

The Department modified its findings and conclusions concerning the district's identification policies to make it clear that most of the district's identification policies and procedures meet standards, except for certain policies applicable to students who are English language learners.

The district provided the Department with copies of additional materials that it sends to parents as evidence that the district is in compliance with policies concerning the rights of parents of TAG students. The Department considered these materials which it had not reviewed at the time of the investigation. The final order acknowledges that these new materials bring the district into partial compliance with its obligations to inform parents of their rights concerning TAG. In other respects, the district is not fully meeting the requirements of the rules, and additional corrective action is required.

The district commented that the Department's surveys were not based on a truly representative sample of parents and students. The district also objected that some of the department's conclusions are based on teacher, student and parent responses that are non-evaluative and non-quantifiable. The Department's conclusions are based on information from a range of sources and not on a single factor or measure. The Department conducted surveys, reviewed district records, interviewed teachers, students and parents, observed classes and lesson plans and reviewed the district's own findings concerning the TAG instructional program at Sabin Elementary School. In developing its methodology for the investigation, the Department consulted with and received input from the district and from the complainants. Based on the totality of this information, the Department concludes that its findings are based on reliable evidence that is derived from a representative cross-section of the district.

The complainants submitted data that seemed to show TAG students at certain middle schools were making larger gains than TAG students in other middle schools. The complainants asserted that these disparities were due to a lack of specialized TAG programs at certain schools. TAG statutes and administrative rules do not prescribe a specific method of providing differentiated instruction. Districts are required to meet minimum standards but are not required to use specific programs of instruction that may or may not constitute best practices for providing TAG instruction.

The complainants also urged the Department to impose more stringent requirements in the corrective action plan. Although the district has not yet submitted its plan, the final order contains adequate directives to ensure that the district will develop a plan to bring itself into compliance with TAG statutes and rules.

Investigation Methodology

The Department's investigation and compliance review focused on the following issues:

1. Whether the district is identifying TAG students at all grade levels in both academic and intellectual areas in compliance with OAR 581-022-1310.

2. Whether the district is making efforts to identify students from ethnic minorities, students with disabilities, and students who are culturally different or economically disadvantaged in compliance with OAR 581-022-1310(1).
3. Whether the District is complying with OAR 581-022-1320 by: (a) at the time of identification, informing parents of the programs and services available; (b) providing an opportunity for parents to provide input to and discuss with the district the programs and services received by their children; (c) notifying parents of their right to request the withdrawal of their children from TAG services; and (d) informing parents of their right to file a complaint under OAR 581-022-1940.
4. Whether the district is assessing each TAG student's advanced level of learning and accelerated rate of learning and providing instruction that addresses the rate and level identified in the assessments in compliance with OAR 581-022-1330.

In carrying out its investigation, the Department reviewed data and records submitted by the district, conducted surveys, held meetings with district staff and parents, observed classes and conducted interviews with parents, students, teachers and administrators. Andrea Morgan, Education Specialist and ODE TAG Specialist, led the review with the assistance of Education Specialist Roberta Hutton. Colleen Mileham, Director, Office of Educational Improvement and Innovation, and Russ Sweet, Education Specialist, also assisted with the data collection at a series of parent meetings held in the district.

Surveyed Schools and Selection Process

In developing its investigation process, the Department invited suggestions from the district, the complainants and other interested parties. Department staff developed a list of representative schools for on-site visits, classroom observations, and teacher surveys. A high school and middle school was selected from each of the 9 "clusters."¹ The list also included schools with high percentages and low percentages of TAG-identified students and a number of schools with special TAG programs. In addition, the Department selected schools whose student bodies—considered together—reflected the range of socio-economic and ethnic diversity evident in the district's student population. The final list identified 33 schools for surveys, visits and data collection. There are 97 schools in the district.

¹ The District has divided its schools into geographic clusters. Each cluster contains a high school, at least one middle school and elementary schools.

Data Collected:

