

March 28, 2023

Re: Written testimony regarding House Bills 3198 & 3454

Dear Chair Leon and House Education Committee Members:

My name is Becka Puskas. I am a lawyer and I work in state government. I am also a parent of struggling readers.

My kids attend school in the West Linn-Wilsonville School district. I recently discovered, through a series of public records requests, that the district is using reading curriculum that is not supported by science and that does not comply with state law. The curriculum was never compared to Oregon Department of Education criteria, and it was never approved by our local school board. My district has been using this curriculum for at least a decade and continues to do so.

What troubles me most, is that no one seemed to know this—not the Oregon Department of Education, not legislators, not parents, not even our school district leaders or our school board.

The good news is that there is a solution. It is efficient, transparent, and it will work.

- First, require ALL school districts—not just grant recipients—to use reading curriculum and professional development that is approved by the state AND aligned with the science of reading. As proposed in Senate Bill 1045, get rid of “independent adoptions.” The use of tools vetted by the state helps ensure their quality. As much as I respect my local school board, they are not curriculum experts, and school district staff have limited capacity for reviewing curriculum options. I prefer that my kids learn from science-based materials approved by state education leaders. As the Governor has suggested, a menu of approved options that districts can select from seems like a reasonable solution.
- Second, require ALL school districts to report to a public website on the curriculum and professional development they are using. This obviates the need for bureaucratic layers of monitoring, audits, and corrective action plans because the incentive for compliance is built into the public nature of the reporting itself. Both regulators and parents like me can actually *see* what curriculum their schools are using and together we can hold our schools accountable for delivering the best instruction to our kids. At least for curriculum, this would be a huge improvement over the current system of Division 22 compliance certifications. In my school district, this approach is not working—the district last reported in October 2022 that it was in compliance with all Division 22 curriculum adoption requirements even though it was not (see Attachment D).

Literacy is a civil right. As a parent, I expect our public schools to deliver a reading program that gives children the best chance for success. As a regulator, I know that we cannot deliver this with the current broken system.

I enthusiastically support the policy behind House Bills 3198 and 3454, including increased funding for districts and students who need it the most. But those bills will not achieve their desired impact if there is no regulatory backstop.

Attached to this written testimony is my research on the West Linn-Wilsonville School District (see Attachments B and C), as well as a letter that I sent to the Governor asking her to request curriculum information from school districts statewide (Attachment A). Parents and students deserve to know *now* what reading curriculum their schools are using and whether it complies with state law. This information would also help legislators understand where we are starting from.

Thank you for your efforts to improve literacy for all children in Oregon.

Sincerely,

Rebecca L Puskas

Becka Puskas

Enclosures: Attachment A – Letter to Governor Kotek (March 6, 2023)
Attachment B – Letter Notifying WLWV School Leaders of Compliance Issues (February 6, 2023)
Attachment C – Public Records Requests to WLWV and ODE (Jan-Feb 2023)
Attachment D – WLWV Division 22 Certification (October 2022)

Attachment A

Letter to Governor Kotek (March 6, 2023)

March 6, 2023

Governor Tina Kotek
900 Court Street, Suite 254
Salem, Oregon 97301-4047

Re: Reading curriculum transparency

Dear Governor Kotek,

Thank you for making early literacy a priority in your Administration. I am a lawyer and a state employee—I work in the Office of Compliance and Enforcement at the Oregon Department of Environmental Quality. But I am writing you today as a parent of struggling readers. I am requesting that you use your authority to fill an important information gap about what reading curricula are being used in our public schools.

My school district, West Linn-Wilsonville, is beginning an English Language Arts (ELA) curriculum renewal process. I wanted to understand how the process would work, and what previous curriculum adoptions looked like, so I researched the regulatory framework and made some public records requests to the Oregon Department of Education (ODE) and to my school district. *What I learned, is that my school district has been out of compliance with state requirements for curriculum adoption for at least a decade.*¹ I think this is because the current regulatory scheme does not encourage compliance.

- First, state law requires districts to adopt materials that meet ODE criteria, but ODE does not collect any information about what materials are adopted and used.
- Second, the “independent adoption” process allows districts to judge for themselves what is good enough to meet the state requirements. This does not ensure consistent, high-quality curriculum across the state.
- The only mechanism to ensure compliance is a “self-certification,” which does not require districts to make the evidence of compliance (what materials were adopted and how they compare to state requirements) readily available.

As a result, there is no transparency about what curricula districts are using, and whether they comply with state requirements.

You can do something now to help fill this information gap and inform policy discussions at the state level. *I am writing to request that you use your authority as the Superintendent of Public Instruction² to request information from ALL of Oregon’s 197 school districts about what ELA curriculum they are using and whether it meets current state requirements. I’m also asking that this information be made available on the ODE website so that it is readily available to parents and policy makers.*

You could collect the following information from districts for the 2021 ELA curriculum cycle:

1. If you have adopted instructional materials on the ODE list, please list all curricula adopted.
2. If you have done an independent adoption, please list all curricula being used, provide the ODE criteria checklist, and documentation of school board approval.

¹ I have notified my school district of this issue. Attached is a copy of the letter and public records requests summarizing my research.

² See ORS 326.300 and ORS 326.310(4).

3. If you have postponed adoption, but have not submitted a postponement form to ODE, please submit a postponement form.³ In addition, for all curricula to be used during the postponement, provide documentation of previous adoption (school board approval and ODE criteria checklist if applicable), or indicate that none is available.

