

# Oregon Supreme Court floats hurried-up redistricting timeline

By DIRK VANDERHART  
Oregon Public Broadcasting

SALEM — As Oregon lawmakers seek to skirt constitutional deadlines for redrawing political districts in the state this year, they're now prepared to move at warp speed.

In court filings last week, the Oregon Legislature agreed to a proposed schedule that would give it as little as two weeks from the time it receives final census data to the time it must complete new boundaries for the state's 60 House districts and 30 Senate districts.

That hurried-up timeline — a far cry from the three months lawmakers initially asked for — was floated by the Oregon Supreme Court, which is in the process of deciding whether it has the authority to allow lawmakers to miss redistricting deadlines set in the state constitution.

Under the schedule proposed by the court, the Legislature would have until mid-October to redraw legislative districts. That's two weeks after Sept. 30, the date U.S. Census Bureau says it will likely provide states with



EO Media Group, File

**A proposed timeline by Oregon Supreme Court justices is the latest twist in the state's struggle to figure out how to do the weighty political job of redistricting in a year when data delays are upending hard constitutional dates.**

completed population data. These population counts are being distributed belatedly after long delays due to the COVID-19 pandemic. And the Supreme Court's proposal would redraw districts more than three months after the July 1 deadline to complete the maps, set by the Oregon Constitution.

"Implementing this Court's tentative amended deadlines is the least disruptive option, given the extraordinary Census data delay caused by the COVID-19 pandemic," the Legislature's attorney wrote in a March 26 filing, "and is the only option that ensures that all of the

parties responsible for reapportionment — including the Legislative Assembly — are able to exercise their constitutional role in the reapportionment process."

The proposed timeline by Supreme Court justices is the latest twist in Oregon's struggle to figure out how to do the weighty political job of redistricting in a year when data delays are upending hard constitutional dates. The once-a-decade process of redrawing legislative and congressional districts helps dictate who holds political control of the state for the next 10 years.

Seeking leeway to get

around the deadlines in the constitution, legislative leaders filed suit earlier this month. In a complaint naming Secretary of State Shemia Fagan as a defendant, the Legislature asked the court to give it three months from the time it received census data to draw maps — a process that could have seen new maps completed in December.

Fagan, meanwhile, opposed that idea. The secretary has responsibility for drawing or correcting maps if lawmakers fail to pass a legal redistricting plan, but she's also worried that pushing back redistricting would require huge changes in the

timeline of the 2022 primary election. In an answer to the Legislature's lawsuit, the secretary said lawmakers didn't need to wait until census data arrived to redraw districts.

She argues that the Population Research Center at Portland State University has accurate enough population data to allow the Legislature to draw districts that have equal enough populations to pass legal muster. Under Fagan's proposed plan, lawmakers would use that data to complete maps by the first of July. If they later needed to be rejiggered, she said, there would be time to do so.

To pave the way for that plan, the Secretary of State's Office has inked a deal with Portland State University, agreeing to pay up to \$68,105 for data to be delivered by June 15, two weeks ahead of the normal constitutional deadline.

"We have a lot more data out there than people are aware of," said Ethan Sharygin, director of the Population Research Center. "Nothing we can do can supplant or replace the census. We're huge boosters of the census. That said, we do have some other great data sources."

The Supreme Court's proposed schedule is something of a middle ground

between the two proposals. The proposal would require lawmakers to submit their proposal for new district maps on Oct. 14. That's just two weeks after the Sept. 30 date that the Census Bureau has given for likely delivery of completed data, but that September date is likely not the first clear picture state officials will have of the 2020 census. The Census Bureau announced earlier this month that it would get population data out to states beginning in August — just in a somewhat less user-friendly format.

"The Legislative Assembly can reapportion based on 2020 Census data and the remaining constitutional process can play out, albeit with adjusted timelines," the Legislature's attorney wrote in the March 26 court filing. "And the primary election schedule, with a few exceptions, remains intact."

