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Testimony for the House Education Committee on HB 2009-4:

“Requires the Department of Education to study methods for increasing the accountability of the public education system of this state.”

The Oregon Association for Talented and Gifted (OATAG) advocates for the needs of talented and gifted students statewide and supports families, educators, and communities. As an organization that serves as a point of contact for families that encounter problems with the administration of programs and services, we strongly support efforts to improve accountability within our public education system. While we agree with the intent of HB 2009, we believe that the accountability measures listed in this bill are not an effective way to assess student progress. We believe that this bill with the dash 4 amendments will not deliver the timely, effective, systematic, and lasting improvements that our state so desperately needs. Moreover, a study of the Division 22 standards, conducted by an “entity” selected by the Department of Education without any provision for public participation is not an effective use of limited resources.

1. Our high-performing students also deserve accountability

No education system thrives when it ignores or even discourages its most hard-working and high-achieving students. Yet Oregon explicitly excludes these students and their families from accountability and support, sending a clear message that we don’t value hard work and excellence.

Both Talented and Gifted (TAG) and high-achieving students were excluded from the student groups recognized in the *Student Success Act* when the State Board of Education declared that “*Lack of access to programs for academically gifted and high-achieving students does not constitute facing academic disparities.*”

The governor’s bills retain this list and the exclusion of these students. The Quality Education Model has also excluded TAG students. The [report](#) from the American Institutes for Research IR simply accepted its decision.

Subsequent reports are likely to continue this omission and declare that they will not review this problem until we find a way to include this group of students in our policies.

We know that TAG and other high-achieving students do experience academic disparities and that all students deserve appropriate instruction. Data from the Oregon Department of Education proves that access to advanced classes depends entirely on where the student lives. Overall, rural districts are less likely to provide services, but some rural districts do provide a instruction for *all* their students even as some larger districts neglect them. Moreover, access to appropriate content often varies from school to school within districts but students may be unable to transfer.

The disparities don't end with geographical handicaps. Oregon students lack access to advanced opportunities *whether or not* they are members of a group that is specifically listed in the Student Success Act. As noted in a report from the Department of Education to the legislature submitted just this year (2024):

"...equitable access to accelerated learning programs begins ... in kindergarten. ... The successful implementation of these early education initiatives has been hampered by a lack of adequate funding. It is crucial to secure sustainable funding sources to ensure equitable access to accelerated learning opportunities for all students."

The omission of high-achieving students as a group from accountability measures will make it harder to understand problems such as absenteeism or to track disparities between the longitudinal performance of high-achieving students in the focal groups and other high-achieving students.

Our investment in these students has plummeted. Both the number and the percentage of students identified for TAG has fallen steadily which has increased inequities. The erasure of Oregon's most capable students also drags down our very performance on national and international assessments: we now trail other states in the percentage at the "advanced" level on the NAEP.

We will never close the achievement gap if we focus solely on low-achieving students, because the gap is widest at the top. Addressing educational disparities requires encouraging and supporting students across the full spectrum of achievement, not just those at the lower end.

When we tell students that they literally don't count, it reduces student motivation, engagement, and morale.

2. Report and Utilize Meaningful and Actionable Data: Student Progress, not “Proficiency”

Adding an eighth-grade math “proficiency” metric to an already weak set of educational indicators is wasteful and misleading. A proficiency score is a single point-in-time measure that fails to show what students have learned during the year.

Eighth grade is a moment when some students take algebra, while others do not. A single proficiency score fails to capture this difference or show whether students are truly on track for college and career readiness.

By combining students at all ability levels into a single number, this “metric” also makes it impossible to identify problems or see which groups are making good progress. It does not provide districts with actionable insights into areas that need improvement.

Singling out districts based on point-in-time scores could unjustly punish districts for factors beyond their control.

A far more meaningful metric is student growth by ability level. Growth must be reported by ability level because high-performing students tend to show lower gains—without this distinction, results can be misinterpreted.

Breaking down progress *first* by ability level and *then* by demographic groups would pinpoint where problems truly lie and suggest targeted solutions.

The bill calls for interim measures. Student *growth* on both interim and summative measures, broken down by ability level and reported in ways that are easy for the community to understand, would be a more meaningful and cost-effective way to track student progress. Twenty years ago, districts did report this data.

3. Stop Focusing on the Wrong Problems—Fix the Real Problems

Oregon does not need yet another review of state education standards, especially one conducted behind closed doors by an unknown and unaccountable “entity.” Legislators have already reviewed these standards repeatedly. The problem is not the standards themselves but the failure of the Oregon Department of Education to ensure that districts follow them. For example, Portland Public Schools, has openly admitted to violating state standards for years without any consequence.*

As Superintendent of Public Instruction, the governor already has the power to withhold funding for persistent non-compliance.

Another way to immediately enhance district accountability would be to require that districts *apply or implement* the rules that state statute or rules require them to have. Too often, parents allege to the Department of Education that a district has failed to follow a rule that state law requires it to *have* only to be told that the district is not required by law to *implement* that rule. When that happens, parents lose their right to appeal and the rule become a dead letter.

If we are to improve, Oregon must take *effective* action to restore our standing in education. We must invest in *all* students, adopt *meaningful* measures of progress, and *enforce existing* education standards to ensure accountability.

Margaret DeLacy

* “Portland Parents Want Better Access To Talented And Gifted Programming (OPB) (3/3/2019) The parents included in the complaint represent students at 20 PPS schools all over the city and at every level – elementary, middle and high school. ...Responding to the group last week, PPS confirmed some of the parent allegations.... Next year, PPS will self-report for its fourth consecutive year that its “out of compliance” with state requirements to provide programs for "talented and gifted" students....In the district’s response to the parent complaint, Terry said there isn’t enough money in the budget to provide adequate staffing for district-wide TAG programming. ...”

<https://www.opb.org/news/article/portland-public-schools-parents-curriculum-programming-talented-gifted/>