While requesting this information is a critical near-term solution, making it readily available to the public is crucial for both accountability and transparency. (Rhode Island's curriculum visualization tool is an excellent model).⁴

Oregon kids and parents deserve certainty that their schools are using high-quality materials that meet state requirements.

Thank you for considering. I would welcome the opportunity to discuss with you or your staff.

Sincerely,

Rebecca L Puskas

Becka Puskas

cc: Colt Gill, Deputy Superintendent of Public Instruction & Director of Oregon Department of Education (Colt.Gill@ode.oregon.gov)
Melissa Goff, Education Advisor for Governor Tina Kotek (Melissa.Goff@oregon.gov)
Representative Jason Kropf (Rep.JasonKropf@oregonlegislature.gov)

The following people also support this letter:

Barbara Steinberg, PDX Reading Specialist	Leanne Dall, Parent/Speech Pathologist
Kara Clark, Parent	Laura Sabo, Parent
Maggie Traverso, Parent	Katrina Martin, Parent
Julie Frazier, Teacher/Parent	Yarrow Currie, Parent/Social Worker
Sarah Lorenz, Parent	Paul Reim, Parent
Heather Hall, Teacher/Parent	
Leslie Jenson, Teacher/Reading Tutor	
Eman Dong, Teacher	

³ ODE postponement form, available at <https://www.oregon.gov/ode/educator-resources/teachingcontent/instructional-materials/pages/default.aspx>

⁴ Rhode Island Department of Education, 2022-2023 Curriculum Survey Report and Visualization Tool, available at <https://www.ride.ri.gov/InstructionAssessment/Curriculum/CurriculumUsedinRhodeIsland.aspx>

Attachment B

Letter Notifying WLWV School Leaders of Compliance Issues (February 6, 2023)

February 6, 2023

West Linn Wilsonville School Board Directors
Dr. Kathy Ludwig, Superintendent
Dr. Barbara Soisson, Assistant Superintendent
Dr. David Pryor, Assistant Superintendent

Sent via email

Regarding: WLWV compliance with legal requirements for adopting ELA curriculum

Dear School Board Directors and District leaders:

I am a parent in the West Linn Wilsonville (WLWV) school district and an administrative lawyer.¹ Two of my children have struggled to learn to read, and thus I have tuned into the recent conversation about literacy and English Language Arts (ELA) curriculum in our school district. I am writing to share what I understand, from my own research, about the legal requirements for curriculum adoption and some concerns that I have about the district's compliance with those requirements.

In short, Oregon state law and WLWV policies require the district to adopt curriculum using a process that includes teacher and community involvement, a formal written comparison with Oregon Department of Education (ODE) criteria, and School Board approval. Based on my review of the rules and information I have gathered through public records requests to ODE and WLWV, I am concerned that WLWV may be out of compliance with state requirements for adopting ELA instructional materials. I am also concerned because the K-5 ELA curricula currently used by the district either went through the formal adoption process more than a decade ago or have never been through the process.

I am providing this information to you now, as the district embarks on a curriculum renewal, because I believe that it is important for district leaders, teachers, community members and the School Board have a common understanding of these issues. To my mind, there is an important public policy behind the legally required curriculum adoption process: it ensures that the curriculum has been compared in a robust and public way against the ODE criteria, it involves the teachers who will be implementing the curriculum, it requires community input, and it must be approved by our elected School Board. On the other hand, not following this process undermines the legitimacy of the curriculum used by the district and should inform how the district approaches this issue. This renewal is taking place during a national conversation about the best ways to teach kids how to read and a wave of school districts across Oregon and the U.S. making significant changes to curricula and instructional practices for early reading. It is also taking place at time when no one is satisfied with the rate of students reading at grade level in our district. My hope is that having a common understanding of the facts and the law will lead to more trust in the outcome of the renewal process and the best curriculum choices to support all

¹ I am a member of the Oregon State Bar. This letter represents my own analysis and views. I am not representing any other person or organization in this matter.

kids in the district. I am requesting that you conduct your own review of these issues address them as needed by the next regular School Board meeting in March 2023.

What are the requirements for curriculum adoption in Oregon?

State requirements

The process for school districts to adopt instructional materials is outlined in this ODE [graphic](#) and in ODE's [Instructional Materials Toolkit](#).

First, ODE approves a list of instructional materials for a six-year cycle. For ELA, this last occurred in October 2021 (see [ODE adoption schedule](#)).² ODE conducted a year-long process to review and evaluate instructional materials against its adoption criteria. The criteria were set, and the evaluation was conducted, by committees of education experts. ODE published the adoption criteria, which include ELA criteria for [K-2](#) and [3-5](#), and include four “non-negotiable” standards. The outcome of the process is a list of [ODE's approved instructional materials](#) to be used in Oregon's schools for 2022-2028.

Once ODE approved ELA instructional materials in October 2021, school districts had three options for compliance under OAR Chapter 581, Division 22:³

1. Adopt curricula on the ODE-approved list and start using it in schools by fall 2022.
2. Independently adopt curricula using the process in [OAR 581-022-2350](#). According to that rule, independent adoptions:
 - a. Must be approved by the school board, “with the assistance of teachers and administrators in the district”;
 - b. Must “meet guidelines and criteria established by ODE” (the district is required to complete a checklist to show that the criteria are met, and keep it on file at the district office); and
 - c. Must “involve parents and citizens in the process.”
3. Postpone adoption according to [OAR 581-022-2360](#), until options 1 or 2 above can be completed.
 - a. Postponements are good for a maximum of 2 years (until fall 2024); and
 - b. The district “shall submit an application” to ODE (here is the [form](#)), which includes the reason for postponement, identification of instructional materials to be used during the postponement, and school board approval of the postponement.

