



THE OREGON STATE BOARD OF EDUCATION

Provide leadership and vision for Oregon's Public Schools and districts by enacting equitable policies and promoting educational practices that lead directly to the educational and life success of students.

AGENDA
Special Meeting
Public Service Building 251 A/B
255 Capitol Street NE
Salem, OR 97310
Thursday, November 21, 2019

State Board of Education meetings comply with open meeting laws and accessibility requirements. Requests for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be given to [Lisa Pinheiro](#) at 503-910-8135, at least 48 hours before the meeting. You can access all board materials on our [Boardbook](#) page. Staff respectfully request that you submit email copies of written materials before or after your testimony.

Please note: all times are approximate.

- 1. **Call to Order**
 - A. **Celebration of Student Success**
 - B. **Roll Call**
 - C. **Board Member Reports**
 - D. **Director's Report** **2**
- 2. **Public Comment**
 - A. **Written Public Comment Received:** **7**
- 3. **Informational Reports**
 - A. **Student Success Act Update** **10**
Scott Nine, Office of Education Innovation & Improvement
- 4. **First Readings**
 - A. **Student Investment Account - Third Grade Reading Proficiency Rate** **52**
Scott Nine, Office of Education Innovation & Improvement
 - B. **Student Success Act - Summer School Program Grant for Title I Schools** **57**
Eric Wells, Raquel Gwynn & Meera Kreitzer, Office of Enhancing Student Opportunities
- 5. **Adjourn**



Student Success Act Engagement Around the State

Below are stories we have seen in news outlets around the state about how school districts are engaging with their communities around the Student Success Act.

August

[Beaverton already at work to prep for Student Success Act money](#), Beaverton Valley Times, Aug 21

September

[Eugene School District sets times, locations for input meetings on state funds](#), Register Guard, Sep 5

[LOSD to begin Student Success Act outreach](#), Lake Oswego Review, Sep 12

[Seaside School District: How do you spell 'success'?](#), Seaside Signal, Sep 23

[Community input key for new Oregon school funds](#), KTVZ, Sep 25

[This district has a million questions](#), Walla Walla Union Bulletin, Sep 25

[Roseburg students, families invited to evening community listening sessions](#), KMTR, Sep 27

[School district needs your input](#), Central Oregonian, Sep 30

[IMESD helps districts plan for influx of funding](#), My Columbia Basin, Sep 30

October

[How should districts spend money from Student Success Act?](#), Gresham outlook, Oct 1

[School District seeks community input on new state resources](#), Hood River News, Oct 2

[School district planning how to use Student Success Act funds](#), Molalla Pioneer, Oct 4

[Springfield Public Schools to hold Community input Sessions](#), KEZI, Oct 7

[D21 plans outreach to underserved](#), The Dalles Chronicle, Oct 8

[Springfield Public Schools Presents Student Success Act Plan](#), KEZI, Oct 8

[Springfield Schools looking for public input on how to better education programs](#), KMTR, Oct 8

[North Douglas Schools to hold town halls on how to spend SSA funds](#), KMTR, Oct 9

[S-K leaders seek community input for \\$35M in new state school funding](#), Salem Reporter, Oct 9

[Districts go beyond school meetings to engage their communities](#), OSBA, Oct 17

[School district lending an ear to improve the education experience](#), Central Oregonian, Oct 18

[Student Success Act: Reengagement Program Community Forum](#), Curry Coastal Pilot, Oct 18

[Community provides input on school funding](#), Newberg Graphic, Oct 24

[Portland parents want schools to boost reading proficiency, mental health services, more with new state cash](#), Oregonian, Oct 26

[With more state money on horizon, some push for art in local schools](#), Salem Reporter, Oct 28



November

[Salem-Keizer seeks input to spend new funding](#), Statesman Journal, Nov 2

[Tell Salem-Keizer how you'd spend \\$35 million on local students](#), Salem Reporter, Nov 4

[Parents, teachers want PPS to boost social emotional supports with new state cash](#), Oregonian, Nov 6

[Student Success Act supercharges Measure 98 possibilities](#), OSBA News, Nov 12

[School Districts Ask Community For Input On Spending New State Money](#), OPB, Nov 18

List of Organizations for the Standing Rules Advisory Committee

Adelante Mujeres
APANO
Basic Rights Oregon
Beaverton School District
Capaces Leadership Institute
CAUSA
Central Oregon Disability Support Network
Central Point
Centro Cultural
Centro Cultural de Washington County
Centro Latino Americano
Coalition for Safe Schools and Communities
Coalition of Communities of Color
Colton School District
Commission on Hispanic Affairs in Mental Health
Confederated Tribes of Siletz Indians
Confederated Tribes of the Umatilla Indian Reservation
COSA
COSA Equity Advisory Board
Eastern Oregon University
Early Learning Division
Education Northwest
Educator Advancement Council
ELSA (Early Literacy Success Alliance)
Equity Action Partners
Eugene/Springfield NAACP
EUVALCREE
FACES of America
FACT Oregon
Foundations for a Better Oregon / Chalkboard Project
Guatemala Consulate
Higher Education Coordinating Commission
Hillsboro School District
HIV Alliance
Immigrant Refugee Community Organization (IRCO)
IMPACT NW
In 4 All
Immigrant and Refugee Community Organization (IRCO)
KairosPDX
Latino Network

League of United Latin American Citizens (LULAC) of Lane County - Youth Council
Legislative Policy and Research Office
Legislative Fiscal Office
Mano a Mano
Margot Helphand
MESD
Micronesian Islander Community
Migrant Education Service Center (Willamette ESD but programs all over the state)
Multnomah ESD
Muslim Education Trust
NAACP Corvallis
NAACP Lane County
NAACP Portland
NAACP Salem
NAYA
North Santiam School District
Northwest STEM Hub, NWRES
OEA Center for Great Public Schools
OEA's Committee on Racial Equity/Equity Sparks
Oregon Advocacy Commissions Office
Oregon Afterschool for Kids
Oregon Association of Education Service Districts
Oregon Business & Industry
Oregon Business Council
Oregon Child Development Coalition
Oregon Coalition of Community Charter Schools
Oregon Commission for Women
Oregon Commission on Asian and Pacific Islander Affairs
Oregon Council on Developmental Disabilities
Oregon Education Association
Oregon Health Authority
Oregon Human Develop Coalition (Tigard)
Oregon Legislative Assembly
Oregon PTA
Oregon School Boards Association (OSBA)
Oregon School Employees Association
Oregon State Legislature
Oregon State Treasury
Oregon Student Voice
Oregon Youth Conservation Corps
OregonAsk
OSBA - Members of Color Caucus

PCUN
PFLAG
Planned Parenthood Advocates of Oregon
Portland Public Schools
REAP
RS2 Education Consulting
Salem Keizer Coalition for Equality
Salud Medical Center (Woodburn)
Self Enhancement, Inc.
SMART
South Coast ESD
Southern Oregon University/ OCHA
Stand for Children Oregon
TeachOUT UO
Todos Juntos
TSPC
Unite Oregon
University of Oregon
Virginia Garcia Clinic (Cornelius)
Willamette Education Service District
Worksystems
Youth Development Commission



MEMO

To: Colt Gill, Director, Oregon Department of Education
From: Rachel Gwaltney, VP Policy and Research, National Summer Learning Association
Re: Recommendations on rules for the Student Success Act Summer School Programs for Title I Schools

October 2019

The National Summer Learning Association (NSLA) is incredibly excited about Oregon’s Student Success Act, with a new commitment to funding summer programs for Title I schools. To create a new investment in summer learning for the most vulnerable students represents an important application of education research into practice: that students without support lose vital reading and mathematics skills over the summer months (as well as access to meals and other resources), resulting in long-term impacts on achievement. We also know from the research that summer offers a unique opportunity for learning in ways that are fun and engaging, as well as effective, and to help students move ahead academically, explore their own interests, and make stronger connections with teachers and peers that help them succeed in the following school year.

In reviewing Oregon’s proposed rules for implementation, NSLA recommends including some key practices built from the research on summer learning, and from our 25 years of experience leading a community of schools and districts moving toward a vision of summer learning that is effective, engaging, and sustainable.

