



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
Regular Meeting
Public Service Building 251 A/B
255 Capitol Street NE
Salem, OR 97310
Thursday, December 12, 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.

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8. Adjourn	



Education Savings Credit

Effective January 1, 2020



What is the Oregon College Savings Plan? A state-sponsored savings program that grows tax-free and can be used for qualified expenses like tuition, books, and room and board at any accredited, post-secondary institution.



Save Now. Borrow Less Later. The cost of post-secondary education continues to rise and so does student debt. Oregon State Treasury is committed to ensuring Oregon families have the tools they need to mitigate that cost. We want compound interest to help Oregonians increase their savings prior to pursuing post-secondary education, instead of increasing the size of their debt when they are just getting started in a new career.



Encouraging Participation. Our Savings Plan should work for all Oregonians. To better reach diverse communities across the state and the entire income spectrum, the Oregon State Treasury passed the Education Savings Credit through the legislature to replace the previous state tax subtraction.



New Model. The Education Savings Credit provides a refundable tax credit to all Oregonians who are saving for university, community college, trade school, or any other type of accredited, post-secondary education. The primary difference between the refundable credit and the previous subtraction is that the credit is designed to make it easier for low- and moderate-income families to take advantage of the incentive.

Income Level	Joint Filers	Individual Filers
Making less than \$30,000	100% of contributions (up to a maximum of \$300)	100% of contributions (up to a maximum of \$150)
Making between \$30,001 and \$70,000	50% of contributions (up to a maximum of \$300)	50% of contributions (up to a maximum of \$150)
Making between \$70,001 and \$100,000	25% of contributions (up to a maximum of \$300)	25% of contributions (up to a maximum of \$150)
Making between \$100,001 and \$250,000	10% of contributions (up to a maximum of \$300)	10% of contributions (up to a maximum of \$150)
Making more than \$250,000	5% of contributions (up to a maximum of \$300)	5% of contributions (up to a maximum of \$150)



OREGON STATE TREASURY



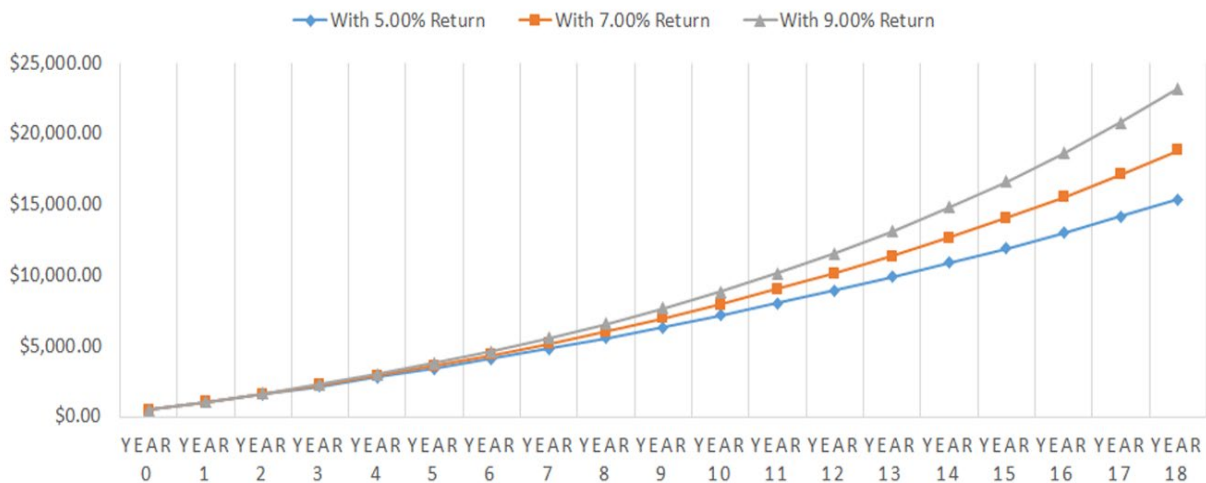
Why the Change? Research tells us that just having an account opened in your name will make you three times more likely to enroll in a job training or college program, and four times more likely to complete it.

The previous subtraction was successful in helping to grow the number of accounts and the Plan’s assets under management—ultimately allowing the Plan to keep fees low for participants. Oregon State Treasurer Tobias Read wants to enhance the program by increasing the number of low- and moderate-income families saving for post-secondary education and training through the Oregon College Savings Plan. Only 12% of current account owners are low- or moderate-income (defined as an adjusted gross income of \$70k or less). Account owners also skew heavily toward urban areas; in 2016, 88% of those taking the subtraction were located in just nine Oregon counties.

Using the Education Savings Credit, we can reduce the barriers to accessibility and make a dent in the crushing load of student debt. The refundable credit will help every Oregonian start on the right path. A small investment today will pay dividends later—for families, and ultimately for our future economy.

*Example:
A \$500 annual investment + compound interest
leads to an estimated \$18,000 after 18 years.
Rates of return vary with the market.*

TOTAL SAVINGS



For additional information about the Education Savings Credit, please contact Legislative Director, Ryan Mann at ryan.mann@ost.state.or.us or call 503-373-7135.

Regarding:

(1) "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. 42-44, Chapter 122, OL 2019 Statutes/Other Implemented: Sec. 42-44, Chapter 122, OL 2019

My name is April LaCombe, and I have been a Spanish Dual Immersion and ELD teacher for 29 years. I have worked for Portland Public Schools and the Woodburn School District, and have been employed in the Reynolds School District for the past 15 years. I am also a parent of two students who attend Oregon public schools.

I am writing today to strongly urge ODE to reject the sole use of standardized tests such as SBAC to determine 3rd grade reading proficiency for the purpose of developing growth targets for the Student Investment Account. It is time for Oregon's policy makers to follow the lead set by many other states and listen to professionals and parents who have the experience, knowledge, and personal investment in our public schools to understand the terrible impact these standardized tests have taken on our students and our public school system. There is ample evidence that these tests are biased against students who come from lower socio-economic households as well as students of color and those whose primary language is other than English.

The reliance on SBAC has dictated curricula and time spent teaching the tested academic areas, to the great expense of all the other subject areas and skills not tested. Additionally, the toll these tests take on students is immeasurable. Every year we lose precious class time and resources (millions of dollars at the state level) to the preparation for and implementation of SBAC and other district-mandated standardized tests (of which there are many). More importantly, perhaps, our students pay an even greater price due to the lack of engaging curricula and elevated stress these tests cause. The negative effects of taking these tests on their self-image and esteem have untold far-reaching impacts on their lives. I have comforted many distraught students during testing season – which lasts for months due to the time spent preparing for and administering the tests. Coordinating the use of dedicated computers across many grades and classrooms depletes resources and time students could be spent on valuable learning experiences. It's common for students to call themselves "stupid" and feel hopeless and exhausted when they take these tests. This stress, and the attendant repercussions of the tests scores - have untold negative effects on the lives of our students, and undoubtedly contribute to the high drop-out rates for certain populations. Public schools – and consequently our society – have paid a huge price in the form of a

lack of dollars to spend on the things that really impact a child's ability to learn and grow: more teachers and other support personnel to provide the support and guidance needed to thrive, appropriate teaching materials that reflect our students' backgrounds and needs, and valuable class time to nurture true learning.

At Alder Elementary where I have taught for the past 15 years, the vast majority of our students are struggling with trauma caused by poverty and its attendant problems. Such a reliance on testing does nothing to provide our students with the personalized attention and support they need to feel successful and to achieve their learning and long-term goals. We have lost the use of our library for months at a time in order to create designated space for testing. We have a severe lack of substantive, hands-on science materials or STEM curricula. Support personnel cancel instructional group time for weeks at a time in order to administer tests, which leaves classroom teachers on their own to try to meet the extremely wide range of academic and emotional needs of their 28-36 students (actual class sizes at Alder). Professional development is focused on implementing the adopted curricula which teaches to Common Core skills that are tested, and which are not designed to meet the varied needs of the students. And our school even lacks a covered play area which restricts our students' ability to get the much-needed exercise that would positively impact their ability to learn and achieve. We have never had the funds allocated to build such a structure, and have even resorted to a penny-drive to attempt to raise enough funds, putting pressure on our already struggling families.

As a further example of the unexpected consequences that a lack of funding causes, consider the following: At Alder, which is in Rockwood, one of the lowest socio-economic areas in the state, we lose at minimum 36 instructional hours a year – or roughly the equivalent of 6 full instructional days – because we are forced to serve breakfast during student contact time. This is due to the lack of support personnel available before school to monitor the students in the cafeteria so they can eat breakfast before instructional time begins. If the state of Oregon were to direct more dollars directly to the classroom in the form of qualified personnel – instead of the millions that are presently directed to pay for SBAC - we at Alder would not be forced to make such difficult staffing and scheduling decisions that have such long-term detrimental effects on our students, and which disproportionately affect lower-income schools.

Please join the growing number of states that are re-evaluating the use of public dollars to pay private corporations for tests that do a great disservice to our most vulnerable students. By simply listening to the true experts in the field – the teachers – Oregon's Department of Education has the great opportunity to steer our state away from

supporting corporate interests and toward informed and meaningful reform that has the potential to effect the future of our state for generations to come.

Thank you,

April LaCombe

Alder Elementary School

Portland, Oregon

The Beaverton School District has applied for grant funding with the utility company PGE to partner with them to bring electric school buses to Oregon pupils. PGE is offering to cover the incremental purchase cost of an electric school bus and installation of an associated charging infrastructure. This could amount to nearly \$650K in funding to our district. If selected, Beaverton plans to bring two buses to schools with large concentrations of low-income students which qualify for federal Title I aid. Operationally, these routes have favorable geographic terrains and traverse paths which should maximize the energy storage capacity of electric buses and promote maximum return on investment. We have also initiated discussions with the Teaching & Learning staff to use the buses as part of the middle school *Magic of Electrons* module to demonstrate real-life applications of scientific principle and theory.

Unfortunately, electric school buses do not meet minimum standards as published in 581-053-0240. Specifically, changes must be made in Electrical System, Fuel System, Heaters, Instruments/Gauges/Indicators, Oil Filters, Transmission, and Weight Distribution sections to account for electric-powered technology. All changes are necessary because the standards were written with only combustion engines in mind.

I strongly encourage the Board to consider implementing changes in OAR 581-053-0240 to include language which would permit electric school buses to service Oregon students. We support the Pupil Transportation and Fingerprinting Unit's work to update these rules and urge the Board to accept and adopt their recommendation.

Sincerely,

Craig Beaver
Administrator for Transportation
Beaverton School District
(503) 356-4221
craig_beaver@beaverton.k12.or.us

ODE staff

I attended a reconsideration meeting on June 6, 2019 in the BSD where several parents, including myself, presented research indicating the risks of the changes to the health/sex education (CSE) for 2019. Prior to the reconsideration meeting our group of concerned BSD parents filed a form requesting the reconsideration meeting with the intention to eliminate the 3Rs (Rights, Respect and Responsibility). As expected the committee voted to retain the 3Rs despite the fact the majority of the committee voted that the health/sex ed curriculum is un-balanced, essentially biased presenting ideology that not all believe in without presenting other views. When ideology and beliefs are presented as fact that is a religious approach where beliefs and values are presented as truth.

The district is promoting risky behaviors for minors without clearly presenting information in a balanced way.

In the 3Rs curriculum for the BSD grades 6-12 it instills the idea that it is typical for minors to be sexually active. For example in Grade 6 Lesson 7 titled “Being a Sex Ed Sleuth” it states “So, when I read “It’s Your Sex Life,” it makes me feel like that organization wants me take responsibility and care for myself. I’d kind of like that as a teen, it’d make me feel really capable and mature.”

In grade 7 Lesson 8 “Making Smart Choices” it states “We’re going to be talking about how we can use it to decide about whether to be in a sexual relationship with another person.”

Teens are especially vulnerable to social contagion—where the spread of ideas, attitudes or behaviors are patterned through conformity. Through studies Neuroscientist David Eagleman found that social rejection triggers the pain matrix—it gives us comfort to belong. Our inbuilt neural machinery drives us towards binding with others.

We also know that brain building takes up to 25 years. In adolescence the sense of self is emerging. The medial prefrontal cortex becomes more active in social situations, peaking at around 15 years old. This causes social situations to have more of an emotional impact on teens. As a result of this development teens are more likely to take risks. The orbitofrontal cortex is involved in executive decision making is still about the same in teens as it is in children. This is why peer pressure compels teen behaviors—teens are more likely to take risks with their friends around.

By about 25 years old the brain is developed but brain plasticity remains in adulthood. The brain continues to change throughout life. It can change but still hold its shape. Everything we experience will alter the brain’s physical structure—we are constantly evolving.

As adults we are going to reinforce the idea that children (remember this starts at 6th grade where the children are 11-12 years old, not even teenagers) are sexually active? We are going to emphasize that whether to be sexually active is their choice not

restrained by their parents' rules? We are going to pretend that minors have the brain capacity to make these choices without emphasizing abstinence? Abstinence is only mentioned 11 times in grades 9-12, while oral/anal sex is mentioned 103 times in grades 6-12 (in the 3Rs). We need to teach the safest path for children. The safest path for children emotionally and physically is abstinence.

I contend that the 3Rs does not promote the safest behaviors for minors and should be replaced.

Krysten Jolie Beaverton School District Parent and Resident/home owner of 5060 NW Kahneeta Dr. Portland OR 97229; 503-888-5053

Dear Ms. Larmer:

On behalf of the Oregon Association for Talented and Gifted, I am submitting public testimony concerning proposed revisions to OAR 581-022-2060, the rule concerning District Comprehensive School Counseling.

On reviewing the summary of comments provided by staff, we did not see any reference to the issue that concerns us:

There is a conflict between the proposed language of OAR 581-022-2060 and the existing language in OAR 581-022-2270: "Individual Student Assessment, Recordkeeping and Reporting."

The revised OAR 581-022-2060 Sect 1(b)B follows the language of the original OAR. It states that school districts shall adopt counseling program goals that assist students to MEET academic standards.

Throughout OAR 581-022-2270 the language is "meet OR EXCEED." For example, it defines "proficiency" as "demonstrated knowledge and skills which meet OR EXCEED defined levels of performance."

We believe that school counselors, like other school district staff should assist students to meet OR EXCEED academic standards.

Counselors should not be encouraged to neglect the future goals and instructional needs of the one-fifth of Oregon students who are at level 4 or above in English/Language Arts and/or Mathematics (22% in ELA and 18.6% in math).

We also note that despite the extensive list of stakeholders who were invited by your staff to review this proposal, OATAG was never consulted. That is not surprising when the language of the draft OAR itself, by omitting all mention of students who exceed benchmarks, implies that school counseling rules will not apply to advanced students.

We believe however, that these students deserve the full recognition and counseling that are provided to every other Oregon student. Indeed, we believe this is an equity issue.

Sincerely yours,

Margaret DeLacy
President
Oregon Association for Talented and Gifted

www.oatag.org



222 NW Davis St., Ste 309
Portland, OR 97209-3900

December 10, 2019

Oregon State Board of Education
255 Capitol Street NE
Salem, OR 97310

Dear Members of the Oregon State Board of Education:

Oregon Environmental Council and Climate Solutions support the adoption of proposed rule OAR 581-053-0650 Minimum Standards for All-Electric School Buses.

We are encouraged to see the Board of Education proactively moving to remove barriers to the use of electric buses. Electric buses replacing diesel buses are not only healthier for the children riding them and the communities through which they pass, but reduce greenhouse gas emissions, contributing to the health of future Oregon schoolchildren. Thank you for your vision and your support of Oregon's climate goals.

Sincerely,

A handwritten signature in black ink that reads "Sara Wright".

Sara Wright
Program Director, Transportation
Oregon Environmental Council

A handwritten signature in black ink that reads "Meredith Connolly".

Meredith Connolly
Oregon Director
Climate Solutions



Portland General Electric
121 SW Salmon Street · Portland, Ore. 97204

To: Oregon State Board of Education; Anthony Veliz, Chair
Re: Proposed Administrative Rules to Allow Electric School Buses; Amendments to OAR 851-053-0003
Via Email to StateBoard.PublicEmail@ode.state.or.us.

December 11, 2019

Chair Veliz and members of the State Board of Education:

Portland General Electric (PGE) supports the Department of Education's proposal to modernize Oregon's minimum standards for school buses to include electric school buses. Electric school buses are cleaner, quieter, and less costly to operate, and the air inside and outside the bus cabin is healthier for children, neighborhoods and all Oregonians. Electric school buses reduce greenhouse gas emissions by more than half, and will get cleaner every year as PGE continues to integrate more clean energy onto the grid.

Earlier this fall, PGE launched its Electric School Bus Project – a pilot program funded by Clean Fuels Program dollars to partner with up to four public school districts to enable adoption of electric school buses. Through this program, PGE will provide funding to pay for the incremental cost of four electric buses, funding for the installation of charging infrastructure, and technical assistance throughout the process. Today, there are no electric school buses on the road in Oregon. Interested school districts can visit portlandgeneral.com/electricschoolbus for the application and additional information. Applications are due Jan. 31, 2020.

To maximize the longevity and flexibility of the electric school bus rules, PGE suggests the Department and Board consider modifying the proposed rule to better accommodate fuel cell buses and charging methods other than plug-in charging that may arise in the future. Fuel cell vehicles do not plug into the electric grid to refuel, and it is possible that other modes of charging, such as wireless charging or overhead pantograph charging, will be used in future school buses. A possible modification to the proposed rule could read as follows:

OAR 581-053-0003 (Definitions)

All-Electric Vehicles are powered by one or more electric motors **drawing current from a rechargeable battery or fuel cell.** ~~They receive electricity by plugging into the grid and store it in batteries.~~ They consume no petroleum-based fuel, produce no tailpipe emissions and do not have an internal combustion engine. They include battery electric vehicles and fuel cell electric vehicles.

Thank for your consideration and support of opportunities for school bus electrification in Oregon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sunny Radcliffe".

Sunny Radcliffe
Director, Government Affairs and Environmental Policy
Portland General Electric



December 12, 2019

Dear Chair Veliz, Vice Chair Howard, and members of the Oregon State Board of Education,

Our organizations are deeply committed to the implementation and success of the Student Success Act of 2019. Many of us have helped shape the Student Success Act, participated in the Rules Advisory Committee process, and supported the roll out of the Act at the local level.

We urge you to adopt the proposed rule: 581-014-9999, which outlines the Third Grade Reading Proficiency definition under the Student Investment Account.

We understand and value summative assessments as one part of a broader balanced assessment system. It is imperative that Oregon continue to strive toward a high-quality balanced assessment system. A balanced assessment system includes three core pillars: 1) formative, 2) interim, and 3) summative assessments. Each of these assessment pillars are critical to one another and serve different purposes:

Formative Assessments (assessment for learning): Processes applied during teaching and include tools a teacher may use to collect feedback about a student to help guide and improve that student's learning, such as observation, homework, and quizzes.

Interim Assessments (can be assessment for learning and/or assessment of learning): Provide mid-point or periodic evidence of performance and are used to identify gaps in student learning, evaluate programs, and predict success on summative tests.

Summative Assessments (assessment of learning): Assessment given at the end of instruction to gather and report evidence of what was learned, evaluate student performance against specific content standards, and, in some cases, assign grades. These tests are designed to provide information regarding the level of student, school, or program success at an end point in time, and include end-of-unit and end-of-year state tests.

Source: ODE's [House Bill 2680 Work Group Report and Findings](#)

In providing guidance to districts, we also strongly recommend that the Oregon Department of Education develop a framework for how to vet formative and interim assessments that districts may also use as one of their local metrics. In developing this framework, we would like to see the Oregon Department of Education prioritize: equity; accessibility and accommodations, especially for emerging bilingual students and students experiencing disability; validity, reliability and comparability; and alignment with the learning standards.

We are committed to partnering with you on these issues because we understand the value of assessments and are committed to ensuring that assessments are used appropriately so that Oregon's underserved and underrepresented students are seen and provided with an equal opportunity for success and equitable supports to reach their full potential.

Sincerely,

Bridget Cooke, Adelante Mujeres

Jenny Lee, APANO

Dana Hepper, Children's Institute

Andrea Valderrama, Coalition of Communities of Color

Kylie Grunow, Early Literacy Success Alliance

Gustavo Morales, EUVALCREE

Roberta Dunn, FACT Oregon

Lee Po Cha, Immigrant Refugee Community Organization

Ricardo Lujan-Valerio, Latino Network

Nathaniel Brown, Oregon Business & Industry

Iris Maria Chavez, Oregon Coalition of Community Charter Schools

Nathaniel Golden Jr., REAP Inc.

Annalivia Palazzo-Angulo, Salem-Keizer Coalition for Equality

Anthony Deloney, Self Enhancement, Inc.

Parasa Chanramy, Stand for Children Oregon

Inger McDowell-Hartye, Unite Oregon

Minutes of Regular Meeting

The Board of Trustees Oregon State Board of Education

A Regular Meeting of the Board of Trustees of Oregon State Board of Education was held Thursday, October 17, 2019, beginning at 9:15 AM in the Public Service Building 251 A/B.

Present: Chair Anthony Veliz, Vice-Chair Kimberly Howard, 2nd Vice-Chair Guadalupe Martinez Zapata, George Russell, Jerry Colonna, Bridgett Wheeler

Alyssa Nestler, Cheri Helt, Lauren Nguyen, Roshun Sunder

Excused: Jennifer Scurlock, Gustavo Balderas, Ryan Mann

1. **Call to Order** 00:01
 - A. **Celebration of Student Success** 00:27
 - B. **Roll Call** 02:35
 - C. **Board Member Reports** 04:40
 - D. **Director's Report** 36:10
2. **Public Comment** 1:05:24
 - A. **Written Public Comment Received:**
3. **Consent Agenda** 1:07:10
 - A. **Meeting Minutes from September 19, 2019**
 - B. **Administrative Rules Update**
Repeal: 581-021-0059
Amend: 581-021-0570
Presenter: Cody Sibley & Emily Nazarov, Director's Office
 - C. **Policy & Procedure Manual Updates**
 - D. **Staff Docket Forms**
 - E. **Educator Advancement Council (PERMANENT RULES)**
Adopt: 581-012-0001, -0003, -0005, -0007, -0009, -0011, -0013, -0015, -0017, -0019
Presenter: Cheryl Myers & Shadiin Garcia, Educator Advancement Council
 - The chair asked for a motion to approve the **Consent Agenda**.
 - **Motion:** Vice-Chair Howard moved to approve the Consent Agenda.
 - **Second:** Director Russell seconded.
 - **Vote:** 6-0-1
 - **Ayes:** Chair Veliz, Vice-Chair Howard, Director Russell, Director Colonna, 2nd Vice-Chair Martinez Zapata, Director Wheeler.
 - **Nays:** None
 - **Excused:** Director Scurlock

Motion to approve the Consent Agenda was approved.

4. **First Readings**

A. **Tribal Attendance Promising Practices** 1:08:18

Amend: 581-017-0365, -0367, -0369, -0371, -0373, -0375

Presenter: Ramona Halcomb, Office of Indian Education Services

B. **Oregon Connecting Schools Fund (E-Rate)** 1:20:32/1:39:24

Amend: 581-028-0005, -0010, -0015

Presenter: Rick Crager & Michael Elliott, Office of Finance & Information Technology

C. **School Finance Updates** 1:20:53

Amend: 581-023-0040, -023-0104

Presenter: Michael Wiltfong, Office of Finance & Technology & Ely Sanders, Office of Enhancing Student Opportunities

D. **Distribution of Assets of a Terminated or Dissolved Public Charter School** 1:51:43:

Amend: 581-026-0515

Presenter: Kate Pattison & Emily Nazarov, Director's Office

5. **Break for Lunch** 1:54:31

6. **Adoptions** 1:54:44

A. **Restraint and Seclusion Rules** 1:55:00

Repeal: 581-021-0559

Amend: 581-021-0550, -0553, -0556, -0563, -0566

Adopt: 581-022-2267

Presenter: Lisa Bateman, Office of Student Services & Stacey Guise, Director's Office

- The chair asked for a motion to approve the **Restraint and Seclusion Rules**.
 - **Motion:** Director Russell moved to approve the Restraint and Seclusion Rules.
 - **Second:** 2nd Vice-Chair Martinez Zapata seconded.
 - **Vote:** 6-0-1
 - **Ayes:** Chair Veliz, Vice-Chair Howard, Director Russell, Director Colonna, 2nd Vice-Chair Martinez Zapata, Director Wheeler.
 - **Nays:** None
 - **Excused:** Director Scurlock

Motion to approve the Restraint and Seclusion Rules was approved.

