

From: MAYER Mark * ODE
To: Todd Robson; Susan Rieke
Cc: VASQUEZ Kay * ODE; ALLEN Angela M * ODE; NAZAROV Emily * ODE; GUISE Stacey * ODE
Subject: Corrective Action Plan for Case #2023-12
Date: Tuesday, June 13, 2023 8:04:00 AM

Superintendent Rieke Smith, REDACTED:

Attached is the corrective action plan proposed by Tigard-Tualatin School District for purposes of resolving Case #2023-12.

In consideration of the alleged deficiencies in this case, the Oregon Department of Education approves the proposed corrective action plan and is **closing case #2023-12** pursuant to OAR 581-002-0023(2)(a)(B). The department will continue to exercise regulatory oversight over the implementation of the corrective action plan pursuant to ORS 327.103. If the corrective action plan remains unfilled by the beginning of the 2024-2025 school year, Tigard-Tualatin School District may be subject to the withholding of State School Funds.

At this time, the department acknowledges that the corrective action plan does not fully address all of REDACTED (Complainant's) concerns. Complainant has articulated a desire for the corrective action plan to incorporate (1) more district accountability, (2) guarantees that TAG service will be provided to her daughter for four years (as opposed to the one year specified in the plan); and (3) a streamlined process for reporting future violations to the department.

The plan does require the creation of a process for the facilitation of future communications between the department and Complainant's daughter's teachers. The department recognizes that that may not be to the satisfaction of Complainant, given the lengthy processes that Complainant had to undergo in filing a complaint with the school district, appealing that complaint to the department, and reaching resolution. But the department is limited in its legal authority in what it can order Tigard-Tualatin School District to do, and formulating a process through which the department and district teachers can communicate about the provision of TAG services, both generally and specifically to Complainant's daughter, is an appropriate exercise of the that authority.

Furthermore, the corrective action plan proposed by the district exceeds the corrective action that the department would have ordered if the department had found the district deficient following an investigation. In the department's view, the corrective action plan proposed by the district is both fitting with respect to the alleged deficiencies and forward looking with respect to resolving future deficiencies before they become a point of contention.

To the extent possible, the department intends to provide Tigard-Tualatin School District with any technical assistance that is necessary for the district to fully and successfully implement the district's TAG plan, which as a policy appropriately incorporates both required legal elements and many TAG service best practices. The department intends to do so even beyond that which is required by the attached corrective action plan. The department acknowledges that this may be a process that requires multiple years. If the district systematically fails in its efforts to implement its plan, the district's complaint and department's appeals processes remain an option for Complainant or any

other parent whose child is not receiving appropriate TAG services.

That said, the department commends all parties on reaching early resolution instead of undergoing a lengthy, district-wide investigation that likely would take longer than a year to resolve. Whenever there are future issues with the provision of TAG services, the department encourages the district to continue to reach out to the department, as soon as practicable, to ensure that they are in compliance.

Again, I want to thank both Tigard-Tualatin School District and Complainant for reaching early resolution.



Mark Mayer he / him / his
(971) 208 - 0446

Complaint and Appeals Specialist Department of Education | Director's Office

Date: June 9, 2023

To: Mark Mayer, Complaint and Appeals Specialist, ODE

From: Todd Robson, Director of Teaching and Learning, Tigard-Tualatin School District

Re: Corrective Action Plan

Following the May 22, 2023 meeting with ODE Complaint and Appeals Specialist Mark Mayer, Angela Allen, ODE Talented and Gifted Education Specialist, Standards and Instructional Support and, parents of REDACTED, the Tigard-Tualatin School District proposed corrective action plan addresses items discussed collaboratively related to concerns expressed in the complaint.

1) Tigard-Tualatin School District shall schedule and hold a training for Tualatin High School on the requirements of OAR 581-022-2325, 581-022-2330, and 581-022- 2500 during, or as practicably soon after, the district's 2023 scheduled pre-service workdays, but in any event the training will occur no later than October 15, 2023. The training will be provided by the Oregon Department of Education in partnership with the District in a format that both parties agree upon. The training will include an explanation of how the district's Talented and Gifted Education Plan implements the requirements of OAR 581-022-2325, 581-022-2330, and 581-022- 2500.

2) Tigard-Tualatin School District shall schedule and hold a training for Fowler, Hazelbrook and Twality middle schools on the requirements of OAR 581-022-2325, 581-022-2330, and 581-022- 2500 during, or as practicably soon after, the district's 2023 scheduled pre-service workdays, but in any event the training will occur no later than October 15, 2023. The training will be provided by the Oregon Department of Education in partnership with the District in a format that both parties agree upon. The training will include an explanation of how the district's Talented and Gifted Education Plan implements the requirements of OAR 581-022-2325, 581-022-2330, and 581-022- 2500.

3) Prior to, or as practicably soon after, Tualatin High School's scheduled first day of classes, Tigard-Tualatin School District shall,

- a. facilitate an initial meeting between the Oregon Department of Education and REDACTED's teachers for the classes that REDACTED is scheduled to take during the fall semester. At the meeting, the department will provide the teachers with any technical assistance regarding the correct implementation of, and answer any questions about, the requirements of OAR 581-022-2325, 581-022-2330, and 581-022- 2500, including information and questions about how the district's Talented and Gifted Education Plan implements those rules. The meeting will occur no later than October 15, 2023.
- b. establish a method during the meeting, in partnership with the department and Tualatin High School, for the purpose of facilitating future communications between the department and REDACTED's teachers.

4) Tigard-Tualatin School District shall schedule with the Oregon Department of Education not less than two days during the 2023 -2024 school year on which the department will observe district classes for the

purpose of the department providing the district with technical assistance regarding the correct implementation of, and answering any questions about, the requirements of OAR 581-022-2325, 581-022-2330, and 581-022- 2500, including information and questions about how the district's Talented and Gifted Education Plan implements those rules. Observations by and with the department will 1) include a pre-conference with school administration, 2) include a Differentiated Instructional Practices for Assessed Rate and Level Classroom Observation Tool, that teachers will have access to in advance, which is prescribed and supported by the department via training, 3) include objective, non-judgmental observation data to be collected using a Differentiated Instructional Practices for Assessed Rate and Level Classroom Observation Tool. 4) include feedback from the department provided to the district, building administration and teachers in a scheduled debrief following the observation(s).

5) Tigard-Tualatin School District shall schedule with one or both of REDACTED's parents not less than two days during the 2023 -2024 school year on which the parent or parents will meet with a district staff member at Tualatin High School who has been designated by the district to oversee the implementation of the district's Talented and Gifted Education Plan at the high school.