- Review of all PPS TAG data submitted to ODE in the Spring Membership data collection for the 2005-06 and the 2006-07 school years
- 87 school administrator surveys
- 110 Written parent surveys
- 112 On-line parent surveys
- 481 Written teacher surveys
- 231 Written student surveys (elementary and middle school students who attended the parent meetings, and high school students)
- 10 Parent-discussion meetings at the following schools:
 - April 16, Beaumont Middle School (Grant Cluster)
 - April 18, Cleveland High School (Cleveland Cluster)
 - April 25, Wilson High School (Wilson Cluster)
 - May 2, Lincoln High School (Lincoln Cluster)
 - May 3, George Middle School (Roosevelt Cluster)
 - May 9, Marshall High School (Marshall Cluster)
 - May 10, Tubman Middle School (Jefferson Cluster)
 - May 15, Gregory Heights Middle School (Madison Cluster)
 - May 16, Mt. Tabor Middle School (Franklin Cluster)
 - May 17, Blanchard Center
- 33 School and classroom visits at the following schools:
 - April 16 da Vinci and Beaumont Middle Schools
 - April 17, Duniway Elementary and Buckman Elementary
 - April 18, Cleveland High School and Hosford Middle School
 - April 23, Rieke
 - April 25, Wilson High School
 - April 30, Sabin Elementary School, ACCESS, and Irvington, (Cleveland teachers)
 - May 1, Chapman Elementary and West/East Sylvan MS
 - May 2, Metropolitan Learning Center (K-12) and Lincoln High School
 - May 3, Rosa Parks Elementary, Sitton Elementary, and George Middle School
 - May 7: Alameda and Lent and Clark Elementary Schools
 - May 8, King Elementary and Ockley Green Elementary
 - May 9, Marshall complex schools and Lincoln High School (staff survey),
 - May 10, Beach Elementary and Tubman Middle School
 - May 14, Richmond
 - May 15, Rigler Elementary and Gregory Heights Middle School
 - May 16, Glencoe Elementary and Mt. Tabor Middle School
- District leadership meeting, May 22
- District TAG staff meeting, May 22
- Records and data developed from a recent Department review of the ACCESS program at Sabin Elementary School.

During school visits, ODE staff observed classroom instruction and reviewed student TAG files and teacher lesson plans. Interviews were conducted with 107 teachers and administrators and 125 students.

ODE staff has analyzed the data generated by the investigation and review and published a "TAG Compliance Review Survey Analysis Results." A copy of this document is enclosed with this Order as Appendix A.

ODE staff also prepared a table and statistical analysis titled "TAG Data/Poverty and Ethnicity." A copy of this document is enclosed with this Order as Appendix B.

FINDINGS OF FACT

Overview of Portland Public Schools' TAG Program

1. Portland Public School publishes a TAG Guide that describes the program's operation, policies and procedures and contains information about the school calendar, bulletin boards, parent communications and staff obligations.

2. The TAG Guide identifies 10 functions of the TAG Program:

- State compliance;
- Administrator and teacher support of the gifted mandate;
- Student and parent support of the gifted mandate;
- Nomination and identification of gifted students;
- Early entry into kindergarten; early entry into first grade;
- Grade acceleration;
- Credit by examination and world language testing;
- High school credit pre-ninth grade;
- Advanced Placement testing and support; and
- Support to the ACCESS alternative program.

3. According to the PPS TAG Guide, the district's TAG support staff is organized by clusters and schools.² Amy Welch serves as the Administrator of the PPS TAG Program. She also provides high school support and coordinates the early entry into Kindergarten and first grade activities. The TAG program also has four "Teachers on Special Assignment" (TOSAs). TAG staff members and responsibilities are identified below:

² The findings in this order reflect information received in the spring of 2007. The organizational makeup of the TAG staff is changing for the 2007-08 school year.

TAG Staff	Grade level	Responsibilities
Amy Welch	PPS District Program Administrator	District program over-sight High School Support Early entry into Kindergarten Early Entry into First Grade Grade Acceleration High Schools: Benson HS, Lincoln HS, MLC (9-12), Wilson
Roxanne Coleman	Elementary School TOSA	Testing coordinator Elementary literacy TAG Advisory Council Cleveland Cluster Franklin Cluster Marshall Cluster Wilson Cluster
Christine Reeder	Elementary School TOSA	Student testing Spelldown Competition Grant Cluster Cleveland Cluster Lincoln Cluster Madison Cluster Marshall Cluster Roosevelt Cluster Wilson Cluster
Pam Sesar	Elementary and Middle School TOSA	PPS TAG web page National Spelling Bee MS Language Arts MS Science/Math Jefferson Cluster
Kara Mortimer	High School TOSA	Academic All-Stars Advanced Placement HS Community Service HS English/Social Studies HS Math/Science OMSI Days Secondary Principals' Meetings Sabin & ACCESS High Schools: Cleveland, Franklin, Grant, Jefferson, Madison, Marshall, Roosevelt

4. The TOSAs work with the building TAG coordinators/principals and teachers. TOSAs assist in budget planning, identification procedures, alternative program options, parent meetings, staff development, and instructional planning for individual students. TOSAs also conduct the TAG identification testing for the district schools. The elementary level TOSAs dedicate most of their time to identification activities.