



HB 4150

Fixing the Proficiency Education Confusion

The Problem

- **HB 2220's intent has been misinterpreted.**

HB 2220, passed in 2011, is a bill that intended to provide students and families a more accurate picture of a student's progress in meeting Oregon's academic content standards. That purpose was reinterpreted in ways that have caused confusion and problems.

- **There appear to be three elements of confusion:**

1. Whether the annual performance report should reflect progress in both content knowledge and behaviors or progress toward attaining content knowledge only;
2. Whether the legislation is intended to change a school district's grading system, or just add another report on top of that system (basically, a confusion over the words "report" and "grades");
3. Whether HB 2220 mandates proficiency education in all school districts.

- **These misunderstandings have led to significant problems that burden districts, teachers, and students:**

- ✓ Data system capacity issues:

The implementation of HB 2220 occurred just as a widely used data tracking software, ESIS, was discontinued. School districts serving fully two-thirds of Oregon's public school students migrated to a new system, Synergy. This system, like others around the state, was not designed for reporting a student's progress in meeting standards as prescribed in HB 2220.

- ✓ Implementation problems:

Our members from across the state have reported issues ranging from insufficient time, lack of training, too many data points per student (some teachers are being asked to track 3,000 different data points), and lack of teacher participation in creating a workable reporting system – problems that have seriously undermined the system. Educator engagement and sufficient planning and implementation time have been critically missing links.

- ✓ Problematic Language:

The bill as enacted mandates that districts annually report progress toward standards "*at the student's current grade level*" [Section 1 (5)(a)(A)]. In some middle schools and all high schools, students may enroll in coursework that is content-based, not grade-level-based, and this requirement does not align with that fact. One student may, for instance, take a chemistry class as a freshman, and another classmate may take it in her junior year. Proficiency in chemistry is not a grade-level matter.

The Solution

To be clear, OEA supports Oregon's focus on a standards-based teaching and learning system. Our members' concerns should be seen in the context of that support. In order to move forward in a way that is helpful to Oregon's students, however, several critical conditions for developing, strengthening and sustaining that system must be in place. Further, clarity on the intent and extent of the bill needs to be sharpened, to give better direction to districts and educators as we move forward.

HB 4150, a bipartisan and bicameral bill to remedy these issues, includes the following elements:

- Clarifies the difference between all students' "mastery" of knowledge and skills and proficiency education students' "proficiency" acquisition.
- Defines "proficiency education" (consistent with the Oregon Department of Education's definition) and "proficiency grading".
- Clarifies HB 2220's original intent -- that proficiency education is an OPTION for districts, not a MANDATE.
- Ensures that once a year, parents and students are given some sort of communication to indicate a student's progress toward meeting the standards.
- Clarifies that "student behaviors", defined by the school district, may be included in this progress communication.
- The communication need not be a formal report but should clearly show whether the student is on track with respect to grade level or course content standards.
- Direct districts to consult an advisory committee, composed of educators, administrators, and other education personnel of the district, to collaborate on implementation issues when districts either have or wish to implement either a proficiency education or a proficiency grading system. The district may use an existing committee or create a new one for this purpose.
- Clarifies that districts with such programs in place are allowed to proceed with those chosen systems, but must include the advisory committee to troubleshoot issues as they arise.
- The bill takes effect upon passage.

There are eight sponsors from the House and Senate on this bill -- four Ds and four Rs. Chief sponsor Peter Buckley was the initiator of HB 2220 and fully supports this clarification legislation. We have also collaborated with the Oregon Department of Education and education stakeholders on the substance of the bill.

Two friendly amendments to the introduced bill were added by the House Education Committee. One ensures that students on individualized education plans (IEPs) may use accommodations to achieve proficiency as well as other alternatives to achieve credit for obtaining a high school diploma. It also directs the Department of Education to evaluate whether proficiency requirements impact graduation rates and access to financial aid for post-secondary study. The second amendment directs the Department of Education to negotiate with the U.S. Education Department to determine the appropriate use of Oregon's new statewide assessment, "SBAC" and to advise the legislature on the full cost of statewide implementation and appropriate use of the instrument.

THANK YOU FOR YOUR SUPPORT FOR THIS LEGISLATION.