B. **World Language Standards Adoption** 2:06:19

Presenter: Jennifer Patterson & Alexa Pearson, Office of Teaching & Learning

- The chair asked for a motion to approve the **World Language Standards Adoption**.
 - **Motion:** 2nd Vice-Chair Martinez Zapata moved to approve the World Language Standards.
 - **Second:** Director Russell seconded.
 - **Vote:** 6-0-1
 - **Ayes:** Chair Veliz, Vice-Chair Howard, Director Russell, Director Colonna, 2nd Vice-Chair Martinez Zapata, Director Wheeler.
 - **Nays:** None
 - **Excused:** Director Scurlock

Motion to approve the World Language Standards Adoption was approved.

C. Student Investment Account - Distribution Formula (TEMPORARY RULES) 2:35:48

Presenter: Scott Nine, Office of Education Innovation & Improvement & Rick Crager, Office of Finance & Technology

- The chair asked for a motion to approve the **Student Investment Account - Distribution Formula (TEMPORARY RULES)**.
 - **Motion:** 2nd Vice-Chair Martinez Zapata moved to approve the Student Investment Account - Distribution Formula (TEMPORARY RULES).
 - **Second:** Vice-Chair Howard seconded.
 - **Vote:** 6-0-1
 - **Ayes:** Chair Veliz, Vice-Chair Howard, Director Russell, Director Colonna, 2nd Vice-Chair Martinez Zapata, Director Wheeler.
 - **Nays:** None
 - **Excused:** Director Scurlock

Motion to approve the Student Investment Account - Distribution Formula (TEMPORARY RULES) was approved.

D. Student Investment Account - Definitions and Charter School Eligibility (TEMPORARY RULES) 3:30:24

Presenter: Scott Nine, Office of Education Innovation & Improvement & Kate Pattison, Director's Office

- The chair asked for a motion to approve the **Student Investment Account - Definitions and Charter School Eligibility (TEMPORARY RULES)**.
 - **Motion:** Vice-Chair Howard moved to approve the Student Investment Account - Definitions and Charter School Eligibility (TEMPORARY RULES)
 - **Second:** Director Russell seconded.
 - **Vote:** 6-0-1
 - **Ayes:** Chair Veliz, Vice-Chair Howard, Director Russell, Director Colonna, 2nd Vice-Chair Martinez Zapata, Director Wheeler.
 - **Nays:** None
 - **Excused:** Director Scurlock

Motion to approve the Student Investment Account - Definitions and Charter School Eligibility (TEMPORARY RULES) was approved.

E. Administrative Rules Update 3:47:30

Amend: 581-001-0110, 581-001-0115

Presenter: Emily Nazarov, Director's Office

- The chair asked for a motion to approve the **Administrative Rules Update**.
 - **Motion:** Director Russell moved to approve the Administrative Rules Update.
 - **Second:** 2nd Vice-Chair Martinez Zapata seconded.
 - **Vote:** 6-0-1
 - **Ayes:** Chair Veliz, Vice-Chair Howard, Director Russell, Director Colonna, 2nd Vice-Chair Martinez Zapata, Director Wheeler.
 - **Nays:** None
 - **Excused:** Director Scurlock

Motion to approve the Administrative Rules Update was approved.

7. **Informational Reports**

A. **CTE State Plan Performance Targets** 3:50:19

Presenter: Jennell Ives & Laura Foley, Office of Teaching, Learning & Assessment

8. **Sexual Harassment Training** 4:19:20

Presenter: Garrett Klever, Human Resources

9. **Adjourn** 5:13:50

4:00 PM

Minutes of Special Meeting

The Board of Trustees Oregon State Board of Education

A Special Meeting of the Board of Trustees of Oregon State Board of Education was held Thursday, November 21, 2019, beginning at 9:30 AM in the Public Service Building 251 A/B.

Present: Chair Anthony Veliz, Director George Russell, Director Jerry Colonna, Director Bridgett Wheeler, Director Jennifer Scurlock

Gustavo Balderas

On the Phone: Vice-Chair Kimberly Howard, 2nd Vice-Chair Guadalupe Martinez Zapata, Cheri Helt, Alyssa Nestler, Roshun Sunder, Lauren Nguyen

Excused: Ryan Mann

1. **Call to Order** 00:01
 - A. **Celebration of Student Success** 01:14
 - B. **Roll Call** 06:53
 - C. **Board Member Reports** 07:52
 - D. **Director's Report** 1:07:19

2. **Public Comment** 1:11:30
 - A. **Written Public Comment Received:**

3. **Informational Reports** 1:30:46
 - A. **Student Success Act Update** 1:31:17
Presenter: Scott Nine, Office of Education Innovation & Improvement

4. **First Readings** 2:43:48
 - A. **Student Investment Account - Third Grade Reading Proficiency Rate**
2:44:00
Add: 581-014-9999
Presenter: Scott Nine, Office of Education Innovation & Improvement
 - B. **Student Success Act - Summer School Program Grant for Title I Schools**
2:55:04
Add: 581-017-0620, 581-017-0623, 581-017-0626, 581-017-0629, 581-017-0632, 581-017-0635
Presenter: Eric Wells, Raquel Gwynn & Meera Kreitzer, Office of Enhancing Student Opportunities

5. **Adjourn** 3:20:00
1:10 PM

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.C

<p>SUBJECT: Tribal Attendance Pilot Project/OAR # 581-017-0373</p> <p>STAFF NAME & OFFICE: Ramona Halcomb, Office of Indian Education, Directors Office</p> <p>Update Name, remove any specific dollar amount or dates to the Tribal Attendance Pilot Project.</p> <p><input type="checkbox"/> New Rule <input checked="" type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> First Reading <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p> <p><input type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p>
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BACKGROUND

Include the following points for new OARs, OAR updates or changes.

1. History:

After the release of the *Condition of Education for Oregon's Tribal Students* in January 2013, a study from the Chalkboard Project, the Government to Government Education Cluster (comprised of representatives from each of the nine federally recognized tribes in Oregon, created a Policy Option Package (POP) to solicit state funding to reduce chronic absenteeism of American Indian/Alaska Native students. The study revealed nearly one-third (33%) of Native American students in all grades were chronically absent (missing 10% or more of school days). While All Other students were at less than one-fifth (19%) chronically absent.

In July of 2017 the Oregon legislature set aside funding to support the continuation of pilot projects to reduce chronic absenteeism among American Indian/Alaska Native students in nine preselected Oregon sites. This project is referred to as the Tribal Attendance Pilot Project (TAPP). Specifically, participating districts will receive up to funds to hire a community advocate position with deep local connections to create a school-wide initiative to reduce chronic absenteeism. Revision of OAR 581-017-0373 and OAR 531-017-0375 removes award amounts and specific dates.

2. Purpose

This rule change will update the name of Tribal Attendance Pilot Project to Tribal Attendance Promising Practices. The intent of the Tribal Attendance Promising Practices grant collaboration is to strengthen the links between the tribes and the schools that serve enrolled tribal members. However, because this is a school-wide initiative it will positively impact the attendance of every student attending those schools.

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The Oregon Department of Education(ODE) will to create a broad-based messaging campaign about the importance of school attendance, to provide technical support and training for the family advocate cohort, and monitor and report on the effectiveness of the grant. At the end of each academic year ODE will host a TAPP Symposium to highlight the success and challenges of the nine Tribal Attendance Promising Practices sites. This symposium is available to both internal and external stakeholders interested in addressing Chronic Absenteesim.

The Oregon Department of Education worked with the nine federally recognized tribal governments in Oregon to assist in the selection of schools and create the framework for administering Tribal Attendance Promising Practices funds to each district selected. In addition, ODE will collect best practice models created through these funds to make available to other districts.

3. Does the board have any areas of discretion or is this strictly mirroring statute?
 - a. If the board does have discretion, those areas should be called out here or in the next section. The board is mirroring the statute.
4. Stakeholder voice/input (individual and collective i.e., groups)
 - a. The Government to Government Education Cluster, the AI/AN Advisory Committee, and former Tribal Attendance Pilot Project Advisory Committee.
 - b. What did engagement in this process entail? Face-to-Face meetings.
 - c. Who may be affected by this? Students in the nine pre-selected districts. Potentially the other districts who are informed by the Promising Practices this grant reveals.
 - d. Whose voice is missing potentially? Out of school youth.
 - e. What additional information does the Board need prior to moving forward? N/A

SUMMARY OF PREVIOUS BOARD ACTION

1. Has this been before the board before? Yes. If so, what action did the board take? Revised dates and dollar amounts.

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

These policy issues or concerns could be from the field, stakeholder groups, statements submitted during the comment period, or discussions among ODE staff. Consider the following questions:

1. Stakeholders

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The office of Indian Education has solicited and listened to the nine federally recognized tribes in Oregon's Education Cluster Representatives, the AI/AN Advisory Committee, family advocates, principals and superintendents of selected districts, students and families, and colleagues. These are the stakeholders and communities affected by this rule. This addresses the American Indian/Alaska Native underserved group.

2. Negative/Positive Effects
 - a. What is the impact on the population most affected by this rule that the board should consider? Since The Tribal Attendance Pilot Projects inception the chronic absenteeism rate among American Indian/Alaska Native students have decreased while all other student populations have increased their chronic absenteeism rate.
 - b. What is the impact on eliminating the opportunity or achievement gap? By increasing attendance, family engagement the opportunity gap will decrease.
 - c. Have all the potential unintended consequences been considered? Yes.
 - d. Does this rule advance the 40/40/20 goals? Yes.
3. What are the barriers to more equitable outcomes, either:
 - a. State or federally mandated? Looking at the policies each district has on the definition of "absence." For example, sport teams are not considered absent when they travel to compete. Most American Indian/Alaska Native students are penalized for attending important cultural activities. For example, "Treaty Days" "First Food Ceremonies" and other important cultural significant activities.
 - b. Political? Government-to-Government status should be considered when discussing American Indian/Alaska Native students.
 - c. Emotional? Yes, Cultural identity may positively affect student performance.
 - d. Financial? No.
 - e. Programmatic? Possible adjustment in having common terminology for absenteeism.

EQUITY IMPACT ANALYSIS

The following questions are designed to examine how the proposed rule, policy or action systematically affect historically underserved students and/or communities.

This docket item can positively impact the American Indian / Alaska Native chronic absenteeism rate. As well as the schools where the Tribal Attendance Promising Practices grant operates and the districts that request Promising Practices or attend the Tribal Attendance Promising Practice Symposium.

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FISCAL ANALYSIS

What is the fiscal impact of the proposed rule changes to the Department of Education, school districts, education service districts or schools? Use the following suggestions as a guide:

1. How does the proposed rule fit within the budget of the agency? Yes
 - a. Which units/divisions/offices will be impacted and how? Office of Indian Education will administer the grant.
2. How does the proposed rule change impact school districts and ESDs? By revising the current rules, ODE will be able to release grant funds.
3. How does the proposed rule change impact schools and other educational institutions? Positively affects the chronic absenteeism rate.
4. Does the proposed rule change impact other stakeholders? Because the Tribal Attendance Promising Practice grant efforts are school-wide, all students may benefit from the strategies utilized.

EFFECT OF A "YES" OR "NO" VOTE

Explain the consequences of a Board approving or not approving the staff recommendation. ODE will be prevented from releasing current grant funds.

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1:

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.D

<p>SUBJECT: FFA Summer Duty Extended Contract Grants - 581-017-0601, 581-017-0604, 581-017-0607, 581-017-0610, 581-017-0613, 581-017-0616</p> <p>STAFF NAME & OFFICE: Reynold Gardner – Office of Learning & Assessment</p> <p>Adoption of the OAR (581-017-0601, 581-017-0604, 581-017-0607, 581-017-0610, 581-017-0613, 581-017-0616) for the implementation of HB 2444, which appropriates \$600,000 for teachers and their FFA summer duty contract / extended duty contracts. The intent HB 2444 is to improve graduation rates, college preparation and career placement for students enrolled within an ODE approved CTE - Agriculture Science and Technology Program of Study.</p> <p><input checked="" type="checkbox"/> New Rule <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> First Reading <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p>
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BACKGROUND

Include the following points for new OARs, OAR updates or changes.

1. History:

- a. What prompted the rule (why do we have it?) State law? Federal law? Incident? Why are changes/amendments being proposed?
- b. What is the current requirement in rule or statute?
- c. Why is this rule being brought forward right now?

With the 2019 HB 2444 - Oregon FFA Funding. The bill allocated \$2,030,000 to the Oregon FFA Association and FFA Summer Duty Extended Contract Grants. The \$600K associated with the FFA Summer Duty Extended Contract Grants require the development of Oregon Administrative Rules

The adoption of the rules will allow for ODE to provide support for school districts with Agriculture Science and Technology CTE Programs of Study.

2. Purpose

- a. What function does the current rule hold?
- b. How long has the rule been in place?

The December 12, 2019 adoption of the OAR will guide the implementation of the \$600K FFA Summer Duty Extended Contract Grants.

How long has this policy in place?

Effective upon rules adoption (Dec 12, 2019) and retroactive to the passage date of HB 2444 – July 1, 2019.

3. Does the board have any areas of discretion or is this strictly mirroring statute?

- a. If the board does have discretion, those areas should be called out here or in the next section.

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The OAR presents the requirements of the HB 2444 FFA Summer Duty Extended Contract Grants, \$600K and give the process and procedures of the grants. The rules development process implemented the Equity Lens of ODE and a priority of the grant submission and grant review process is to include the outcomes and voices of historically underserved students.

4. Stakeholder voice/input (individual and collective i.e., groups)
 - a. Who was involved in bringing this to the Board?

A stakeholder group called Team AgEd was called upon to facilitate the conversation and provide guidance in the development of the OAR. Team AgEd members include: representative business and industry partners, Oregon Agriculture Teachers Association, OSU – Agricultural Education Department, Oregon FFA Association, Oregon FFA Foundation, Oregon FFA Alumni, Oregon Community Colleges – Agricultural Instructor, Collegiate FFA, Oregon Ag In the Classroom, and Regional CTE Coordinator.

- b. What did engagement in this process entail?

A 13 member group met on August 12, 2019 at Oregon State University to review and vet the proposed rules. Additionally the materials were shared with 27 stakeholders prior to the Aug 12 meeting.

- c. Who may be affected by this?

Parents, students, community members, business and industry partners and school districts with an ODE approved CTE Program of Study within the Agriculture Science and Technology instructional area.

- d. Whose voice is missing?

The intentionality of inviting 27 different stakeholders / groups was to avoid the missing key partners.

- e. What additional information does the Board need prior to moving forward?

SUMMARY OF PREVIOUS BOARD ACTION

1. Has this been before the board before? If so, what action did the board take?
No this is a new topic / new law. HB 2444 Oregon FFA Funding 2019.

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

N/A; first read—hasn't been before board

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No; same as last month

Yes – As follows:

POLICY ISSUE OR CONCERNS

These policy issues or concerns could be from the field, stakeholder groups, statements submitted during the comment period, or discussions among ODE staff. Consider the following questions:

1. Stakeholders

- a. How have you intentionally involved stakeholders who are also members of communities affected by this rule?

Yes. 27 individuals from the Team AgEd group and business and industry partners were invited to participate in the rule formation.

- b. Who are the historically underserved groups affected?

The State Board position on Equity is at the core of the rules implementation process and the State Board Guiding Questions were reviewed at the beginning of the stakeholder meeting and rule formation process.

- c. Has there been consultation or collaboration with tribes in this rule change or policy decision?

There is no direct bearing on tribal implications. Yet there is a data element where services to historically underserved students are identified and there will be evaluation criteria for grant reviews and awarding.

- d. How has the Oregon Department of Education modified or enhanced the rule change or policy decision to address the needs of historically underserved communities?

Historically underserved student outcomes and goals will be a key priority and evaluation point of the FFA Summer Duty Extended Contract Grants. Additionally the inclusion of representatives of the historically underserved students communities will be part of the review committee.

2. Negative/Positive Effects

- a. What is the impact on the population most affected by this rule that the board should consider?

The goal is to improve graduation rates, college preparation and career placement for students enrolled within an ODE approved CTE - Agriculture Science and Technology Program of Study. So all students within the Agriculture Science and Technology courses would benefit. Historically underserved student outcomes and goals will be a key priorities and evaluation point of the FFA Summer Duty Extended Contract Grants.

- b. What possible opportunities, assets or access could this rule provide?

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The focus of the HB 2444 Oregon FFA Funding and the FFA Summer Duty Extended Contract Grants is to provide greater opportunities to school districts that have not had the ability to offer the Agriculture Science and Technology teachers to have a FFA Summer Duty Extended Contract. This grant will remove the barriers of the student not getting access to the FFA summer programming. All student and especially the historically underserved students will now have greater access if a school decides to participate.

- c. What is the impact on eliminating the opportunity or achievement gap?

The FFA has a way of empowering students to find success in an interest area that fits their needs. Additionally FFA members establish goals that are relevant to their personal career paths. The personal connection to the student's interest and goals have a way to engage students that is beyond the normal classroom.

The FFA moto is:

*Learning To Do,
Doing to Learning,
Earning to Live
Living to Serve*

Within this structure student find the connection and achieve their goals.

HB 2444 Oregon FFA Funding addresses the opportunity gap barrier by providing school district with support through the FFA Summer Duty Extended Contract Grants and enabling teachers to reach out to historically underserved students. With teacher summer contracts educators will be able to provide opportunity to students who have previously been denied the opportunity.

- d. Have all the potential unintended consequences been considered?

Oregon Team AgEd / HB 2444 steering committee addressed the what ifs of the funding and if school district continue to award time and effort towards the students that are already receiving services and not expanding to underserved students.

- e. Does this rule advance the ESSA goals?

Yes..... The goal is to improve graduation rates, college preparation and career placement for students enrolled within an ODE approved CTE - Agriculture Science and Technology Program of Study.

3. What are the barriers to more equitable outcomes, either:

- a. State or federally mandated?

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AGENDA ITEM: 3.D

None identified.

b. Political?

None identified.

c. Emotional?

None identified.

d. Financial?

The financial barrier is the most common cause of lack of student opportunities as it relates to FFA participation. HB 2444 - Oregon FFA Funding at its core addresses removing the financial barrier that may prevent students from getting involved. The FFA Membership fee is being covered and the cost of attending local, state and national events are being diminished. Additionally these rules enable a school district to apply for FFA Summer Duty Extended Contract Grants to address teacher extended duty time to engage historically underserved students?

e. Programmatic?

The programmatic and systematic structure of the school district and how the Agriculture Science and Technology program has been organized may be a barrier that prevents students from connecting and enrolling within the Agriculture Science and Technology Program of Study. This grant would allow school districts to apply for teacher summer duty contract time.

f. Language?

The FFA Summer Duty Extended Contract Grants could be utilized to provide more specific one-on-one direct context to students with a language barrier. The local school districts will have the opportunity to prioritize their individual goals. Knowing that the historically underserved students have high priority of the grant will encourage local programs to provide the FFA opportunities.

g. Geography?

There is no implicit geographic barrier. The eligibility clause of HB 2444 Oregon FFA Funding identifies that the FFA Summer Duty Extended Contract Grants are intended for ODE approved CTE Agriculture Science and Technology Programs of Study.

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h. Size?

Size is not a limitation of the FFA Summer Duty Extended Contract Grants. The granting of grants will be based upon an 8 hour school day and the review process will be indifferent to the various sizes of schools that apply for funds. The focus of the grants are to remove barriers to historically underserved students and providing access to Oregon FFA activities.

EQUITY IMPACT ANALYSIS

The following questions are designed to examine how the proposed rule, policy or action systematically affect historically underserved students and/or communities.

1. How are historically underserved populations impacted by this docket item?
 - a. Demonstrate how the rule changes, policy, or action could produce other unintended consequences not listed in the docket.

Yes..... Oregon Team AgEd / HB 2444 steering committee intentionally guided the application development and final report to encourage school districts to identify the barriers that are preventing historically underserved students from participating within the FFA programing.

- b. Refer to *Policy Issue or Concerns* and identify the historically underserved populations affected. Conduct a reflection and examination, which will and should answer 1a.
 2. Examine the impact of the rule changes, policy, or action on historically underserved populations in Oregon. Describe this ongoing and/or foreseeable impact, using as much detail as possible.

With the passage of HB 2444 Oregon FFA Funding. The FFA Summer Duty Extended Contract Grants and the final report for the grant the school districts and teachers will identify what goals and explicit activities took place in an effort to provide services to historically underserved students.

Additionally the Oregon FFA Association will now have a reporting metric (validation with the Oregon Department of Education concerning the FFA Student participation) that will guide and shape their programing and have the FFA examine what opportunities and structure exist that prevent historically underserved students from participating.

3. Explain how the rule change, policy or action works toward improving achievement, opportunities and a sense of worthiness for underserved students?

The FFA has a way of empowering students to find success in an interest area that fits their needs. Additionally FFA members establish goals that

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are relevant to their personal career paths. The personal connection to the student's interest and goals have a way to engage students that is beyond the normal classroom.

The FFA moto is:

*Learning To Do,
Doing to Learning,
Earning to Live
Living to Serve*

Within this structure student find the connection and achieve their goals.

HB 2444 Oregon FFA Funding addresses the opportunity gap barrier by providing school district with support through the FFA Summer Duty Extended Contract Grants and enabling teachers to reach out to historically underserved students. With teacher summer contracts educators will be able to provide opportunity to students who have previously been denied the opportunity.

FISCAL ANALYSIS

What is the fiscal impact of the proposed rule changes to the Department of Education, school districts, education service districts or schools? Use the following suggestions as a guide:

1. How does the proposed rule fit within the budget of the agency?
 - a. Which units/divisions/offices will be impacted and how?

HB 2444 Oregon FFA Funding allocated \$2,030,000 to the Oregon FFA Association and FFA Summer Duty Extended Contract Grants. The \$600K associated with the FFA Summer Duty Extended Contract Grants require the development of Oregon Administrative Rules.

The HB 2444 did not provide funding / staffing to ODE.

The Office of Teaching, Learning and Assessment will direct the work to the Secondary / Post-secondary Transitions (CTE team) witin the Oregon Department of Education. The current Agricutlure / Natural Resources / Forestry Education Specialist will take on the responsibility of the work. The impact is minimal and is considered jermaine to their current work.

The adoption of the rules will allow for ODE to provide support for school districts with Agriculture Science and Technology CTE Programs of Study.

2. How does the proposed rule change impact school districts and ESDs?

School districts will only be affected if they decide to implement or expand the current summer offerings of the FFA programing of their approved CTE

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AGENDA ITEM: 3.D

Agriculture Science and Technology Program of Study. The normal oversight of the local Agriculture Science and Technology teacher is called out within the law.

No impact on ESDs.

3. How does the proposed rule change impact schools and other educational institutions?

Local high school will only be affected if they decide to implement or expand the current summer offerings of the FFA programing of their approved CTE Agriculture Science and Technology Program of Study. The normal oversight of the local Agriculture Science and Technology teacher is called out within the law.

No impact on other educational institutions.

4. Does the proposed rule change impact other stakeholders?

The stakeholder voice of Oregon Team AgEd / HB 2444 steering committee addressed the "what ifs" of the funding and other impacts. The HB 2444 Oregon FFA Funding language is very explicit to the identified deliverables.

EFFECT OF A "YES" OR "NO" VOTE

Explain the consequences of a Board approving or not approving the staff recommendation.

If no vote this would be resetting the \$600,000 from HB 2444 Oregon FFA Funding for the FFA Summer Duty Extended Contract Grants. The HB 2444 passed the house and senate unanimously.

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1: NA

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.E

<p>SUBJECT: OAR 581-026-0515 Distribution of Assets of a Terminated or Dissolved Public Charter School</p> <p>STAFF NAME & OFFICE: Kate Pattison, Director’s Office</p> <p>The proposed amendments delegate the administrative functions and decisions related to distributing the assets of terminated or dissolved public charter schools to the Superintendent of Public Instruction.</p> <p><input type="checkbox"/> New Rule <input checked="" type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> First Reading <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p>
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BACKGROUND

According to ORS 338.105(6), if a public charter school is terminated or a public charter school is dissolved, the assets of the public charter school that were purchased with public funds shall be given to the State Board of Education. The State Board of Education may disburse the assets of the public charter school to school districts or other public charter schools.

ORS 338.105(6) If a charter is terminated or a public charter school is dissolved:

(a) The assets of the public charter school that were purchased with public funds shall be given to the State Board of Education. The State Board of Education may disburse the assets of the public charter school to school districts or other public charter schools.

Every year, the Board hears requests from public charter schools and districts regarding where the assets of public charter schools should be distributed. Following Board decision, the Department coordinates all communication and logistics to ensure equitable distribution of the assets according to state and federal regulations. For over eight years, the Board has followed the Department’s recommendations on asset distributions.

