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To: Oregon State Board of Education

From: Dr. Krista Parent, Coalition of Oregon School Administrators (COA)
Michael Carter, Oregon Small Schools Association (OSSA)
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Subject: Public Comment on the Second Reading of SB 141 Education Accountability Rules

- Agenda Item 3A. Strengthening and Expanding Instructional Materials
- Agenda Item 7A. Definitions and Metrics

Dear Chair Scurlock, Vice Chair Montgomery, Second Vice Chair Richardson, and Members of the State Board of Education:

On behalf of the Coalition of Oregon School Administrators, Oregon Small Schools Association, Oregon Association of Education Service Districts, Oregon Association of School Business Officials, and Oregon School Boards Association, we submit this letter to provide public comment on the second reading of the draft rules relating to:

- **Agenda Item 3A.** Strengthening and Expanding Instructional Materials
- **Agenda Item 7A.** Definitions and Metrics

Our members lead 197 school districts and 19 education service districts that serve over half a million students in Oregon – we recognize the weight of the roles and responsibilities our members hold to ensure the success of each and every student in Oregon, regardless of zip code.

Collectively, our organizations engaged in the Accountability Advisory Committee (HB 2656), in the development of the Education Accountability Act of 2025 (SB 141), and continue to play an active role in the rulemaking process through the Technical Advisory Committee and Ongoing Rules Community Advisory meetings.

We want to express our gratitude and appreciation toward the Oregon Department of Education for making improvements to the engagement process, and actively working alongside our organizations to solicit, gather, and respond to feedback on the draft rules before you.

Agenda Item 3A. Strengthening and Expanding Instructional Materials

We support, and strongly encourage you to adopt, the current draft of the proposed rules relating to strengthening and expanding instructional materials. As required by SB 141, these rules remove the publisher fee system associated with reviewing and evaluating instructional materials.

Eliminating the publisher fee system is long overdue; in doing so, Oregon is taking important steps forward in 1) reducing “pay-to-play” barriers, especially for smaller publishers; 2) expanding the state list of instructional materials reviewed and evaluated; and 3) helping advance efforts to ensure that there are more state-approved instructional materials that can meet the needs of students who are emerging multilingual learners and students with disabilities.

Our hope is that these efforts will continue to support districts in accessing more affordable high-quality instructional materials that meet the needs of students across Oregon.

Agenda Item 7A. Definitions and Metrics

Given all of the provisions covered in this ruleset, we have organized our feedback around a number of key provisions and clauses (see table).

Local Metrics

SB 141 requires the State Board of Education to adopt up to five local metrics. Districts will be required to select one of these local metrics.

Proposed Language (dated 12/4/2025)	Our Position and Feedback
Academic Growth Measurement: Change in a student’s performance over time as measured by interim assessments in Language Arts and Mathematics.	<p>Support: We strongly support the academic growth metric, and the inclusion of interim assessments in Language Arts and Math as a measurement.</p> <p>Given our extensive feedback, we believe that this is a significant development in the proposed rules. The opt out law does not apply to the interim assessments; with that, we would have a more complete set of student growth data to inform our goal setting and continuous improvement work. Additionally, interim assessments are available in other languages.</p> <p>These tools are aligned with the learning standards and help districts accurately measure students’ knowledge, skills, and academic growth throughout the school year. The data from these assessments provide timely and actionable information for educators to help inform instruction and support for students; there are also districts who currently use these assessments in their district accountability work.</p> <p>We look forward to collaborating with ODE more on the implementation of this measure.</p>
Multilingual Proficiency Measurement: The number of students earning the seal of biliteracy or multiliteracy.	<p>Support: We strongly support the multilingual proficiency metric, and the inclusion of the Oregon Seal of Biliteracy/Multiliteracy as a measurement.</p> <p>We believe that the inclusion of this metric will further support students who are emerging bilingual/multilingual learners, and efforts to elevate dual language programs, heritage language retention, and Indigenous language revitalization.</p>