1. Require that schools provide the number of hours of direct instruction recommended by research.

The current wording requires schools provide “at least 60 hours of direct academic instruction” by a licensed teacher. Recent research from RAND recommends a minimum of five weeks of daily instruction, lasting at least 3 hour per day (75 hours) to achieve significant outcomes.¹

2. Strengthen inclusion of community partners, and learning activities beyond reading and math remediation.

The current wording includes in the definition of “direct academic instruction” a range of activities that include academics, “civic engagement, service-learning, arts integration, hidden history, community partnerships... physical activity programs...[and p]rograms that build skills in science, technology, engineering, and mathematics (STEM), including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods.” However, the program requirements of 60 hours of direct academic instruction by a licensed teacher may prevent schools from partnering with qualified providers who bring expertise in instructional practices that are compatible with school-based learning, such as libraries, museum educators, and high-quality community-based academic providers. These partners also bring additional private,

¹ <https://www.summerlearning.org/wp-content/uploads/pdf/Voluntary-Summer-Learning-Research-Brief.pdf>



corporate, and local funding to bear, increasing the overall investment in youth and school success. Finally, inclusion of enrichment, physical, and other high-interest programming like arts and STEM are proven to have a positive impact on both social-emotional development² and program attendance, further supporting academic gains. The Department should encourage schools to utilize these types of partners to both support the direct academic instruction, and to extend summer school offerings beyond literacy and math to create a fun, engaging environment that students will be excited to attend.

3. Require inclusion of the federal Summer Food Service Program (SFSP) and the National School Lunch Program (NSLP), and National School Breakfast Program (SBP) through the Seamless Summer Option (SSO).

The current wording requires that schools “provide access to school meal program, if available.” However, research demonstrates that child hunger is a significant issue in the summer months, with schools typically being the most capable and readily available meal providers. In July 2018, only 1 of every 7 Oregon children eligible for federally subsidized school meals participated in the summer lunch programs.³ Additionally, provision of breakfast and lunch is a significant driver of summer program attendance. Federal nutrition funds are available to support these meals through existing school nutrition programs and processes, and these meals should be required wherever schools are providing summer programming.

4. Set a goal for attendance that translates to results.

The current wording requires that schools “Document daily attendance of all participating students.” RAND research illustrates that high attendance is critical for students to achieve academic benefits from programming: *“Students who attended at high rates in summer 2014 outperformed control group students in both math and language arts both in the fall and the following spring. They were also assessed as having stronger social and emotional competencies than the control-group students. The academic boost for these students translates to between 20 and 25 percent of typical annual gains in mathematics and language arts.”*⁴ NSLA recommends that Oregon require participating schools to set a minimum attendance goal of 85%, and help schools implement strategies that boost attendance relevant to each local community.

5. Clarify means of assessing success and allow purchase of assessment tools.

The current wording requires only that “Each year, a grant recipient must submit an evaluation of the summer school program in the manner and form required by the Department.” NSLA recommends that this process allow for evaluation that aligns specifically to locally determined measures of success, includes inputs (such as attendance and instructional hours) that are linked to longer term outcomes, and more closely evaluate academic progress during the summer

² <http://nationathope.org/report-from-the-nation/>

³ <https://frac.org/research/resource-library/hunger-doesnt-take-a-vacation-summer-nutrition-status-report-2019>

⁴ <https://www.summerlearning.org/wp-content/uploads/pdf/Voluntary-Summer-Learning-Research-Brief.pdf>



instructional period. The prohibition against using grant funds for assessment tools may impede schools' ability to accurately measure and track progress (as well as program quality), as many tools are available that focus specifically on summer instruction and in some cases, can connect to school-year data.

6. Provide guidance on combining grant funds with additional Title funds that can be used to support summer learning, enrichment, and professional development.

Our experience with summer funding has shown that very few programs are sustained by a single funding stream. The Every Student Succeeds Act contains several programs that can be combined with Title I funding to support summer school programming, often targeted at the same or overlapping populations of students, including the Migrant Education Program (Title I-C), literacy instruction and teacher quality grants under Title II, and the Student Support and Academic Enrichment programs (Title IV-A).⁵ NSLA recommends that Oregon provide guidance and technical assistance to schools in looking at integrating the new summer grant with these funding streams to add or expand summer programming efficiently.

Thank you for the opportunity to comment. To discuss these recommendations, please contact:

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410-856-1370 x107
rgwaltney@summerlearning.org

⁵ <https://www.wallacefoundation.org/knowledge-center/PublishingImages/Box-1-1-Examples-Federal-Funding-Streams-Through-ESSA-That-Can-Support-Summer-Programs-ch.jpg>



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Implementation Update on the Student Investment Account

Oregon State Board of Education

November 21, 2019



Scott Nine

Oregon Department of Education

Student Success Act (SSA)

Student Success Act: Quick Refresh

Student Success Act (SSA) Fast Facts

**\$2
Billion**

Investment

*New
Programs*

16

Accountability

12

*Expanded &
Enhanced
Programs*



Student Success Act by Division/ODE Office

Early Learning Division

Early Childhood Equity Fund

Preschool Expansion

Relief Nurseries

Healthy Families/Parenting Education

Early Learning Professional Learning and Workforce Development

Youth Development Division

Statewide Youth Reengagement System

Educator Advancement Council

Educator Professional Development (Section 48)

Office of Indian Education

American Indian/Alaska Native Student Success Plan (Expansion)

Student Success Act by Division/ODE Office

Office of the Director

Coordinating SSA Implementation and Communication
Early Indicator and Intervention Systems

Office of Education Innovation and Improvement

Student Investment Account (SIA)

High School Success

SIA Related Areas: (funded by Statewide Education Initiatives Account)

- Funding for Schools Participating in the Intensive Program
- Technical Assistance, including costs incurred for Coaching and Intensive Program
- Education Service District (ESD) Collaboration

Office of Enhancing Student Opportunities

Summer Programs for Title I Schools

Early Intervention/Early Childhood Special Education (ECSE) Expansion

Student Success Act by Division/ODE Office

Office of Equity, Diversity and Inclusion

Statewide School Safety and Prevention System (including Safe and Effective Schools)
African American/Black Student Success Plan (Expansion)
LatinX Student Success Plan
LGBTQ+ Student Success Plan

Office of Finance, Information and Technology

Increased Transparency and Accountability of the Education System
Fiscal Accountability and Training Standards for School District Leaders
Fiscal Transparency, Best Practices, Accountability, and ROI for School Districts
Grant Management System
High Cost Disabilities Fund
ODE Facilities

Office of Research and Data Analysis

Nutrition Programs Expansion

Student Success Act (SSA)

Student Investment Account *Program Overview*



Student Investment Account

Two stated purposes for funds under the **Student Investment Account**:

- 1 Meet students' mental or behavioral health needs:
 - Suicide prevention
 - Coordinated Care Organizations (CCO's)
 - OHP Enrollment
 - Oregon Healthy Teen & Student Wellness Survey
- 2 Reduce academic disparities *and* increase academic achievement
 - Students of color
 - Students with disabilities
 - Emerging Bilingual Students
 - Students navigating poverty, homelessness/houselessness, and foster care
 - Others as determined by the SBE