In an effort to focus the Board’s time and resources on state-level policies, the Department is recommending that the Board delegate all decisions and administrative functions related to distributing assets of terminated or dissolved public charter schools to the Director and Department staff. The delegation language in this proposed rule amendment is consistent with the other delegations in State Board rules pertaining to public charter school.

SUMMARY OF PREVIOUS BOARD ACTION

This rule amendment was first presented to the Board in October 2019. The Board did not request any substantive revisions.

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AGENDA ITEM: 3.E

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

The board reviewed public charter school topics at the retreat in August 2019. There was a discussion about which functions are delegated to the Department and which the Board continues to hear at meetings throughout each year. The Board expressed interest in delegating distributing assets of terminated or dissolved public charter schools

EQUITY IMPACT ANALYSIS

Delegating the distribution of assets from terminated or dissolved public charter schools would allow the Board more time each year to discuss and consider critical state-level policies with a greater equity impact for students in Oregon.

FISCAL ANALYSIS

This rule amendment has no fiscal impact on the Department or other organizations.

EFFECT OF A "YES" OR "NO" VOTE

"Yes" Vote – The Department will manage and process the distribution of assets from terminated or dissolved public charter schools. This will reduce the time the Board discusses charter school topics by 1-2 hours each year.

"No" Vote - The Board will continue to make decisions on the distribution of assets from terminated or dissolved public charter schools. The Board spends about 1-2 hours each year discussing charter school asset distribution topics.

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1: OAR 581-026-0515 Charter School Assets Draft

581-026-0515

Distribution of Assets of a Terminated or Dissolved Public Charter School

(1) Assets of a terminated, closed or dissolved public charter school that were obtained with public funds will be given to the State Board of Education. The State Board of Education, at its discretion, may disburse these assets to school districts or to other public charter schools.

(2) The State Board of Education delegates to the Superintendent of Public instruction or designee all administrative functions necessary or reasonable in order to disburse the assets. This delegation to the Superintendent includes, but is not limited to:

(a) Determining the form, process, and timelines for the disbursement;

(b) Determining the records required for the disbursement; and

(c) Requiring the public charter school governing body or school district board to respond to written or oral inquiries related to the closure and assets of the public charter school.

~~(2)~~(3) Assets of a terminated, closed or dissolved public charter that were obtained with grant funds will be disbursed according to the terms of the grant. If the grant is absent any reference to ownership or distribution of assets, assets of a terminated, closed or dissolved public charter school will be disbursed according to the provision set out in subsection ~~(1)~~(2) of this rule.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 338.015

History:

Renumbered from 581-020-0395, ODE 10-2014, f. & cert. ef. 2-19-14

ODE 19-2002, f. & cert. ef. 8-2-02

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.F

<p>SUBJECT: North Clackamas SD Supplemental Plan</p> <p>STAFF NAME & OFFICE: Brian Reeder & Brock Dittus, Office of Research, Analysis, and Accountability</p> <p>North Clackamas School District has submitted a new supplemental plan for board approval. This will change the areas in which transportation will be provided / required for students who live within the statutory minimum for transportation.</p> <p><input type="checkbox"/> New Rule <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> First Reading <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p>
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BACKGROUND

In 1991 the Oregon Legislature added a requirement, and funding, to provide transportation to school students who live a certain distance from their elementary or secondary school. The distances established coincide to the previous limit at which students were required to attend school prior to Oregon’s Compulsory School Law.

The legislature also recognized that students who live closer than these prescribed limits may also require transportation due to health or safety reasons, so ORS 327.043 allows for a “supplemental plan” that must be approved by the State Board of Education.

Other than the legislative guidance that the transportation must be for “health or safety” reasons, the State Board has traditionally allowed local school districts to determine areas within their district that require transportation within the distance limits.

In 1993, almost all districts submitted supplemental plans for approval from the State Board, and all were adopted. Having an approved supplemental plan does two things:

1. It allows a school district to be reimbursed as part of the transportation grant of the state school fund; and
2. It requires transportation to be provided by the district. In other words, the district can’t stop providing this transportation without the approval of a new plan.

The State Board does have the discretion to approve or not approve supplemental plans. The Pupil Transportation Unit does ensure that plans presented to the board present a health or safety reason for the plan.

A supplemental plan must be approved by the local school board prior to presentation to the State Board for approval. The North Clackamas School District Board approved this supplemental plan at their meeting on October 24, 2019 and submitted the plan to ODE for approval thereafter.

The supplemental plan submitted by North Clackamas School District accounts for attendance boundary changes within the no-transport area, and at this time will affect approximately 45 students.

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.F

Proponents and opponents of the submitted plan had the opportunity to be heard at the local level. This plan replaces the previous plan.

SUMMARY OF PREVIOUS BOARD ACTION

The State Board approved North Clackamas School District’s original supplemental plan in 1992, with revisions adopted by the State Board in 1993, 2008, 2012, and 2015.

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

- N/A;
- No; same as last month
- Yes – As follows:

POLICY ISSUE OR CONCERNS

The North Clackamas School District submitted this supplemental plan for State Board approval after the local school board adopted it during a session open to the public. ODE does not engage with stakeholders separate from the district’s public process.

In this case, North Clackamas School District is updating their plan to account for seasonal hazards in areas with steep hills, poor lighting, and low visibility. They intend to prevent injuries by reducing the risk that students would be subjected to when walking in these conditions.

EQUITY IMPACT ANALYSIS

ODE does not conduct a separate analysis of a supplemental plan adopted by a local school board except to verify that the supplemental plan is being submitted for “health or safety” reasons as required by statute.

FISCAL ANALYSIS

There is no fiscal analysis because supplemental plans do not have an impact on agency funds. There is no requirement for ODE to act as a result of this action. There may be a very small impact to the State School Fund Transportation Grant as a result of providing this transportation; however, the buses / routes that will be transporting these students will pick them up on their way in from other mandated transportation areas around the district.

Adoption of this plan for North Clackamas School District will not have an effect on any other school district, and will allow North Clackamas School District to be reimbursed at their current rate for the transportation of these students as part of their transportation grant.

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.F

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1: North Clackamas School District board-approved supplemental plan, 2019 revision

OREGON DEPARTMENT OF EDUCATION REQUEST APPROVAL
FOR
TRANSPORTATION SUPPLEMENTAL PLAN ADENDUM

To Oregon Department of Education:

North Clackamas Transportation is recommending the need to make an exception to our supplemental zone for Spring Mountain Elementary. Our School Board approved this on 10/24/2019. This exception would only affect 45-students still living in the current walk zone. The primary purpose for updating the Supplemental Plan is to remain in compliance with Oregon Statute and to provide consistency and equity across the district for providing bus services.

BACKGROUND:

In accordance with Oregon Revised Statute (ORS) 327, the North Clackamas School District provides transportation to and from home for students in grades K – 8 who live outside the 1-mile walk zone of their school, and for students' grades 9 - 12 who live outside the 1.5-mile walk zone of their school. The State reimburses the district for 70% of the expenses incurred for transporting students outside the walk zones.

In addition, as an exception, the district provides transportation within the 1 mile and 1.5 mile walk zones when there are approved, specific health and safety reasons for providing transportation services as the case for Spring Mountain Elementary.

Oregon Department of Education approves the "Supplemental Plan" to receive the 70% reimbursement for associated costs incurred from transporting students within the walk zone for approved health and safety reasons. The Supplemental Plan identifies groups or categories of students who live within the walk zone limitations and require transportation based on health or safety reasons. The Supplemental Plan includes the criteria used to determine if the walk path to the school is safe.



A portion within the 1-mile walk zone of Spring Mountain Elementary did not initially meet the requirement for our supplemental plan. However, after evaluating the area with our transportation team we have changed our belief that this is not a safe walk path for students. The area has steep hills, dark streets and visibility issues. The steepness of the hills do not provide a safe walk path for students. Due to the steepness of the hills and our climate of rain, students living in this area are prone to slipping causing injury to them.

Currently, we are transporting 139 students to Spring Mountain Elementary school. Making this supplemental will add an additional 45 students to the buses.

ATTACHMENTS:

Spring Mountain Map changes

STAFF CONTACT:

David Yoshihara, Assistant Superintendent, Operations
Kathy Calkins, Director of Transportation

Thank you for your consideration in this matter,

A handwritten signature in cursive script that reads "Kathy Calkins". The signature is written in black ink and is positioned above the printed name and title.

Kathy Calkins
Director, North Clackamas
503-353-6154

**UPDATE TRANSPORTATION SUPPLEMENTAL PLAN
(WALK ZONE)**

CONSENT
October 24, 2019

SUPERINTENDENT'S RECOMMENDATION:

Adopt proposed exemption to provide bus service to the identified area located within the 1- mile walk zone of Spring Mountain Elementary School.

ORIGINATED BY:

The need to periodically update the district's Transportation Supplemental Plan for the State of Oregon.

BUDGET IMPACT/SOURCE OF FUNDS:

The primary purpose for updating the Supplemental Plan is to remain in compliance with Oregon Statute and to provide consistency and equity across the district. There is no additional cost as they are currently being transported. Additional ridership may necessitate an additional bus route which would cost about \$35,000, 70% of which will be reimbursed.

BACKGROUND:

In accordance with Oregon Revised Statute (ORS) 327, the district provides home to school transportation for students in grades K - 8 who live outside the 1-mile walk zone of their school, and for students' grades 9 - 12 who live outside the 1.5-mile walk zone of their school. The State reimburses the district for 70% of the expenses incurred for transporting students outside the walk zones. Exceptions to this can be approved for specific health and safety reasons.

The school board must approve a Supplemental Plan to receive the 70% reimbursement for associated costs incurred from transporting students within the walk zone for approved health and safety reasons. A Supplemental Plan identifies groups or categories of students who live within the walk zone limitations and require transportation based on health or safety reasons. The Supplemental Plan includes the criteria used to determine if the walk path to the school is safe.

A portion within the 1-mile walk zone of Spring Mountain Elementary did not initially meet the requirement for our Supplemental Plan. However, after re-evaluating the area, the district now deems it unsafe for walking. The area has steep hills and limited visibility.

The attached maps show the walk zone areas impacted by this proposal. Approximately 45 elementary students live in this area.

Process and timeline:

Board Meeting Approval
October 24, 2019

Submit to Oregon Department of Education for Approval:
October 30, 2019

Route Changes:

After ODE Approval

Letters to Families:
After Route Changes

Implementation:
January 6, 2019

ATTACHMENTS:
Spring Mountain Map Changes

PRESENTER / STAFF CONTACT:
David Yoshihara, Assistant Superintendent, Operations

OTHERS NOTIFIED OF ITEM:
Principal, Spring Mountain Elementary

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.F

<p>SUBJECT: McMinnville SD Supplemental Plan</p> <p>STAFF NAME & OFFICE: Brian Reeder & Brock Dittus, Office of Research, Analysis, and Accountability</p> <p>McMinnville School District has submitted a new supplemental plan for board approval. This will change the areas in which transportation will be provided / required for students who live within the statutory minimum for transportation.</p> <p><input type="checkbox"/> New Rule <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> First Reading <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p>
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BACKGROUND

In 1991 the Oregon Legislature added a requirement, and funding, to provide transportation to school students who live a certain distance from their elementary or secondary school. The distances established coincide to the previous limit at which students were required to attend school prior to Oregon’s Compulsory School Law.

The legislature also recognized that students who live closer than these prescribed limits may also require transportation due to health or safety reasons, so ORS 327.043 allows for a “supplemental plan” that must be approved by the State Board of Education.

Other than the legislative guidance that the transportation must be for “health or safety” reasons, the State Board has traditionally allowed local school districts to determine areas within their district that require transportation within the distance limits.

In 1993, almost all districts submitted supplemental plans for approval from the State Board, and all were adopted. Having an approved supplemental plan does two things:

1. It allows a school district to be reimbursed as part of the transportation grant of the state school fund; and
2. It requires transportation to be provided by the district. In other words, the district can’t stop providing this transportation without the approval of a new plan.

The State Board does have the discretion to approve or not approve supplemental plans. The Pupil Transportation Unit does ensure that plans presented to the board present a health or safety reason for the plan.

A supplemental plan must be approved by the local school board prior to presentation to the State Board for approval. The McMinnville School District Board approved this supplemental plan at their meeting on September 16, 2019 and submitted the plan to ODE for approval thereafter.

The supplemental plan submitted by McMinnville School District accounts for attendance boundary changes within the no-transport area, and at this time will affect approximately 190 students.

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.F

Proponents and opponents of the submitted plan had the opportunity to be heard at the local level. This plan replaces the previous plan.

SUMMARY OF PREVIOUS BOARD ACTION

The State Board approved McMinnville School District’s original supplemental plan in 1992, with revisions adopted by the State Board in 1993, 2008, 2012, and 2015.

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

- N/A;
- No; same as last month
- Yes – As follows:

POLICY ISSUE OR CONCERNS

The McMinnville School District submitted this supplemental plan for State Board approval after the local school board adopted it during a session open to the public. ODE does not engage with stakeholders separate from the district’s public process.

In this case, McMinnville School District is updating their plan to account for attendance boundary changes that are within the prescribed mileage limits, including addressing safety concerns for areas with insufficient pedestrian access and crossings of state highways.

EQUITY IMPACT ANALYSIS

ODE does not conduct a separate analysis of a supplemental plan adopted by a local school board except to verify that the supplemental plan is being submitted for “health or safety” reasons as required by statute.

FISCAL ANALYSIS

There is no fiscal analysis because supplemental plans do not have an impact on agency funds. There is no requirement for ODE to act as a result of this action. There may be a very small impact to the State School Fund Transportation Grant as a result of providing this transportation; however, the buses / routes that will be transporting these students will pick them up on their way in from other mandated transportation areas around the district.

Adoption of this plan for McMinnville School District will not have an effect on any other school district, and will allow McMinnville School District to be reimbursed at their current rate for the transportation of these students as part of their transportation grant.

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.F

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1: McMinnville School District board-approved supplemental plan, 2019 revision

OCT 03 2019



McMinnville School District No. 40

800 NE Lafayette Ave McMinnville, Oregon 97128 Phone: 503.565.4000 Fax: 503.565.4042

September 30, 2019

Oregon Department of Education
255 Capitol Street NE
Salem, Oregon 97310-0203

Dear State Board,

Please find attached our Supplemental Plan for Transportation. This plan has been approved by the McMinnville School District Board. This revised supplementla plan is due to recent boundary changes for the 2019-2020 school year. Please find the documentation enclosed.

Sincerely yours,

A handwritten signature in black ink that reads "Dan Sheppard". The signature is fluid and cursive.

Dan Sheppard
McMinnville School District
Transportation Coordinator

OCT 03 2019

4.2

RESOLUTION NO. 02-1920

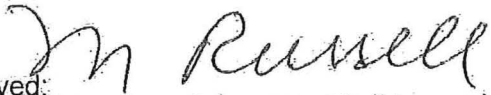
A Resolution of the McMinnville School Board of Directors
Regarding a Supplemental Plan for
Approved Transportation Costs for Payments from the State School Fund

WHEREAS, on September 16, 2019, the District Board approved revised attendance boundaries for the District; and

WHEREAS, the revised attendance boundaries became effective with the 2019-2020 school year, and

WHEREAS, the revised attendance boundaries have resulted in new or additional needs to require transportation based on health or safety reasons, including special education for certain students who live within the 1 and 1.5 mile limitations prescribed by statute;

NOW, THEREFORE BE IT RESOLVED that the District Board shall adopt the attached Supplemental Plan for transportation of students so affected, as submitted, in accordance with OAR 581-023-0040.

Approved: , 2019

McMinnville School District

By: 

Larry Vollmer

Chair of McMinnville School District Board

SUPPLEMENTAL PLAN FOR BUEL ELEMENTARY SCHOOL 1287

School and one mile boundaries outlined in green.

HAZARDOUS CONDITIONS:	GENERAL AREA:	APPRX. # STUDENTS
No sidewalks, rural, Hwy 99W traffic Railroad Tracks	Booth Bend Road, Hwy 18, Old Sheridan Road East Street, Linfield, Melrose Avenue Between 1st street and Linfield Ave	63

The district will transport all students within the one mile walking distance who are in grades K-12 special education programs specifying transportation IEP's as addressed in IDEA 2004, having disabilities as addressed in section 504 of 930112. Each case shall be warranted due to the individual's safety, health, and/or special education needs. All documentation will be held in local file.

SUPPLEMENTAL PLAN FOR COLUMBUS ELEMENTARY SCHOOL 1228

School and one mile boundaries outlined in green.

HAZARDOUS CONDITIONS:	GENERAL AREA:	APPRX. # STUDENTS
No Sidewalks, rural	South East Street	2

The district will transport all students within the one mile walking distance who are in grades K-12 special education programs specifying transportation IEP's as addressed in IDEA 2004, having disabilities as addressed in section 504 of 930112. Each case shall be warranted due to the individual's safety, health, and/or special education needs. All documentation will be held in local file.

SUPPLEMENTAL PLAN FOR GRANDHAVEN ELEMENTARY SCHOOL 2784

School and one mile boundaries outlined in green.

HAZARDOUS CONDITIONS:	GENERAL AREA:	APPRX. # STUDENTS
Hwy 99W traffic	Between Hwy 99W and Lafayette Ave	33

The district will transport all students within the one mile walking distance who are in grades K-12 special education programs specifying transportation IEP's as addressed in IDEA 2004, having disabilities as addressed in section 504 of 930112. Each case shall be warranted due to the individual's safety, health, and/or special education needs. All documentation will be held in local file.

SUPPLEMENTAL PLAN FOR MEMORIAL ELEMENTARY SCHOOL 1230

School and one mile boundaries outlined in green.

HAZARDOUS CONDITIONS:	GENERAL AREA:	APPRX. # STUDENTS
Hwy 99W traffic, part of Compton Crest development past 1.0 mile	Between Adams/Baker and McDonald Streets Oakridge Drive, Merlot Drive, and Zinfandel Loop	53

The district will transport all students within the one mile walking distance who are in grades K-12 special education programs specifying transportation IEP's as addressed in IDEA 2004, having disabilities as addressed in section 504 of 930112. Each case shall be warranted due to the individual's safety, health, and/or special education needs. All documentation will be held in local file.

SUPPLEMENTAL PLAN FOR NEWBY ELEMENTARY SCHOOL 1231

School and one mile boundaries outlined in green.

HAZARDOUS CONDITIONS:	GENERAL AREA:	APPRX. # STUDENTS
Not applicable	No need for supplement	0

The district will transport all students within the one mile walking distance who are in grades K-12 special education programs specifying transportation IEP's as addressed in IDEA 2004, having disabilities as addressed in section 504 of 930112. Each case shall be warranted due to the individual's safety, health, and/or special education needs. All documentation will be held in local file.

SUPPLEMENTAL PLAN FOR WASCHER ELEMENTARY SCHOOL 1232

School and one mile boundaries outlined in green.

HAZARDOUS CONDITIONS:	GENERAL AREA:	APPRX. # STUDENTS
Hwy 99W traffic, no sidewalks	1 st , 2 nd , Water Streets, Pioneer Park	39

The district will transport all students within the one mile walking distance who are in grades K-12 special education programs specifying transportation IEP's as addressed in IDEA 2004, having disabilities as addressed in section 504 of 930112. Each case shall be warranted due to the individual's safety, health, and/or special education needs. All documentation will be held in local file.

OCT 03 2019

McMINNVILLE SCHOOL DISTRICT #40 4.2

SUPPLEMENTAL PLAN FOR DUNIWAY MIDDLE SCHOOL 1315

School and one mile and a half boundaries outlined in green.

HAZARDOUS CONDITIONS:
No sidewalks, 99w, Rt.18

GENERAL AREA:
East Street

APPRX. # STUDENTS
0

The district will transport all students within the one mile walking distance who are in grades K-12 special education programs specifying transportation IEP's as addressed in IDEA 2004, having disabilities as addressed in section 504 of 930112. Each case shall be warranted due to the individual's safety, health, and/or special education needs. All documentation will be held in local file.

SUPPLEMENTAL PLAN FOR PATTON MIDDLE SCHOOL 1233

School and one mile and a half boundaries outlined in green.

HAZARDOUS CONDITIONS:
Not applicable

GENERAL AREA:
No need for supplement

APPRX. # STUDENTS
0

The district will transport all students within the one mile walking distance who are in grades K-12 special education programs specifying transportation IEP's as addressed in IDEA 2004, having disabilities as addressed in section 504 of 930112. Each case shall be warranted due to the individual's safety, health, and/or special education needs. All documentation will be held in local file.

SUPPLEMENTAL PLAN FOR McMinnville High School 1234

School and one mile and a half boundaries outlined in green.

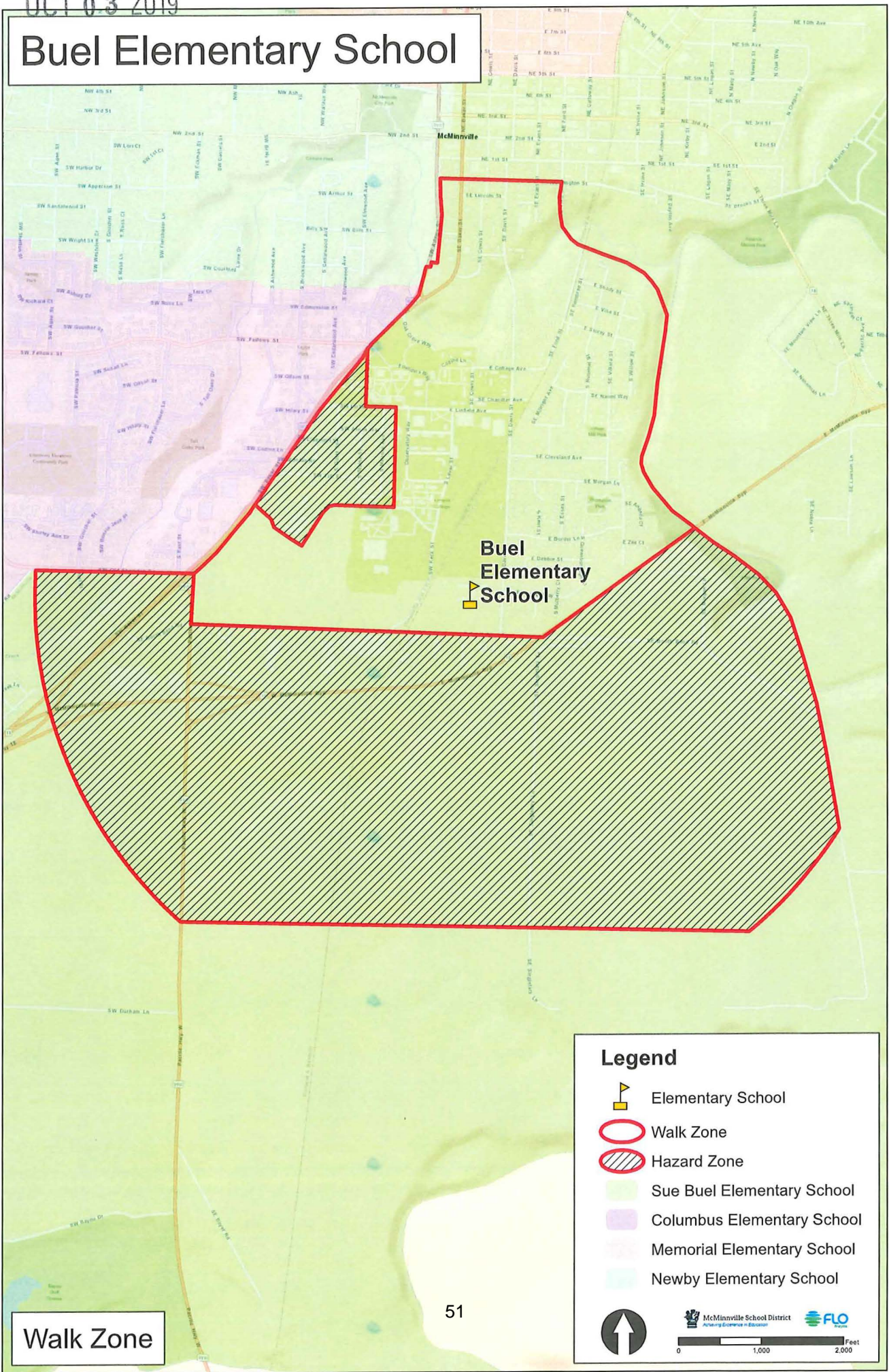
HAZARDOUS CONDITIONS:
Not applicable

GENERAL AREA:
No need for supplement

APPRX. # STUDENTS
0








The district will transport all students within the one mile walking distance who are in grades K-12 special education programs specifying transportation IEP's as addressed in IDEA 2004, having disabilities as addressed in section 504 of 930112. Each case shall be warranted due to the individual's safety, health, and/or special education needs. All documentation will be held in local file.