According to [OAR 581-022-2305](#), the district “must maintain evidence of compliance” with the requirements described above and “make such evidence available upon request.” The district must also “report compliance for the preceding school year” with Division 22 requirements “[t]o the community on or before November 1, by presenting the report to the school board of the district in an oral presentation at an open public meeting, allowing for public comment, and by posting the report on the district's webpage.”

² The statute and rules that govern the ODE curriculum approval process are ORS 337.030 through 337.110 and OAR Chapter 581, Division 11.

³ The statute and rules that govern the school district adoption process are ORS 337.120 through 337.150 and parts of OAR Chapter 581, Division 22.

WLWV Policies

The WLWV School Board Policies for [Curriculum Development](#) and [Textbook/Instructional Materials Selection and Adoptions](#) describe the district's process for curriculum adoption and renewal. These policies state that a "textbook committee, under the direction of the superintendent or designee, will review and study the materials available." They further state that "Teachers involved in the use of particular instructional materials will play a major role in their selection." Following the study by the committee, the superintendent recommends instructional materials to the School Board for adoption. Finally, the policies state that "The ultimate authority and decisions on matters of curriculum are the responsibilities of the Board."

Is WLWV in compliance with requirements for the current ELA curriculum adoption cycle?

For the current ELA adoption cycle, district leaders have shared that WLWV district is following the postponement path outlined above, while it determines whether to adopt ODE-approved ELA materials or pursue an independent adoption. I have not located records showing that the district's postponement was approved by the School Board. This may have occurred; however, the questions from Board Directors at the January 23, 2023 work session about the proposed 2-year timeline for the renewal process suggest that the Board has not yet reviewed or approved the postponement. According to ODE records, WLWV has not yet filed a postponement application with ODE, as required under OAR 581-022-2360.⁴ Thus, it appears that WLWV may be out of compliance with the Division 22 requirements for postponement.

WLWV's last [Division 22 Assurances](#) report was [shared with the School Board](#) in October 2022. The district reported that WLWV is in compliance with the curriculum adoption requirements of Division 22 including the postponement requirements of OAR 558-022-2360.

What is the status of the K-5 ELA curricula currently in use in WLWV?

Based on information provided by school district leaders, WLWV currently uses three ELA curricula in grades K-5.⁵ Below is my understanding of the Division 22 adoption status of these three curricula, which is based on responses to records requests that I have submitted to ODE and WLWV:

1. *Lucy Calkins Units of Study*. These instructional materials were not submitted by the publisher to ODE for review and they are not on the 2021 list of ODE-approved materials.⁶ They are also not on the [previous list](#) approved by the state board of education in 2013.⁷ The WLWV district has indicated that it does not have records documenting a previous independent adoption of these materials.⁸ The curriculum has been updated over time. More recent updates include the *Lucy Calkins Units of Study in Phonics*, which was published

⁴ ODE Response to Public Records Request for WLWV postponement records, January 30, 2023, Attachment A, p. 1.

⁵ *Superintendent Message on WLWV K-5 Literacy Program*, January 10, 2023.

⁶ ODE Response to Public Records Request for ODE evaluation of instructional materials, January 23, 2023, Attachment B, p. 1; ODE ELA & Literacy Adoption List, Grades K-12 (2022-2028).

⁷ See also, Attachment B, p. 2.

⁸ WLWV Response to Public Records Request, January 27, 2023, Attachment C, p. 2.

recently. Thus, it is unclear when and how this curriculum and any updates went through a formal adoption process involving a comparison to ODE criteria, teacher and community involvement, and School Board approval.

2. *Fountas & Pinnell Phonics, Spelling and Word Study*. These instructional materials were first published around 2017. They were not submitted by the publisher to ODE for review and they are not on the 2021 list of ODE-approved materials.⁹ This curriculum has not been through a formal adoption process involving comparison to ODE criteria, teacher and community involvement, and School Board approval.

Requested Response

I request that the School Board and district leaders investigate the issues identified in this letter and address them as described below either before or during the next regular School Board meeting in March 2023.

- Regarding the Division 22 curriculum adoption/postponement requirements for this ELA cycle, if you find that WLWV is in compliance, please provide records documenting compliance and make this information readily available to the community.¹⁰ If you find that WLWV is out of compliance, please update the community at the March 2023 school board meeting and propose a path towards compliance.
- Regarding the currently used ELA curricula, please clarify for the community the adoption process that was used, when and how these curricula were compared against ODE criteria, and when they were first introduced in the district's primary schools.¹¹

Last, I hope the district will consider the legal requirements and the ODE-approved curricula at the outset of its renewal efforts. I have been surprised that the district's summaries of the renewal process to date have not described the "non-negotiable" ODE criteria or the idea of starting with a review of the materials that have been approved by ODE after a year-long review process conducted by state education experts. I also think it is important to consider the status of current curricula—which were either adopted by WLWV more than a decade ago or never vetted through a formal adoption process—in district messaging to the community and in responding to teacher requests for ELA training that might not be "aligned" with current curricula. I think our students will be served best if we all approach these issues with an open mind and with a focus on which instructional materials and strategies have proven outcomes.

I would welcome the opportunity to meet with School Board Directors and/or District leaders to discuss the issues raised in this letter. Thank for your consideration.