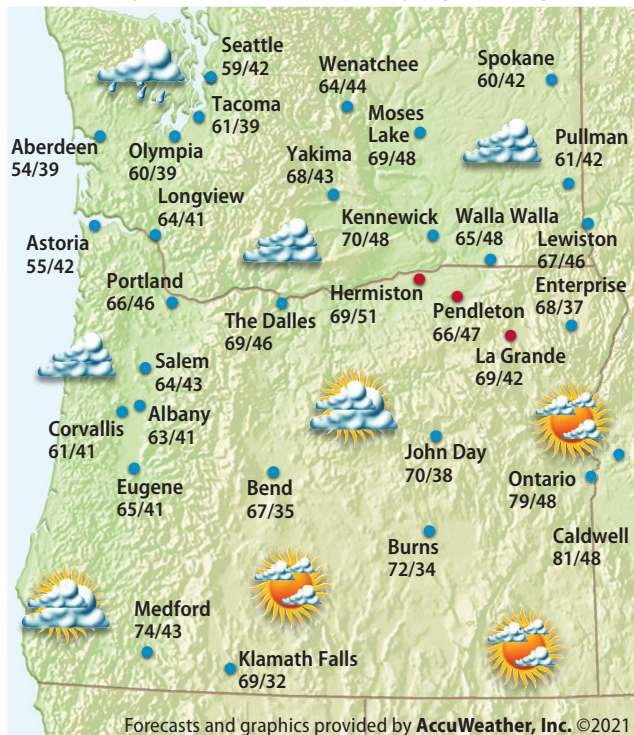
Under the court's proposed schedule, Fagan would have a week — as opposed to six weeks under the state constitution — to draw maps if the Legislature fails to do so. She says such a short time frame might require her to "conduct public hearings and create her own redistricting map at virtually the same time as the Legislative Assembly is conducting public hearings and deliberating its own redistricting plan."

## Forecast for Pendleton Area

TODAY	SUNDAY	MONDAY	TUESDAY	WEDNESDAY
Cloudy	Cooler; breezy in the afternoon	Some sun with a passing shower	Winds subsiding and milder	Partly sunny
PENDLETON TEMPERATURE FORECAST				
66° 47°	55° 33°	57° 33°	65° 40°	62° 39°
HERMISTON TEMPERATURE FORECAST				
69° 51°	60° 36°	63° 33°	68° 44°	66° 43°

## OREGON FORECAST

Shown is today's weather. Temperatures are today's highs and tonight's lows.



## ALMANAC

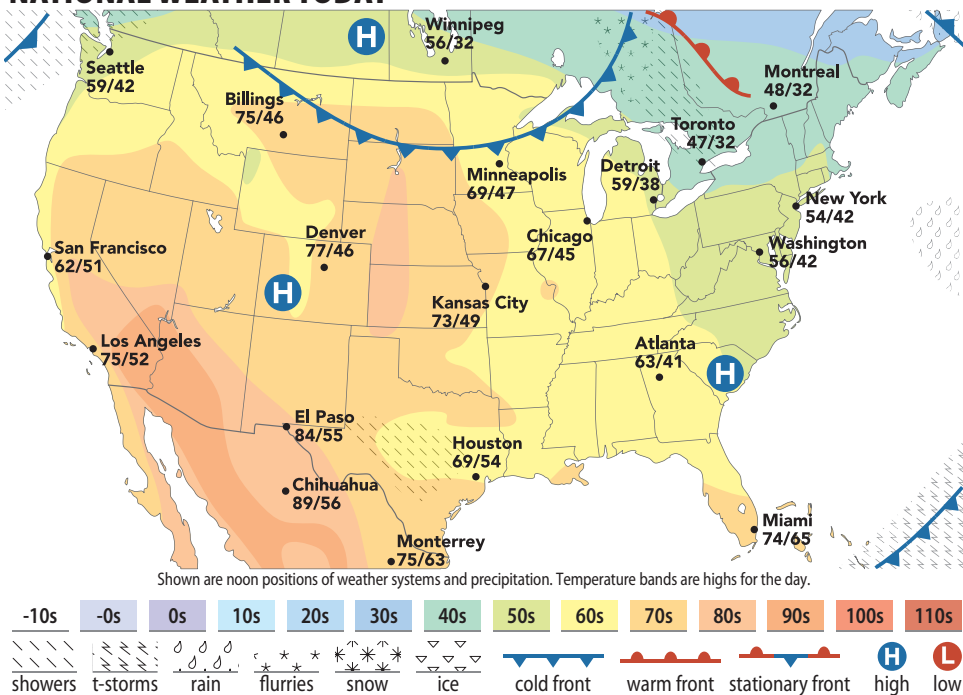
PENDLETON through 3 p.m. yest.				
TEMP.	HIGH	LOW		
Yesterday	64°	38°		
Normals	58°	38°		
Records	84° (1944)	20° (1935)		
PRECIPITATION				
24 hours ending 3 p.m.	0.00"			
Month to date	0.00"			
Normal month to date	0.09"			
Year to date	3.34"			
Last year to date	4.97"			
Normal year to date	4.05"			
HERMISTON through 3 p.m. yest.				
TEMP.	HIGH	LOW		
Yesterday	68°	35°		
Normals	62°	38°		
Records	80° (1944)	18° (1935)		
PRECIPITATION				
24 hours ending 3 p.m.	0.00"			
Month to date	0.00"			
Normal month to date	0.04"			
Year to date	1.20"			
Last year to date	0.48"			
Normal year to date	3.15"			
WINDS (in mph)				
Today	Sun.			
Boardman	SW 4-8	W 8-16		
Pendleton	NW 4-8	W 8-16		
SUN AND MOON				
Sunrise today	6:31 a.m.			
Sunset tonight	7:26 p.m.			
Moonrise today	2:06 a.m.			
Moonset today	10:34 a.m.			
Last New First Full				
	Apr 4	Apr 11	Apr 19	Apr 26