Buel Elementary School



**Buel
Elementary
School**

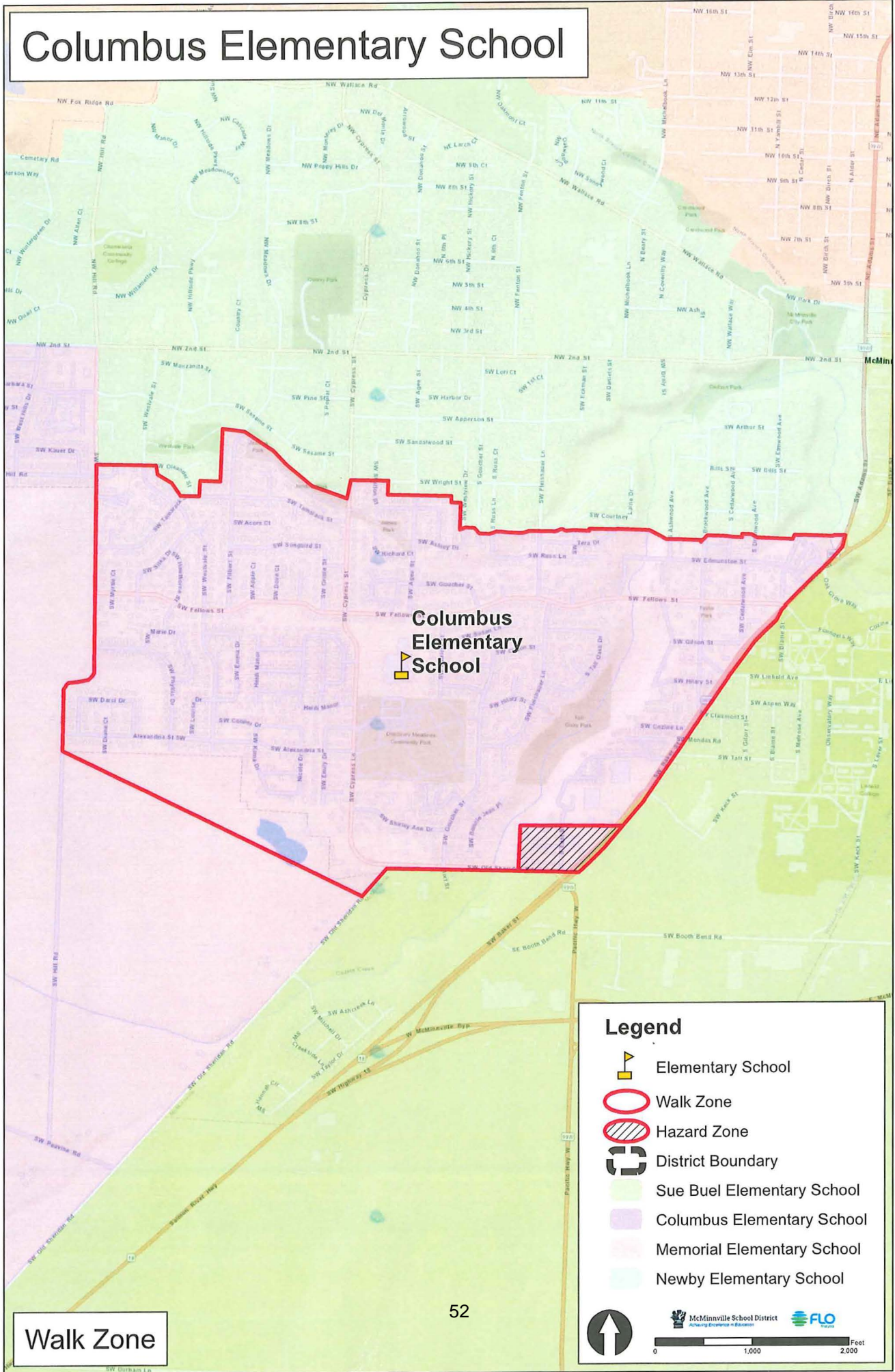
Legend

-  Elementary School
-  Walk Zone
-  Hazard Zone
-  Sue Buel Elementary School
-  Columbus Elementary School
-  Memorial Elementary School
-  Newby Elementary School

Walk Zone











Columbus Elementary School



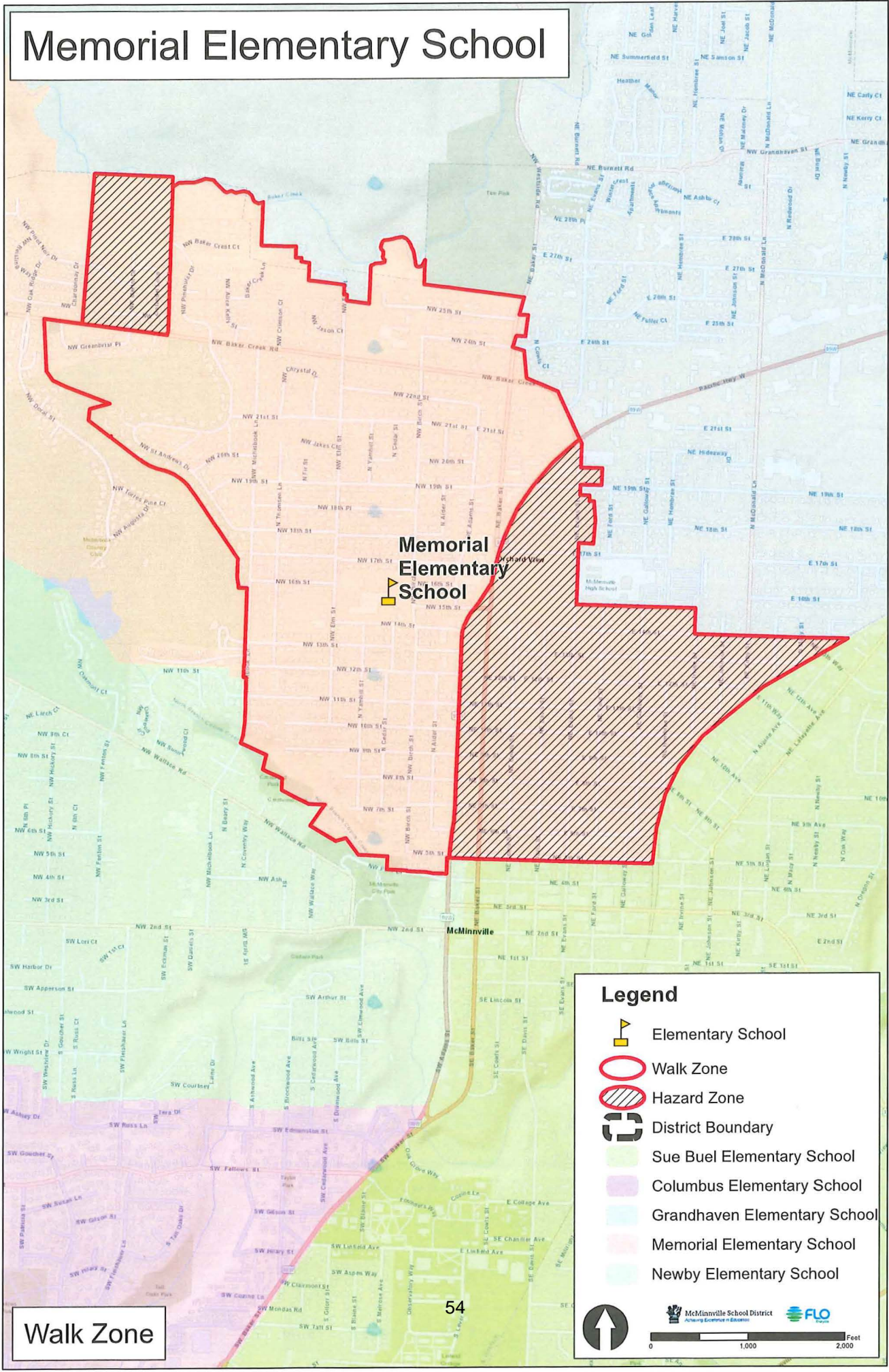
**Columbus
Elementary
School**

Legend

-  Elementary School
-  Walk Zone
-  Hazard Zone
-  District Boundary
-  Sue Buel Elementary School
-  Columbus Elementary School
-  Memorial Elementary School
-  Newby Elementary School










Walk Zone



Memorial Elementary School



Memorial Elementary School

Legend

-  Elementary School
-  Walk Zone
-  Hazard Zone
-  District Boundary
-  Sue Buel Elementary School
-  Columbus Elementary School
-  Grandhaven Elementary School
-  Memorial Elementary School
-  Newby Elementary School

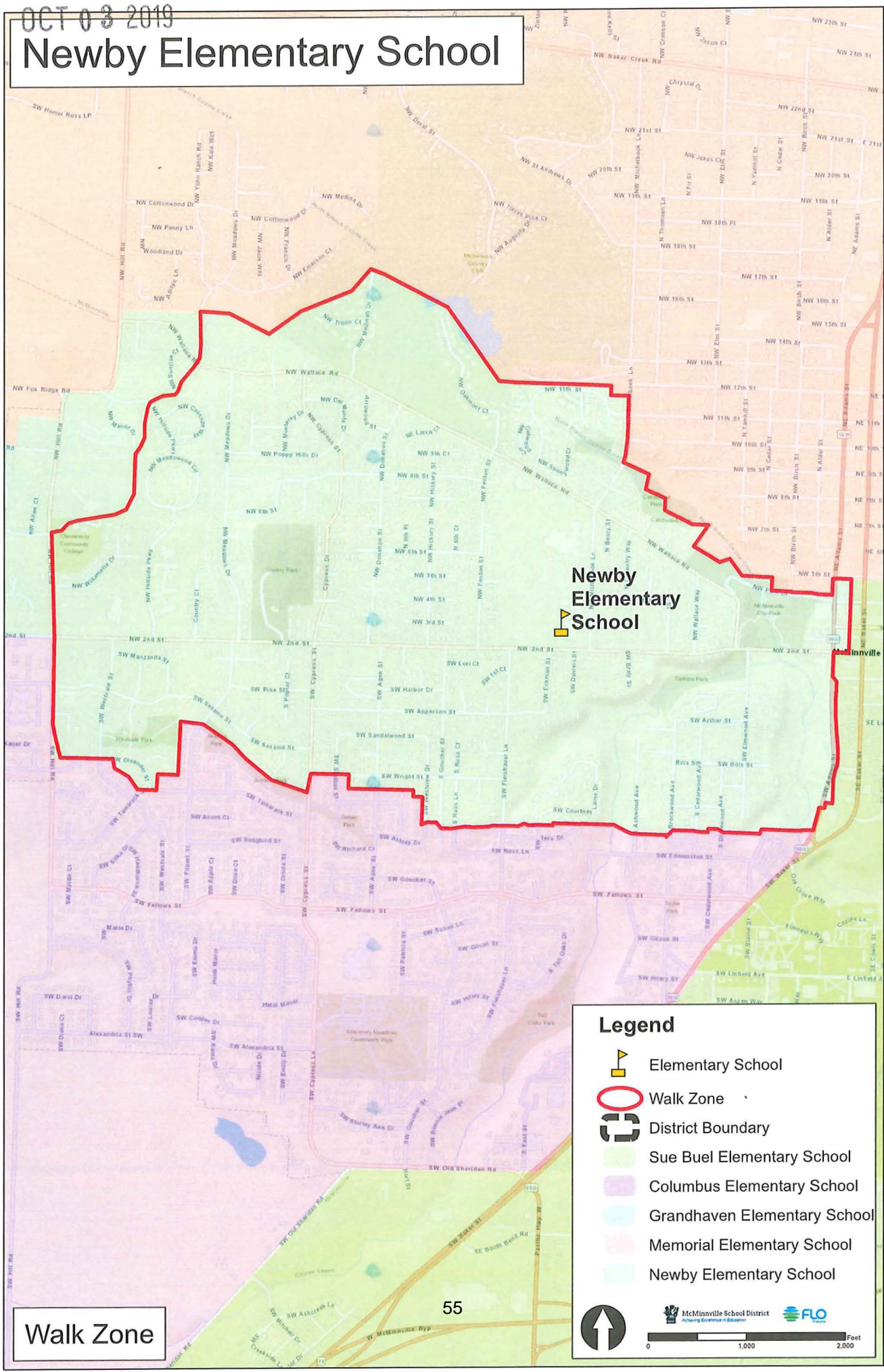
 

McMinnville School District
 FLO
 0 1,000 2,000 Feet

Walk Zone









OCT 03 2019

Newby Elementary School





**Newby
Elementary
School**

Legend

-  Elementary School
-  Walk Zone
-  District Boundary
-  Sue Buel Elementary School
-  Columbus Elementary School
-  Grandhaven Elementary School
-  Memorial Elementary School
-  Newby Elementary School



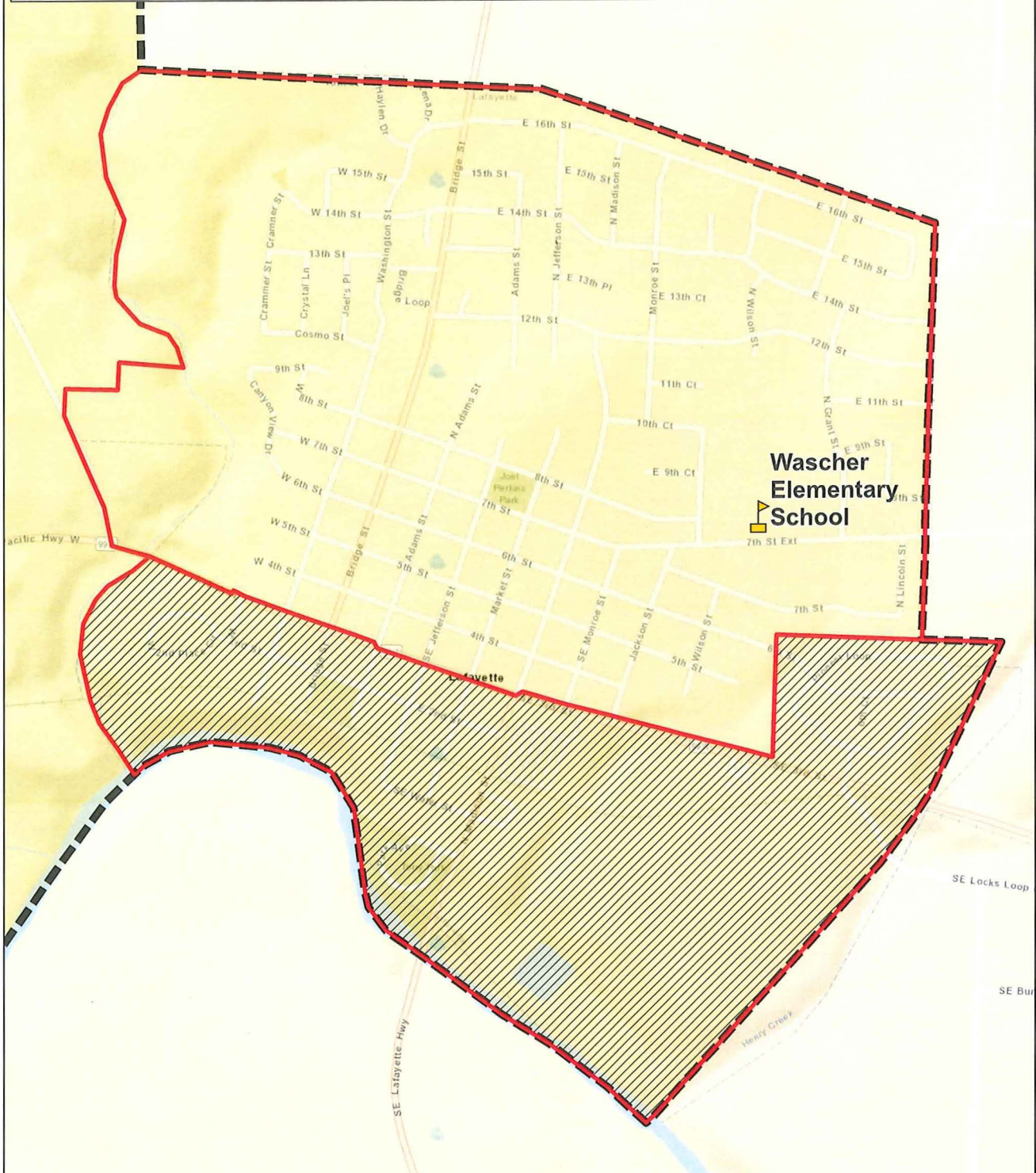



0 1,000 2,000 Feet

Walk Zone

55






Wascher Elementary School






**Wascher
Elementary
School**

Walk Zone

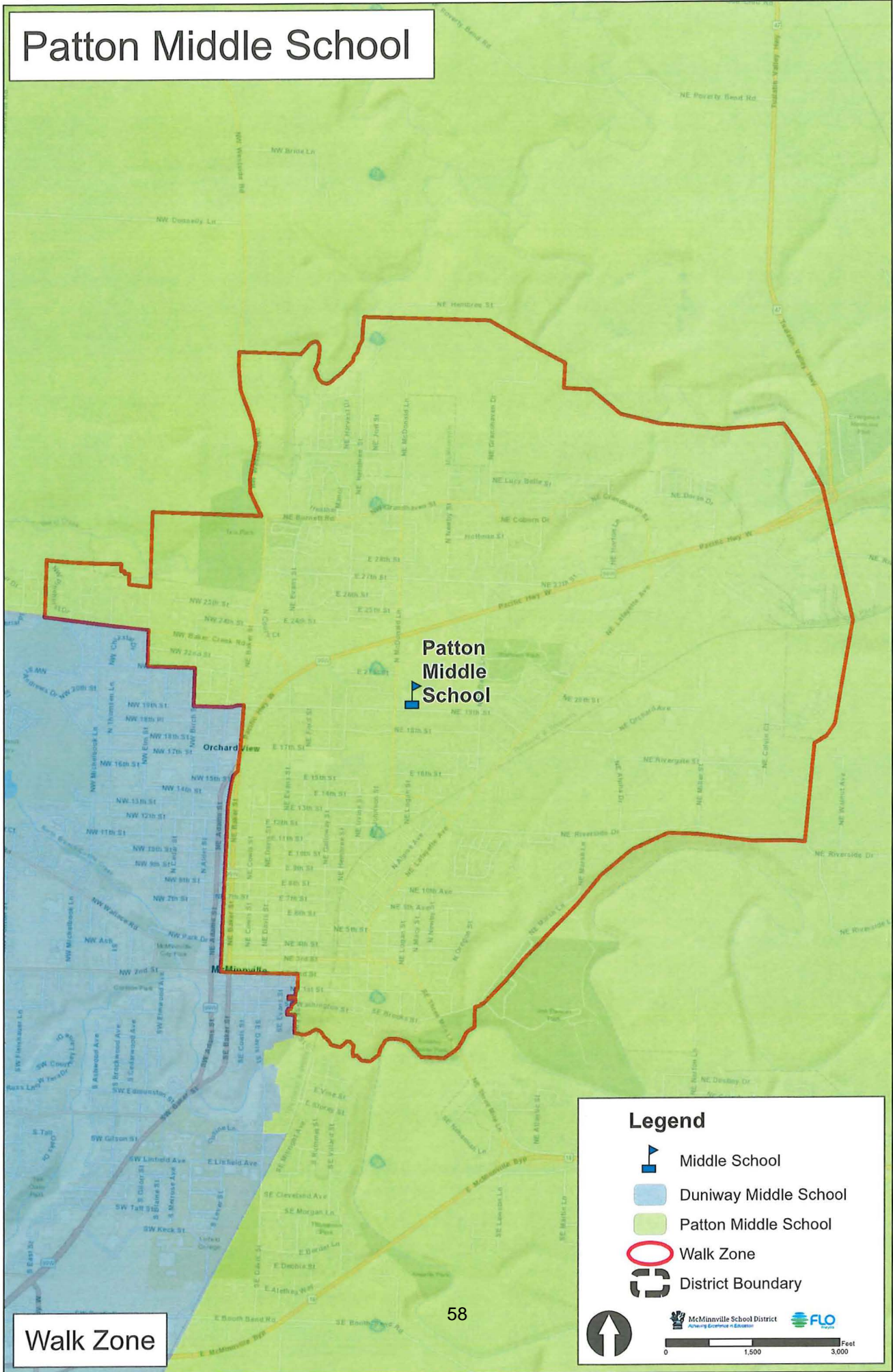
Legend

-  Elementary School
-  Walk Zone
-  Hazard Zone
-  District Boundary
-  Wascher Elementary School

0 750 1,500 Feet

Patton Middle School



Patton Middle School

Orchard View

McMinnville

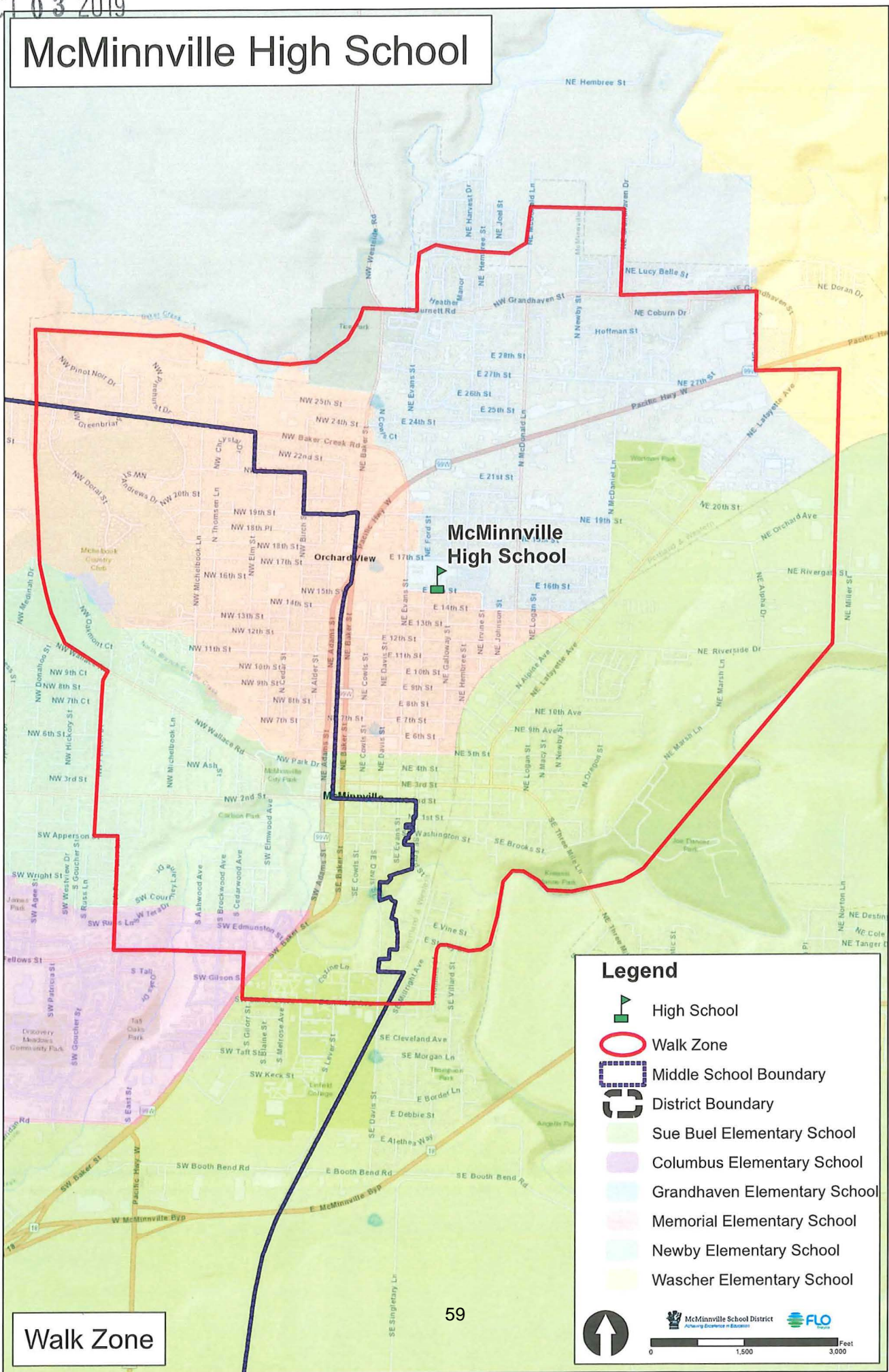
Legend

-  Middle School
-  Duniway Middle School
-  Patton Middle School
-  Walk Zone
-  District Boundary

Walk Zone













McMinnville High School



McMinnville High School

Legend

-  High School
-  Walk Zone
-  Middle School Boundary
-  District Boundary
-  Sue Buel Elementary School
-  Columbus Elementary School
-  Grandhaven Elementary School
-  Memorial Elementary School
-  Newby Elementary School
-  Wascher Elementary School

Walk Zone

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.F

<p>SUBJECT: Lebanon Community SD Supplemental Plan STAFF NAME & OFFICE: Brian Reeder & Brock Dittus, Office of Research, Analysis, and Accountability</p> <p>Lebanon Community School District has submitted a new supplemental plan for board approval. This will change the areas in which transportation will be provided / required for students who live within the statutory minimum for transportation.</p> <p><input type="checkbox"/> New Rule <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> First Reading <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p>
---	---

BACKGROUND

In 1991 the Oregon Legislature added a requirement, and funding, to provide transportation to school students who live a certain distance from their elementary or secondary school. The distances established coincide to the previous limit at which students were required to attend school prior to Oregon’s Compulsory School Law.