Sincerely,

/s/ Rebecca L. Puskas

Becka Puskas

⁹ See Attachment B, p. 1; ODE ELA & Literacy Adoption List, Grades K-12 (2022-2028).

¹⁰ I have also submitted a records request for this information, and I recognize the response is not yet due. See Public Records Request to WLWV, February 3, 2023, Attachment D.

¹¹ Some of this information is also responsive to my pending records request. See Attachment D.

Attachment C

Public Records Requests to WLWV and ODE (Jan-Feb 2023)



Rebecca Puskas <[redacted]@gmail.com>

ODE Public Records Request

1 message

ODE Public Records Request <ODE.PublicRecordsRequest@ode.oregon.gov>

Mon, Jan 30, 2023 at 3:36 PM

To: "[redacted]@gmail.com" <[redacted]@gmail.com>

Hello,

In accordance with ORS 192.324(2), this is to acknowledge our receipt on January 30, 2023 of your request for the following records:

"I am requesting a copy of the following ODE records for the time period from January 2013 to the present:

1. Requests for Approval to Postpone Selection and Use of Instructional Materials submitted by the West Linn-Wilsonville School District, for English Language Arts and Literacy. (under ORS 337.120 and OAR 581-022-2360).
2. Any ODE responses or approvals in response to such requests."

Having reviewed your request, we are able to inform you that we are the custodian of the requested records. Attached to this email are the responsive records we have for your request. Please note that our staff stated that their records show that ODE has not received or approved a request from West-Linn Wilsonville SD since 2010.

Thank you,



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ODE Public Records Team

Office of the Director

255 Capitol St NE

Salem, OR 97310

www.oregon.gov/ode

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4 attachments



WLW SD Postponement prior to 2009.png
14K



West Linn Wilsonville 10.27.10.doc
35K

 **West Linn Wilsonville 11.3.2010.doc**
35K

 **West Linn Wils 11.3.10 Postpone.pdf**
2007K



Rebecca Puskas <[redacted]>

ODE Public Records Request

5 messages

ODE Public Records Request <ODE.PublicRecordsRequest@ode.oregon.gov>

Mon, Jan 23, 2023 at 8:39 AM

To: "[redacted]" <[redacted]>

Hello,

In accordance with ORS 192.324(2), this is to acknowledge our receipt on January 23, 2023 of your request for the following records:

"Oregon Department of Education records, including evaluation checklists, evaluating the following K-5 English Language Arts and Literacy curricula against ODE standards and approval criteria: 1. Lucy Calkins Units of Study for Reading, 2. Fountas & Pinnell Phonics, Spelling and Word Study, and 3. The Lucy Calkins Units of Study in Phonics."

We are able to inform you that while we are the custodian of the requested records, the programs were not evaluated by ODE and therefore we have no records responsive to your request. This means that they were not submitted to us to evaluate against ODE approval criteria.

Thank you,



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Salem, OR 97310

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Rebecca L. Puskas <[redacted]>

Sun, Jan 29, 2023 at 8:53 AM

To: ODE Public Records Request <ODE.PublicRecordsRequest@ode.oregon.gov>, aujalee.moore@ode.oregon.gov

Thank you for the response. This is helpful. I would like to clarify whether the ODE response is specific to the most recent ODE adoption cycle (I believe that is 2022-2028). My school district (West Linn Wilsonville) has told me that the Lucy Calkins Units of Study were on a previous ODE list of adopted curricula. Is that accurate? If so, what adoption cycle would that be?

I intend to submit a follow up records request, but I do not want it to be burdensome for ODE. Basically, I am trying to understand whether/when the three ELA curricula used by my school district were ever evaluated against the ODE adoption criteria (even if that was in a previous adoption cycle), and get the relevant records. Would it be possible to talk

to someone about the ELA curriculum adoption process and the records available? I have copied Aujalee Moore to this email, since this is the person listed on the ODE website.

In the meantime, I am also going to submit a separate records request for postponement requests submitted by my school district as I think that request is somewhat separate and is straightforward. Thank you for your assistance!

Becka Puskas

[Redacted]

[Quoted text hidden]

ODE Public Records Request <ODE.PublicRecordsRequest@ode.oregon.gov>

Mon, Jan 30, 2023 at 8:23 AM

To: "Rebecca L. Puskas" <[Redacted]>

Cc: MOORE Aujalee * ODE <Aujalee.Moore@ode.oregon.gov>

Hello,

Thank you for your follow up questions. Our staff confirmed that the programs you mentioned were not in the most recent ODE adoption cycle and they were not also not reviewed in the adoption cycle previous, 2013. Aujalee Moore is the person who you would contact for any questions on the instructional materials adoption process, but any records would need to be requested on the online form as you submitted previously.

Also, we are moving forward with your separate request for postponement records and we will get back to you soon.

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]



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255 Capitol St NE

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Rebecca Puskas <[REDACTED]@gmail.com>

Public Records Request - independent adoption records

4 messages

Rebecca L. Puskas <[REDACTED]@gmail.com>
To: Kelly Douglas <DouglasK@wlwv.k12.or.us>

Thu, Jan 26, 2023 at 7:15 AM

Dear Ms. Douglas,

I am writing to request WLWV school district records under the Oregon Public Records Law. Specifically, I am requesting a copy of:

1. All notifications of independent adoption of instructional materials for K-5 English Language Arts (ELA) and Literacy according to OAR 581-022-2350; and
2. All completed criteria checklists for K-5 English Language Arts (ELA) and Literacy instructional materials on file in the district office according to OAR 581-022-2350(6).

