportunity for children to engage in activities and projects that make learning lively…I hope it is not too late.”

The oral history interviews with teachers in Portland and Nyssa indicate that they too believe in this goal and dismiss market-based solutions.

An unstable tax structure, high stakes testing, and top-down national standards has damaged education in Oregon and the United States. For teachers and students alike, there is often no way to win in this new education game. Additionally, as class size (and in turn teachers’ workloads) has risen because of financial constraints, and the influence of unions has diminished, the voices of teachers advocating for a better public education system have been muffled. The stifling of these voices has opened avenues for the privatization of public education through charter schools. Consequently, yet another

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9 Ibid., 13–14.
aspect of those seeds planted in the 1990s has come to fruition, the influence of business on education. Today we approach a crossroads where, as a nation, we will be forced to determine what we expect from our school system: equity of access and quality, or a system of winners and losers where the losers will not reach graduation. As America's Choice first put in in 1990, “Americans are unwittingly making a choice. It is a choice that most of us would probably not make were we aware of its consequences. Yet every day, that choice is becoming more difficult to reverse.”10

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10 Commission on the Skills of the American Workforce, America’s Choice, 5.
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Oral History Interviews


Newspapers


SECONDARY SOURCES

Books


**Articles**


Appendix: Oral History Interview Participants

The following individuals participated in oral history interviews that I completed in the spring of 2014 in accordance with the Oral History Association guidelines and after approval from the Portland State University Institutional Review Board. I selected these individuals because they taught in Nyssa High School or Franklin High School during the 1990s. While Nyssa High School remains the sole high school in Nyssa School District, I chose Franklin High School because its student demographics best match the district as a whole.

The participants in this oral history project represent a sampling of disciplines, ages, and backgrounds. I recruited participants initially through recommendations from teachers in the district, but after initial pre-interviews, I recruited additional participants using theoretical sampling. In other words, I identified holes in the data and recruited additional interviewees to fill the gaps. For example, after realizing that most of my Nyssa teachers had been hired with the increased funding from Measure 5, I included a retired teacher that had worked in the district for a decade prior to Measure 5 and could speak to the changes from the 1980s to the 1990s. In total, I conducted formal oral history interviews with three Franklin teachers, three Nyssa teachers, and the former superintendent of Nyssa School District.

Full audio recordings and transcripts of the oral history interview are available in the Portland State University Special Collections Library.


**Sandra Childs**, born in Los Angeles in 1961, graduated from Reed College in 1983 and SUNY Buffalo School of Law in 1988. After practicing law for a few years, Childs decided instead to become a teacher and completed her MAT from Lewis and Clark College in 1991. Childs was hired at Franklin High School in 1991 to teach Language Arts and Social Studies. She has also held positions as Literacy Instructional Coach and Librarian. At the time of the interview in 2014, she continued to teach Social Studies at Franklin High School.

**Ken Dickey**, born in Mountain View, California in 1963, grew up in South San Diego. He graduated from Loma Linda University with a BS in Chemistry in 1985, before completing his California Clear Credential at UC Riverside in 1986. After earning his PhD from UC Riverside in 1993 in Philosophy, Dickey was hired to teach Chemistry at Nyssa High School in 1993. At the time of the interview in 2014, Dickey teaches science
at Nyssa High School, as well as teaches adjunct courses in Philosophy at Boise State University and community college in nearby Boise.

**Theresa Hawkins**, born in Portland in 1957, graduated from Oregon State University with a BS in Business Education in 1979, and went on to earn an MA in Vocational Education from OSU in 1984. Hawkins was hired to teach Business at Franklin High School in 1979 and has taught there for the past thirty-five years. During her time at Franklin, the business department has fluctuated from nine teachers in 1979 to one teacher by the end of the 1990s, and back up to three business teachers today. Hawkins planned to retire in June 2014.

**Manuel Mateo**, born in New York in 1954 to immigrant parents from the Dominican Republic, graduated from CUNY in 1983, with a BA in English and a minor in education. Mateo taught Special Education and Language Arts at Park West High School in New York City from 1984-88, when he and his wife moved to Portland, OR. Mateo taught Language Arts at Franklin High School in Portland Public Schools from 1989-2003. At the time of the interview in 2014, Mateo continues to teach at Wilson High School.

**Dennis Savage**, born in 1940 in Nyssa, Oregon, attended Nyssa High School before graduating from Eastern Oregon University in 1965 with a BS in Education. After teaching at Helens Stack Middle School in Baker, Washington from 1966-67, Savage was hired to teach Science, Physical Education, and coach at Nyssa Middle School in 1967. Savage became the principal of Nyssa Elementary School from 1974-84, and then
superintendent of Nyssa School District from 1986-2000. In 2000, Savage took the 
superintendent position at a smaller district, Harper, from which he retired in 2008. At 
the time of the interview in 2014, Savage continues to live in Nyssa.

**Christiane Smith**, born in 1944 in Friedland, Germany, grew up in West Berlin, and 
graduated from University of Mainz with a degree as an English translator in 1966. After 
marrying an American and immigrating to the United States, Smith earned a BA in 
Secondary Education from Central Washington University and a credential to teach 
Language Arts and German in 1976. Smith taught in Mansfield, Washington for three 
years before moving to Nyssa, Oregon to teach Language Arts, German, and French at 
Nyssa High School in 1979. She taught there until she retired in 2002. At the time of the 
interview in 2014, Smith continues to live in Nyssa, Oregon.