The legislature also recognized that students who live closer than these prescribed limits may also require transportation due to health or safety reasons, so ORS 327.043 allows for a “supplemental plan” that must be approved by the State Board of Education.

Other than the legislative guidance that the transportation must be for “health or safety” reasons, the State Board has traditionally allowed local school districts to determine areas within their district that require transportation within the distance limits.

In 1993, almost all districts submitted supplemental plans for approval from the State Board, and all were adopted. Having an approved supplemental plan does two things:

1. It allows a school district to be reimbursed as part of the transportation grant of the state school fund; and
2. It requires transportation to be provided by the district. In other words, the district can’t stop providing this transportation without the approval of a new plan.

The State Board does have the discretion to approve or not approve supplemental plans. The Pupil Transportation Unit does ensure that plans presented to the board present a health or safety reason for the plan.

A supplemental plan must be approved by the local school board prior to presentation to the State Board for approval. The Lebanon Community School District Board approved this supplemental plan at their meeting on September 16, 2019 and submitted the plan to ODE for approval thereafter.

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.F

The supplemental plan submitted by Lebanon Community School District accounts for attendance boundary changes within the no-transport area, and at this time will affect approximately 20 students. Proponents and opponents of the submitted plan had the opportunity to be heard at the local level. This plan replaces the previous plan.

SUMMARY OF PREVIOUS BOARD ACTION

The State Board approved Lebanon Community School District’s original supplemental plan in 1992, with revisions adopted by the State Board in 1997, 2010, 2017, and 2018.

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

- N/A;
- No; same as last month
- Yes – As follows:

POLICY ISSUE OR CONCERNS

The Lebanon Community School District submitted this supplemental plan for State Board approval after the local school board adopted it during a session open to the public. ODE does not engage with stakeholders separate from the district’s public process.

In this case, Lebanon Community School District is updating their plan to account for safety concerns in an area with insufficient pedestrian access that are subject to heavy commuting traffic and significant freight truck traffic combined with a speed limit of 40 miles per hour.

EQUITY IMPACT ANALYSIS

ODE does not conduct a separate analysis of a supplemental plan adopted by a local school board except to verify that the supplemental plan is being submitted for “health or safety” reasons as required by statute.

FISCAL ANALYSIS

There is no fiscal analysis because supplemental plans do not have an impact on agency funds. There is no requirement for ODE to act as a result of this action. There may be a very small impact to the State School Fund Transportation Grant as a result of providing this transportation; however, the buses / routes that will be transporting these students will pick them up on their way in from other mandated transportation areas around the district.

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 3.F

Adoption of this plan for Lebanon Community School District will not have an effect on any other school district, and will allow Lebanon Community School District to be reimbursed at their current rate for the transportation of these students as part of their transportation grant.

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1: Lebanon Community School District board-approved supplemental plan, 2019 addition



**Lebanon
Community School District**

OCT 16 2019

485 S. 5th St · Lebanon, Or 97355 · Phone: 541-451-8511 · Fax: 541-259-6857 · www.lebanon.k12.or.us

October 16, 2019

Oregon Department of Education
Pupil Service Building
255 Capitol Street NE
Salem, OR 97310

Dear Sirs,

The Lebanon Community School District has identified a stop in the community that is considered hazardous by the Superintendent of Schools. It is within the walk boundary for elementary education (approximately .50 miles from Pioneer Elementary School) and, consequently, does not comply with ORS 327.043 governing requirements for student ridership.

We developed a Supplemental Plan to define the problem and request a waiver from the ORS rules and submitted it to the Board of Education for approval. The resolution 1920-3 was approved by the Board on October 10, 2019.

Enclosed you will find the resolution requesting a waiver to transport students within the ineligible one mile zone as established by the State of Oregon. The map and rationale is attached to the resolution.

Thank you for your consideration,

Maggi Estes
Transportation Director

Enc.

LEBANON COMMUNITY SCHOOL DISTRICT
RESOLUTION 1920-3

OCT 16 2019

**Adopting the Transportation Plan as a Supplement to the Lebanon Community School
District Comprehensive Plan**

WHEREAS, the Lebanon Community School District has identified a hazardous student walking zone for students who live less than one mile from Pioneer School.

WHEREAS, at the residential area adjacent to North 5th Street and Highway 20, the following conditions apply:

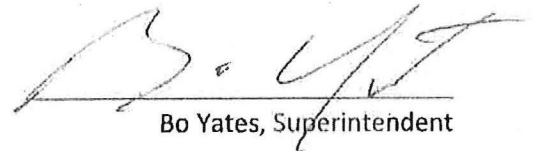
- Roadway of forty (40) miles per hour
- Significant commuting traffic
- Large semi-truck traffic
- No adequate safety

WHEREAS, the Lebanon Community School District became in conflict with ORS 327.043, a law which governs the distance from a school that students will be transported by the District.

BE IT THEREFORE RESOLVED that the Board of Directors of Lebanon Community School District approves and adopted the Supplemental Transportation Plan, as presented, for the purpose of student safety on October 10, 2019.



Tom Oliver, Board Chair



Bo Yates, Superintendent

OCT 16 2019

Reeves Parkway expansion past N 5th St Supplemental Plan Justification

The Superintendent has determined the area adjacent to N 5th St and Hwy 20 to be a hazardous walk zone. Reeves Parkway has a speed limit of forty (40) miles per hour with some significant commuting traffic and large semi trucks going into Lowes Distribution Center. There is no adequate safety for the elementary age children who live in the Cascade Ridge Apts. Upon this determination, the District became in conflict with ORS 327.043. This Law governs the distance from a school that children will be transported by District.

In order to come into compliance with State Law, the Board is requested to adopt the attached resolution that provides our reasoning for transport within the one (1) mile radius. Pursuant to PL93-112 and section 504 of the Rehabilitation Act of 1973, the District is currently transporting special needs students who require reasonable accommodation within the walk zone. The Transportation Department requests approval of a Supplemental Plan by the School Board for recommendation to the Oregon Department of Education. If approved, this Plan will provide for funding of the additional route required to support transportation of these students.

Oregon State Board of Education

12 December 2019

AGENDA ITEM: 5.A

<p>SUBJECT: Instructional Materials Adoption Criteria for World Languages/OAR 581-011-0065</p> <p>STAFF NAME & OFFICE: Jeremy A. Wartz, Rendy Jantz, Alexa Pearson; Office of Teaching, Learning, and Assessment</p> <p>Criteria for the selection and adoption of instructional materials for World Languages were developed and recommended by the criteria development committee. These criteria are being presented to the State Board of Education for approval.</p> <p><input 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

The State Board of Education has the responsibility of approving criteria for the evaluation and adoption of submitted instructional materials (OAR 581-011-0065). The last contracted period for instructional materials in World Languages were from 2011-2017. World Languages standards were adopted during the October 2019 meeting. The Department of Education needs new adoption criteria to ensure that instructional materials align with the updated World Languages standards.

Following the guidelines provided in OAR 581-011-0055, ODE staff convened a committee of teachers, curriculum specialists, and other content area experts in World Languages. Moreover, the committees have developed the criteria being submitted to the Board which will be used in the evaluation of instructional materials submitted for adoption.

During the recruitment process for the criteria development committees, ODE required interested teachers, curriculum specialists, and other experienced professionals to apply. ODE staff posted a recruitment announcement for committee members beginning in August 2019. Due to a limited number of applications received at the first deadline date, a second recruitment announcement was sent to ESD staff at the beginning of October 2019. The criteria development committee consisted of 16 members and first met on October 24, 2019. The draft adoption criteria for World Languages was approved by the committee and finalized on November 30, 2019.

SUMMARY OF PREVIOUS BOARD ACTION

This issue has not previously been before the Board.

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

- N/A; first read—hasn't been before board
 No; same as last month

Oregon State Board of Education

12 December 2019

AGENDA ITEM: 5.A

Yes – As follows:

POLICY ISSUE OR CONCERNS

There are no known policy questions raised due to this request.

EQUITY IMPACT ANALYSIS

By providing adoption criteria for instructional materials in World Languages, students from different communities including those historically underserved may have access to high quality materials. Adopting the criteria for World Languages will work towards the elimination of the achievement gap and opportunity gap by allowing students access and opportunity to high quality materials and resources.

FISCAL ANALYSIS

No fiscal impact.

EFFECT OF A “YES” OR “NO” VOTE

A “yes” vote will provide Oregon school districts with criteria for the evaluation and adoption of World Languages instructional materials that are aligned to the newly adopted standards.

A “no” vote will mean that school districts will use previously State Board approved adoption criteria from 2010 for World Languages instructional materials. This will result in materials not aligned to currently adopted content standards.

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1: Level 1-2 World Languages Adoption Criteria
Attachment 2: Level 3-4 World Languages Adoption Criteria
Attachment 3: Level 5+ World Languages Adoption Criteria

Level 1-2 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 1-2	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>The instructional materials align with the concepts of the World Language standards and proficiency expectations.</p>	<p>The instructional materials support instruction and learning for all students.</p>	<p>The instructional materials support monitoring student progress.</p>
<p>Communication</p> <ol style="list-style-type: none"> 1. Language functions (e.g., making and verifying hypotheses, making inferences, requesting to repeat or slow down, paraphrasing, using short answers, predicting, skimming or scanning) and cultural practices are presented and practiced. 2. Materials provide learners with developmentally appropriate strategies (e.g., age and proficiency level) to help them become successful listeners, speakers, readers and writers of the language. 3. Presentation of vocabulary is manageable, context-related and taught explicitly and implicitly. 4. Students are introduced to manageable amount of essential, functional, thematic, authentic and practical vocabulary with spiraling and 	<p>Student Engagement</p> <ol style="list-style-type: none"> 1. Materials offer authentic and meaningful student-centered activities with practical applications that build interest and awareness of varied life experiences. 2. Materials provide opportunities for students to personalize, internalize and cultivate their learning to promote student agency. 3. Materials provide relevant examples and connections to students' lives, with practical applications to their current and future selves. 4. Materials provide guidance for teachers to support learning activities that are culturally relevant by representing diverse cultures and linguistic backgrounds. <p>Differentiated Instruction</p> <ol style="list-style-type: none"> 1. Materials facilitate the planning and 	<p>Assessment & Measuring Progress</p> <ol style="list-style-type: none"> 1. Student assessment is aligned with Oregon's adopted state content standards and established proficiency-level outcomes, across the full depth, breadth and complexity. 2. Assessment materials include editable and aligned rubrics, scoring guidelines, and exemplars that provide guidance for analyzing student performance to support teachers in: <ul style="list-style-type: none"> ● Planning instruction ● Providing ongoing feedback to students ● Sharing to guardian/parents ● Sharing to classrooms, schools/districts 3. Materials use a balanced approach to assessment (formative, interim; end of unit; summative, peer, self, etc.) that measures student progress toward grade

Level 1-2 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 1-2	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>scaffolding presentations that build in a perpetual review of vocabulary.</p> <p>5. There is sufficient interpersonal, interpretive, and presentational oral and written practice of the grammar and vocabulary that promotes meaningful and balanced individual, pair and group language learning.</p> <p>6. The form, meaning and use of the grammar component presented and practiced includes contextually appropriate examples taught both implicitly and explicitly.</p> <p>7. There is a balance between listening, speaking, reading, and writing activities.</p> <p>8. Input is comprehensible, realistic, and current, including oral and written sources by speakers of the target language for speakers of the target language.</p> <p>9. Communicative practice activities move from controlled to transitional to independent and support a variety of learning styles.</p> <p>10. Multiple intelligences (e.g., visual, musical, and kinesthetic) are addressed in the text to support the variety of learner types in the classroom.</p>	<p>implementation of differentiated instruction addressing the needs of identified students. (Talented and Gifted (TAG), English Language Learner (ELL)/Emerging Bilingual (EB), Special Education (SPED), and Alternative Education students.)</p> <p>2. Materials provide varied Depth of Knowledge (D.O.K.) activities in each lesson/chapter.</p> <p>3. Materials provide a social-emotional learning connection.</p> <p>4. Materials provide age-appropriate content with multiple tiers of access. (MTSS: Multi-Tiered Systems of Support)</p> <p>5. Appropriate scaffolding, interventions, extensions, and supports are evident and do not sacrifice World Language content.</p> <p>6. Materials provide access for core instruction, intensification and acceleration, including targeted remediation with proficiency-level content.</p> <p>7. Materials lend themselves to applying the principles of Universal Design for Learning (UDL).</p> <p>Instructional Materials</p>	<p>level outcomes. (proficiency level outcomes/descriptors).</p> <p>4. Assessment materials use varied modalities of instruction that reflect authentic experiences.</p> <p>5. The materials assess student proficiency using vocabulary, examples, and applications that are accessible, diverse, and aligned to student grade level /proficiency level expectations.</p> <p>6. Assessments provide multiple opportunities for students to demonstrate and receive descriptive feedback on performance.</p> <p>7. Item bank must include selected response, constructed response items, as well as performance tasks, to provide teachers and students with a range of data to inform instruction at individual and classroom levels.</p> <p>8. Materials provide online assessments aligned to Oregon State Standards and ACTFL, offering a variety of assessment options.</p> <p>9. Materials allow teachers to access, revise/edit, share and print from digital sources to create and/or modify</p>

Level 1-2 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 1-2	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>11. Students are asked to do more than rote memorization and recall.</p> <p>Culture</p> <p>1. There is a wide variety of authentic, culturally sensitive, non-stereotypical visual images of the target culture(s).</p> <p>2. Materials present a broad range and diverse representation of target language countries, ethnicities and communities (urban, rural, etc.) presented.</p> <p>3. Cultural content is accurate, current, and contextually appropriate.</p> <p>4. Cultural notes/readings are interesting, meaningful and appropriate for the age and proficiency levels of the learners.</p> <p>5. Connections are made between the target cultural practices and perspectives.</p> <p>6. Materials promote learners' reflection of their own culture.</p> <p>7. Activities are appropriate for age level and proficiency level.</p> <p>Connections</p>	<p>1. Materials systematically develop foundational language acquisition skills using transparent, research-based methods.</p> <p>2. Materials provide explicit, systematic instruction and diagnostic support in listening, reading, speaking and writing the language.</p> <p>3. Language/pictures/graphics/media used in texts is active in the pursuit of equity outcomes, framed in the positive, not just the absence of negative.</p> <ul style="list-style-type: none"> ● Language includes protected classes and historically underserved populations. ● Materials provide opportunities to see diverse cultures in significant roles. ● Materials make connections to diverse micro-communities (religious, economical, geographical, etc.) <p>4. Materials include current, authentic and culturally-sensitive pictures, reflecting national and regional differences as well as graphics with relevant classroom applications.</p>	<p>assessments (e.g., readings, labs, rubrics, primary source documents, cartoons, graphs, maps, test bank) in order to correspond to multiple electronic grade book platforms.</p> <p>10. The materials assess student proficiency using a variety of methods that recognize various perspectives, reflect authentic experiences in students' lives, and have been reviewed for accessibility, adaptability, and cultural sensitivity for all students (e.g., for students who are Talented and Gifted (TAG), English Language Learner (ELL)/Emerging Bilingual (EB), Special Education (SPED) students, and/or Alternative Education Students).</p> <p>11. Assessment materials provide teachers with a range of data to inform instruction that can interface with common learning management systems/electronic gradebook platforms (e.g.: Canvas, Schoology, Google Classroom.)</p> <p>12. Assessment materials provide multiple opportunities and formats within each unit (e.g., interpersonal, presentational, interpretive, integrated performance) for students to demonstrate skills, content knowledge, and receive feedback on performance.</p>

Level 1-2 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 1-2	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>1. The materials provide frequent opportunities for students to utilize the target language with other subject areas in cross-disciplinary projects.</p> <p>2. Materials engage students in learning and skill-based activities that maximize practice opportunities that are relevant and integrated into appropriate cross-curricular content and concepts.</p> <p>Comparisons</p> <p>1. Students are asked to compare their own culture with the target culture to discover similar and different cultural practices, products and perspectives using a variety of media.</p> <p>2. Students are asked to look at their own language and compare it linguistically to the target language.</p> <p>3. Students are prompted to use higher-order thinking skills when using any of the language modalities or when presented with cultural content (e.g., analysis, synthesis, and evaluation).</p> <p>Communities</p> <p>1. Suggestions are provided for</p>	<p>5. Materials provide ample listening, reading, oral and written practice for students' application and mastery of each standard.</p> <p>6. Materials have online listening activities highlighted in the student edition.</p> <p>7. Instructional materials are presented in a teacher-friendly format that is accessible and practical for classroom use by teachers of diverse backgrounds, knowledge, and skill.</p> <p>8. Instructional materials are well organized and easily adaptable to fit different teaching situations or schedule configurations.</p> <p>9. The teacher's edition is well- organized with practical teaching suggestions at the point of need.</p> <p>10. Materials offer a digital FlexText. (E-textbook that adjusts to whatever screen student is using; content is updated to the most current version.)</p> <p>11. Materials include technology supports and resources that extend and enhance learning such as games, songs, forms of art, etc.</p>	<p>13. Assessment materials use varied modalities of instruction that reflect authentic experiences.</p>

Level 1-2 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 1-2	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>opportunities to interact with members of the local target language community or for using local community resources.</p> <p>2. Students are given examples of ways they could use the target language in the future, beyond the school experience.</p> <p>3. Students are provided with role models and/or examples of individuals who use the target language in their lives.</p>	<p>12. Materials include an online component that provides meaningful and interactive practice in addition to ancillary materials.</p> <p>13. Materials refer students to additional informational resources to enhance their study of language and culture.</p> <p>14. Materials refer students to additional informational resources to enhance their study of language and culture.</p> <p>15. Materials contain a variety of updated and user-friendly online materials and resources available to teachers, students, and families.</p> <p>16. Culturally-responsive language reflects current events and changes in cultural perspectives.</p> <p>17. Digital and print materials are consistently formatted, visually focused, uncluttered, and organized for efficient use.</p> <p>18. Digital materials allow teachers to access, revise, and print from digital resources (e.g., readings, activities, assessments, and rubrics).</p> <p>19. Materials allow for ongoing and embedded professional development.</p>	

Level 1-2 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 1-2	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
	<p>20. The format and structure of the materials reflect a sequence of logical skills and/or concept development consistent with language acquisition research.</p> <p>21. Materials provide direct access to equitable resources through various levels of technology:</p> <ul style="list-style-type: none"> ● Speech to text ● Text to speech ● Audio books ● Digital copies ● Interactive companion website <p>22. Previously taught skills and strategies are intentionally reviewed, practiced and connected to new skills and knowledge in subsequent lessons.</p> <p>23. In addition to providing vocabulary and language support, materials encourage critical thinking skills.</p>	

Level 3-4 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 3-4	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>The instructional materials align with the concepts of the World Language standards and proficiency expectations.</p>	<p>The instructional materials support instruction and learning for all students.</p>	<p>The instructional materials support monitoring student progress.</p>
<p>Communication</p> <ol style="list-style-type: none"> 1. Materials provide learners with strategies to help them become proficient listeners, speakers, readers, and writers of the target language. 2. Materials introduce essential vocabulary and grammatical structures in ways that are functional, thematic, authentic, and practical. 3. The number of vocabulary words and grammatical concepts per section/unit/chapter is manageable. 4. The presentation of vocabulary and grammatical concepts is clear, logically sequenced, and recursive. 5. Communicative practice activities move from controlled to transitional to independent and support a variety of learning styles. 6. There is a balance between listening, speaking, reading, and writing across the 	<p>Student Engagement</p> <ol style="list-style-type: none"> 1. Materials offer authentic and meaningful student-centered activities that build interest and understanding of varied life experiences. 2. Materials provide opportunities for students to personalize, internalize, and take ownership of their learning. 3. Materials provide relevant examples and connections to students' lives, with practical applications to their current and future selves. 4. Materials provide guidance for teachers to support culturally responsive/relevant learning activities that address: <ul style="list-style-type: none"> • Diverse cultures with various linguistic backgrounds • Different learning styles and a range of interests 	<p>Assessment & Measuring Progress</p> <ol style="list-style-type: none"> 1. Student assessment is aligned with Oregon's adopted state content standards and established proficiency-level outcomes, across the full depth, breadth and complexity. 2. Assessment materials include editable and aligned rubrics, scoring guidelines, and exemplars that provide guidance for: <ul style="list-style-type: none"> • Planning/instruction • Providing ongoing feedback to students • Sharing to guardian/parents • Sharing to classrooms, schools/districts 3. Materials use a balanced approach to assessment (formative, summative, peer, self, etc.) that measure student progress toward proficiency outcomes.