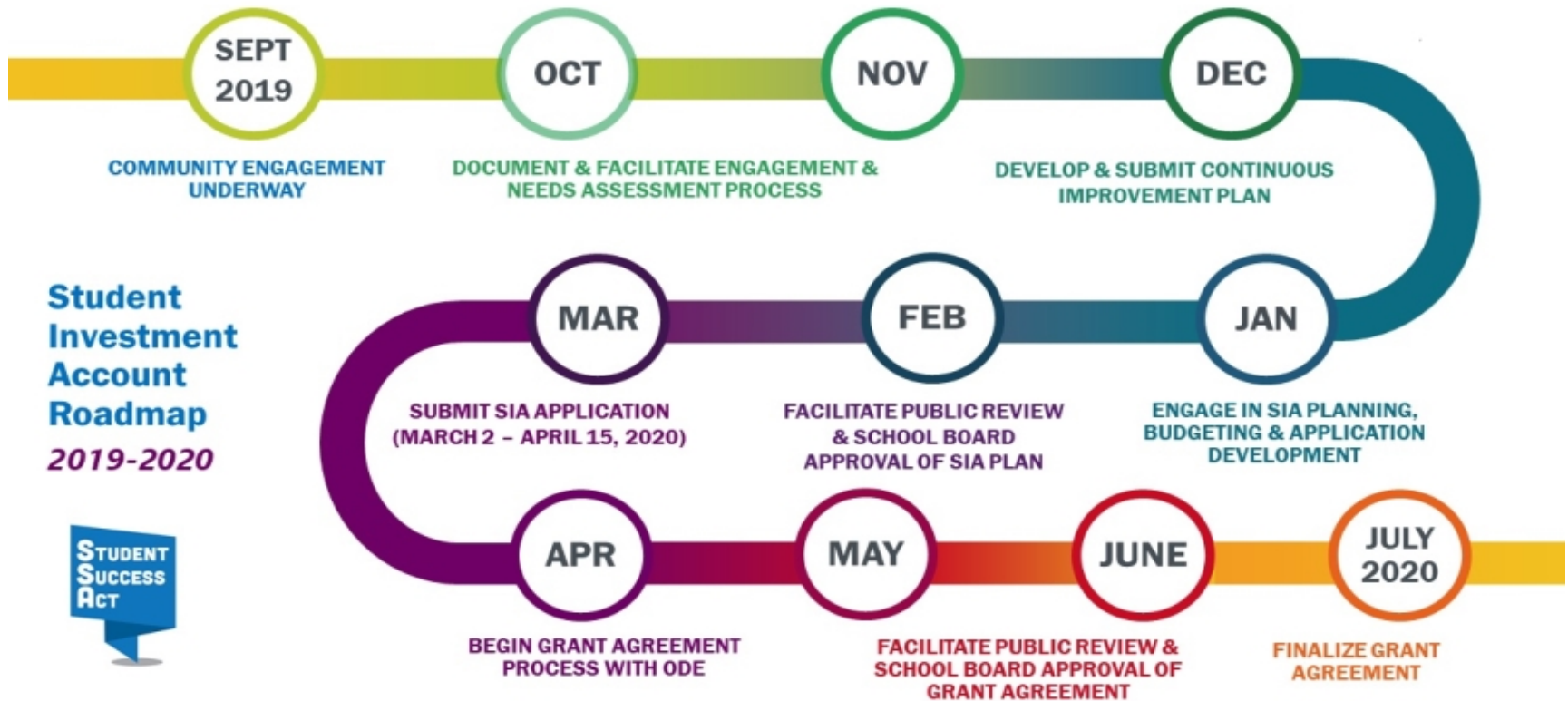
Student Success Act (SSA) ODE Implementation Values

Equity

Education equity is the equitable implementation of policy, practices, procedures, and legislation *that translates into resource allocation, education rigor, and opportunities for historically and currently marginalized youth, students, and families* including civil rights protected classes.

This means the **dismantling and restructuring of systems and institutions** that create a dichotomy of beneficiaries over oppressed & marginalized peoples.

Timeline



Student Investment Account Engagement Toolkit



A Toolkit for Engaging your Community.

Table of Contents

Preface

- Introduction
- A Letter from Colt Gill
- How to Use this Toolkit

Part 1: Learn about the Student Success Act

- About the Student Success Act
 - What is the Student Investment Account (SIA)?
 - Purpose
 - Applying for Funds
 - Charter Schools
- Local Needs Assessments
 - Requirements for engagement and priority areas
- SIA Grants and Allowable Use of Grant Money
- Planning Guide and Key Dates for the 2019-2020 School Year

Part 2: Design a Comprehensive Engagement Strategy

- Meaningful Engagement
 - Principles for Engagement
- Planning for Engagement
 - Clarify your goals
 - Work with partner organizations
 - Consider your audience
 - Meet people where they are
- Let's Get Started!
 - Understand who you serve
 - Consider your audience
 - Convene stakeholders
 - Tools you can use! Flyer, email invitation, social media posts, letter to staff and more!
- Continuing Engagement
 - Analyze your findings
 - Share what you've learned and how it will be used by your district
 - Tips and strategies for ongoing, sustained engagement

Feedback to Inform your District Needs Assessment

and community voice

Putting the Pieces Together in Planning

EQUITY LENS / TOOL

Use an equity lens/tool to inform your planning and decision-making

DATA ANALYSIS

Examine disaggregated data to identify trends in your district, particularly for focal student groups.



LONGITUDINAL PERFORMANCE GROWTH TARGETS*

**Submitted to ODE for review only*

COMMUNITY INPUT

Collect & report on the input from your community engagement.

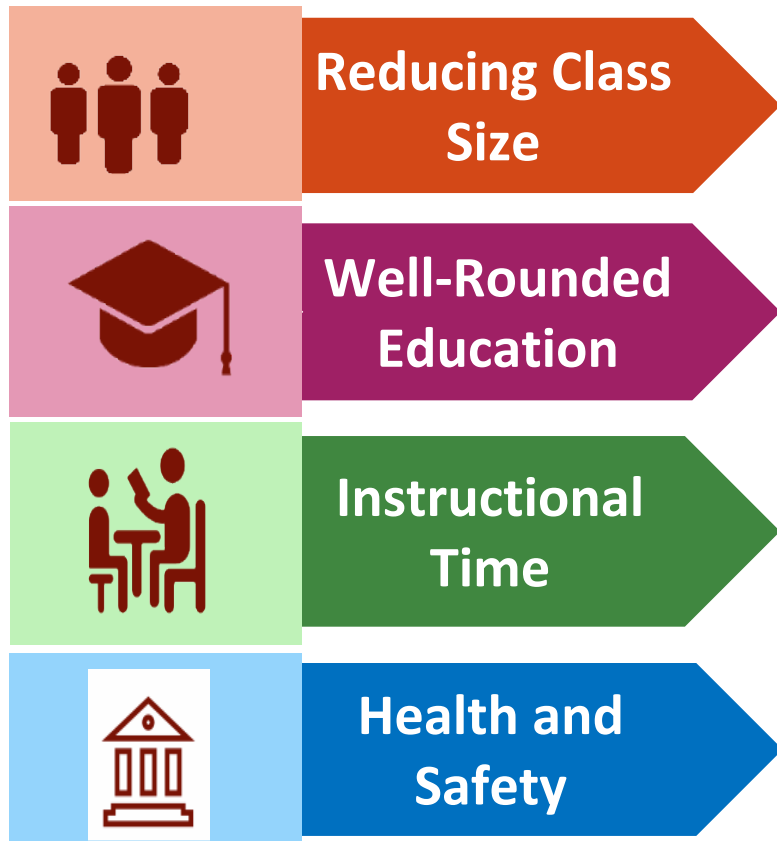


USE OF FUNDS

Allowable uses in one, some or all of the four categories.

Student Investment Account Plan

Allowable Uses



Four Categories for the Student Investment Account

Eligible applicants are required by law to describe in their SIA Plan how the allowed use(s) will be used to meet students' mental and behavioral health needs, increase academic achievement for students and reduce academic disparities.

Meeting Application Requirements

The SIA Application window is **March 2-April 15.**
This is the window to submit, not for approval.

During the review process, if an application does not meet requirements according to the criteria, ODE will return the application, with a request for additional information or work to be done, and offer support for any technical assistance needed to meet application requirements. Ongoing participation by the applicant is expected in order to access the next steps in the application process.

Bottom Line: ODE will work with you until we get it right to meet all the requirements. The only way you lose your non-competitive grant allocation is if you don't submit an application by April 15 or if you don't engage and complete work to meet application requirements that need attention after initial review.

Review Process (In Development)

Application Submission
(March 2 – April 15, 2020)

Application Review & Recommendation Process

Application Meets all Requirements
Applicant moves to collaboratively setting growth targets with ODE

1

ODE Staff Review & Evaluate Application
ODE staff use evaluation criteria to develop presentation summary of application for panel, includes recommendation for next steps.

2

Grant Review Panel
Panel listens to ODE presentation of application; uses protocol for discussion and questions.

3

Decision-Making
Panel uses question protocol and consensus-based decision-making to affirm:

- Meets all requirements (panel affirms and applicant moves forward to growth target setting)
- Meets all requirements with small changes needed (panel affirms and applicant makes requested changes and moves forward to growth target setting)
- Does not meet requirements (consultation with ODE and additional review required)

ODE shall collaborate with the grant recipient to develop applicable longitudinal performance growth targets, based on:

- Data available for longitudinal analysis;
- Guidance established by the department; and
- Use the following applicable metrics for the overall population and disaggregated:
 - On-time graduation rates and five-year completion rates, including:
 - Ninth-grade on-track rates, including:
 - Third-grade reading proficiency rates, including:
 - Regular attendance rates, including:
 - Other local metrics may be used to develop applicable performance growth targets.

When developing performance growth targets, ODE and grant recipient shall:

- Review disaggregated student data;
- Apply a process adopted by ODE for the purpose of strategically developing equitable policies and programs; and
- Identify which student groups (SOC, SWD, EBS, poverty, homeless, and foster youth) are most at risk of not meeting performance growth targets.

Student Investment Account

District Supports

Coaching:

- ODE will establish a coaching program for participants that do not meet the performance growth targets.
- Participation in the coaching program must be for at least one year, unless the department allows for a shorter period of time.
- Coaching will support participants in meeting performance growth targets and shall assist participants with ongoing professional development and peer collaboration.



