

March 11, 2025

Dear House Committee on Education:

I am a parent with three kids in Oregon public schools and I support HB 2009 with the -1 Amendments. Thank you for your good questions at the public hearing on March 10th. I hope you will continue to ask questions! Below are some of the elements of HB 2009 that I believe are critical, as well as some comments to strengthen the proposed legislation.

- 1. Routinely and promptly publishing accessible data online that shows trends over time is essential for transparency and accountability.** Right now, as a parent, if I want to understand whether my school district is making progress in key measures of academic achievement, I must sort through multiple pages of the new Oregon Online Report Card,¹ or multiple spreadsheets of OSAS data, which is published nearly 6 months after the students take the test. I have also found, by following my school district's SIA grant process, that the district works with ODE to set Longitudinal Performance Growth Targets (LPGTs) in its Student Investment Account (SIA) grant application and grant agreement,² but that *ODE has not required districts to track or report progress in meeting those targets.*³ In the current system, there is no way for parents or policy makers to easily evaluate whether progress is being made. It is unclear if ODE is tracking these metrics either. This is despite previous legislation requiring districts to report on progress towards meeting LPGTs in a public way, and requiring ODE to review that information (see ORS 327.201(1)(a)(B) requiring districts to review “progress toward meeting the performance growth targets”; ORS 327.201(1)(b) requiring districts to post the progress review on the district website and share at a public school board meeting; ORS 327.201(3)(a) requiring ODE to “determine each biennium if a grant recipient does not meet performance growth targets.”) **The requirements in ORS 327.201 to track LPGTs came from the Student Success Act of 2019, but they have not been implemented or enforced.**

How can we make sure that ODE does not fail to implement and enforce these requirements again? *An important part of the solution is to require that the data and the growth targets be posted promptly online by both districts and ODE.*

Thus, Section 5 of the proposed bill—which includes requirements to share performance targets and data about a standard set of metrics—is essential. Data transparency will drive change because it will provide more information to parents, school board members and others who will ask critical questions and demand improvements. It will also create healthy competition between schools, and productive conversations about what is working and what is not.

¹ See <https://www.ode.state.or.us/apps/OregonReportCard>.

² See West Linn-Wilsonville School District Student Success Act webpage, <https://www.wlww.k12.or.us/domain/3508>, Integrated Application, p. 47 and 2023-24 Grant Agreement, p. 23-24.

³ See ODE Integrated Guidance (2022), available at https://www.oregon.gov/ode/StudentSuccess/Documents/ODE_Integrated%20Guidance.pdf, discusses LPGTs at pages 70-71, but no such reporting is included in ODE's annual report template for districts (https://docs.google.com/presentation/d/1e3bzhPyEWJy_4kko7rLig7fGnlD11lk93qMDKd5NWgO/edit#slide=id.g300a6817c19_1_13). See also West Linn-Wilsonville School District Student Success Act webpage, <https://www.wlww.k12.or.us/domain/3508>, 2023-24 Student Investment Account Report.

Recommended improvements to Sections 5 and 29:

- Section 5(2): **Add a timeline for school district review and posting of performance targets and yearly data.** The proposed bill contains no timeline.
 - Section (5): **ODE, and not just school districts, should be required to post performance targets and longitudinal data to a user-friendly online dashboard.** Access to all data in one place is essential if we are going to use it to drive change. Data should be available by district, by school, and where possible, by student groups.
 - Oregon has previously received an “F” from third party reviewers for its transparency efforts.⁴ Consider requiring that ODE hire a third party with expertise designing user-friendly dashboards for academic data in other states.
 - Section 29: **Interim assessment data should be included in online dashboards,** both on school district websites and the ODE website. If we are collecting the data, why not increase transparency by posting interim assessment data online as well, at the frequency it is collected? School boards, parents, and community members should have access to this data, which will result in greater accountability, identification of best practices, and more immediate course corrections.
2. **Third-party review of Division 22 standards needs to be followed by a rulemaking.** Right now, the standards that we call “minimum standards” for Oregon public schools include a kitchen sink of requirements that range from critical standards like required instructional time and dyslexia screening to requirements that are important but not directly related to academic outcomes (e.g. asbestos management plans).⁵ Furthermore, the Oregon Secretary of State found in 2022 that “Oregon’s Division 22 standards for K-12 schools lack clarity and enforceability, allowing low performance to persist. To increase accountability for state funds and student success, leaders and policymakers must balance local control of school districts with reasonable, enforceable standards.”⁶ In my own experience as a parent navigating the Division 22 complaint process, I have found that: 1) ODE does not collect the information needed to independently evaluate compliance with Division 22 standards, 2) the current self-certification system is not working, and 3) even when it does find violations, ODE does not respond to complaints in a way that will promote compliance with minimum standards.⁷