Level 3-4 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 3-4	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>three modes. (Interpretive/Interpersonal/Presentational).</p> <p>7. There is ample text and audio comprehensible input about relevant and engaging themes and a variety of meaningful activities that provide opportunities for individual, paired and cooperative learning activities.</p> <p>8. Activities are appropriate for age level and proficiency level.</p> <p>9. Multiple intelligences (e.g., visual, musical, and kinesthetic) are addressed in the text to support the variety of learner types in the classroom.</p> <p>10. Materials require students to do more than rote memorization and recall.</p> <p>Culture</p> <p>1. There is a wide variety of authentic, culturally sensitive, and non-stereotypical current visual images of the target culture(s).</p> <p>2. There is a broad and diverse representation of countries presented. If the target language is spoken in one country, regional cultural differences in dialect and idiom are represented.</p>	<ul style="list-style-type: none"> • Students with special needs <p>Differentiated Instruction</p> <p>1. Materials facilitate the planning and implementation of differentiated instruction addressing the needs of identified students. (Talented and Gifted (TAG), English Language Learner (ELL)/Emerging Bilingual (EB), Special Education (SPED), and Alternative Education students.)</p> <p>2. Materials provide varied Depth of Knowledge (D.O.K.) activities.</p> <p>3. Materials provide a social-emotional learning connection.</p> <p>4. Materials provide multiple tiers of access to proficiency-level content. (MTSS: Multi-Tiered Systems of Support)</p> <p>5. Appropriate scaffolding, interventions, extensions, and supports are evident and do not sacrifice World Language content.</p> <p>6. Materials provide access for core instruction, intensification, and acceleration, including targeted remediation with proficiency-level content.</p>	<p>4. Assessment materials use varied modalities of instruction that reflect authentic experiences.</p> <p>5. Assessment options include selected/constructed/extended response items, as well as performance tasks, to provide teachers and students with a range of data to inform instruction at individual and classroom levels.</p> <p>6. Assessments provide multiple opportunities for students to demonstrate and receive descriptive feedback on performance.</p> <p>7. Assessment materials allow teachers to access, revise/edit, share, and print from digital sources to create and/or modify assessments.</p> <p>8. Materials assess student proficiency using a variety of methods that recognize various perspectives, and have been reviewed for accessibility, adaptability, and cultural sensitivity for all students (e.g. for students who are Talented and Gifted (TAG), English Language Learner (ELL)/Emerging Bilingual (EB), Special Education (SPED) students, Heritage Speakers, and/or Alternative Education Students).</p>

Level 3-4 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 3-4	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>3. Cultural information is interesting, relevant, and age- and proficiency-level appropriate.</p> <p>4. Materials explore the diversity of distinct cultures and individuals that share the target language (including, but not limited to dialect and idioms).</p> <p>5. Materials promote learners' reflection of their own culture.</p> <p>6. Connections are made between the target cultural practices and perspectives.</p> <p>7. Activities are appropriate for age level and proficiency level.</p> <p>Connections</p> <p>1. The materials provide opportunities for students to utilize the target language with other subject areas in cross-disciplinary projects.</p> <p>2. Materials engage students in learning and skill-based activities that maximize practice opportunities that are relevant and integrated into appropriate cross-curricular content and concepts.</p> <p>Comparisons</p>	<p>7. Materials lend themselves to applying the principles of Universal Design for Learning (UDL).</p> <p>Instructional Materials</p> <p>1. Materials systematically develop foundational language acquisition skills using transparent, research-based methods.</p> <p>2. Materials provide explicit and systematic instruction and diagnostic support in: vocabulary, grammar, communication, culture, reading, writing, speaking, and listening.</p> <p>3. Language/pictures/graphics/media in the curricular materials are active in the pursuit of equity outcomes, framed in the positive, not just the absence of negative.</p> <ul style="list-style-type: none"> ● Language includes protected classes and historically underserved populations. ● Materials provide opportunities to see diverse cultures in non-stereotypical roles. ● Materials make connections to diverse micro-communities (religious, economical, geographical, etc.) 	<p>9. Assessment materials provide teachers with a range of data to inform instruction that can interface with common learning management systems/electronic gradebook platforms (e.g.: Canvas, Schoology, Google Classroom.)</p> <p>10. Assessment materials provide multiple opportunities and formats within each unit (e.g., interpersonal, presentational, interpretive, integrated performance) for students to demonstrate skills, content knowledge, and receive feedback.</p> <p>11. Materials provide online assessments aligned to ACTFL and Oregon State Standards and offer a variety of assessment options.</p> <p>12. Assessment materials use varied modalities of instruction that reflect authentic experiences.</p>

Level 3-4 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 3-4	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>1. Students are asked to compare and contrast the linguistic and cultural similarities and differences between the products, practices, and perspectives of own culture and those of the target culture.</p> <p>2. Students are asked to look at their own language and compare it linguistically to the target language.</p> <p>3. Students are asked to utilize higher order thinking skills of analysis, synthesis, evaluation, and negotiation.</p> <p>Communities</p> <p>1. The materials provide opportunities for students to engage in collaborative activities in local and global communities.</p> <p>2. The materials provide information about how students can use the target language for enjoyment, enrichment, and advancement in the future and beyond the school experience.</p> <p>3. Students learn about individual role models who use the target language in their lives.</p>	<p>4. Materials include current, authentic and culturally-sensitive pictures, reflecting national and regional differences as well as graphics with relevant classroom applications.</p> <p>5. Materials provide appropriate, ample educational opportunities for students to apply, practice, and master each standard.</p> <p>6. Materials have online listening activities highlighted in the student edition.</p> <p>7. Instructional materials are presented in a teacher-friendly format that is accessible and practical for classroom use by teachers of diverse backgrounds, knowledge, and skill.</p> <p>8. Instructional materials are well organized and easily adaptable to fit different teaching situations or schedule configurations.</p> <p>9. The teacher’s edition is well-organized with practical teaching suggestions at the point of need.</p> <p>10. Materials offer a digital FlexText. (E-textbook that adjusts to whatever screen student is using; content is updated to</p>	

Level 3-4 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 3-4	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
	<p>the most current version.)</p> <p>11. Materials include technology supports and resources that allow digital and print materials to extend and enhance learning.</p> <p>12. Materials include an online component that provides meaningful and interactive practice in addition to ancillary materials.</p> <p>13. Materials refer students to additional informational resources to enhance their study of language and culture.</p> <p>14. Materials allow for stakeholder engagement, inviting participation from parents/community.</p> <p>15. Materials contain a variety of updated and user-friendly online materials and resources available to teachers, students, and families.</p> <p>16. Culturally-responsive language reflects current events and changes in cultural perspectives.</p> <p>17. Digital and print materials are consistently formatted, visually focused, uncluttered, and organized for efficient use.</p>	

Level 3-4 Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 3-4	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
	<p>18. Digital materials allow teachers to access, revise, and print from digital resources (e.g., readings, activities, assessments, and rubrics).</p> <p>19. Materials allow for ongoing and embedded professional development.</p> <p>20. The format and structure of the materials reflect a sequence of logical skills and/or concept development consistent with language acquisition research.</p> <p>21. Materials provide direct access to equitable resources through various forms of technology available in multiple languages:</p> <ul style="list-style-type: none"> ● Speech to text ● Text to speech ● Audio books ● Digital copies 	

Level 5+ Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 5+	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>The instructional materials align with the concepts of the World Language standards and proficiency expectations.</p>	<p>The instructional materials support instruction and learning for all students.</p>	<p>The instructional materials support monitoring student progress.</p>
<p>Communication</p> <ol style="list-style-type: none"> 1. Communication strategies, such as circumlocution, making and verifying hypotheses and making inferences, are presented and practiced. 2. Students are introduced to grammatical structures that are presented in a clear, deductive and logical way. 3. Students are introduced to manageable amount of essential, functional, thematic, authentic and practical vocabulary with spiraling and scaffolding presentations that build in a perpetual review of vocabulary. 4. Activities include interpretive, interpersonal and presentational modes with a balance among listening, speaking, reading and writing skills that lead from controlled to transitional to communicative use of the language. 	<p>Student Engagement</p> <ol style="list-style-type: none"> 1. Materials offer authentic and meaningful student-centered activities that build interest and understanding of varied life experiences. 2. Materials provide relevant examples and connections to students' lives, with practical applications to their everyday lives and future selves and allow them to personalize, internalize and curate their learning to promote student agency. 3. Materials promote equitable instruction by making connections to culture, home, neighborhood, and communities, as appropriate. 4. Materials provide guidance for teachers to support learning activities that are culturally responsive relevant by addressing: 	<p>Assessment & Measuring Progress</p> <ol style="list-style-type: none"> 1. Student assessment is aligned with Oregon's adopted state content standards and established proficiency-level outcomes, across the full depth, breadth and complexity. 2. Assessment materials provide both print and online assessments that are aligned, and editable rubrics, scoring guidelines, "I can" statements and exemplars that provide guidance for analyzing student performance to support teachers in: <ul style="list-style-type: none"> • Planning instruction • Providing ongoing feedback to students • Sharing to guardian/parents • Sharing to classrooms, schools/districts 3. Materials use a balanced approach to assessment (formative, interim; end of

Level 5+ Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 5+	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>5. There is ample text and audio comprehensible input about relevant and engaging themes and a variety of meaningful activities that provide opportunities for individual, paired and cooperative learning activities.</p> <p>6. The activities are set in an age-appropriate context and are level-appropriate.</p> <p>7. Multiple intelligences (e.g., visual, musical, and kinesthetic) are addressed in the text to support the variety of learner types in the classroom.</p> <p>Culture</p> <p>1. There is a wide variety of authentic, culturally sensitive, and non-stereotypical current visual images of the target culture(s).</p> <p>2. Materials present a broad range of diverse representation of countries and cultures.</p> <p>3. Cultural information is relevant, accurate, and explores the diversity of distinct cultures and individuals that share the target language (including but not limited to dialect and idioms).</p>	<ul style="list-style-type: none"> ● Diverse cultures with significant roles ● Various linguistic and socioeconomic backgrounds ● Different learning styles ● Diverse ability representation and diverse age representation ● Diverse gender representation ● A range of interests <p>Differentiated Instruction</p> <p>1. Materials facilitate the planning and implementation of differentiated instruction addressing the needs of identified students. (Talented and Gifted (TAG), English Language Learner (ELL)/Emerging Bilingual (EB), Special Education (SPED), and Alternative Education students.)</p> <p>2. Materials provide varied Depth of Knowledge (D.O.K.) activities in each lesson/chapter.</p> <p>3. Materials provide a social-emotional learning connection.</p> <p>4. Materials provide access to proficiency-level content, with multiple tiers of access. (MTSS: Multi-Tiered Systems of Support)</p> <p>5. Appropriate scaffolding, interventions,</p>	<p>unit; summative, peer, self, etc.) that measures student progress toward proficiency level outcomes.</p> <p>4. Assessment materials use varied task models (selected, constructed, project-based, extended response, and performance tasks) of instruction-embedded pre-, formative, summative, peer, and self-assessment measures to provide teachers and students with a range of data to inform instruction at individual and classroom levels.</p> <p>5. Assessment materials provide teachers with a range of data to inform instruction that can interface with common learning management systems/electronic gradebook platforms (e.g.: Canvas, Schoology, Google Classroom.)</p> <p>6. Materials assess student proficiency using vocabulary, examples, and applications that are accessible, diverse, and aligned to student level expectations.</p> <p>7. Assessment materials allow teachers to access, revise/edit, share, and print from digital sources to create and/or modify assessments (e.g., readings, labs, rubrics, primary source documents, simulations, case studies, political cartoons, graphs, maps, test bank).</p>

Level 5+ Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 5+	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>4. Connections are made between the target cultural practices and perspectives.</p> <p>5. Activities are appropriate for age level and proficiency level.</p> <p>6. Materials promote learners' reflection of their own culture.</p> <p>Connections</p> <p>1. The materials provide opportunities for students to utilize the target language with other subject areas in cross-disciplinary projects.</p> <p>2. Materials engage students in learning and skill-based activities that maximize practice opportunities that are relevant and integrated into appropriate cross-curricular content and concepts.</p> <p>Comparisons</p> <p>1. Students are asked to compare and contrast the linguistic and cultural similarities and differences between the products, practices, and perspectives of own culture and those of the target culture.</p> <p>2. Students are asked to look at their own language and compare it linguistically to</p>	<p>extensions, and supports are evident and do not sacrifice World Language content.</p> <p>6. Materials provide access for core instruction, for intensification, and for acceleration, including targeted remediation with proficiency-level content.</p> <p>7. Materials lend themselves to applying the principles of Universal Design for Learning (UDL).</p> <p>Instructional Materials</p> <p>1. Materials develop foundational language acquisition skills, systematically using transparent, research-based methods.</p> <p>2. Materials provide explicit and systematic instruction and diagnostic support in: vocabulary, grammar, communication, culture, reading, writing, speaking, and listening.</p> <p>3. Language/pictures/graphics/media used in the text is active in the pursuit of equity outcomes, framed in the positive, not just the absence of negative.</p> <ul style="list-style-type: none"> Language includes protected classes and historically underserved populations. 	<p>8. Materials assess student proficiency using a variety of methods that recognize various perspectives, and have been reviewed for accessibility, adaptability, and cultural sensitivity for all students (e.g. for students who are Talented and Gifted (TAG), English Language Learner (ELL)/Emerging Bilingual (EB), Special Education (SPED) students, Heritage Speakers, and/or Alternative Education Students).</p> <p>9. Assessment options include selected/constructed/extended response items, as well as performance tasks, to provide teachers and students with a range of data to inform instruction at individual and classroom levels.</p> <p>10. Assessment materials elicit direct, observable evidence of student understanding which includes formative assessment practices.</p> <p>11. Assessment materials use varied modalities of instruction that reflect authentic experiences.</p> <p>12. Assessment materials provide multiple opportunities and formats within each unit (e.g., interpersonal, presentational, interpretive, integrated</p>

Level 5+ Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 5+	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
<p>the target language.</p> <p>3. Students are asked to utilize higher order thinking skills of analysis, synthesis and evaluation in every chapter.</p> <p>Communities</p> <p>1. The materials provide opportunities for students to engage in local and global communities.</p> <p>2. The materials provide information about how students can use the target language for enjoyment, enrichment, and advancement in the future and beyond the school experience.</p> <p>3. Students learn about individual role models who use the target language in their lives.</p>	<ul style="list-style-type: none"> • Materials provide opportunities to see diverse cultures in significant roles. • Materials make connections to diverse micro-communities (religious, economical, geographical, etc.) <p>4. Materials include current, authentic and culturally-sensitive pictures, reflecting national and regional differences as well as graphics with relevant classroom applications.</p> <p>5. Materials provide appropriate, ample opportunities for students' application, practice, and mastery of each standard</p> <p>6. Materials have online listening activities highlighted in the student edition.</p> <p>7. Instructional materials are presented in a teacher-friendly format that is accessible and practical for classroom use by teachers of diverse backgrounds, knowledge, and skill.</p> <p>8. Instructional materials are well organized and easily adaptable to fit different teaching situations or schedule configurations.</p> <p>9. The teacher's edition is well- organized</p>	<p>performance) for students to demonstrate skills, content knowledge, and receive feedback.</p> <p>13. Student assessment is aligned to ACTFL and Oregon standards and established proficiency-level outcomes, across the full depth, breadth, and complexity.</p> <p>14. Materials offer tools/assessments that can be easily adapted for heritage speakers.</p>

Level 5+ Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 5+	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
	<p>with practical teaching suggestions at the point of need.</p> <p>10. Materials offer a digital FlexText. E-textbook that adjusts to whatever screen student is using; content is updated to the most current version.)</p> <p>11. Materials include technology supports and resources that allow digital and print materials to extend and enhance learning.</p> <p>12. Materials include an online component that provides meaningful and interactive practice in addition to ancillary materials.</p> <p>13. Materials refer students to additional informational resources to enhance their study of language and culture.</p> <p>14. Materials allow for stakeholder engagement, inviting participation from parents/community.</p> <p>15. Materials contain a variety of updated and user-friendly online materials and resources available to teachers, students, and families.</p> <p>16. Culturally-responsive language reflects current events and changes in cultural perspectives.</p>	

Level 5+ Oregon World Languages Adoption Criteria

World Language Content Criteria for Level 5+	Student Engagement, Differentiation, and Instructional Materials	Assessment and Measuring Progress
	<p>17. Digital and print materials are consistently formatted, visually focused, uncluttered, and organized for efficient use.</p> <p>18. Digital materials allow teachers to access, revise, and print from digital resources (e.g., readings, activities, assessments, and rubrics).</p> <p>19. Materials allow for ongoing and embedded professional development.</p> <p>20. The format and structure of the materials reflect a sequence of logical skills and/or concept development consistent with language acquisition research.</p> <p>21. Materials provide direct access to equitable resources through various levels of technology:</p> <ul style="list-style-type: none"> ● Speech to text ● Text to speech ● Audio books ● Digital copies ● Interactive companion website 	

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AGENDA ITEM: 5.B

<p>SUBJECT: Instructional Materials Adoption Criteria for English Language Arts & Literacy/OAR 581-011-0065</p> <p>STAFF NAME & OFFICE: Jeremy A. Wartz, Tina Roberts, Alexa Pearson; Office of Teaching, Learning, and Assessment</p> <p>Criteria for the selection and adoption of instructional materials for English Language Arts & Literacy were developed and recommended by the criteria development committee as well as the ODE English Language Arts Education Specialist. These criteria are being presented to the State Board of Education for approval.</p> <p><input 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

The State Board of Education has the responsibility of approving criteria for the evaluation and adoption of submitted instructional materials (OAR 581-011-0065). The last contracted period for instructional materials in English Language Arts & Literacy were from 2014-2020. English Language Arts & Literacy standards were adopted during the June 2019 meeting. The Department of Education needs new adoption criteria to ensure that instructional materials align with the updated English Language Arts & Literacy standards.

Following the guidelines provided in OAR 581-011-0055, ODE staff convened a committee of teachers, curriculum specialists, and other content area experts in English Language Arts & Literacy. Moreover, the committee members developed and recommended the criteria being submitted to the Board which will be used in the evaluation of instructional materials submitted for adoption.

As a first step, internal ODE work groups met to determine criteria that should be on the non-negotiable list of criteria. Included in these work groups were Standards and Instructional Support Team Education Specialists, the Dyslexia Specialist, Education Specialists from the Office of Enhancing Student Opportunities, as well as the Assessment Team. The work that was developed by these internal work groups was given to the criteria development committees for them to react to and add to in their criteria development process.

During the recruitment process for the criteria development committees, ODE required interested teachers, curriculum specialists, and other experienced professionals to apply. ODE staff posted a recruitment for committee members beginning in August 2019. Following the first recruitment deadline, the applicants did not reflect the geographical and racial diversity of the state, so a second recruitment announcement was sent out in September/October 2019. The criteria development committee consisted of 22 members and first met on October 21, 2019. After the initial meetings of the criteria development committees, their draft work was shared with English Language Arts specialists from EdReports, the national organization that conducts instructional materials reviews, as well as with Student Achievement Partners, a group that supports implementation of the Common Core State

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Standards. Additionally, the committees' draft criteria were shared with the National Center on Improving Literacy. The input provided by these outside organizations helps ensure that the work done by our committees guarantees criteria that will allow only the highest quality instructional materials to make the approved list for Oregon. Any changes or suggestions made by these national partners were shared with the committees prior to the State Board meeting. The draft adoption criteria for English Language Arts & Literacy were approved by the committee and finalized on December 3, 2019.

SUMMARY OF PREVIOUS BOARD ACTION

This issue has not previously been before the Board.

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

There are no known policy questions raised due to this request.

EQUITY IMPACT ANALYSIS

By providing adoption criteria for instructional materials in English Language Arts & Literacy, students from different communities including those historically underserved may have access to high quality materials. Adopting the criteria for English Language Arts & Literacy will work towards the elimination of the achievement gap and opportunity gap by allowing students access and opportunity to high quality materials and resources.

FISCAL ANALYSIS

No fiscal impact.

EFFECT OF A "YES" OR "NO" VOTE

A "yes" vote will provide Oregon school districts with criteria for the evaluation and adoption of English Language Arts & Literacy instructional materials that are aligned to the newly adopted standards.

A "no" vote will mean that school districts will use previously State Board approved adoption criteria from 2013 for English Language Arts & Literacy instructional materials. This will result in materials not aligned to currently adopted content standards.

STAFF RECOMMENDATION

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

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ATTACHMENTS

Attachment 1: Grades K-2 English Language Arts & Literacy Adoption Criteria

Attachment 2: Grades 3-5 English Language Arts & Literacy Adoption Criteria

Attachment 3: Grades 6-8 English Language Arts & Literacy Adoption Criteria

Attachment 4: Grades 9-12 English Language Arts & Literacy Adoption Criteria

Grades 3-5 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
<p>NN1 High-quality text: Anchor texts are worthy of students’ time and attention: texts are of quality and are rigorous, containing rich academic language, meeting appropriate complexity criteria for each grade</p>	<p>NN 1A: Anchor texts in the materials have the appropriate level of complexity for the grade as defined by the standards, according to quantitative and qualitative analysis. (Texts that are part of a series or chosen to build knowledge or for independent student reading should vary in complexity levels.)</p>	<ul style="list-style-type: none"> ● Anchor texts are aligned to standards, rigorous, and contain rich academic language ● Differentiated texts are provided. ● Includes opportunities for whole group, small group and independent reading. ● Includes grade-level appropriate academic and content-specific vocabulary in the context of the learning experience that is accessible, introduced, reinforced and reviewed, and augmented with visual representation when appropriate. ● Key vocabulary highlighted with accessible kid- friendly definitions. ● Materials include technology supports and resources that allow digital and print materials to extend and enhance learning. ● Digital materials allow teachers to access, revise, and print from digital resources (e.g., readings, activities, assessments, and rubrics).
	<p>NN 1B: Anchor texts in the materials are of publishable quality and worthy of especially careful reading; they include a mix of informational texts and literature.</p>	<ul style="list-style-type: none"> ● Materials minimize content unrelated to standards ● Texts utilize appropriate font size. ● Anchor texts build background knowledge, vocabulary, language structures, verbal reasoning, and include a mix of informational texts and literature. ● Materials include pictures / graphics / examples of all groups in a positive - affirmative manner ● Teacher materials are presented in a teacher-friendly format, in which the format and language are accessible and practical for classroom instruction by teachers of diverse backgrounds, knowledge and skill. Language provided to support language learners. ● Materials allow for ongoing and embedded professional development provided in various formats (in-person, on-site, online)

Grades 3-5 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
<p>NN 2 Evidence-Based Discussion and Writing: Materials provide opportunities for rich and rigorous evidence-based discussions and writing about texts to build strong literacy skills.</p>	<p>NN 2A: At least 80% of all questions, tasks, and assignments in the materials are text-dependent, requiring students to draw on textual evidence to support both what is explicit as well as valid inferences from the text. The overwhelming majority of these questions and tasks are text-specific.</p>	<ul style="list-style-type: none"> • Materials provide opportunities for rich and rigorous evidence-based discussions and writing about texts to build strong literacy skills. • Lessons include multiple opportunities for students to apply critical thinking through facilitated oral and written discussion including opportunities to cite the text when making arguments or taking a position.
	<p>NN 2B: Materials include frequent opportunities for evidence-based discussions and writing to support careful analyses, well-defended claims, and clear information about texts to address the analytical thinking required by the Standards at each grade level.</p>	<ul style="list-style-type: none"> • Materials include frequent opportunities for evidence-based discussions and writing to support analytical thinking required by standards. • Comprehension should be based on text and contain a variety of DOK levels. • Comprehension instruction should include explicit modeling, guided practice, and independent practice using strategies to gain meaning and develop metacognitive awareness facility (i.e., self-monitoring, connecting to personal/prior experience, predicting, inferring, recognizing text structure, asking and answering questions, constructing mental images and summarizing.)
<p>NN 3 Building Knowledge: Materials build knowledge systematically through reading, writing,</p>	<p>NN 3A: Materials provide a sequence or series of texts that build knowledge and vocabulary systematically through reading, writing, listening, and speaking.</p>	<ul style="list-style-type: none"> • Materials build knowledge systematically through reading, writing, speaking, listening, and language study and are organized around a variety of topics.

Grades 3-5 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
speaking and listening, and language study.	These texts are organized around a variety of topics at each grade level.	
	NN 3B: Materials provide instructions, clear design, and lightweight student accountability that guide instructors regarding how students will regularly engage in a volume of reading both assigned (related to the anchor texts) or texts of their own choosing, in or outside of class.	<ul style="list-style-type: none"> ● Materials provide ample opportunity for students to engage in a variety of reading, assigned, self-chosen, or outside reading. ● Materials provide direct access to equitable resources through various levels of technology, including things such as <ul style="list-style-type: none"> ○ speech to text ○ text to speech ○ audio books ○ digital copies ○ available in various languages
Non-Negotiable 4 Foundational Skills: Materials develop foundational reading skills systematically, using research-based and transparent methods. This means materials provide explicit and systematic instruction and diagnostic support in: concepts of print, letter recognition, phonemic awareness, phonics, word awareness and vocabulary development, syntax,	NN Metric 4A: Submissions address grade-level CCSS for foundational skills by providing instruction in concepts of print, letter recognition, phonemic awareness, phonics, word awareness, vocabulary development, syntax, and reading fluency in a research-based and transparent progression in each grade level.	<ul style="list-style-type: none"> ● Materials develop a progression of foundational reading skills using research-based methods ● Materials provide explicit and systematic instruction and diagnostic support in concepts of print, phonological awareness, letter recognition, phonics, word structure and analysis, vocabulary, syntax and fluency.
	NN Metric 4D: Materials guide students to read with purpose and understanding and to make frequent connections between	<ul style="list-style-type: none"> ● Opportunities for practice, mastery related to foundational skills, and intervention.

Grades 3-5 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
and fluency.	acquisition of foundational skills and making meaning from reading.	<ul style="list-style-type: none"> Materials guide students to read with purpose and understanding and include activities that address listening, speaking, reading and writing.
AC 1 Range and Quality of Texts: Materials reflect the distribution of text types and genres required by the Standards and are at the right text complexity for grade level, student, and task.	AC Metric 1A: In grades 3-5, materials shift the balance of texts and instructional time to 50% literature / 50% informational high-quality text.	<ul style="list-style-type: none"> Materials reflect a balance of text types and genre (50% informational/50%literature) at the appropriate level of complexity.
	AC Metric 1B: A large majority of texts included in the instructional materials reflect the text characteristics and genres that are specifically required by the Standards at each grade level.	<ul style="list-style-type: none"> Materials provide guidance for teachers to support authentic and meaningful student-centered activities that are culturally responsive/relevant by representing: <ul style="list-style-type: none"> diverse cultures with significant roles various linguistic backgrounds different learning styles a range of interests
	AC Metric 1C: Support materials for the anchor text(s) provide opportunities for students to engage in a range and volume of reading to achieve reading fluency of grade-level complex text as required by the Foundational Skills Standards.	<ul style="list-style-type: none"> Support materials for the anchor text(s) provide opportunities for students to engage in a range and volume of reading to achieve reading fluency of grade-level complex text as required by the Foundational Skills Standards.
AC 2 Questions, Tasks, and Assignments: Materials support	AC Metric 2A: High-quality sequences of text-dependent questions are prevalent in the materials and build to a deep	<ul style="list-style-type: none"> Assesses student proficiency using vocabulary, examples, and applications that are accessible, diverse, and aligned to student grade level achievement level expectations.