I am requesting the above records from January 2010 to the present. If possible, I would like electronic copies of the records.

I understand that according to ORS 192.329, the school district will acknowledge my request within 5 days and complete a response to my request in 15 days.

Please let me know if you have any questions about my request, and thank you!

Becka Puskas
[REDACTED]

Kelly Douglas <douglask@wlwv.k12.or.us>
To: "Rebecca L. Puskas" <[REDACTED]@gmail.com>
Cc: Kathy Ludwig <ludwigk@wlwv.k12.or.us>

Fri, Jan 27, 2023 at 8:53 AM

Hello, Ms. Puskas,

We received your request for public records. Before proceeding with sending you the fee schedule for a public record request, we want to make sure to clarify the request.

There was no independent adoption for the currently used K-5 reading curriculum materials. When the current materials were adopted, the Lucy Calkins Units of Study were included on the Oregon Department of Education's list for instructional materials. ODE begins a new process where publishers and vendors submit the required materials and evidence for an upcoming adoption cycle. The Lucy Calkins Units of Study are not on the ODE list for materials that would be adopted for English Language Arts during this cycle. If the renewal committee decides to go forward with the LC Units of Study for this adoption, there would need to be rationale and documentation submitted to ODE for an independent adoption.

Please let me know if you have further questions.

Kindly~

Kelly Douglas

Pronouns: she/her/hers

Executive Assistant to the Superintendent and School Board Secretary

How do we create learning communities for the greatest thinkers and most thoughtful people.....for the world?

West Linn-Wilsonville School District
Administration Building
22210 SW Stafford Road
Tualatin, OR 97062
ph 503-673-7034 * fax 503-673-7001

[Quoted text hidden]

[Quoted text hidden]

**This message originated from OUTSIDE our WLWV Email System.
Do not click links or open attachments unless you recognize the sender and know the content is safe.
Note that many of our legitimate WLWV Systems are outside of our Email System - Infinite Visions, Absence Management, and others.**

Rebecca L. Puskas 

Sun, Jan 29, 2023 at 8:51 AM

To: Kelly Douglas <douglask@wlwv.k12.or.us>

Cc: Kathy Ludwig <ludwig@wlwv.k12.or.us>

Ms. Douglas, and Dr. Ludwig: Thank you for the response and the clarification. I am trying to understand when/how the ELA curricula currently used by the district were compared against the ODE standards. This also helps to understand how the upcoming renewal process will work.

Based on your email below I understand that the Lucy Calkins Units of Study was on a previous ODE list of approved curricula. This makes sense, but I have a few follow up questions:

1. Can you clarify whether the curricula that was previously on the ODE list was the Lucy Calkins Units of Study in Reading or Lucy Calkins Units of Study in Phonics, or both?
2. For the Lucy Calkins Units of Study that was on a previous ODE list of approved curricula, when was it adopted by the school board and put into use in WLWV schools?
3. For the Lucy Calkins Units of Study in Phonics:
 - a. When was it first used in WLWV schools?
 - b. When and how was this curricula evaluated against the ODE criteria?
 - c. Was it on the ODE list or independently adopted by the district?
4. I understand that the district also uses Fountas & Pinnell Phonics, Spelling and Word Study.
 - a. When was it first used in WLWV schools?
 - b. When and how was this curricula evaluated against the ODE criteria?
 - c. Was it on the ODE list or independently adopted by the district?

I think once I understand the answers to these questions, I can either modify or withdraw my records request. I really appreciate the information and transparency on this!

Becka Puskas
[Quoted text hidden]

Kelly Douglas <douglask@wlwv.k12.or.us>
To: "Rebecca L. Puskas" <[REDACTED]>
Cc: Kathy Ludwig <ludwigk@wlwv.k12.or.us>, Barb Soisson <soissonb@wlwv.k12.or.us>

Tue, Jan 31, 2023 at 1:02 PM

Hello Ms. Puskas,

Here are some general responses to your questions. If you have further questions or would like to discuss the use of adoption criteria, please contact Barb Soisson, the assistant superintendent who works with curriculum processes in our district. I've included her in this email for your ease of communication.

Our school district, as with all Oregon school districts, is required to report on the Division 22 standards requirements which include annual assurances, shared in November with the School Board, that standards for curriculum and instruction are followed. The attached standards for K-2 and Grades 3-5 curriculum have been updated somewhat since they were used for selecting the Lucy Calkins Units of Study. The phonics units were added by the publisher after the materials were selected. Publishers often update and add to their materials during adoption cycles. The ODE evaluation criteria for each subject area is used in evaluating all materials selected in the school district. Materials that are on the ODE list of materials for a subject area have been formally evaluated by ODE and the rubric ratings are posted along with the list of state approved materials. Again, the Lucy Calkins Units of Study currently in use were on the ODE list so had been evaluated by both ODE and the renewal committee in the district.

The WLWV School Board Policies for Curriculum Development and Textbook/Instructional Materials Selection and Adoption (attached) describe the process for curriculum adoption and renewal. After a renewal process there is a presentation to the WLWV School Board about the process and the materials selected. The renewal process outlined at the January 17 Literacy Session, described how materials are identified and evaluated and how parents are involved.

Thank you for your questions,
Kelly Douglas

Kindly~
Kelly Douglas
Pronouns: she/her/hers
Executive Assistant to the Superintendent and School Board Secretary

How do we create learning communities for the greatest thinkers and most thoughtful people.....for the world?