Student Investment Account

District Supports



Intensive Program:

- ODE will identify and invite school districts to participate in the intensive program.
- ODE shall establish student success teams composed of personnel with expertise in school and school district improvement strategies, including the use of differentiated instruction and inclusionary practices.

Preview of Next Round of Guidance

[Section One: Before You Begin Reading & Pulling the Pieces Together](#)

[Section Two: Grant Application Process & Preview](#)

[Section Three: Evaluation & Review Process](#)

[Section Four: Longitudinal Performance Growth Targets](#)

[Section Five: Finalizing Agreement](#)

[Section Six: Financial Management of SIA Funds](#)

[Section Seven: Financial Audits & Reporting System](#)

[Section Eight: Implementation Supports, Technical Assistance & Capacity-Building](#)

[Section Nine: Coaching Program](#)

[Section Ten: Intensive Program](#)

[Section Eleven: Role of Education Service Districts](#)

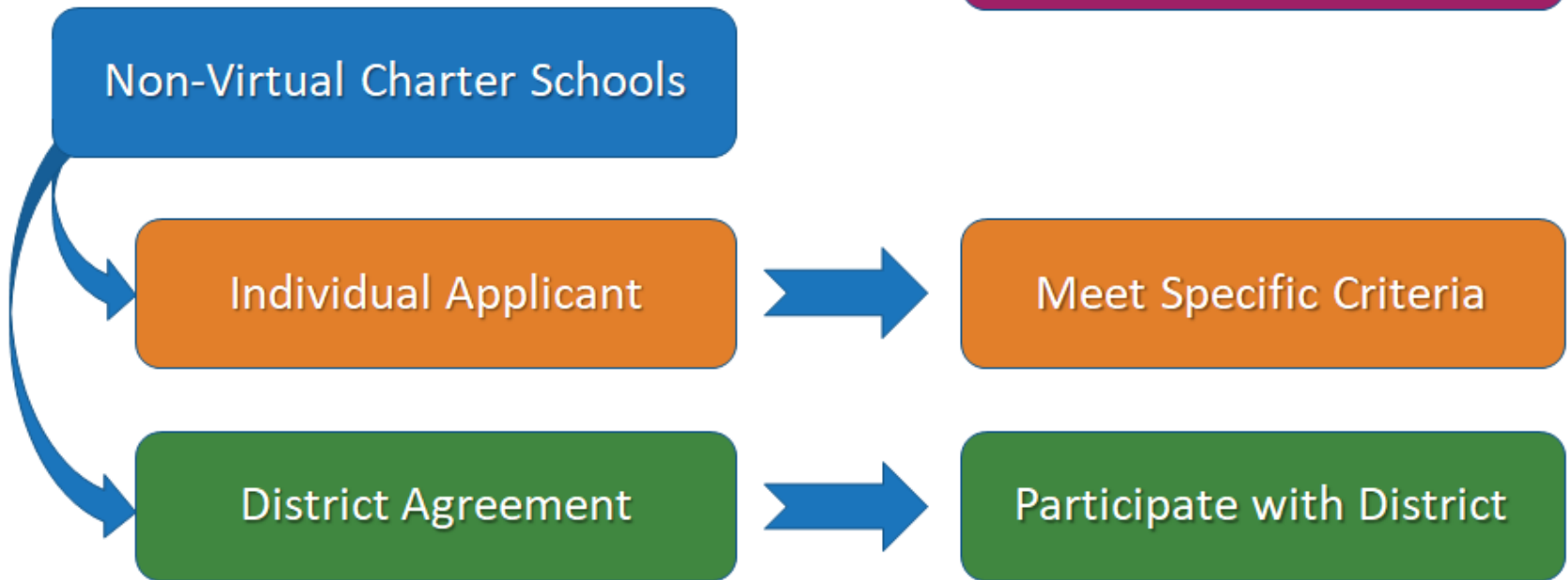
[Section Twelve: References](#)

Frequently Asked Questions

Charter Schools & SIA Grants

Charter School Eligibility:

Virtual Charter Schools are
NOT eligible



The lists of which charter schools are virtual and eligible to apply directly on our [charter school webpage](#).

Charter Schools & SIA Grants

Individual Applicant

Public charter schools that meet the criteria to apply directly to ODE for SIA grants must provide notice to their district and the Department.

They will apply for SIA grant funds individually and will be responsible to meet all requirements of the grant independent of the district.

All ADMw attributed to the charter school will be the charter school's grant allocation and removed from the district's allocation.

Charter Schools & SIA Grants

District Agreement

Non-virtual public charter schools not eligible to apply individually may be invited by the district to participate in the district's SIA grant application.

The district and the charter school must negotiate an agreement like a subgrant agreement regarding funds, services, and accountability.

All ADMw attributed to the charter school will be included with district's allocation. We encourage districts to pass through 100% of the grant to the charter school since this is not SSF.

District Agreement

The SIA subgrant agreement between district & charter should address the following:

1. Distribution of funds
2. Exchange of services
3. Performance targets
4. Financial records and reporting
5. Other accountability requirements

CIP/SIA Crossover

How exactly do the CIP and the Student Investment Account interact with each other? How is the SIA application process connected to the CIP?

Allocation Estimates

Headline: Official estimates are still not out from ODE and are now expected by the first week of December.

Details: There is quite a bit of complexity to setting strong official estimates given the ways charter eligibility impacts calculations and attending to a completely new revenue source. Estimating between \$600 and \$650 per ADMw (double weight for poverty) is how you may see some districts naming estimates in meetings or local news.

Tiered Planning Options

Eligible applicants will be able and are encouraged to submit up to 3 plans detailing how they intend to spend SIA funds in their applications. These plans must meet the requirements set out in House Bill 3427.

The purpose and intent of offering this multi-plan option for applicants is to proactively anticipate and plan for necessary modifications to spending plans as a result of workforce shortage, or other scenarios where their first plans and priorities require adjustment.

Account Fund Management

While accounting for these funds will follow standard protocols as described in the Program Budget Accounting Manual (PBAM) it is necessary and important to separately account for the funds. Similar to the High School Success program (Measure 98) the spending and accounting of these grant funds have a high degree of interest for the general public, legislature and media.

Allowance for Indirect Costs

Headline: Some allowance for indirect costs will be permitted for SIA Funds.

Details: Agency discussion is about the best methods for determining a cap on this with options ranging from a) using district's federal indirect rates, b) a flat 3% or 5% cap, or c) a tiered model based on size of SIA allocation.

Determinations may be made through rule-making and will also be reflected within final IGAs.

Update on Community Engaged Rulemaking

Student Success Act (SSA) Agenda Review

9:30 am

Welcome, Introductions and Agenda Review

9:50 am

**Acknowledgments & Grounding
Establishing Meeting Protocols**

10:00 am

**Rulemaking 101 and Role of the Standing
Committee**

10:30 am

First Discussion:

What brings you to this room?
Sharing intentions or questions

10:50 am

BREAK (10 min)

11:00 am

Student Success Act Overview

General SSA Overview

Student Investment Account

Early Indicator and Intervention Systems

Summer School Program for Title I Schools

School Nutrition Expansion

Noon Working Lunch

Table discussions and identification of
questions

12:45 pm

**Focused Discussion on SIA Rule Concepts and
Implementation**

General discussion, questions, and input

Temporary Rules that Move to Permanent

Student Definitions

Third-grade Reading Proficiency

Intensive Student Success Coaching Program

Student Success Act (SSA) Agenda Review

1:45 pm BREAK (15 min)