Grades 3-5 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
<p>students in building reading comprehension, in finding and producing the textual evidence to support their responses, and in developing grade-level academic language.</p>	<p>understanding of the knowledge and central ideas of the text.</p>	<ul style="list-style-type: none"> Comprehension instruction should include explicit modeling, guided practice and independent practice using strategies to gain meaning and develop metacognition facility.
	<p>AC Metric 2B: Questions and tasks in the materials support students in understanding the academic language (vocabulary and syntax) prevalent in complex texts.</p>	<ul style="list-style-type: none"> Materials include grade-level appropriate academic and content-specific vocabulary that is accessible, reinforced, reviewed and augmented with visual representation when appropriate.
	<p>AC Metric 2C: Materials focus on argument and informative writing in the specified proportions. Alternately, they may reflect blended forms in similar proportions (e.g., exposition and persuasion).</p>	<ul style="list-style-type: none"> Materials should include opportunities for students to analyze through facilitated oral and written discussion including opportunities to cite the text when making arguments or taking a position.
	<p>AC Metric 2D: Materials support students' developing writing skills over the course of the school year. This includes writing opportunities that are prominent and varied.</p>	<ul style="list-style-type: none"> Lessons include multiple opportunities for students to apply critical thinking through facilitated oral and written discussion including opportunities to cite the text when making arguments or taking a position.
	<p>AC Metric 2E: Materials integrate speaking and listening into lessons, questions, and tasks and build in frequent opportunities for collaborative discussions.</p>	<ul style="list-style-type: none"> Materials provide opportunities for rich and rigorous evidence-based discussions and writing about texts to build strong literacy skills.

Grades 3-5 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	<p>AC Metric 2F: Materials include explicit instruction of the grammar and conventions standards for grade level as applied in increasingly sophisticated contexts, with opportunities for application both in and out of context.</p>	<ul style="list-style-type: none"> Materials provide appropriate and ample educational opportunities for students’ practice, application and mastery of the standard conventions of written grammar in all contexts of writing.
	<p>AC Metric 2G: Materials address grade-level standards for foundational skills by providing instruction and diagnostic support in phonics, word recognition, and fluency through a research-based and transparent progression to develop proficient readers.</p>	<ul style="list-style-type: none"> Materials develop foundational reading skills systematically, using research-based and transparent methods. Materials provide explicit and systematic instruction and diagnostic support in: phonemic/phonological awareness, phonics, fluency, word awareness and vocabulary Multiple opportunities for practice, mastery and review of foundational skills and content
<p>AC 3 Building Knowledge with Texts, Vocabulary, and Tasks: Materials build students’ knowledge across topics and content areas.</p>	<p>AC Metric 3A: Materials regularly ask students to complete culminating tasks in which they demonstrate their knowledge of a topic.</p>	<ul style="list-style-type: none"> Materials regularly and systematically offer assessment opportunities that genuinely measure progress on reading comprehension and writing proficiency as well as on mastery of grade level standards.
	<p>AC Metric 3B: Materials require students to engage in many short, focused research projects annually to develop students’ knowledge in a range of areas and to enable students to develop the expertise</p>	<ul style="list-style-type: none"> Materials require students to engage in many short, focused research projects to enable students to develop the expertise needed to conduct research independently.

Grades 3-5 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	needed to conduct research independently.	
	AC Metric 3C: Materials include a cohesive, year-long plan for students to interact with and build academic vocabulary and increasingly sophisticated syntax.	<ul style="list-style-type: none"> ● Previously taught skills and strategies are intentionally reviewed and practiced in subsequent lessons ● The format and structure of the materials reflect a sequence of skill development and/or concept development that is logical and consistent with the hierarchical nature of the skills/concepts, as documented in scientific reading research.
AC 4: Access to Standards for All Students: Materials are designed to provide thoughtful supports/scaffolds to support all students in accessing the standards.	AC Metric 4A: Teachers and students can reasonably complete the core content within a regular school year to maximize students' learning.	<ul style="list-style-type: none"> ● Materials are designed to provide thoughtful and appropriate scaffolds to support all students in accessing the standards. ● Appropriate scaffolding, interventions, extensions, and supports are evident and do not sacrifice ELA content.
	AC Metric 4B: Materials regularly provide all students, including those who read, write, speak, or listen below grade level, or whose first language is other than English, with extensive opportunities to work with and meet grade-level standards.	<ul style="list-style-type: none"> ● Materials provide all students, including those who read, write, speak, or listen below grade level, or whose first language is other than English, with extensive opportunities to work with and meet grade-level standards.
	AC Metric 4C: Materials regularly include extensions and/or more advanced opportunities for	<ul style="list-style-type: none"> ● Materials include extensions and support for students who read, write, speak, or listen above grade level.

Grades 3-5 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	students who read, write, speak, or listen above grade level.	
	<p>AC Metric 4D: Materials regularly and systematically build in the time, resources, and suggestions required for adapting instruction to allow teachers to guide all students to meet grade-level standards (e.g., alternative teaching approaches, pacing, instructional delivery options, suggestions for addressing common student difficulties, remediation strategies).</p>	<ul style="list-style-type: none"> ● Materials facilitate the planning and implementation of differentiated instruction addressing the needs of learners needing acceleration, intensification, and targeted remediation.
	<p>AC Metric 4E: Materials regularly and systematically offer assessment opportunities that genuinely measure progress on reading comprehension and writing proficiency as well as on mastery of grade level standards. This progress includes gradual release of supporting scaffolds for students to measure their independent abilities.</p>	<ul style="list-style-type: none"> ● Student assessment is aligned with Oregon’s adopted state content standards and established grade-level outcomes, across the full depth, breadth, and complexity. ● Materials include editable and aligned rubrics, scoring guidelines, and exemplars that provide guidance for analyzing student performance to support teachers in: <ul style="list-style-type: none"> ○ planning instruction ○ providing ongoing feedback to students ○ sharing to guardian/parents ○ sharing to classrooms, schools/districts ● Uses a balanced literacy approach to assessment (formative, interim; end of unit; summative, peer, self,

Grades 3-5 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
		<p>observational checklists, etc.) that measures student progress toward grade level outcomes.</p> <ul style="list-style-type: none"><li data-bbox="1073 358 1871 391">• Includes progress monitoring tools aligned with curriculum

Grades K-2 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
<p>Non-Negotiable 1 High-quality Text: Anchor texts are worthy of students' time and attention: texts are of quality and are rigorous, containing rich academic language, meeting appropriate complexity criteria for each grade.</p>	<p>NN Metric 1A: Texts intended for reading aloud are rich and above students' current reading abilities. Anchor texts in grade 2 materials have the appropriate level of complexity for the grade as defined by the standards, according to quantitative and qualitative analysis. (Texts that are part of a series or chosen to build knowledge or for independent student reading should vary in complexity levels.)</p>	<ul style="list-style-type: none"> • Anchor texts are high-quality and rigorous, containing rich academic language, meeting appropriate complexity criteria for each grade • Complexity of texts allows for entry points at varying skill levels which include rich language, writing, speaking/listening tasks to be fostered. • Includes opportunities for whole group, small group, and independent literacy activities • Digital materials allow teachers to access, revise, and print from digital resources (e.g., readings, activities, assessments, and rubrics)
	<p>NN Metric 1B: Anchor texts (including those selected for reading aloud) in the materials are of publishable quality and worthy of especially careful reading; they include a mix of informational texts and literature.</p>	<ul style="list-style-type: none"> • Includes a variety of narrative and instructional/informational texts • Materials include pictures / graphics / examples of all groups in a positive - affirmative manner • Materials should provide for various levels of scaffolding. • Minimizes content not aligned to ELA standards
<p>Non-Negotiable 2 Evidence-based Discussion and Writing: Materials provide opportunities for rich and rigorous evidence-based discussions and writing about texts to build strong literacy skills.</p>	<p>NN Metric 2A: At least 80% of all questions, tasks, and assignments in the materials are text-dependent, requiring students to draw on textual evidence to support both what is explicit as well as valid inferences from the text. The overwhelming majority of these questions and tasks are text-specific.</p>	<ul style="list-style-type: none"> • Lessons should include opportunities for students to analyze and apply critical thinking through facilitated oral and written discussion including opportunities to cite the text when making arguments or taking a position
	<p>NN Metric 2B: Materials include frequent opportunities and guidance</p>	<ul style="list-style-type: none"> • Materials provide varied Depth of Knowledge (D.O.K.) activities in each lesson/chapter

Grades K-2 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	for grade appropriate evidence-based discussions and writing to support analyses, claims, and clear information about texts to address the analytical thinking required by the Standards at each grade level.	<ul style="list-style-type: none"> ● Comprehension instruction should include explicit modeling, guided practice and independent practice using strategies to gain meaning and develop metacognition (i.e. self-monitoring, connecting to personal/prior experience, predicting, recognizing text structure, asking and answering questions, constructing mental images and summarizing)
<p>Non-Negotiable 3 Building Knowledge: Materials build knowledge systematically through reading, writing, speaking and listening, and language study.</p>	<p>NN Metric 3A: Materials provide a sequence or series of texts that build knowledge and vocabulary systematically through reading, writing, listening, and speaking. These texts are organized around a variety of topics at each grade level.</p>	<ul style="list-style-type: none"> ● Includes grade-level appropriate academic and content-specific vocabulary in the context of the learning experience that is accessible, introduced, reinforced, and reviewed, and augmented with visual representation when appropriate ● Anchor texts build background knowledge, vocabulary, language structures, verbal reasoning, and literacy ● Move from basic to complex phonics in grades K-2 toward significant opportunity to decode and gain meaning for complex vocabulary using morphemic analysis for grades 3
	<p>NN Metric 3B: Materials provide instructions, clear design, and lightweight student accountability that guide instructors regarding how students will regularly engage in a volume of independent reading both assigned (related to the anchor texts) or texts of their own choosing, in or outside of class.</p>	<ul style="list-style-type: none"> ● Materials provide appropriate, ample educational opportunities for students' application, guided and independent practice, and mastery of each standard ● Materials provide direct access to equitable resources through various levels of technology supports designed to extend and enhance learning: <ul style="list-style-type: none"> ○ speech to text ○ text to speech ○ audio books ○ digital copies ○ available in various languages
<p>Non-Negotiable 4 Foundational Skills:</p>	<p>NN Metric 4A: Submissions address grade-level CCSS for</p>	<ul style="list-style-type: none"> ● Evidence-based explicit and systematic instruction of foundational skills (K-5) in concepts of print, letter

Grades K-2 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
<p>Materials develop foundational reading skills systematically, using research-based and transparent methods. This means materials provide explicit and systematic instruction and diagnostic support in: concepts of print, letter recognition, phonemic awareness, phonics, word awareness and vocabulary development, syntax, and fluency.</p>	<p>foundational skills by providing instruction in concepts of print, letter recognition, phonemic awareness, phonics, word awareness, vocabulary development, syntax, and reading fluency in a research-based and transparent progression in each grade level.</p>	<p>recognition, phonemic awareness, phonics, word awareness and vocabulary development syntax and fluency with opportunities for practice and mastery</p> <ul style="list-style-type: none"> ● Materials should include a teaching scope and sequence that show the learning progression ● Materials provide appropriate, ample educational opportunities for students’ application, guided and independent practice, and mastery of each standard ● The format and structure of the materials reflect a sequence of skill development and / or concept development that is logical and consistent with the hierarchical nature of the skills / concepts, as documented in scientific reading research
	<p>NN Metric 4B: Submissions include a variety of student reading material and activities that allows for systematic, regular, and frequent practice of all foundational skills.</p>	<ul style="list-style-type: none"> ● Comprehensive program develops foundational reading skills systematically, using evidence-based and transparent methods. This means materials provide explicit and systematic instruction and diagnostic support to teach Phonemic Awareness, Phonics, Fluency, Vocabulary, and Comprehension
	<p>NN Metric 4C: Submissions provide clear, well-structured diagnostic assessment protocols and materials for all foundational skills to guide instruction and remediation.</p>	<ul style="list-style-type: none"> ● Provides multiple opportunities for students to demonstrate and receive descriptive feedback on performance ● Assess student proficiency using a variety of methods that recognize various perspectives, and have been reviewed for accessibility, adaptability, and cultural sensitivity for all students (e.g. for students who are Talented and Gifted (TAG), English Language Learners (ELL), Special Education (SPED) students, and/or Alternative Education Students)

Grades K-2 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	NN Metric 4D: Materials guide students to read with purpose and understanding and to make frequent connections between acquisition of foundational skills and making meaning from reading.	<ul style="list-style-type: none"> Materials guide students to read with purpose by monitoring their reading
	NN Metric 4E: Grade 2 materials provide opportunities for students to engage in a range and volume of reading to achieve reading fluency of grade level text as required by the Foundational Skills Standards.	<ul style="list-style-type: none"> Materials provide practice for students to achieve fluency using a variety of research-based fluency-building techniques
Alignment Criterion 1: Range and Quality of Texts Materials reflect the distribution of text types and genres required by the Standards and are at the right text complexity for grade level, student, and task.	AC Metric 1A: In grades K-5, materials include a balance of texts and instructional time of 50% literature and 50% informational text.	<ul style="list-style-type: none"> Balance of informational and literary text
	AC Metric 1B: A large majority of texts included in the instructional materials reflect the text characteristics and genres that are specifically required by the Standards at each grade level.	<ul style="list-style-type: none"> Materials provide guidance for teachers to support authentic and meaningful student-centered activities that are culturally responsive/relevant by representing: <ul style="list-style-type: none"> diverse cultures with significant roles various linguistic backgrounds different learning styles a range of interests
Alignment Criterion 2 Questions, Tasks, and Assignments: Materials support students in building reading	AC Metric 2A: High-quality sequences of text-dependent questions designed for comprehension are prevalent in the materials, whether designed to be read aloud or accessed by students	<ul style="list-style-type: none"> Assesses student proficiency using vocabulary, examples, and applications that are accessible, diverse, and aligned to student grade level achievement level expectations

Grades K-2 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
<p>comprehension, in finding and producing the textual evidence to support their responses, and in developing grade-level academic language.</p>	<p>directly, and build to a deep understanding of the knowledge and central ideas of the text (including those selected for reading aloud).</p>	
	<p>AC Metric 2B: Questions and tasks in the materials designed for comprehension, whether designed to be read aloud or accessed by students directly, support students in understanding the academic language (vocabulary and syntax) prevalent in texts (including those selected for reading aloud).</p>	<ul style="list-style-type: none"> • Questions and tasks guide students to determine the meaning of these words and with vocabulary and language scaffolds and supports
	<p>AC Metric 2C: Materials support students’ developing writing skills over the course of the school year. This includes writing opportunities that are prominent and varied and reflect the types and purposes for writing.</p>	<ul style="list-style-type: none"> • Materials should include opportunities for students to analyze through facilitated oral and written discussion including opportunities to cite the text when making arguments or taking a position.
	<p>AC Metric 2D: Materials integrate speaking and listening into lessons, questions, and tasks and build in frequent opportunities for collaborative discussions.</p>	<ul style="list-style-type: none"> • Includes text that serves as the basis for communication, including speaking, listening, and writing • Materials provide opportunities for rich and rigorous evidence-based discussions and writing about texts to build strong literacy skills
	<p>AC Metric 2E: Materials include explicit instruction of the grammar and conventions standards for grade level as applied in</p>	<ul style="list-style-type: none"> • Materials provide opportunities for rich and rigorous evidence-based discussions and writing about texts to build strong literacy skills.

Grades K-2 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	increasingly sophisticated contexts, with opportunities for application both in and out of context.	
Alignment Criterion 3 Building Knowledge with Texts, Vocabulary, and Tasks: Materials build students' knowledge across topics and content areas.	AC Metric 3A: Materials regularly ask students to complete culminating tasks in which they demonstrate their knowledge of a topic.	<ul style="list-style-type: none"> Provide multiple opportunities and formats within each unit (e.g., debate, oral presentation) for students to demonstrate skills, content knowledge, and receive feedback
	AC Metric 3B: Materials require students to engage in many shared, short, and focused research projects annually to develop students' knowledge in a range of areas and to enable students to develop the expertise needed to conduct research independently.	<ul style="list-style-type: none"> Materials require students to engage in many short, focused research projects to enable students to develop the expertise needed to conduct research independently.
	AC Metric 3C: Materials include a cohesive, year-long plan for students to interact with and build academic vocabulary and increasingly sophisticated syntax.	<ul style="list-style-type: none"> Materials should include a teaching scope and sequence that show the learning progressions
Alignment Criterion 4 Access to Standards for All Students: Materials are designed to provide thoughtful supports/scaffolds to support all students in accessing the CCSS.	AC Metric 4A: Teachers and students can reasonably complete the core content within a regular school year to maximize students' learning.	<ul style="list-style-type: none"> Appropriate scaffolding, interventions, extensions, and supports are evident and do not sacrifice ELA content
	AC Metric 4B: Materials regularly provide all students, including those who read, write, speak, or listen	<ul style="list-style-type: none"> Materials should contain various levels of scaffolding to allow all students access to core instruction

Grades K-2 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	below grade-level, or whose first language is other than English, with extensive opportunities to work with and meet grade level standards.	
	AC Metric 4C: Materials regularly include extensions and/or more advanced opportunities for students who read, write, speak, or listen above grade level.	<ul style="list-style-type: none"> ● Materials include extensions and support for students who read, write, speak, or listen above grade level.
	AC Metric 4D: Materials regularly and systematically build in the time, resources, and suggestions required for adapting instruction to allow teachers to guide all students to meet grade-level standards (e.g., alternative teaching approaches, pacing, instructional delivery options, suggestions for addressing common student difficulties, remediation strategies).	<ul style="list-style-type: none"> ● Materials facilitate the planning and implementation of differentiated instruction addressing the needs of learners needing acceleration, intensification, and targeted remediation.
	AC Metric 4E: Materials regularly and systematically offer assessment opportunities that genuinely measure progress on reading comprehension and writing proficiency as well as on mastery of grade-level standards. This progress includes gradual release of supporting scaffolds for students to measure their independent abilities	<ul style="list-style-type: none"> ● Student assessment is aligned with Oregon’s adopted state content standards and established grade-level outcomes, across the full depth, breadth, and complexity. ● Materials include editable and aligned rubrics, scoring guidelines, and exemplars that provide guidance for analyzing student performance to support teachers in: <ul style="list-style-type: none"> ○ planning instruction ○ providing ongoing feedback to students ○ sharing to guardian/parents

Grades K-2 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
		<ul style="list-style-type: none">○ sharing to classrooms, schools/districts● Uses a balanced literacy approach to assessment (formative, interim; end of unit; summative, peer, self, observational checklists, etc.) that measures student progress toward grade level outcomes.● Includes progress monitoring tools aligned with curriculum

Grades 9-12 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
<p>NN1 High-quality text: Anchor texts are worthy of students' time and attention: texts are of quality and are rigorous, containing rich academic language, meeting appropriate complexity criteria for each grade</p>	<p>NN 1A: Anchor texts in the materials have the appropriate level of complexity for the grade as defined by the standards, according to quantitative and qualitative analysis. (Texts that are part of a series or chosen to build knowledge or for independent student reading should vary in complexity levels.)</p>	<ul style="list-style-type: none"> ● Anchor texts build background knowledge, vocabulary, language structures, verbal reasoning, and literacy ● Various levels of textual complexity allow for entry points at varying skill levels ● Anchor texts contain minimal content unrelated to standards
	<p>NN 1B: Anchor texts in the materials are of publishable quality and worthy of especially careful reading; they include a mix of informational texts and literature.</p>	<ul style="list-style-type: none"> ● Texts contain a balance of informational and literary texts. ● Materials include pictures/graphics/examples of all groups in a positive, affirmative manner. ● Includes texts that serve as the basis for communication, including speaking, listening, and writing.
<p>NN 2 Evidence-Based Discussion and Writing: Materials provide opportunities for rich and rigorous evidence-based discussions and writing about texts to build strong literacy skills.</p>	<p>NN 2A: At least 80% of all questions, tasks, and assignments in the materials are text-dependent, requiring students to draw on textual evidence to support both what is explicit as well as valid inferences from the text. The overwhelming majority of these questions and tasks are text-specific.</p>	<ul style="list-style-type: none"> ● Comprehension questions should be based upon texts and contain a variety of DOK levels. ● Includes texts that serve as the basis for communication, including speaking, listening, and writing.
	<p>NN 2B: Materials include frequent opportunities for evidence-based discussions and writing to support careful analyses, well-defended claims, and clear information about</p>	<ul style="list-style-type: none"> ● Materials provide opportunities for whole group, small group, and independent reading ● Lessons should include opportunities for students to apply critical thinking through facilitated oral and written

Grades 9-12 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	texts to address the analytical thinking required by the Standards at each grade level.	discussion including opportunities to cite the text when making arguments or taking a position
<p>NN 3 Building Knowledge: Materials build knowledge systematically through reading, writing, speaking and listening, and language study.</p>	<p>NN 3A: Materials provide a sequence or series of texts that build knowledge and vocabulary systematically through reading, writing, listening, and speaking. These texts are organized around a variety of topics at each grade level.</p>	<ul style="list-style-type: none"> ● Materials provide opportunities for practice and mastery related to foundational skills ● Comprehension instruction should include explicit modeling, guided practice and independent practice using strategies to gain meaning and develop metacognition facility (i.e. self-monitoring, connecting to personal/prior experience, predicting, recognizing text structure, asking and answering questions, constructing mental images and summarizing) ● Includes a variety of literary and instructional/informational texts and opportunities for students to learn about the format of varied text formats (i.e. description, compare-contrast, cause-effect, problem-solution, time order/sequence). ● Content is aligned with standards, integrating reading, writing, listening, speaking, and language standards ● Materials should contain various levels of scaffolding and include a scope and sequence that show the learning progressions within domains as they develop and conclude over the years ● Texts include grade-level appropriate academic and content-specific vocabulary in the context of the learning experience that is accessible, introduced, reinforced, and reviewed, and augmented with visual representation when appropriate. ● Materials provide appropriate, ample educational opportunities for student application, practice, and master of each standard.

Grades 9-12 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	<p>NN 3B: Materials provide instructions, clear design, and lightweight student accountability that guide instructors regarding how students will regularly engage in a volume of reading both assigned (related to the anchor texts) or texts of their own choosing, in or outside of class.</p>	<ul style="list-style-type: none"> • Includes guidance for teachers to follow explicit routines that students can anticipate, with guidance, and progression of skills • Materials provide opportunities for students to personalize, internalize and curate their learning to promote student agency. • Digital and print materials are consistently formatted, visually focused, uncluttered, and organized for efficient use that allow teachers to access, revise, and print (e.g. readings, activities, assessments, and rubrics).
<p>AC 1 Range and Quality of Texts: Materials reflect the distribution of text types and genres required by the Standards and are at the right text complexity for grade level, student, and task.</p>	<p>AC Metric 1A: In grades 3-5, materials shift the balance of texts and instructional time to 50% literature / 50% informational high-quality text. In grades 9-12, ELA materials include substantial attention to high-quality non-fiction.</p>	<ul style="list-style-type: none"> • Connect to social studies and science • Materials engage students in learning and skill-based activities that maximize practice opportunities that are relevant and integrated into appropriate cross-curricular content and concepts.
	<p>AC Metric 1B: A large majority of texts included in the instructional materials reflect the text characteristics and genres that are specifically required by the Standards at each grade level.</p>	<ul style="list-style-type: none"> • Connect to social studies, science, and a broad range of other content disciplines • Multiple quality models across genres and modes (e.g., text sets, several argumentative pieces, short stories, etc.)
	<p>AC Metric 1C: Support materials for the anchor text(s) provide opportunities for students to engage</p>	<p>N/A</p>

Grades 9-12 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	<p>in a range and volume of reading to achieve reading fluency of grade-level complex text as required by the Foundational Skills Standards.</p> <p>Note: This metric may not apply to materials for grades 9-12.</p>	
<p>AC 2 Questions, Tasks, and Assignments: Materials support students in building reading comprehension, in finding and producing the textual evidence to support their responses, and in developing grade-level academic language.</p>	<p>AC Metric 2A: High-quality sequences of text-dependent questions are prevalent in the materials and build to a deep understanding of the knowledge and central ideas of the text.</p>	<ul style="list-style-type: none"> Assesses student proficiency using vocabulary, examples, and applications that are accessible, diverse, and aligned to student grade level achievement level expectations.
	<p>AC Metric 2B: Questions and tasks in the materials support students in understanding the academic language (vocabulary and syntax) prevalent in complex texts.</p>	<ul style="list-style-type: none"> Includes grade-level appropriate academic and content-specific vocabulary in the context of the learning experience that is accessible, introduced, reinforced, and reviewed, and augmented with visual representation when appropriate.
	<p>AC Metric 2C: Materials focus on argument and informative writing in the specified proportions. Alternately, they may reflect blended forms in similar proportions (e.g., exposition and persuasion).</p>	<ul style="list-style-type: none"> Materials should include opportunities for students to analyze through facilitated oral and written discussion including opportunities to cite the text when making arguments or taking a position.