West Linn-Wilsonville School District
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[Quoted text hidden]

4 attachments

-  **IF WLWV Board Policy Curriculum Development.pdf**
45K
-  **IIA WLWV Board Policy Textbook and Instructional Materials Selection and Adoption.pdf**
48K
-  **IMET ELA K- 2 Category.pdf**
245K
-  **IMET ELA 3 - 5 Category.pdf**
673K

Rebecca L. Puskas <[REDACTED]>

Thu, Feb 2, 2023 at 7:45 AM

To: Kelly Douglas <douglask@wlwv.k12.or.us>

Cc: Kathy Ludwig <ludwigk@wlwv.k12.or.us>, Barb Soisson <soissonb@wlwv.k12.or.us>

Ms. Douglas,

Thank you for the response and the additional information.

As for my original records request for independent adoption records for K-5 ELA curricula since 2010, it is my understanding from your responses that the district does not have any such records. If I am mistaken and there are any such records, please send me the fee schedule for the records. If there are no such records, please confirm, and I will consider this request closed.

I do have some outstanding questions, however, and I'd be happy to follow up with Dr. Soisson. I will explain them briefly here and I also intend to submit another records request covering these topics, which I will do in a separate email. First, attached is the 2013 list of state board of education adopted ELA materials that I was able to find online. I do not see the Lucy Calkins Units of Study on that list so I am confused about your previous answer. Could you provide a copy of the ODE list that the Lucy Calkins Units of Study was on? Second, I plan to request records related to the postponement of purchase and adoption of ELA instructional materials for the 2021 adoption cycle. After reading OAR 340-022-2360, I expected that ODE would have a record of the district's recent postponement, but they did not (see attached ODE response). I plan to request WLWV records related to the recent postponement.

Dr. Soisson, in addition to responding to the records request, I look forward to any clarifications you can provide on this.

Thank you,

Becka

[Quoted text hidden]

2 attachments

 **sbe-oct-2013-adoption-of-ccss-english-language-arts-(ela)-and-literacy-instructional-materials-docket-item-october-2013.doc**
97K

 **ODE Public Records Request_Postponements w attachments.pdf**
10442K



Rebecca Puskas <[REDACTED]>

Records request - 2021 postponement records and 2013 adoption records

1 message

Rebecca L. Puskas <[REDACTED]>

Thu, Feb 2, 2023 at 7:47 AM

To: Kelly Douglas <douglask@wlwv.k12.or.us>

Cc: Barb Soisson <SoissonB@wlwv.k12.or.us>, Kathy Ludwig <ludwigk@wlwv.k12.or.us>

Dear Ms. Douglas,

I am writing to request WLWV school district records under the Oregon Public Records Law. Specifically, I am requesting a copy of:

1. All records related to the postponement of adoption and purchase of K-5 English Language Arts instructional materials for the 2021 adoption year (contract years 2022-2028), including but not limited to school board approvals of the postponement and WLWV applications to the Oregon Department of Education for postponement.
2. A copy of the Oregon Department of Education (or previously, state board of education) list of adopted instructional materials which contains the Lucy Calkins Units of Study.
3. All records related the adoption and purchase of K-5 English Language Arts instructional materials for the 2013 adoption year, including school board approvals, public notices and public meeting records, final recommendations of the evaluation committee, and notices to the Oregon Department of Education.

I understand that according to ORS 192.329, the school district will acknowledge my request within 5 days and complete a response to my request in 15 days. If this is a voluminous request, please contact me so that I can understand the records that the district has and hopefully narrow my request.

Thank you,
Becka Puskas



Rebecca Puskas <[REDACTED]>

Records request - 2021 postponement records and 2013 adoption records

9 messages

Rebecca L. Puskas <[REDACTED]>

Thu, Feb 2, 2023 at 7:47 AM

To: Kelly Douglas <douglask@wlwv.k12.or.us>

Cc: Barb Soisson <SoissonB@wlwv.k12.or.us>, Kathy Ludwig <ludwigk@wlwv.k12.or.us>

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1. All records related to the postponement of adoption and purchase of K-5 English Language Arts instructional materials for the 2021 adoption year (contract years 2022-2028), including but not limited to school board approvals of the postponement and WLWV applications to the Oregon Department of Education for postponement.
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I understand that according to ORS 192.329, the school district will acknowledge my request within 5 days and complete a response to my request in 15 days. If this is a voluminous request, please contact me so that I can understand the records that the district has and hopefully narrow my request.

Thank you,
Becka Puskas

Kelly Douglas <douglask@wlwv.k12.or.us>

Tue, Feb 7, 2023 at 3:25 PM

To: "Rebecca L. Puskas" <[REDACTED]>

Cc: Barb Soisson <SoissonB@wlwv.k12.or.us>, Kathy Ludwig <ludwigk@wlwv.k12.or.us>

Hello Ms. Puskas,

The West Linn-Wilsonville School District has received your Public Records Request which is attached hereto. We will begin the process of review for the information you have requested, please be advised there is a standard hourly fee with possible legal counsel fees should it apply.

Please let us know if you wish to continue with this Public Records Request due to the hourly fee and possible legal counsel fees.

Once you respond, we will provide an approximate amount of time staff will need to gather the documents and which documents we are in possession of.

The Oregon Public Records Law allows agencies to recover their actual costs in fulfilling a public records request including actual costs for supplies, research, compilation, postage/shipping and staff time. WLWV will request payment prior to fulfilling a public records request to ensure that the requester is certain of their intent and that costs are properly reimbursed.