2:00 pm

**Focused Discussion on Summer School Program
for Title I Schools**

General discussion, questions, and input
Rule Concepts

2:30 pm

**Focused Discussion on Early Indicator and
Intervention Systems**

General discussion, questions, and input
Rule Concepts

3:00 pm

**Focused Discussion on School Nutrition
Expansion**

General discussion, questions, and input
Rule Concepts

3:30 pm

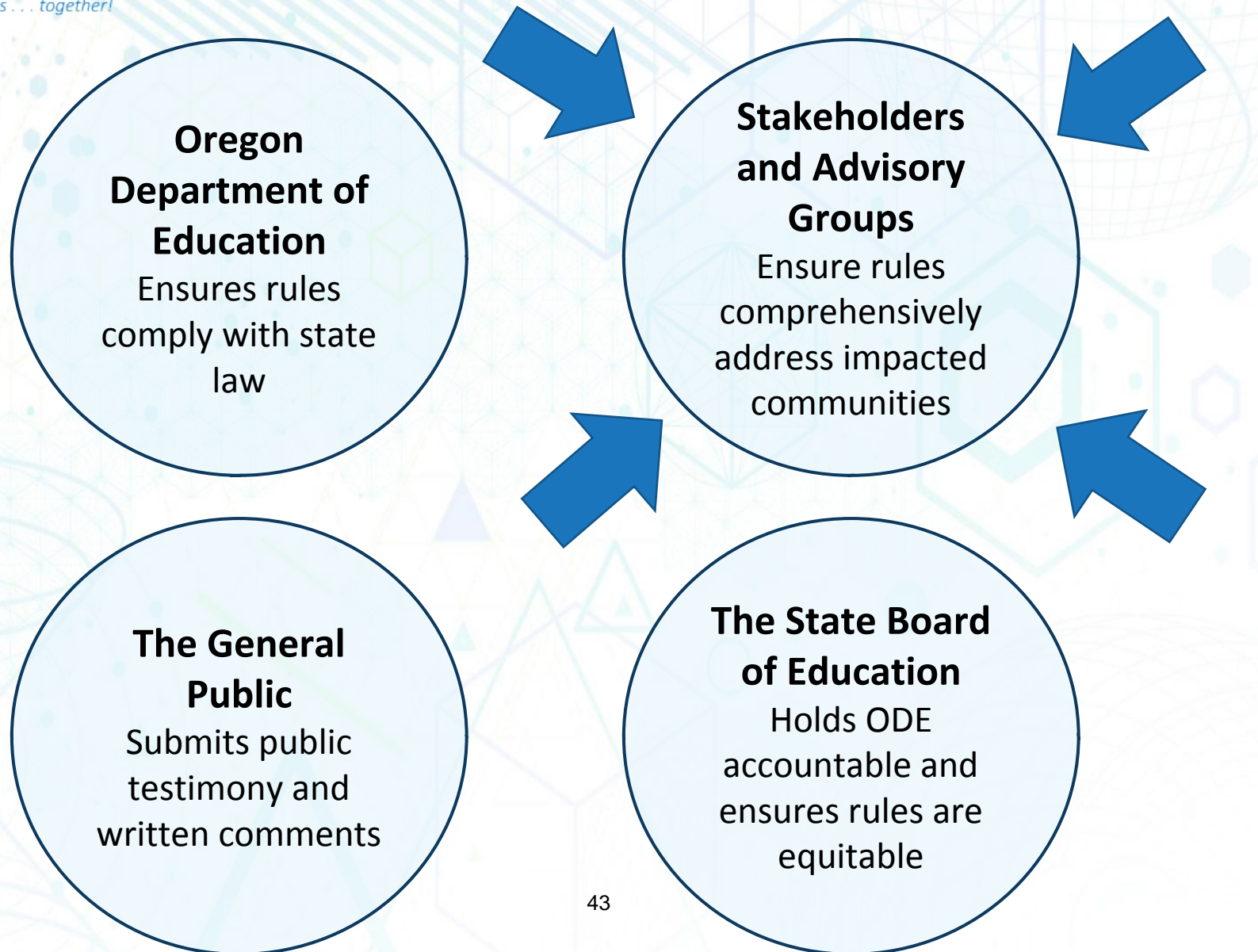
Review, Preview, and Closing Inputs

Summary of what we discussed today
Preview of the meeting next week
Final call for broad inputs before more specific
rules are drafted for next week

4:00 pm

Adjourn

Who Influences Administrative Rules?



SSA Standing Rules Advisory Committee – Schedule and Topics

Nov. 20:

Rule Concepts

School Nutrition Expansion
Statewide School Safety and Prevention
System/Safe and Inclusive Schools
SIA Distribution (Currently Temp Rule)
SIA Definitions (Currently Temp Rule)

Proposed Rules

SIA- Third-Grade Reading Proficiency Rate
Summer School Program – Title I Schools

Guidance

SIA Application Process and Performance Target
Setting

Jan. 9:

Rule Drafts

School Nutrition Expansion
Statewide School Safety and Prevention
System/Safe and Inclusive Schools
SIA Distribution (Currently Temp Rule)
SIA Definitions (Currently Temp Rule)
Early Indicator and Intervention System

SSA Standing Rules Advisory Committee – Schedule and Topics

Feb. 13:

Rule Concepts

LatinX Student Success Plan

AI/AN Student Success Plan

Guidance/Rule Concepts (if needed)

Possible Approaches to Monitoring Student Health and Wellness

March 5:

Rule Concepts

SIA grants - Establish appeals process for financial audits

SIA grants - Establish requirements for district performance review

SIA grants - Establish process for ODE audits on a random basis or based on just cause

SIA grants - Intensive Program Distribution

Rule Drafts

LatinX Student Success Plan

AI/AN Student Success Plan

Guidance/Rule Drafts (if needed)

Possible Approaches to Monitoring Student Health and Wellness

SSA Standing Rules Advisory Committee – Schedule and Topics

We plan to keep the topics as scheduled, but may need to change if rulemaking or other processes require us to add, move or remove topic items.

April 9:

Rule Concepts

SIA grants - Establish appeals process for financial audits

SIA grants - Establish requirements for district performance review

SIA grants - Establish process for ODE audits on a random basis or based on just cause

SIA grants - Intensive Program Distribution

May 7:

Rule Drafts

SIA grants - Establish appeals process for financial audits

SIA grants - Establish requirements for district performance review

SIA grants - Establish process for ODE audits on a random basis or based on just cause

SIA grants - Intensive Program Distribution

June 11: (If needed)

Topics - TBD

SSA Rulemaking Timeline – SBE Adoption Schedule

- **October SBE Meeting**
 - SIA Definitions (temp)
 - SIA Distribution (temp)
- **December SBE Meeting**
 - Third Grade Reading Proficiency Rate
- **January SBE Meeting**
 - Summer Program – Title I Schools
- **March SBE Meeting**
 - School Safety and Prevention System
 - School Nutrition Programs
 - SIA Definitions
 - SIA Distribution
 - Early Indicator and Intervention System
- **May SBE Meeting**
 - AI/AN Student Success Plan
 - LatinX Student Success Plan
- **June SBE meeting**
 - SIA Grants – appeals process for financial audits
 - SIA Grants – requirements for district performance reviews
 - SIA Grants – process for ODE audits of school districts
 - SIA – Intensive Program – distribution of Funds



OREGON
DEPARTMENT OF
EDUCATION

Oregon achieves . . . together!

Let's Get it Right...

Right Place + Right Time = Right Action?

580,690 Students

More than 40 languages



197 Districts

1,334 Schools

127 Charter Schools

19 Education Service Districts

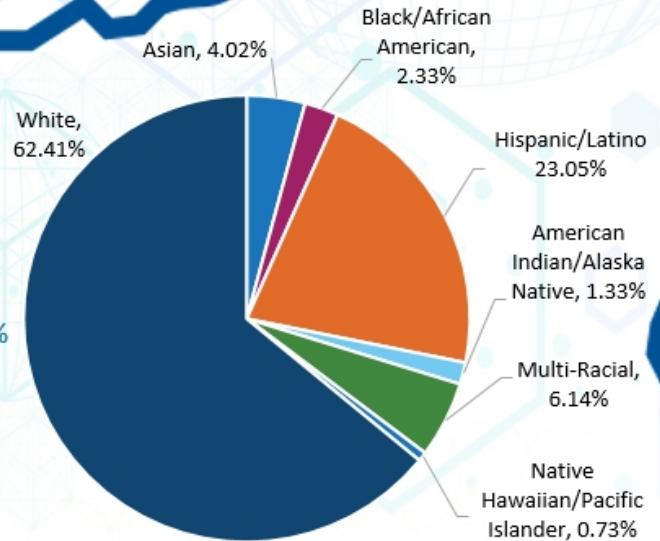
31,409 Teachers

Staff of Color

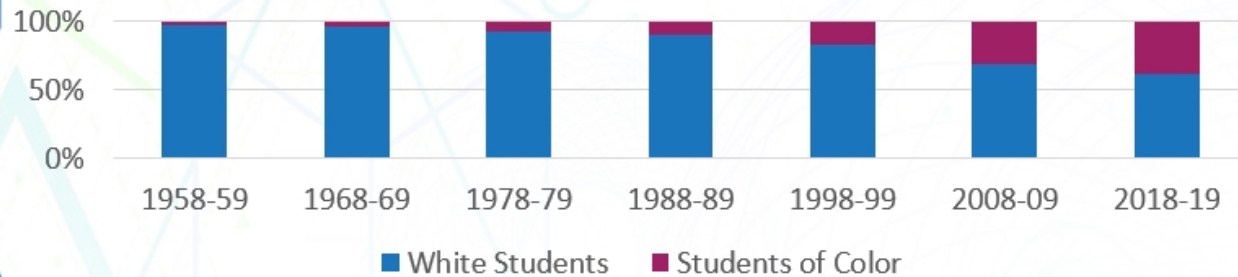
- 10.4% Teachers
- 11.4% Administrators
- 15.3% Counselors
- 19.7% Educational Assistants



