

March 13, 2025

Dear Oregonians, Educators, and Oregon's Elected Leaders:

I've grappled with the value of writing and sharing what follows. In the end, I determined it was more responsible to write than to sit at a distance and mostly just watch an unfolding conversation about the future of education in Oregon and "accountability".

I'll try to explain why I'm writing and then get to the key points.

In 2019, when the Student Success Act was passed, I was hired as a principal leader to create a new branch (office) within the Oregon Department of Education (ODE) that would implement the Student Investment Account and coaching programs funded within that design, including the now much talked about Intensive Coaching program. Under Colt Gill's leadership, the High School Success Program (funded by Measure 98), work on chronic absenteeism, and federal school improvement were all moved into the new office, which is referred to as the Office of Education Innovation and Improvement (EII) and is detailed in several of the Secretary of State's recent audits, often with high regard.

I do have pride for the work done in the five years I worked at ODE. That pride is deeply connected to the teams of people I got to work alongside. The staff at ODE, the staff in each region's ESD, community and tribal partners, and the myriads of unsung leaders in districts we engaged.

But more than pride, I'm writing now out of a sense of responsibility.

Good policy and good politics are important, vital even. But they live quite a ways away from the work of actual implementation.

My task, and the task of the many peoples and teams I led and collaborated with, was that actual implementation.

And before getting into the details of the current proposed legislation before you, I want to acknowledge a few things that I hope you'll hold onto in review of those details.

First, there should be more appreciation and gratitude for the work of communities, educators, school leaders, ESDs, and ODE for what's unfolded since July 2019 and the passage of the SSA.

A very complicated bill was passed with great expectations that punted huge choices into delicate rulemaking processes with planned but uncertain Corporate Activity Tax first revenues, all under bright lights. And, unlike many other statewide pieces of vaunted legislation (see Measure 110 for example), this work launched and launched well. I won't pretend it was perfect and I can certainly say it hasn't yet been fully effective (more on that in a minute) but you read no stories about the failure of the SSA in the newspaper for a reason. We did the hardest things.

When policy passes – it meets the myriad and byzantine world of government processes. You don't get an actual internal operational budget until November of the biennium you are working in. Getting actual grant agreements and templates together and passed through DOJ lawyers takes months. Moving dollars to contracted supports (that desired TA and Coaching) takes years (yes years!) to get through DAS and ODE procurement processes. And that's just the internal to ODE stuff. You have to offer guidance, teach the legislation, and make all of it real and applicable to districts and staff while navigating rulemaking (which changes the guidance and the details).

Then, you have to deliver a legally consistent application review process. In my/our case, the SIA arrived into ODE with no real internal history or readiness to meaningfully review the applications of 197 school districts and the charter schools and other grantees. A universal process of respect and diligence had to be mapped and created at speed. And we did these hard things.

Every step of that is shaped by the details (and honestly what sometimes seem like whims) of the policies that get passed.

And then in March 2020 - after surmounting the effort to launch - much of this work in districts, communities, ESDs, and ODE would run smack into the full experience of COVID-19 and the state's response to COVID-19.

And I want to be super clear about this part. As several things happened over the next two years that I think are helpful to consider in thinking about the legislation now before you:

- The Legislature suspended the implementation of Longitudinal Performance Growth Targets
- The Legislature froze the Every Day Matters program addressing absenteeism
- The Legislature cut the Student Investment Account from 500M to 150M
- The Legislature froze staff hiring to implement the SIA

These choices were made in the "fog of war" – the earliest of COVID responses - when there were big challenges and it was still unclear what role, if any, the federal government would play.

Two years later, everything would return to a full go.

And yet - even amidst those very choppy waters – I'm clear about the ways school leaders, ESDs, nurses, educators, families, communities, and ODE staff stepped up to the plate. We navigated those waters. We didn't just keep the SIA on track. We used the two years, amidst great suffering, to take the first real effort to meaningfully align the larger state school improvement programs. This would become known as "the Integrated Guidance".