If the estimated fee is greater than \$35.00, WLWV will provide the requester with a written notice of the initial cost-estimate. In such instances, the public records will not be fulfilled until the requester confirms in writing that the requester wants to proceed with the request and provides the payment.

The WLWV fee structure for public records requests, are:

- a. *No fee if the requested record is already created, obtainable and processed under 30 minutes.*
- b. *Hourly fee rate of:*
 - i. *\$35.00 per hour for clerical time*
 - ii. *\$75.00 per hour for professional time (IT, HR, Directors, Administrator)*
 - iii. *Special attorney or other applicable hourly legal fees may be applied if an attorney was used to review materials requested*
 - iv. *Other 3rd party hourly rate costs (in extreme circumstances)*
- c. *Fee Waivers. The person requesting the public records must submit a written request for a waiver. Each request will be considered on a case-by-case basis, based on the information provided by the requester and the totality of the circumstance at the time of the request. If a fee waiver is denied, the requester may appeal to the Oregon Attorney General's office.*

Thank you, Kelly

Kindly~

Kelly Douglas

Pronouns: she/her/hers

Executive Assistant to the Superintendent and School Board Secretary

How do we create learning communities for the greatest thinkers and most thoughtful people.....for the world?

West Linn-Wilsonville School District
Administration Building
22210 SW Stafford Road
Tualatin, OR 97062
ph 503-673-7034 * fax 503-673-7001

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**This message originated from OUTSIDE our WLWV Email System.
Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Note that many of our legitimate WLWV Systems are outside of our Email System - Infinite Visions, Absence Management, and others.

Rebecca L. Puskas <[REDACTED]>
To: Kelly Douglas <douglask@wlwv.k12.or.us>
Cc: Barb Soisson <SoissonB@wlwv.k12.or.us>, Kathy Ludwig <ludwig@wlwv.k12.or.us>

Tue, Feb 7, 2023 at 4:35 PM

Thank you Ms. Douglas, I would like to proceed with the request, but I plan to talk with Dr. Soisson on Monday about the available records. After that I will let you know if I am able to narrow my request.

Becka

[Quoted text hidden]

Kelly Douglas <douglask@wlwv.k12.or.us>
To: "Rebecca L. Puskas" <[REDACTED]>
Cc: Barb Soisson <SoissonB@wlwv.k12.or.us>, Kathy Ludwig <ludwig@wlwv.k12.or.us>

Wed, Feb 8, 2023 at 8:45 AM

Thank you, Ms. Puskas.

Kelly

Kindly~

Kelly Douglas

Pronouns: she/her/hers

Executive Assistant to the Superintendent and School Board Secretary

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[Quoted text hidden]

Rebecca L. Puskas <[REDACTED]>
To: Kelly Douglas <douglask@wlwv.k12.or.us>
Cc: Barb Soisson <SoissonB@wlwv.k12.or.us>, Kathy Ludwig <ludwig@wlwv.k12.or.us>

Mon, Feb 13, 2023 at 10:03 PM

Hello, after talking with Dr. Soisson today, I would like to narrow my requests made on February 2nd as follows:

1. All records presented to the WLWV school board for postponement of adoption and purchase of K-5 English Language Arts instructional materials for the 2021 adoption year (contract years 2022-2028).
2. Withdrawn.
3. All records presented to the WLWV school board for the adoption and purchase of K-5 English Language Arts instructional materials for the 2013 adoption cycle.

Thank you,

Becka

[Quoted text hidden]

Barb Soisson <soissonb@wlwv.k12.or.us>
To: "Rebecca L. Puskas" <[REDACTED]>
Cc: Kelly Douglas <douglask@wlwv.k12.or.us>, Kathy Ludwig <ludwig@wlwv.k12.or.us>

Tue, Feb 14, 2023 at 7:14 AM

Hi Ms. Puskas,

Thank you for meeting with me yesterday. Regarding the revised records request: We will check again for any and all documents or records pertaining to the 2013 K-5 Language Arts adoption. To date the only records we have found are purchase orders spanning several years from 2011-2015 that are for the materials adopted. Kelly Douglas will send the records request response about fees and proceeding. Again, the intent is to let you know before we proceed with the records request process that there are no records of school board presentations about the adoption of the Lucy Calkins Units of Study but we are cross-checking our initial search.

Sincerely,

Barb Soisson

Barb Soisson, D.Ed.

Assistant Superintendent
West Linn-Wilsonville School District
503-673-7020

[Quoted text hidden]

Kelly Douglas <douglask@wlwv.k12.or.us>
To: "Rebecca L. Puskas" <[REDACTED]>
Cc: Barb Soisson <SoissonB@wlwv.k12.or.us>, Kathy Ludwig <ludwig@wlwv.k12.or.us>

Fri, Feb 17, 2023 at 1:18 PM

Hello Ms. Puskas,

Please let me know to proceed with the revised records request, using the fee schedule I previously sent. These records in existence consist of a series of purchase orders for the Lucy Calkins Units of Study.

Thank you,

Kindly~

Kelly Douglas

Pronouns: she/her/hers

Executive Assistant to the Superintendent and School Board Secretary

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ph 503-673-7034 * fax 503-673-7001

[Quoted text hidden]

Rebecca L. Puskas <[REDACTED]>
To: Kelly Douglas <douglask@wlwv.k12.or.us>
Cc: Barb Soisson <SoissonB@wlwv.k12.or.us>, Kathy Ludwig <ludwig@wlwv.k12.or.us>

Mon, Feb 20, 2023 at 9:12 PM

Thank you for following up. I do not need the purchase orders.