Proposed Language (dated 12/4/2025)	Our Position and Feedback
<p>5th Grade Science Achievement</p> <p>Measurement: The indexed measure of student achievement in Science for fifth grade students using the Oregon Statewide Assessment System.</p>	<p>Recommendation: Given that this metric focuses on testing one grade (fifth grade) and one subject area (science), we believe that it will be important for ODE to monitor whether districts select this metric as one of their local metrics, and consider how this metric shapes conversations and work around continuous improvement and support. Monitoring whether, and how this metric is utilized over time would be helpful in determining how it may shift in the future.</p> <p>Additionally, as part of our longer-term work together, it will be important for the State to consider:</p> <ul style="list-style-type: none"> • ODE's current capacity and ability to support districts with science achievement; • Districts' and public charter schools' ability to access and afford high-quality curriculum and instructional materials in science; and • Continuity, support, and funding to provide a full year of instruction in science from year to year.
<p>Post-Secondary Readiness</p> <p>Measurement: The composite of students earning dual credit and Advanced Placement and International Baccalaureate completion.</p>	<p>Support: We strongly support this postsecondary readiness metric, and support the change of "and" to "or" in the measurement so that any combination of programs (Dual Credit, Advanced Placement, or International Baccalaureate) can be considered.</p> <p>We believe that the shift is important so that districts and public charter schools can focus on access, participation, and completion of these important programs that help prepare students for post-secondary success.</p>
<p>Career and Workforce Readiness</p> <p>Measurement: The composite total of CTE Participants and CTE Concentrators.</p>	<p>Support: We strongly support this career and workforce readiness metric, as well as the composite measurement to include both CTE participants and concentrators.</p> <p>We believe that including both measures as part of the composite will help support increasing access, participation, and completion in these programs, and further elevate workforce preparation and readiness.</p>

Differentiated Metrics

SB 141 requires the State Board of Education to adopt differentiated metrics for Education Service Districts, Approved Recovery Schools, Youth Corrections and Juvenile Detention Education Programs, Oregon School for the Deaf, and Long Term Care and Treatment Programs.

Proposed Language (dated 12/4/2025)	Our Position and Feedback
Definition of ESDs	<p>Support: We strongly support this definition of Education Service Districts (ESDs) that have enrolled students for specialized services. We appreciate how the definition has evolved to incorporate feedback from ESD leaders and staff across the state. This proposed definition accurately captures the breadth of services and programs ESDs provide for students, while also outlining clear parameters and areas of focus.</p> <p>Definition of ESDs for reference: “Education Service District that has enrolled students in any grade from kindergarten through grade 12 for specialized services” means an Education Service District-operated program or school providing core instruction and supports for students whose needs cannot be met within their resident district. These programs include, but are not limited to, care programs for medically fragile students, life skills programs, functional living skills programs, social-emotional programs, autism-specific programs, and independent schools operated by an Education Service District. This definition excludes approved recovery schools, the Youth Corrections Education Program, the Juvenile Detention Education Program, Oregon School for the Deaf, and day treatment programs as described in ORS 343.961.</p>
Differentiated Metrics for ESDs	<p>Support: We support the evolution of the differentiated metrics section for ESDs. ESDs serve students and youth with significant needs that require highly individualized and tailored educational services, which necessitates a differentiated approach for ESDs. The criteria outlined in this section will allow for the selection of meaningful metrics that reflect the diverse range of needs among students served by each ESD across rural, suburban, and urban communities.</p> <p>Differentiated metrics for ESDs for reference: For Education Service Districts that have enrolled students in any grade kindergarten through grade 12 for specialized services. (A) Up to five metrics developed with the Oregon Department of Education (ODE) that meet the following:</p> <ul style="list-style-type: none"> (i) Be a measure of student performance outcomes; (ii) Have at least two years of historic data with at least 10 students per year; (iii) Be disaggregated by focal student groups; (iv) Continue data collection using consistent definitions for the duration of the Performance Growth Target span; (v) Provide aggregate data for the metric to ODE in annual reporting; and (vi) Make available student level data to ODE when requested.



As you adopt these rules, and further support the implementation of SB 141, we want to continue to underscore how continuous improvement work should be focused on sustainable change which takes time and involves collective effort; is context specific; and requires constant adaptation, data collection, and learning.

Please continue to count on our organizations as partners in this work. This work cannot be done in silos or isolation, and we look forward to continuing our partnership together at the state, regional, and local levels to ensure the success of each and every student in Oregon.

Thank you again for your unwavering leadership, service, and dedication to Oregon students.