- Economically Disadvantaged: 52.1%
- Ever English Learners: 18.3%
- Homeless: 3.8%
- Lesbian/Gay (11th grade): 9.1%
- Mobile Students: 12.0%
- Students with Disabilities: 13.6%



Rapidly Diversifying Population



Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 3. A

<p>SUBJECT: Student Success Act - Update STAFF NAME & OFFICE: Scott Nine, Office of Education Innovation and Improvement</p> <p>This presentation will provide an update on the implementation of the Student Investment Account of the Student Success Act. It will also provide information on how the Department is engaging community partners on the rulemaking for the Student Success Act.</p>	<p><input checked="" type="checkbox"/> Informational Presentation</p> <p><input type="checkbox"/> Written Report</p>
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BACKGROUND

HB 3427, the Student Success Act (SSA), was signed into law by Governor Brown on May 16, 2019, with an effective date of September 29, 2019. This legislation provides a generational investment in Oregon’s schools, communities, and students. The Student Success Act includes three accounts: the Early Learning Account, the Statewide Education Initiatives Account and the Student Investment Account. The presentation will primarily focus on the implementation of the Student Investment Account, which creates a noncompetitive grant program for school districts and eligible charter schools. The grants are for specific needs including meeting students’ mental or behavioral health needs and student achievement including for specific groups of students that have historically experienced academic disparities. Grant funds must be used to: (1) increase instructional time, (2) address students’ health and safety needs, (3) reduce class sizes or staff caseloads, and (4) broaden curricular opportunities.

SUMMARY OF PREVIOUS BOARD ACTION

- October 2019: Adoption of temporary rules related to Student Success Act

POLICY ISSUE OR CONCERNS

The State Board of Education will be considering a number of different rule recommendations related to the Student Investment Account and the Student Success Act over the next several months. The presentation is informational in nature with the intention of providing background and context for future State Board decisions.

EQUITY IMPACT ANALYSIS

This information item does not include policy decisions, adoption of standards, or rulemaking, The presentation will include information on the Student Investment Account and the Student Success Act. One of the two primary aims of this Act is to address persistent academic disparities that reflected in the achievement gap and rooted in opportunity gaps.

FISCAL ANALYSIS

N/A

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 3. A

ATTACHMENTS

Attachment 1: N/A

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 4.A

<p>SUBJECT: Student Investment Account – Definitions for 3rd Grade Reading OAR 581-014-9999</p> <p>STAFF NAME & OFFICE: Scott Nine, Education Innovation & Improvement</p> <p>In Section 12(1)(g) of HB3427, the Student Success Act (SSA), the State Board of Education is called to adopt rules that define and determine the “Third-grade reading proficiency rate.” The proposed rule provides that needed definition following community engagement and agency review to inform the recommendation.</p> <p><input checked="" type="checkbox"/> New Rule <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input checked="" type="checkbox"/> First Reading <input checked="" type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p>
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BACKGROUND

History

The Student Investment Account (SIA) was authorized in House Bill 3427 and creates a noncompetitive grant program for school districts and eligible charter schools. The grants are for specific needs including meeting students’ mental or behavioral health needs and student achievement including for specific groups of students that have historically experienced academic disparities. Grant funds must be used to: (1) increase instructional time, (2) address students’ health and safety needs, (3) reduce class sizes or staff caseloads, and (4) broaden curricular opportunities. A total distribution of \$472,740,000 is projected for the first year of the program, beginning July 1, 2020. Districts must comply with application requirements set forth in HB3427 and have a plan approved by the Oregon Department of Education to receive these grants. In the development of the legislation there were a variety of discussions about what might be the best way to define the meaning of “third-grade reading proficiency rate” within the SIA.

Purpose

The State Board of Education is identified in the legislation as the body to set additional rules further defining “Third-grade reading proficiency rate” in Section 12(1)(g). This definition is used for both longitudinal growth target setting and for the review of disaggregated data to inform district planning for the use of SIA funds.

Discretion

The board does have discretion and there are alternatives to the rule being recommended. The board could consider using a measure different than that collected as part of Oregon’s statewide summative assessment system.

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 4.A

Stakeholder voice and input

This is the first permanent rule being recommended to the State Board of Education as part of the rulemaking process for the Student Success Act and the Student Investment Account. ODE staff have created a Standing Rules Advisory Committee for the process of informing SSA and SIA rules. This body was created after collecting almost 400 names from across the agency and amongst culturally specific and community organizations along with professional associations and technical experts. Groups and organizations were engaged and asked to determine a representative (or two in some cases) to participate in this advisory that is meeting monthly. The first three sessions will be complete at the time of the State Board’s November meeting with an average attendance of just over 60 people engaging in each session. Agendas and materials showing documentation and engagement of different voices and inputs are available upon request. For this specific rule, the topic was first introduced for broad discussion on October 18th. Discussion include the impacts and possible solutions to only showing reading proficiency in English and also how scores in later grades on Cognitive Academic Language Proficiency assessments might better capture reading proficiency for emerging bilingual learners. Concerns about the use of the Smarter Balanced Assessment – the instrument used for the Oregon statewide summative assessment were also raised. One concern, which this rule addresses were the named potential limits of only using the reading subgroup scores. The understanding is the subgroup scores by themselves are not as strong or as reliable as the ELA assessment as a whole. The other concerns were that a variety of district interim and/or formative assessments, particularly in earlier grades, might also be a better measure. While this input wasn’t utilized in the shaping of this proposed rule it has been advanced within the department’s planned guidance on how districts might utilize the optional local metrics provided for within the SIA longitudinal performance growth target setting process. Stakeholders hold many different views on this matter and it is hard to suggest a clear consensus. The best summary might be that there is a desire for some other common statewide measure of reading proficiency rates that does not currently exist or that might not be focused on 3rd grade. Meanwhile folks see the value and need for some statewide measure but worry that using existing measures, the only ones in which there is a common and strong data pool, limits the potential to develop a new or different measure.

SUMMARY OF PREVIOUS BOARD ACTION

The State Board has not taken prior action on these rules.

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

- N/A; first read—hasn’t been before board
- No; same as last month
- Yes – As follows:

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 4.A

POLICY ISSUE OR CONCERNS

The rule is being recommended now in order to support longitudinal performance growth target setting and to clarify the nature of the disaggregated data districts are to review in developing their SIA plans. While further consideration may be due for thinking about the nature of a statewide approach to reading proficiency, it seems that this rule will provide the most consistent and clear baseline for this common metric within the SIA framework put forward by the legislature in HB3427. If or when a new measure was agreed upon or put forward for wider adoption and collection, this rule could be revisited.

EQUITY IMPACT ANALYSIS

One of the two primary aims of HB3427 is to address persistent academic disparities that reflected in the achievement gap and rooted in opportunity gaps. This rule does have a variety of impacts which have previously been touched upon but are distilled again here. Potential impacts include:

- One of the first measures of student academic progress, the instrument used to assess reading proficiency is computer based and there is some potential that the test measures fluency in that domain as much as it does reading.
- The use of the ELA assessment only captures reading proficiency in English and doesn't account for the potential strengths and assets of language learning or ways in which development of English proficiency might be developmentally different (less an issue with the assessment itself and more about how results are published or considered by families, the media, and educators).
- Not using a common shared statewide metric would mean significant gaps in gathering any sense of how different students are learning as well as potentially limit or constrain the ways in which disaggregated data can be read and utilized by districts for SIA planning.
- While not the perfect measure, many of the desired alternatives for measuring reading proficiency rates can be adopted by districts as optional local metrics with the longitudinal performance growth target framework.

FISCAL ANALYSIS

The cost of the statewide data collection for 3rd grade reading is estimated at \$430,507. This is a cost that would be maintained without this rule given federal reporting requirements and other requirements in state statute, they are not additional costs. Close to 40,000 students participate in the general summative assessments at each grade, whereas about 570 students take the alternate assessment.