It is my understanding from your responses that there are no records responsive to my narrowed request. Please let me know if that is incorrect. Otherwise, I will consider my request closed.

Thanks again.

Becka

[Quoted text hidden]

Kelly Douglas <douglask@wlwv.k12.or.us>
To: "Rebecca L. Puskas" <[REDACTED]>
Cc: Barb Soisson <SoissonB@wlwv.k12.or.us>, Kathy Ludwig <ludwig@wlwv.k12.or.us>

Wed, Feb 22, 2023 at 10:06 AM

Good Day Ms. Puskas,

Correct, this Public Records Request is now closed.

Thank you for working through this with us.

Kelly

Kindly~

Kelly Douglas

Pronouns: she/her/hers

Executive Assistant to the Superintendent and School Board Secretary

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Attachment D

WLWV Division 22 Certification (October 2022)

West Linn-Wilsonville School District

Report on Compliance with Public School Standards

2021-22 School Year

By November 1 of each year, school district superintendents are required by [OAR 581-022-2305: District Assurances of Compliance with Public School Standards](#) to report to their community on the district’s status with respect to all of the Standards for Public Elementary and Secondary Schools. The Standards are adopted by the State Board of Education and set out in Oregon Administrative Rules Chapter 581, Division 22.

The table below contains a summary of **West Linn-Wilsonville** School District’s compliance with each of the requirements of Oregon’s administrative rules found in [DIVISION 22 - STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS](#) during the 2021-22 school year. For each rule reported as out of compliance, **West Linn-Wilsonville** School District has provided an explanation of why the school district was out of compliance and the school district’s proposed corrective action plan to come into compliance. The corrective action must be approved by ODE and completed by the district by the beginning of the 2023-24 school year.

Category: Teaching & Learning

Subcategory: Curriculum & Instruction

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2030 District Curriculum	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2045- Prevention Education in Drugs and Alcohol	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2050 Human Sexuality Education	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2055 Career Education	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2060 Comprehensive School Counseling	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2263 Physical Education Requirements *Elementary Grades	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2263 Physical Education Requirements *Middle Grades	Out of compliance	The district has met all of the requirements for this rule.	The West Linn-Wilsonville School District is currently out of compliance because the 6.5 hour school day does not allow for middle school students to have an elective course, a semester of World Language and a full year of PE. The district is working on scheduling options to add the additional required minutes to the school day.
581-022-2320 Required Instructional Time	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2340 Media Programs	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2500 Programs and Services for TAG Students	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2350 Independent Adoptions of Instructional Materials	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2355 Instructional Materials Adoption	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2360 Postponement of Purchase of State-Adopted Instructional Materials	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Assessment & Reporting

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2100 Administration of State Assessments	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2110 Exception of Students with Disabilities from State Assessments	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2115 Assessment of Essential Skills: Diploma Requirements	Waived for 2021-22 school year	Not applicable	Not applicable
581-022-2115(2) Assessment of Essential Skills: Local Performance Assessment Requirement	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2120 Essential Skill Assessments for English Language Learners	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2130 Kindergarten Assessment	Waived for 2021-22 school year	Not applicable	Not applicable
581-022-2270 Individual Student Assessment, Recordkeeping and Reporting	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2445 Universal Screenings for Risk Factors of Dyslexia	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Program & Service Requirements

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2315 Special Education for Children with Disabilities	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2325 Identification of Academically Talented and Intellectually Gifted Students	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2330 Rights of Parents of TAG Students	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2505 Alternative Education Programs	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: High School Diploma

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2000 Diploma Requirements	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2005 Veterans Diploma	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2010 Modified Diploma	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2015 Extended Diploma	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2020 Alternative Certificate	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2025 Credit Options	In compliance	The district has met all of the requirements for this rule.	Not applicable

Category: Health & Safety

Subcategory: Policies & Practices

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2205 Policies on Reporting of Child Abuse	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2220 Health Services	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2310 Equal Education Opportunities	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2312 Every Student Belongs	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2345 Auxiliary Services	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Plans & Reports

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-0106(4) State Standards for the 2021-22 School Year: Operational Plans (COVID-19 Management Plan)	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2223 Healthy and Safe Schools Plan	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2225 Emergency Plans and Safety Programs	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2230 Asbestos Management Plans	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2267 Annual Report on Restraint and Seclusion	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2510 Suicide Prevention Plan	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Athletics & Interscholastic Activities

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2210 Anabolic Steroids and Performance Enhancing Substances	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2215 Safety of School Sports – Concussions	In compliance	The district has met all of the requirements for this rule.	Not applicable

Category: District Performance & Accountability

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2250 District Improvement Plan	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2255 School and District Performance Report Criteria	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2260- Records and Reports	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2265 Report on PE Data	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2300 Standardization	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2305 District Assurances of Compliance with Public School Standards	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2370 Complaint Procedures	In compliance	The district has met all of the requirements for this rule.	Not applicable

Category: Human Resources/Staffing

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2335 Daily Class Size	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2400 Personnel	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2405 Personnel Policies	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2410 Teacher and Administrator Evaluation and Support	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2415 Core Teaching Standards	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2420 Educational Leadership - Administrator Standards	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2430 Fingerprinting of Subject Individuals in Positions Not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2440 Teacher Training Related to Dyslexia	In compliance	The district has met all of the requirements for this rule.	Not applicable