While I'm aware (and dismayed) about the griping of a few superintendents about the Integrated Guidance, it represents thousands of hours of collaboration between Oregon's 19 ESDs, business managers, rural leaders, CBOs, and ODE Staff. In its initial design, it accepted the reality of trying to operationally connect the dots between programs the Legislature has passed but hasn't made sure talk to each other in design or personnel.

And to be fair, prior ODE leadership is, in my opinion, also at fault for failing to create an internal organizational culture that could stitch initiatives together as they arrive from each legislative session. Instead, the culture was to treat each new program as a new effort with new personnel with distinct contracts and reports. This is a key part of how you end up with the metastizing number of programs that don't add up to a whole. The mix of lawyers, DOJ, DAS processes, and changing ODE leadership ensure siloes - rarely breaking them.

And so the team did the hard things – we created. We synthesized. And because we could not change legislation, we still had to address and ask districts to address the many hoops held in statute.

And again, while all of this was happening, the agency and ESDs and educators and communities were responding to:

- A global pandemic

- Waves of federal response - helpful and not helpful
- Executive Orders set by the former Governor in the effort to save lives that also had huge implications for how schools fed, transported, and taught students
- The crisis of jurisdictions that unfolded between Oregon's local public health authorities, county leaders, city leaders, school boards, and the Legislature
- The departure of what now appears to be about 50K students from the K-12 education system

And still, thousands of people across Oregon did the hard things as best they could every day.

And then, leveraging the Integrated Guidance, the first real full cycle of what was envisioned with the passage of the Student Success Act happened starting in the Fall of 2022 to June of 2023. A wave of focused community engagement. Detailed and integrated plans with clear outcomes and budgets to be reviewed. The development of real longitudinal performance growth targets (LPGTs). And a meaningful application review process that held integrity and supported districts to remedy plans that didn't meet the detailed expectations set by the laws passed by the Legislature.

And even more happened:

- The Intensive Coaching program was skillfully launched
- The larger resources designed for more universal TA and Coaching of districts finally made their way through procurement to be ready to deploy to districts
- The High School Success program provided real and effective Corrective Action to 44 districts.
- And the new literacy initiative passed with the expectation of mapping it into these processes, at speed, with quality, immediately.

I cannot explain why the now established longitudinal performance growth targets (LPGTs) weren't and aren't better understood, shared, and appreciated. But for the first time in 30 years (maybe ever) every district in the state has real, attainable targets rooted to the actual math and science of school improvement.

And here we are in 2025 – and it is unclear to me whether we are building on all of this foundation.

I hope so. I want to believe that is the aim and what is possible. I know from my direct experiences with her that Governor Kotek is smart, kind, and focused. And I think she and her team understand what's possible. I think the aim is to further connect the dots and to make the investments and direction of the state make more sense. And this, I fully support.

Which brings us to House Bill 2009/Senate Bill 141.

From my eyes and experience, there is much it gets right and a few places it could use real improvement.

What it gets right

- **Attention to outcomes.** A primary feature of high performing education systems in the world is that they are clear on what they are trying to accomplish, are coherent, and stay steady for at least a decade.
- **Attention to grant consolidation.** This is the right idea even if I'd encourage the bill to be much more aggressive and directive. The -1 calls for a study. That is inadequate. This has been studied time and again. It needs clear goal posts - and it needs statutory language that actually supports ODE to execute the actual work of grant consolidation.

- **Attention to meaningful gaps in performance.** The legislation maintains attention to any focal student group experiencing academic disparity and strengthens the tools ODE has for intervention.