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 4.A

Assessment Service	Per Pupil Cost	Total Cost (x 40,000/ *x 570)
General Test Content (Summative ELA and Math)	\$6.20	\$248,000
General Summative Assessment Test Delivery and Reporting (ELA and Math)	\$26.04	\$520,800
Alternate Summative Assessment (ELA and Math test content, delivery, and reporting)	\$161.78	\$92,215
TOTAL		\$861,015

EFFECT OF A "YES" OR "NO" VOTE

Effect of a "Yes"

This rule would give sufficient definition for a key metric that districts are required to review in their planning for SIA funds as well as being utilized in setting longitudinal performance growth targets.

Effect of a "No"

Implementation of HB3427 would be delayed for an estimated one to three months until permanent rulemaking on this matter could be completed by the State Board. This could delay payments to districts, impact their planning, and constrain first year implementation efforts.

STAFF RECOMMENDATION

Approve Approve next month No recommendation at this time
Prompted by: State law changes Federal law changes other

ATTACHMENTS

Attachment 1: Proposed Rule OAR 581-014-9999

581-014-9999

Definitions for Student Investment Account: Third Grade Reading Proficiency

(8) “Third-grade reading proficiency rate” means the percentage of students in the third grade who are determined to be proficient or above based on Oregon’s statewide summative assessments in English Language Arts (ELA);

Statutory/Other Authority: Sec. 10, Ch. 122, OL 2019

Statutes/Other Implemented: Sec. 10, Ch. 122, OL 2019

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 4.B

<p>SUBJECT: SSA Summer Program Rules</p> <p>STAFF NAME & OFFICE: Raquel Gwynn/Office of Enhancing Student Opportunities Meera Kreitzer/Office of Enhancing Student Opportunities Eric Wells/Office of Enhancing Student Opportunities</p> <p>HB 3427, the Student Success Act (SSA), was signed into law by Governor Brown on May 16, 2019, with an effective date of September 29, 2019. This legislation provides a generational investment in Oregon’s schools, communities, and students. Implementing the SSA will require ODE to implement rules for a wide variety of programs. One of the programs for which rules must be developed is Summer Programs for Title I-A Schools. Under Sections 42 through 44 of the Act, the Department shall make grants to improve student achievement in eligible schools. Rulemaking is necessary to define eligibility, program structure, and funding protocols.</p> <p><input checked="" type="checkbox"/> New Rule <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input checked="" type="checkbox"/> First Reading <input checked="" type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p>
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BACKGROUND

History

HB 3427, the Student Success Act (SSA), was signed into law by Governor Brown on May 16, 2019 with an effective date of September 29, 2019. This act provides funding in three accounts: Student Investment Account, Statewide Education Initiatives Account, and Early Learning Account. As part of the Statewide Education Initiatives Account the legislature allocated \$3 million for SSA Summer Programs for Title I-A schools.

The Student Success Act directs the Department to make summer program grants available to schools that:

- are considered high poverty under Title I-A of the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act;
- have significant achievement gaps; and
- have been determined by the Department to require additional supports and interventions based on school performance.

The Student Success Act requires that programs funded by this grant to provide at least 60 hours of direct academic instruction by a teacher licensed under ORS 342.125 or by an instructional assistant, as defined in ORS 342.120.

Rules must be adopted in order to establish the structure of this program and comply with the requirements of the SSA.

Purpose

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 4.B

The State Board of Education is the body with legislative authority to establish rules to ensure the appropriate implementation of the SSA Summer Programs for Title I-A schools. As a newly established program under the SSA, there are no current rules governing this program.

Discretion

The board has discretion in the development of these rules. Under Section 43(4) of the Act, it states that “the State Board of Education *may* adopt any rules necessary for the administration of” the SSA Summer Programs for Title I-A schools (*emphasis added*).

Stakeholder voice and input

These rules are being put forth following significant voice and input from stakeholders, a tribal representative, and community partners. Developed by a team of content area experts within ODE, the rules have been informed by stakeholder input sessions: (1) held specific to their development, and (2) more generally associated with rule development for the SSA. As part of the input sessions, community members, a tribal representative, and stakeholders representing a broad array of interests were able to provide feedback that Department staff utilized to develop the rules being presented to the State Board.

SUMMARY OF PREVIOUS BOARD ACTION

The State Board has not taken prior action on these rules.

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

- N/A; first read—hasn’t been before board
- No; same as last month
- Yes – As follows:

POLICY ISSUE OR CONCERNS

Timeline for Implementation

The plan is to begin SSA Summer Programs for Title I-A schools in June of 2020. In order to ensure that eligible schools will have an adequate framework and time to plan for this program prior to its implementation, it is important that these rules are established in a timely manner. The Department proposes to identify recipients of the SSA Summer Program grants by February 1, 2020, in order to provide resources to schools for implementation starting in summer 2020.

The draft rules establish selection criteria to determine eligible schools for the biennium, rather than annually, in order for schools to provide a consistent, stable summer program for students. Under the draft rules, the first cohort of eligible schools will receive funding for the remainder of the 2019-21 biennium (summer 2020) and the 2021-23 biennium (summer 2021 and summer 2022). Future cohorts will be funded on a biennial basis.

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 4.B

Culturally Responsive Summer Programs

Stakeholders, community partners, and a tribal representative reinforced the importance of having culturally responsive programs and being inclusive of all Oregon students. In response, the draft rules were amended to:

- include “culturally responsive educational activities” in the program requirements;
- ensure staff are trained so that they may effectively work with all students within their population; and
- specify that schools districts and public charter schools may contract with federally recognized Tribal governments, educational services districts, non-profit organizations and other entities for summer program services.

Stakeholders, community partners, and a tribal representative affirmed the importance of engaging tribes in providing summer program opportunities to our native students. The SSA did not specifically state that Tribal governments could receive direct funding. As such, they are eligible to contract with districts to provide summer program services, but cannot run a program independently.

Programmatic Elements

SSA Summer Programs for Title I-A schools are voluntary. To ensure a focus on underserved students, the Department requires that the summer programs enroll students that reflect the demographics of the school population. It is critical that students regularly attend in order to realize an increase in academic achievement. Programs will be required to track and report attendance rates, as well as provide a nutritious meal in accordance with federal and state law. Programs will be required to support transportation, and transportation will be an allowable expense under this grant.

Stakeholders/Partners

Members of communities affected by the summer program rules have attended input sessions related to the development of these rules. At these sessions, each of the rules were reviewed and the stakeholders, a tribal representative, and community partners present were able to provide any feedback they felt pertinent to the rules’ development. Input from participants surfaced a variety of student needs. Historically underserved groups affected by these rules will vary, but will share a common need for additional support or intervention in order to mitigate historical opportunity gaps. The Department has developed these rules in order to improve student achievement among the specific historically underserved groups identified within the relevant sections of the SSA.

Negative/Positive Effects

The population most affected by this rule includes the schools, communities, and students who will be eligible for grant funding for SSA Summer Programs for Title I-A schools. The specific impact of these rules will be that it provides the identified schools with additional resources needed to plan, develop, and implement summer programs designed to improve student achievement and reduce academic disparities for historically underserved students. Therefore, these rules provide a significant opportunity for the State Board of Education to take action towards eliminating the opportunity gap. Eliminating or reducing the opportunity gap also serves to advance the 40/40/20 goal as students with increased

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 4.B

achievement levels are more likely to graduate from high school better equipped for the academic rigors of postsecondary education.

Unintended consequences could arise related to selection criteria for eligible schools and the funding formula used to establish grants, specifically as it relates to the balance between providing sufficient resources to grant recipients to establish a quality summer program and maximizing the number of schools to be supported through this program. To mitigate this issue, the Department is focusing on students who are pre-kindergarten through grade 8 and is establishing eligibility criteria and a funding mechanism to maximize the effectiveness of these funds.

Barriers to Equitable Outcomes

It is possible that there may be schools with needs for summer programs that are excluded by the statutory requirements for eligibility.

EQUITY IMPACT ANALYSIS

One of the two primary aims of the SSA is to address persistent academic disparities that are reflected in the achievement gap and rooted in opportunity gaps. Establishment of SSA Summer Programs for Title I-A schools is one of the mechanisms by which the SSA seeks to meet that aim. These rules will allow the Department to advance its equity goals through the targeted provision of resources to schools serving historically underserved groups of students.

The Policy Issues and Concerns section above also describes policy questions that the Department has identified that pertain to the equity impact of the statute and proposed rules.

FISCAL ANALYSIS

The proposed rule fits within the budget of the agency. While there is a significant fiscal impact from these rules as they establish new grant opportunities, additional funding was secured through the SSA explicitly for, in part, this purpose. The proposed rules will impact eligible schools by providing additional resources to meet the needs of their students. The rules will not impact other schools, educational institutions, or entities directly.