These are our *minimum standards for public education in Oregon*. Yet they are not strategic nor are they effectively monitored or enforced. The complaint process should be the safety net, not a main tool for compliance. Therefore, I support a third-party review of the Division 22

⁴ Julia Silverman, The Oregonian, *Study: Oregon’s school report cards deserve an F for lack of transparency* (Sept. 16, 2024), available at <https://www.oregonlive.com/education/2024/09/study-oregons-school-report-cards-deserve-an-f-for-a-lack-of-transparency.html>. Julia Silverman, The Oregonian: *Dinged for lack of transparency, Oregon Department of Education debuts slightly better way to track school performance* (Jan. 24, 2025), available at <https://www.oregonlive.com/education/2025/01/dinged-for-lack-of-transparency-oregon-department-of-education-debuts-slightly-better-way-to-track-school-performance.html>.

⁵ Oregon Administrative Rules (OAR) Chapter 581, Division 22.

⁶ Oregon Secretary of State audits Division, *K-12 Education – Systemic Risk Report* (May 2022), available at <https://sos.oregon.gov/audits/Documents/2022-16.pdf>

⁷ Joanna Hou, Willamette Week, *Parents Say a School District Failed to Properly Teach Reading—and the Oregon Department of Education is Letting It Slide* (February 16, 2025), available at <https://www.wweek.com/news/schools/2025/02/16/parents-say-a-school-district-failed-to-properly-teach-readingand-the-oregon-department-of-education-is-letting-it-slide/>

standards that is focused on revising the standards to help drive academic outcomes (HB 2009, Section 35). I also support the idea of a time-limited complaint process (Section 35 (3)(b)). Current ODE rules do not provide a fixed timeframe for resolving Division 22 complaints (rather the timeframe is tied to when ODE initiates its investigation, and thus it is wholly within ODE's control).⁸ This is unacceptable when we are talking about minimum education standards.

Recommended improvements to Section 35:

- **The third-party review should include an evaluation of minimum standards used by other states that have shown significant progress in boosting academic performance.**
- There is a gap in Section 35 between the third-party review and the enforcement of the standards. **The review should include specific recommended rule language and proposed changes to Division 22. HB 2009, Section 35 should include a requirement that ODE conduct a Division 22 rulemaking that is responsive to the recommendations.** While important, requesting that the reviewers identify “more effective methods for enforcing whether a district is standard” is not sufficiently specific.

3. **Don't wait-and-see where evidence-based interventions that will drive outcomes for students are clear.** I want to support and amplify the comments that others have made about requiring interventions now, especially related to literacy and the science of reading. There is no need to wait for 2-4 years for a coaching program to kick in when we know that evidence-based curriculum, comprehensive teacher training in proven programs, and intensive tutoring for low performing students (again, with vendors that follow evidence-based practices) can lead to transformative results. The literacy grant program has been in place for two years, and ODE has the information it needs to ensure that all districts are making these investments. Where districts are not making the changes voluntarily, they should be required to make changes now that will improve outcomes for our kids.

Sincerely,

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⁸ See OAR 581-075-0200.