Where it needs improvement

- **Community engagement expectations.** Having mapped over much of the SIA statutes into the statutes that govern the State School Fund, this is a notable miss. The work districts are asked to do to engage the community for the SIA should now be extended to include the overall work of districts. This would also support grant alignment and consolidation as districts engagement efforts could move through one process and timing cycle.
- **Build on existing LPGTs and implement intervention sooner.** It is unclear to me in how the bill is written if a whole set of new metrics are being set or if the legislation is building from the last four years of work done statewide. I hope the latter. I would demand the latter. And then I would allow for ODE to move into the interventions in the bill sooner - for the five SIA established metrics (why wait?) while allowing a phased in approach to the new metrics being established.
- **Solve structural implementation barriers.** I'm very pleased the Governor has addressed operational directions to ODE. And more needs to be done to address the very real obstacles to successful coaching and TA that happen based on state grantmaking and procurement procedures. This bill would be much stronger if it made explicit the ways ODE can use special procurement procedures to get field-based coaching in place through direct contracts and working with ESDs. It could also address ways grantmaking must be improved. Right now, DAS, LFO, and DOJ drive processes that just don't make sense for schools and the business of schools. Big yields could be made by addressing this as part of the state's shared accountability.
- **Further leverage and design in ESDs.** There is robust research on the value of regional intermediaries to support instructional change. ESDs, all 19, should (just like the SIA) be designed into the bill as a core TA and coaching support. They should get additional funding and additional expectations. This would build on great progress over the last several years and continue to break Oregon's bad habits of patchwork approaches that don't build regional capacity.
- **Maintain local optional metrics, don't limit.** At a time where there is no way to count on the US Department of Education, it is imperative that Oregon continue to grow and scale alternative measures that show innovative school change. Keep the laboratory of ideas open locally.

And then, finally, I'd like to address three puzzles I hope can be solved in this legislation or in the implementation that comes alongside it.

- 1) *Accountability is never a replacement for vision.* Accountability is about the most basic of promises. It is the bones of something. Did the dishes get done or not? The trash taken out? Oregon needs these clear fundamentals and this legislation helps address that. And yet, meeting the basics comes more easily when they are simply part of the journey towards a bigger clearer vision. Oregon needs to also know what we are striving for - with specificity. Governor Kitzhaber's 40/40/20 was sticky – and important - and I still think a bit shy of a strong vision. How can Oregon be clearer about where we are headed? Education is a sacred profession. I truly believe that. We need the next generation(s) to believe, see, and know this to be true.
- 2) *Attention to high-quality spending.* I've seen the budgets and the actual expenditures of Oregon's 197 districts. And it is vital that ODE and the Legislature and the public get clear on what constitutes high-quality spending. We have bad habits in this state of building budgets off of budgets and not off of actuals. No successful business enterprise works like that.

3) *Tests shouldn't limit instruction and good instruction should result in recognized changes.* Oregon must face its conundrums when it comes to statewide assessments. It simply cannot be that we devalue the Smarter Balanced Test and encourage opt-out and then use its results as a primary driver of accountability and criticism of schools. My belief is that we are not instructionally succeeding. That's not about the effort or sincerity of teachers. It is about the thousand things we ask schools to do. It's about the lack of coherence in our shared efforts. It is about the punishing dynamics of technology, media, and politics. And it is about how we support teachers and principals and families to be instructional leaders. That said, our NCLB trauma of high-stakes tests has allowed us into an untenable position. We must chart a course that either sheds SBAC or embraces it. But please let us stop being in the fuzzy middle. And while we are at it, let us also either embrace or shed the NAEP. Oregon's schools don't value or prioritize it. So when elected leaders or researchers or consultants or reporters cite it - they appear to be deeply disconnected from Oregon's school realities (and thus aren't taken seriously). If we want to use the NAEP to drive policy and investment and comparison, then it needs to be staffed and supported as it is only a very random sample of Oregon students in a system that does not value it.

I have written too much. I do so because I made the choice to move on and yet still carry some responsibility from what I saw, the voices I heard, the rooms I sat in, the places across Oregon I visited.

I continue to release that responsibility as I've chosen a different path for where I place my time and energy. I hope this comes at a helpful moment in a time we all need to find hope in each other and shared purpose.

The test of all of this is in the implementation. And I implore that each of you take the time to share gratitude with the implementers and to listen to what the ESD leaders and the business managers and the community leaders and the educators and the staff at ODE know. They've lived the same journey I've just described. And they will be the ones we ask to walk this next road.

With great sincerity,

A handwritten signature in black ink, appearing to read "Scott Nine". The signature is fluid and cursive, with the first name "Scott" being more prominent than the last name "Nine".

Scott Nine