EFFECT OF A "YES" OR "NO" VOTE

Effect of a "Yes"

SSA Summer Programs for Title I-A Schools would be able to be developed, funded, and implemented.

Effect of a "No"

It would be more difficult to develop, fund, and implement SSA Summer Programs for Title I-A schools. There would be a lack of sufficient clarity regarding the structure of SSA Summer Programs for Title I-A schools as required under the SSA. Rule revision(s) would need to be made in light of feedback from the Board so that rules acceptable to the Board could be approved at a subsequent meeting.

STAFF RECOMMENDATION

Oregon State Board of Education

November 21, 2019

AGENDA ITEM: 4.B

Approve Approve next month No recommendation at this time
Prompted by: State law changes Federal law changes other

ATTACHMENTS

Attachment 1: Draft Rules for SSA Summer Programs

Attachment 2: Sections 42-44 of HB 3427

Enrolled
House Bill 3427

Sponsored by COMMITTEE ON RULES (at the request of Representative Barbara Smith Warner)

SUMMER PROGRAMS FOR TITLE I SCHOOLS

SECTION 42. Section 43 of this 2019 Act is added to and made a part of ORS chapter 327.

SECTION 43. (1) In addition to those moneys distributed through the State School Fund, the Department of Education shall make grants to improve student achievement in schools that:

(a) Are considered high poverty under Title I of the federal Elementary and Secondary Education Act of 1965;

(b) The department has identified as having a significant achievement gap between historically underserved students groups and other student groups pursuant to standards adopted by the State Board of Education; and

(c) The department has identified as needing additional supports and interventions based on:

(A) Criteria used by the Department of Education to measure the performance of the schools; and

(B) The schools' performance ranking compared to similar schools.

(2) The department shall identify schools to receive grants as provided in this section and shall notify the identified schools of the schools' eligibility to receive grants as provided in this section.

(3) Moneys received by a school under this section must be used to provide instructional time during a summer program. The summer program must provide at least 60 hours of direct academic instruction by a teacher licensed under ORS 342.125 or by an instructional assistant, as defined in ORS 342.120.

(4) The State Board of Education may adopt any rules necessary for the administration of this section.

SECTION 44. Notwithstanding section 43 of this 2019 Act, the Department of Education may not award any grants as provided under section 43 of this 2019 Act prior to July 1, 2020.

Summer Programs for Title I Schools

Draft Rules

581-0XX-0XX0

Definitions

The following definitions apply to OAR 581-0XX-XXXX to OAR 581-0XX-XXXX.

(1) “**Direct Academic Instruction**” means time during which students are engaged in evidence-based, scheduled instruction, learning activities, or learning assessments that are designed to meet academic content standards and are under the direction and supervision of a teacher licensed under ORS 342.125 or an appropriately supervised instructional assistant as defined in ORS 342.120.

(2) “**SSA Summer Program Grant**” means the grant for Summer Programs for Title I Schools from the Statewide Education Initiatives Account as established by the Student Success Act in sections 23 -25 and 42-44 , chapter 122, Oregon Laws 2019.

581-0XX-0XX1

Eligibility

(1) The Department will identify schools eligible to receive the SSA Summer Program Grants in accordance with section 43, subsection (1), chapter 122, Oregon Laws 2019.

(2) The following entities may receive SSA Summer Program Grant funding:

(a) A public school district on behalf of a public school identified to receive the grant. The public school must be within the school district receiving the funds; and

(b) A public charter school identified to receive the grant.

(3) A grant recipient may contract for the provision of summer program services.

(a) Contracts may be established with federally-recognized Tribal governments, education service districts (ESDs), non-profit organizations, and other entities for purposes allowed in this rule, but the fiscal agent must be one of the eligible recipients identified in subsection (2) of this rule.

(b) Any contracts entered into for the purposes allowed in this rule must meet program requirements as established in 581-0XX-0XX3.

Statutory/Other Authority:

Statutes/Other Implemented:

581-0XX-XXXX Funding

- (1) The Department of Education will determine for each fiscal year the portion of the funds available for the SSA Summer Program Grant program.
- (2) The Department will determine the amount of the grant, based on the following formula: Grant Amount = a minimum base amount + supplemental per-student funding.
- (3) Funds received by a school district or public charter school under this section must be separately accounted for and may be used only for the purposes described in the grant agreement. The grant will allow up to 5 percent for indirect costs.
- (4) If the total approved costs for which eligible recipients are seeking moneys from the account exceed the amount in the account in any fiscal year, the Department shall prorate the amount of moneys available for distribution in the account among recipients that are eligible for moneys from the account.

581-0XX-0XX3

Program Requirements

- (1) A summer program that receives funding must:
 - (a) Serve students in prekindergarten through grade 8;
 - (b) Provide at least 60 hours of direct academic instruction;
 - (c) Offer a child nutrition program if the summer program is eligible for the nutrition program and is required to provide meals under state or federal law;
 - (d) Be held at a physical location;
 - (e) Be at least 3 weeks in duration;
 - (f) Document daily attendance of all participating students;
 - (g) Ensure staff are trained so that they may effectively work with all students within their school population, including students who are English learners as defined by OAR 581-018-0540(2) and children with disabilities as defined by ORS 343.035(1);
 - (h) Enroll students that reflect the demographics of the school's student population, with a focus on serving historically underserved student groups that are experiencing a significant achievement gap within the school;
 - (i) Provide a broad array of focused, well-rounded, and culturally responsive educational activities targeted to meet the needs of students to advance academic achievement and support student success, including, but not limited to, activities that support:
 - (A) Inquiry-based, hands-on instruction
 - (B) Healthy and active lifestyle, including physical activity; and
 - (C) Students' social and emotional well-being;
 - (j) Support transportation to and from the program; and
 - (k) Meet other programs requirements as provided in the grant agreement.

(2) Summer programs that receive funding may not charge fees for student participation.

581-0XX-0XX4

Reporting

Each year, a recipient must report on the SSA Summer Program Grant in the manner and form required by the Department.

581-0XX-0XX5

Notification of Grant Eligibility

(1) By February 1 of the first year of the biennium, the Department will identify and notify schools and school districts that are eligible to receive SSA Summer Program grants..

(2) Notwithstanding subsection (1), by February 1, 2020, the Department will identify and notify schools eligible to receive SSA Summer Program Grants to be used before the 2023-2025 biennium.. Schools identified under this section will be eligible to receive program grants for the 2020, 2021, and 2022 summers.



OREGON
DEPARTMENT OF
EDUCATION

Oregon achieves . . . together!

Summer Programs for Title I Schools Draft Rules: First Read

Raquel Gwynn, Meera Kreitzer, & Eric Wells
November 21, 2019

Summer Engagement

Public Rulemaking



Varied opportunities and multiple perspectives for input of proposed rules

- ★ SSA Standing Rules Advisory Committee
- ★ Title 1-A Committee of Practitioners
- ★ Student groups
- ★ ⁶⁷ Survey



- Parents
- Students
- Teachers
- Principals
- District Administrators
- Community Based Organizations
- Tribal Representative
- Oregon Department of Education



Engagement Timeline

- ✓ **September 16-** Survey Released
- ✓ **September 20-** Title 1 Committee of Practitioners & Community Based Organizations
- ✓ **October 18-** SSA Standing Rules Advisory Committee
- ✓ **Created draft rules**
- ✓ **October 23-** SSA Standing Rules Advisory Committee
- ✓ **October 24-** Title 1 Committee of Practitioners & ODE Staff Members
- ✓ **Revised draft rules**
- ✓ **November 18-** Elementary & middle school students
- ✓ **November 20-** SSA Standing Rules Advisory Committee
- ✓ **Current version of draft rules for State Board**⁶⁹

Definitions

“Direct Academic Instruction” means time during which students are engaged in evidence-based, scheduled instruction, learning activities, or learning assessments that are designed to meet academic content standards and are under the direction and supervision of a teacher licensed under ORS 342.125 or an appropriately supervised instructional assistant as defined in ORS 342.120.





Eligibility

- Title 1-A eligible public schools
- Priority on PreK-8
- Non-competitive
- Contracts may be established

Funding

- \$3,000,000
- Minimum base amount
- Per student allocation
- Cohort 1 (3 years)
- Following Cohorts (2 years)

Program Requirements



- 60 hours
- At least 3 weeks
- Attendance
- Professional learning
- Enrollment reflects school population with focus on underserved youth
- Reporting
 - * Nutrition
 - * Transportation

Questions?

Raquel Gwynn *(she/her/hers)*

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