



# OFFICE OF THE SECRETARY OF STATE

## NEWS RELEASE

**BILL BRADBURY**

**For Immediate Release:**  
January 13, 2005

**Contact:** Carla Corbin  
Elections Division  
(503) 986-1518

The Office of the Secretary of State received a draft ballot title from the Attorney General on January 12, 2005, for initiative petition #21, proposing a statutory amendment, for the General Election of November 7, 2006.

The draft ballot title is as follows:

### **ELIMINATES TEACHER SENIORITY AS A FACTOR WHEN A LOCAL SCHOOL DISTRICT REDUCES TEACHING STAFF**

**RESULT OF "YES" VOTE:** "Yes" vote eliminates the existing system of utilizing teacher seniority as a factor in decisions when a local school district reduces its teaching staff.

**RESULT OF "NO" VOTE:** "No" vote retains the existing system of utilizing teacher seniority as a factor in decisions when a local school district reduces its teaching staff.

**SUMMARY:** Under current law, when a local school district reduces its teacher staff, seniority is used as a factor in determining which teachers are to be retained. Currently, local school districts must determine the seniority of teachers eligible to be retained; seniority is calculated from the first day of actual service as a teacher with the district, including approved leaves of absence. If a school district desires to retain a teacher who has less seniority than a teacher being released, district must determine that the teacher to be retained has more competence or merit. Measure requires that teachers be retained based solely on merit and competence, and bars the use of seniority as a factor in making these decisions. Collective bargaining agreements must comply. Other provisions.

Chief Petitioner(s): Bill Sizemore, PO Box 343, Beavercreek, OR 97004 and Grace I. Sizemore, PO Box 66921, Portland, OR 97290.

Copies of the text of this initiative are available at Room 141, State Capitol for \$.25. Written requests for copies with your remittance of \$1.00 prepaid, should be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722.

There now follows an appeal period of 10 business days during which any member of the public may submit written comments which address the specific legal standards a ballot title must meet to the Secretary of State's office. This period ends January 27, 2005. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

The Secretary of State will deliver all written comments to the Attorney General. If comments are received, the Attorney General shall issue the certified ballot title not later than the 10<sup>th</sup> business day after receiving the comments from the Secretary of State. If no comments are received, the Attorney General shall issue the certified ballot title not later than the fifth business day after the deadline for submitting comments.

In addition, during this ballot title comment period, the Secretary of State will also seek statements from interested persons regarding whether or not a proposed initiative petition complies with procedural constitutional requirements for submission of proposed initiative petitions. The Secretary will consider the information provided in the statements received from interested persons. If you wish to comment, this period ends January 27, 2005. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

Any elector who is dissatisfied with the ballot title certified by the Attorney General, and who timely submitted written comments which addressed the specific legal standards a ballot title must meet, may petition the Oregon Supreme Court seeking a different title. This appeal must be filed not later than the 10<sup>th</sup> business day after the Attorney General certifies a ballot title to the Secretary of State.

The required number of signatures for placement on the 2006 general election ballot is 75,630. These signatures must be filed in this office not later than July 7, 2006.



**DEPARTMENT OF JUSTICE**  
APPELLATE DIVISION

January 12, 2005

John Lindback  
Director, Elections Division  
Office of the Secretary of State  
141 State Capitol  
Salem, OR 97310

Re: Proposed Initiative Petition — Eliminates Teacher Seniority As A Factor When A Local School District Reduces Teaching Staff  
DOJ File #BT-21-05; Elections Division #21

Dear Mr. Lindback:

We have prepared and hereby provide to you a draft ballot title for the above-referenced prospective initiative petition. The proposed measure relates to schools retaining the best teachers in the event of a lay-off.

Written comments from the public are due to you within ten business days after your receipt of this draft title. A copy of all written comments provided to you should be forwarded to this office immediately thereafter.

A copy of the draft ballot title is enclosed.

Sincerely,

Misty Kintz  
Legal Secretary

EAG:mlk/APP75408

Enclosure

c: Peter Shepherd, Deputy Attorney General  
Don Arnold, General Counsel Division  
Steve Wolf, General Counsel Division

Bill Sizemore  
P.O. Box 343  
Beavercreek, Oregon 97004

Grace I. Sizemore  
P.O. Box 66921  
Portland, Oregon 97290

RECEIVED  
2005 JAN 12 PM 2:53  
PETER D. SHEPHERD  
DEPUTY ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE  
STATE OF OREGON

**DRAFT BALLOT TITLE**

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THE SECRETARY  
SECRETARY OF THE STATE

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