## NATIONAL EXTREMES

Yesterday's National Extremes: (for the 48 contiguous states)

High 98° in Thermal, Calif. Low 0° in Cotton, Minn.

## NATIONAL WEATHER TODAY



# Feds reject Oregon's effort to fully skip standardized tests

State officials still 'looking at options' with federal government

By ELIZABETH MILLER  
Oregon Public Broadcasting

SALEM — The U.S. Department of Education has rejected Oregon's request to completely waive standardized testing this spring.

Two months ago, Oregon education leaders asked to skip the standardized tests. They said testing would not be the best use of the little time students have left in the school year. And they said the tests may not yield useful information. Instead, the Oregon Department of Education suggested a survey to assess student needs and access to educational resources, and have districts do interim tests throughout the year.

Now, the state has received a response from the federal government, offering "initial feedback" on Oregon's proposed alter-

native to days-long assessments. U.S. Department of Education officials said the state's proposal is not enough.

"As promising as information from the (Student Educational Equity Development Survey) will be in informing plans for next year, we believe that this information should complement and not replace student learning data," Ian Rosenblum, U.S. Department of Education deputy assistant secretary for policy and programs, wrote in a March 26 message to Oregon education director Colt Gill.

In his message, Rosenblum said student data helps identify "where opportunity gaps are persistent and may have been exacerbated," and offers guidance on where states can direct resources.

In its waiver request, the Oregon Department of Education said that proper test-taking conditions cannot be met this year, making test information unreliable. Threats to "valid interpretations and uses" of data include trauma related to the pandemic, problems

created by administering the test remotely, and differences in resources to support students at home.

Rosenblum said the U.S. Department of Education continues to review Oregon's request.

At least one Oregon school district has already taken action on mandatory testing.

Earlier this month, the school board in Ashland passed a resolution directing standardized testing only to students or families who "opt in."

"By default, students will not participate in state assessments this year," according to a release from the district. "If a family wants their student to participate in the state assessment, an opportunity will be provided."

Oregon Department of Education officials say they're still "looking at options" with the federal government.

If Oregon's waiver is not approved, test windows will open April 13, according to ODE. Parents may opt-out of the tests.

## IN BRIEF

### South Fork Walla Walla River assessment gets funding boost

SALEM — The Oregon Watershed Enhancement Board awarded \$24,982 to the Walla Walla Basin Watershed Council for the South Fork Walla Walla River Base Flow Assessment, the board announced in a press release.

The award was one of 85 grants totaling more than \$10 million provided to local organizations statewide to support fish and wildlife habitat, and water quality projects.

"The vast majority of Walla Walla River water originates from springs in the South Fork watershed. This project will document the location and conditions of those critical

water sources," said Troy Baker, executive director of the Walla Walla Basin Watershed Council.

The South Fork Walla Walla River Base Flow Assessment is a coordinated effort with the Walla Walla Ranger District to map and characterize sources of summertime base flows in the Walla Walla River. Work is expected to begin this summer and be completed by the end of 2022.

Funding for grants awarded by the OWEB Board comes from three primary sources — the Oregon Lottery, Salmon License Plate revenues and Federal Pacific Coast Salmon Recovery funds provided by the National Oceanic and Atmospheric Administration.

— EO Media Group

**CORRECTIONS:** The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

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— Founded Oct. 16, 1875 —  
211 S.E. Byers Ave., Pendleton 541-276-2211  
333 E. Main St., Hermiston 541-567-6211  
Office hours: Monday through Friday, 8 a.m. to 5 p.m.  
Closed major holidays

**EastOregonian.com**

In the App Store:

East Oregonian (USPS 164-980) is published Tuesday, Thursday and Saturday, by the EO Media Group, 211 S.E. Byers Ave., Pendleton, OR 97801. Periodicals postage paid at Pendleton, OR. Postmaster: send address changes to East Oregonian, 211 S.E. Byers Ave., Pendleton, OR 97801.  
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