

SB 478 Testimony

Good morning, Vice Chair Weber and members of the Senate Education Committee,

For the record, my name is Aaron Lewis and I serve as Leader Jama's District Director. I'm also a former student advocate and student government officer at the University of Oregon. I'm here today to testify in support of SB 478 with the -1 amendment and to address some of the concerns that we have heard from opponents of the bill.

As Senator Jama outlined, SB 478 clarifies the duties of community college boards, including the board's responsibility to approve a college's membership in associations. We've heard concerns that no other locally elected body, such as a city council or county commission, has such a mandate, and that this requirement infringes on local governments' authority. I'd like to respond to these concerns in two parts:

First, community colleges are special districts designed with the unique purpose of serving students, making them fundamentally different from city councils or other locally elected bodies. Special districts in Oregon do not operate under a single set of statutes; each has unique responsibilities and subsequently, a unique governance structure. Treating these districts uniformly would make their "special" status irrelevant.

Second, ORS 341.290 explicitly states that community college boards have the power to "join appropriate associations and pay any required dues therefore from resources of the district." In our view, the legislature clearly intended for this authority to rest with a college's board. Unfortunately, we've seen a troubling trend where boards delegate this responsibility to administrations. SB 478 does not dictate how boards must handle these decisions. It simply clarifies the current statute that it is the core duty of elected boards - not unelected employees - to determine with whom they associate and how they allocate their constituents' tax dollars.

Our office has also heard the concern that mandating a voting student board member is undemocratic because this member would not be elected by the people. We've heard that boards already receive regular student input through ex-officio board positions or student government reports, or that students may run for a seat on the board should they so choose.

While our office agrees that the legislature must respect the integrity of democratic governance, we disagree that students do not comprise a legitimate constituent base, and therefore do not deserve a vote. As leader Jama mentioned, any educational institutions exist for one purpose: to serve their students. Under SB 478, the voting student member would be chosen by students, for students, through their established

governance structure. This board member would certainly be accountable to an electorate - arguably, the most important electorate that the board serves: students.

As for the claim that colleges already provide sufficient channels for student engagement or that students are free to run for a seat on the board, I believe this fails to recognize the inherent value of student participation in governance. If student input is truly valued, they should have not just a seat at the table, but also a vote. Leader Jama and I are skeptical of the suggestion that student engagement is encouraged so long as that engagement doesn't come with any actual authority.

We have also heard concerns that adding a voting student member would create an even number of votes on boards, complicating decision-making by making tie votes unresolvable. This is factually inaccurate - an 8 member-board would simply require a 5-vote majority. There are many public bodies - including both houses of the legislature - that have an even number of members. Perhaps this demands more consensus building, but I see no issue with subjecting decisions that impact the entire student body to further consensus by giving a member of that body a vote.

The -1 amendment clarifies the process for filling board vacancies. As Leader Jama mentioned, ORS 341.335 requires community college boards to fill a vacancy when it occurs. However, without a timeline, community college boards can delay doing so until the next election, regardless of when the vacancy occurs.

In recent months, both Portland Community College and Lane Community College have experienced vacancies on their boards. In each case, the boards chose not to fill the vacancies, leaving constituencies from Washington County and Lane County without representation during critical discussions and votes, including budget decisions for the next biennium like tuition increases, staff lay-offs, or program elimination. Requiring community college boards to fill vacancies within a specific timeline ensures that leadership remains stable and everyone has representation.

Like Leader Jama, I am most excited about the voting student member provision of this bill. In 2023, the legislature passed SB 273, which required university boards to include at least one voting student member. The state clearly recognized that it is important for students at its public universities to have a direct say in the decisions that impact their education. There is no reason we should treat community college students differently. They are just as capable - and just as deserving of direct representation - as the students at our public universities.

I urge your support for SB 478 with the -1 amendment. Thank you for your time.