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Criterion	Metric	Oregon Criteria Committee Statements
	<p>AC Metric 2D: Materials support students’ developing writing skills over the course of the school year. This includes writing opportunities that are prominent and varied.</p>	<ul style="list-style-type: none"> ● Materials provide appropriate, ample educational opportunities for students’ application, practice, and mastery of each standard
	<p>AC Metric 2E: Materials integrate speaking and listening into lessons, questions, and tasks and build in frequent opportunities for collaborative discussions.</p>	<ul style="list-style-type: none"> ● Provide multiple opportunities and formats within each unit (e.g., debate, oral presentation) for students to demonstrate skills, content knowledge, and receive feedback. ● Read alouds should be above student reading levels
	<p>AC Metric 2F: Materials include explicit instruction of the grammar and conventions standards for grade level as applied in increasingly sophisticated contexts, with opportunities for application both in and out of context.</p>	<ul style="list-style-type: none"> ● Explicit instruction of foundational skills
	<p>AC Metric 2G: Materials address grade-level standards for foundational skills by providing instruction and diagnostic support in phonics, word recognition, and fluency through a research-based and transparent progression to develop proficient readers.</p>	<ul style="list-style-type: none"> ● Explicit instruction of foundational skills ● Systematic phonological awareness and phonics instruction ● Materials develop foundational reading skills systematically, using research-based and transparent methods. This means materials provide explicit and systematic instruction and diagnostic support in: concepts of print, letter recognition, phonemic awareness, phonics, word awareness, vocabulary development, syntax, and fluency.

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Criterion	Metric	Oregon Criteria Committee Statements
<p>AC 3 Building Knowledge with Texts, Vocabulary, and Tasks: Materials build students' knowledge across topics and content areas.</p>	<p>AC Metric 3A: Materials regularly ask students to complete culminating tasks in which they demonstrate their knowledge of a topic.</p>	<ul style="list-style-type: none"> ● Provide multiple opportunities and formats within each unit (e.g., debate, oral presentation) for students to demonstrate skills, content knowledge, and receive feedback.
	<p>AC Metric 3B: Materials require students to engage in many short, focused research projects annually to develop students' knowledge in a range of areas and to enable students to develop the expertise needed to conduct research independently.</p>	<ul style="list-style-type: none"> ● Materials provide opportunities for students to personalize, internalize and curate their learning to promote student agency.
	<p>AC Metric 3C: Materials include a cohesive, year-long plan for students to interact with and build academic vocabulary and increasingly sophisticated syntax.</p>	<ul style="list-style-type: none"> ● Includes grade-level appropriate academic and content-specific vocabulary in the context of the learning experience that is accessible, introduced, reinforced, and reviewed, and augmented with visual representation when appropriate. ● Materials provide vocabulary and language supports
<p>AC 4: Access to Standards for All Students: Materials are designed to provide thoughtful supports/scaffolds to support all students in</p>	<p>AC Metric 4A: Teachers and students can reasonably complete the core content within a regular school year to maximize students' learning.</p>	<ul style="list-style-type: none"> ● Materials should follow learning progressions and include a teaching scope and sequence that show the learning progressions within domains as they develop and conclude over the year(s). ● Materials provide varied DOK activities in each lesson/chapter. ● Teacher materials are presented in a teacher-friendly format, in which the format and language are accessible and practical for classroom instruction by teachers of

Grades 9-12 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
accessing the standards.		diverse backgrounds, knowledge, and skill and allow for ongoing and embedded professional development.
	<p>AC Metric 4B: Materials regularly provide all students, including those who read, write, speak, or listen below grade level, or whose first language is other than English, with extensive opportunities to work with and meet grade-level standards.</p>	<ul style="list-style-type: none"> ● Materials facilitate the planning and implementation of differentiated instruction addressing the needs of English Language Learners (ELL), Special Education (SPED), and Alternative Education students. ● Materials provide access for core instruction including targeted remediation with grade-level content. ● Appropriate scaffolding, interventions, extensions, and supports are evident and do not sacrifice ELA content.
	<p>AC Metric 4C: Materials regularly include extensions and/or more advanced opportunities for students who read, write, speak, or listen above grade level.</p>	<ul style="list-style-type: none"> ● Materials facilitate the planning and implementation of differentiated instruction addressing the needs of Talented and Gifted (TAG) ● Materials provide access for core instruction, for intensification, and for acceleration, ● Appropriate scaffolding, interventions, extensions, and supports are evident and do not sacrifice ELA content. ● Materials include technology supports and resources that allow digital and print materials to extend and enhance learning.
<p>AC Metric 4D: Materials regularly and systematically build in the time, resources, and suggestions required for adapting instruction to allow teachers to guide all students to meet grade-level standards (e.g., alternative teaching approaches, pacing, instructional delivery</p>	<ul style="list-style-type: none"> ● Materials facilitate the planning and implementation of differentiated instruction addressing the needs of Talented and Gifted (TAG), English Language Learners (ELL), Special Education (SPED), and Alternative Education students. ● Materials should contain various levels of scaffolding and include a scope and sequence that show the learning progressions within domains ● Materials provide a social-emotional learning connection. ● Materials provide direct access to equitable resources 	

Grades 9-12 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
	options, suggestions for addressing common student difficulties, remediation strategies).	<p>through various levels of technology:</p> <ul style="list-style-type: none"> ○ Speech to text ○ Text to speech ○ Audio books ○ Digital copies / e-texts ○ Available in various languages
	<p>AC Metric 4E: Materials regularly and systematically offer assessment opportunities that genuinely measure progress on reading comprehension and writing proficiency as well as on mastery of grade level standards. This progress includes gradual release of supporting scaffolds for students to measure their independent abilities.</p>	<ul style="list-style-type: none"> ● Materials provide online assessments that are aligned and have large item banks. ● Item bank must include selected response, constructed response, extended response items, as well as performance tasks, to provide teachers and students with a range of data to inform instruction at individual and classroom levels. ● Provides teachers with a range of data to inform instruction that can interface with multiple electronic gradebook and/or classroom management platforms. ● Provides multiple opportunities for students to demonstrate and receive descriptive feedback on performance. ● Uses a balanced literary approach to assessment (formative, interim; end of unit; summative, peer, self, etc) that measures student progress toward grade level outcomes ● Materials allows teachers to access, revise/edit, share and print from digital sources to create and/or modify assessments (e.g. readings, labs, rubrics, primary source documents, simulations, case studies, political cartoons, graphs, maps, and test bank).

Grades 9-12 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
		<ul style="list-style-type: none"> ● Assess student proficiency using a variety of methods that recognize various perspectives, and have been reviewed for accessibility, adaptability, and cultural sensitivity for all students (e.g. for students who are Talented and Gifted (TAG), English Language Learners (ELL), Special Education (SPED) students, and/or Alternative Education students). ● Uses varied task models (selected, constructed, project-based, extended response, and performance tasks) of instruction embedded pre-, formative, summative, peer, and self-assessment measures of three-dimensional learning. ● Assesses student proficiency using vocabulary, examples, and applications that are accessible, diverse, and aligned to student grade level achievement expectations. ● Elicits direct, observable evidence of student understanding which includes formative assessment practices of both teachers and students. ● Uses varied modalities of instruction and assessments that reflect authentic experiences in students' lives. ● Student assessment is aligned with Oregon's adopted state content standards and materials include editable and aligned rubrics, scoring guidelines, and exemplars that provide guidance for analyzing student performance to support teachers in: <ul style="list-style-type: none"> ○ A) Planning instruction ○ B) Providing ongoing feedback to students ○ C) Providing suggestions for explicit re-teaching if a learning objective is not achieved ○ D) Sharing to guardian/parents

Grades 9-12 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
		<ul style="list-style-type: none"> ○ E) Sharing to classrooms, schools/districts

Criterion	Metric	Oregon Criteria Committee Statements
NN 1 or AC1	Texts included in the instructional materials are culturally responsive and relevant	<ul style="list-style-type: none"> ● Language used in the texts are active in the pursuit of equity outcomes, framed in the positive, not just the absence of negative <ul style="list-style-type: none"> ○ Language (and text selection?) includes all protected classes and historical underserved populations. ○ Materials provide opportunities to see diverse cultures in significant roles. ● Materials promote equitable instruction by providing guidance for teachers to support learning activities that are culturally responsive/relevant by representing: <ul style="list-style-type: none"> ○ diverse cultures with significant roles ○ various linguistic backgrounds ○ different learning styles ○ a range of interests ● Materials promote equitable instruction by making connections to culture, home, neighborhood, and communities, as appropriate. ● Materials provide authentic and meaningful student-centered activities that build interest and understanding of varied, lived experiences. ● Materials provide relevant examples and connections to students' lives, with practical applications to their everyday lives and future selves. ● Materials contain a variety of regularly-updated and user-friendly online materials and resources in culturally-sensitive language that are responsive to current events and changes

Grades 9-12 Oregon English Language Arts & Literacy Adoption Criteria

Criterion	Metric	Oregon Criteria Committee Statements
		in perspectives that are available to teachers, students, and families.

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 5.C

<p>SUBJECT: Updating OAR 581-022-2060 Comprehensive School Counseling STAFF NAME & OFFICE: Dr. Beth Wigham and Dr. Alexa Pearson, Standards and Instructional Supports Team, OTLA</p> <p>The 2019 Oregon Legislature passed HB 2876, creating a new law that specifies TSPC licensed school social workers and school counselors, or any combination of persons qualified as determined by rules adopted by the State Board of Education, are those who can design, deliver, or otherwise implement a coordinated comprehensive school counseling program. ODE is updating OAR 581-022-2060 to reflect this new law.</p> <p><input type="checkbox"/> New Rule <input checked="" 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:

Historically, in Oregon and nationally, the majority of those who have been hired to design, deliver, and implement comprehensive school counseling programs are master’s level school counselors who are professionally trained in this model. Some districts in Oregon have hired other professional personnel, in addition to or instead of school counselors, such as master’s level school social workers and school psychologists based on local need. This hiring decision may be to provide specialized services within and/or in coordination with comprehensive school counseling programs. These three professional personnel do not replace one another; but, provide unique expertise, some overlapping services, and complimentary roles to each other. When hired to work together, this team is dynamic and powerful in addressing student barriers, academic achievement, and postsecondary readiness. There are some rural and small districts/schools who have had difficulty hiring any of these TSPC licensed professionals and may have hired a K-8 child development specialist through ODE’s authorization process or in some instances have hired/designated other school personnel with some background or training to provide services within the comprehensive school counseling program.

Oregon’s Framework for Comprehensive School Counseling Programs provides guidance on how these professionals listed above work together to provide wraparound services and multi-tiered supports for students and families. Because school counselors have been professionally trained in this model to design, deliver, and implement comprehensive school counseling programs, the Framework provides guidance on their oversight/management of the program, and collaboration and consultation with other professionals to provide specialized services in their respective areas. All districts must identify and address how the entire comprehensive school counseling program is being designed, delivered, and implemented in schools. This is reported in Division 22 Assurances by districts, and ODE is able to identify and provide various levels of technical assistance, professional learning, and supports to districts and schools as needed.

Oregon State Board of Education

December 12, 2019

AGENDA ITEM: 5.C

Purpose:

The 2019 Oregon Legislature passed HB 2876, creating a new law that specifies Teacher Standards and Practices Commission (TSPC) licensed school counselors and school social workers, or any combination of persons qualified as determined by rules adopted by the State Board of Education, are those who can design, deliver, or otherwise implement a coordinated comprehensive school counseling program. The law further specifies that these persons must work within their TSPC scope of license and not within the scope of others.

The intent of the new law is to address:

- Difficulty hiring TSPC licensed personnel in small and rural districts
- Unclear rule language on who can be hired to design, deliver, and implement comprehensive school counseling programs
- Potential barriers to employment for other professionals who could implement comprehensive school counseling programs

Current rule:

OAR 581-022-2060 Comprehensive School Counseling is being updated to reflect the new law. As this rule reads now, it requires every district and school to have a comprehensive school counseling program; however, the rule does not specify who can design, deliver, and implement the program. The rule says that the counseling responsibilities are assigned to the appropriate personnel and caseloads of 1:250 should be considered. The OAR defers to Oregon's Framework for Comprehensive School Counseling Programs for specific guidance on who and how it operates. The Framework will be updated to provide guidance on the new law and reflect national changes in language for comprehensive school counseling programs.

The new law does not specify grade levels that this pertains to; therefore, it defers to the TSPC license type and their grade level authorization. This will need to be clarified in guidance. Also, this new law does not address knowledge gaps in how to design, deliver, and implement comprehensive school counseling programs. ODE is having conversations with various university pre-service programs, TSPC, districts/schools, professional organizations, and others to find a way to address these gaps and help set professionals up for success with this new law. While the Framework provides guidance on how to design, deliver, and implement the program, it does not replace the professional training and experience obtained from university pre-service programs.

Discretionary areas:

Section (3)(a)(A) and (3)(a)(B) have no discretion for the Board, as the language is mirroring statute:

(3) Counseling Staff Assignments. Each school district shall maintain a licensed staff and promote effective counseling and advising practices consistent with the district's expected comprehensive school counseling program outcomes.

(a) A coordinated comprehensive school counseling program may be designed, delivered, or otherwise implemented by:

- (A) A person who is licensed by the Teacher Standards and Practices Commission as a school counselor;
- (B) A person who is licensed by the Teacher Standards and Practices Commission as a school social worker; or

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AGENDA ITEM: 5.C

Section (3)(a)(C)(i)-(vi) has discretion for the Board in the proposed rule language:

(C) A team consisting of any combination of staff so long as the team includes at least one professional who is licensed by the Teacher Standards and Practices Commission and the members of the team as a whole have training in the following areas:

(i) Oregon’s Framework for Comprehensive School Counseling Programs;

(ii) Counseling methodologies;

(iii) Curriculum, instruction and assessment;

(iv) Social-emotional learning;

(v) Career development; and

(vi) Legal and ethical issues;

Stakeholder voice/input process:

After the new law passed, an ODE team convened HB 2876 Stakeholder Engagement group to: 1) provide input on language for rule-making, 2) develop updated language for the Framework, 3) inform potential guidance for districts, and 4) identify potential professional learning needs. This Stakeholder group was formed through consultation within ODE to invite anyone who provided written or verbal testimony during the HB 2441 (previous version of the bill) and HB 2876 hearings. Also, specific invites included various involved Legislators, Confederation of Oregon School Administrators (COSA), Oregon School Board Association (OSBA), Teacher Standards and Practices Commission (TSPC), Oregon Education Association (OEA), Oregon School Social Work Association (OSSWA), Oregon School Counselor Association (OSCA), Oregon Counseling Association (OCA), Oregon Career Development Association (OCDA), higher education pre-service programs for school social work and school counseling, district coordinators for school counseling programs, building administrators, child development specialists, other building level staff, and additional staff from ODE whose work is directly impacted by this law.

The ODE team facilitated a full day of conversations on the various topics covered and were able to extrapolate information that was used to develop proposed language for rule-making in section (3)(a)(C). The Board should know that there was no consensus reached for any of the topics covered during the Stakeholder Engagement meeting. The proposed rule language was pulled together from their input in order to get initial public comment and to improve the language before rule adoption.

The proposed rule language was shared in a Google survey with questions to obtain or seek Public Comment. The survey was disseminated through the Stakeholder Engagement group to their contacts and members, ODE’s Listserv for Superintendents/Principals, and ODE’s Listserv for Comprehensive School Counseling Programs. Potential voices that may be missing are more rural districts and K-8 child development specialists. Specific outreach is being conducted to make sure that their input will be given. ODE would also like to get Board feedback on the proposed rule language and suggestions for improvement on the language.

The public comments continue to come in, and thus far, ODE has received over 140 responses. To date, the public comments have been synthesized by an ODE team to identify themes in the responses for this Board presentation.

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AGENDA ITEM: 5.C

SUMMARY OF PREVIOUS BOARD ACTION

None.

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

Policy issues or concerns:

Stakeholders have provided public comments that have been documented through survey, email, and discussions. ODE continues to accept public comments up to rule adoption. Analysis of the public comments have identified some misunderstandings with the interpretations of the proposed rule language. Some common ones are: 1) anyone in a school with a TSPC license can design, deliver, and implement, and 2) anyone can act as a school counselor as long as they have a TSPC license.

Stakeholders who are also members of communities affected by this rule have been intentionally involved through Stakeholder Engagement meeting, public comment process, specific outreach, and contacts through other stakeholders. Additionally, there has been consultation with ODE's American Indian/Alaskan Native Education Specialist to help solicit stakeholder input on the proposed rule through the public comment survey.

All historically underserved groups will be affected by this proposed rule language, as comprehensive school counseling programs serve all students. For example, this proposed rule could diversify the pool of applicants who serve or mirror the school demographics. Through the use of data and tiered interventions, students could be identified for additional supports.

Stakeholders were asked how the proposed rule language could be improved in (3)(a)(C). The summary of responses are listed below:

- Keep language as it is in the proposed rule
- Eliminate language in the proposed rule
- Include TSPC licensure requirements or specifications
- Provide clear expectations on assigning or hiring qualified personnel
- Provide more information about background, training and expectations
- Clear guidance on expertise and role differences and overlap
- Include professional training for team make-up or options for additional training
- Provide flexibility for districts to allow for building teams based on school needs
- Provide funding to hire for professional personnel such as school counselors and school social workers

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- Add additional language about:
 - Mental health
 - Ethics training
 - Crisis response
 - Culturally responsive
 - Trauma informed
 - Social Emotional Learning

Negative/Positive Effects:

The survey responses provided input on issues or concerns from various stakeholders. Stakeholders identified both positive and negative effects.

Stakeholders were asked about the impact on the population most affected by this proposed rule language. The summary of responses are listed below:

- Staff (school counselors)
 - Positive: None.
 - Negative: Language creates confusion and ambiguity about roles, education, training, background and expertise of professionals; Language is too vague and “murky”; Legal and ethical dilemmas for unqualified staff; Perception that role is replaceable by others with different education
- Students
 - Positive: Underserved students would be most served; More access to mental health supports; Hire more qualified staff for students (caseload ratios)
 - Negative: Hiring unqualified personnel to provide mental health and other services; Exposure to unqualified professionals
- Rural schools/Small schools
 - Positive: More flexibility in hiring staff to fit local needs
 - Negative: Perception that it is difficult to fill SC positions in rural areas; Not enough money to hire one or both school social worker/school counselor; Cost saving does not equal having qualified people implementing

Stakeholders were asked about the impact on eliminating the opportunity or achievement gap. Here are a summary of the responses:

- Increases access to qualified professionals
 - Positive: Encourages equity; Positive impact on academic success; Addresses mental health
 - Negative: This proposed rule does not provide equity.
- Hiring non-qualified personnel increases gap
 - Positive: Hire qualified personnel
 - Negative: The goal of closing the gap is not going to be helped by this change.

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EQUITY IMPACT ANALYSIS

This section addresses how the proposed rule systematically affects historically underserved students and/or communities.

Stakeholders were asked about the potential unintended consequences of the proposed rule language in section (3)(a)(C). The summary of responses are listed below:

- Creates opposition between licensed clinical social workers (LCSW) and masters in social work (MSW) against school counselors (SC) and licensed professional counselors (LPC)
- School counselors perception that their jobs will be reduced or eliminated
- Potential “harm” to students
 - Students unprepared for post-secondary career or college due to not having a professional trained in college and career guidance
 - Misinformed due to lack of training
 - Unqualified personnel to address suicide
- Licensed clinical social worker/masters in social work are not the same as school counselors
 - Different training, inadequate for same role
- Fear of building-level staffing decisions for cost cutting purposes

Stakeholders were asked to describe how the proposed rule language in section (3)(a)(C) could lead to unintended consequences for underserved populations. The summary of responses are listed below:

- You will get unqualified individuals that lack experience for the role
 - This will cause harm to the most vulnerable students
- Less resourced (small, rural) schools will be more impacted
- Inequitable impact on students
 - Underserved populations will be impacted more by unqualified professionals
- Less opportunity for counselors of color to be hired
- School should not be in mental health business (treatment)

Overall, stakeholders believe that with the appropriate proposed rule language that it could work towards improving student mental health, well-being, achievement, and opportunities for underserved students. Most believe that the current proposed language is not there yet.

FISCAL ANALYSIS

Originally, there did not appear to be a fiscal impact on ODE, as there is a current position that is partially dedicated to Comprehensive School Counseling to provide technical assistance from the Office of Teaching, Learning and Assessment. However, due to the complex nature of this new law and rule, there would potentially be costs to bring together people face-to-face from around the state for collaboration and professional learning on the updates to the rule and the Framework. ODE will be looking at a cost-effective options whenever possible such as webinars, recordings, or Canvas courses.

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Stakeholders were asked how the proposed rule change impact school districts and ESDs. The summary of responses indicated that less money and less pay did not guarantee qualified personnel, quality in services, effectiveness in implementation, or better outcomes for students.

Stakeholders were asked how the proposed rule change impacts schools and other educational institutions. The summary of responses are listed below:

- Using cost effective methods does not ensure hiring qualified personnel
- Creates opposition between higher education programs at PSU. PSU has current policy not to duplicate program content.
- Local universities will see a decrease in applicants
- Lack of advanced training and expertise for mental health requires additional education or training
- More access to SSW services, while it is a benefit, will create an additional financial consideration
- Reduce quality of services if not provided by qualified professionals

Stakeholders were asked how the proposed rule change impact other stakeholders. The summary of responses are listed below:

- Pre-service programs (universities) could see a decline in enrollment
- Other Specialized license types who are directed to do this work may experience larger than normal caseloads or services requested
- Mental health providers/agencies could see an increase or decrease in referrals
- Business, industry, and colleges could be asked to provide new or additional support to schools for college and career readiness
- Districts – lawsuits for malpractice with personnel who do not have training in/with using a professional code of ethics or practices
- Military potentially could see a decline in enlistments
- Community members could see an increase or decrease in engagement and opportunities
- Entire school community due to people needing to step in and provide support in areas of gap
- State impact could be positive through more students being served and negative by students with unmet needs
- Student in the long run for academic support, college and career guidance, mental health support, postsecondary success, and lifelong fulfillment

EFFECT OF A “YES” OR “NO” VOTE

Approving the rule as it is now will create significant challenges with various stakeholders and implementation.

Not Approving the rule will allow more time for ODE to solicit public comment, adjust the proposed language in the rule, and attend to concerns from various stakeholders.

STAFF RECOMMENDATION

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AGENDA ITEM: 5.C

Approve Approve next month No recommendation at this time (2nd Read/Vote in March)

Prompted by: State law changes Federal law changes other

ATTACHMENTS

None.

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December 12, 2019

AGENDA ITEM: 5.D

<p>SUBJECT: Minimum Standards for Electric School Bus Standards STAFF NAME & OFFICE: Brian Reeder & Brock Dittus, Office of Child Nutrition, Research, Accountability, Fingerprinting & Transportation</p> <p>Oregon’s Minimum Standards for School Buses are written in such a way as to exclude electric drive vehicles by default. Because no pressing safety concerns around electric-drive buses exist, an amendment of current rule will allow Oregon to uphold a high safety standard while permitting electrification of school bus fleets without an extensive variance process.</p> <p><input checked="" type="checkbox"/> New Rule <input checked="" 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

Oregon has a long-established track record of safety for its school buses and school activity vehicles, in part because of the rigorous standards that govern what districts are permitted to operate for pupil transportation purposes. These standards are written as exclusionary, meaning that the vehicle must fit a precise and narrow definition to fall within the accepted category. Vehicles that do not meet these standards are not allowed to be used for pupil transportation purposes without an approved request for variance as outlined elsewhere in rule.

While it is important to maintain a strict standard to ensure vehicle condition or maintenance are not the cause of traffic accidents or injuries, these exclusionary standards were written at a time when it was unthinkable to introduce electric-drive vehicles into a school’s transportation fleet. Because of this, the standards include requirements for many components that an electric-drive vehicle would not need or have, such as an alternator, radiator, or other items specific to a combustion engine.

Current interest in the electrification of fleets is rising as options become more affordable and original equipment manufacturers introduce vehicles that would be otherwise compliant with Oregon regulations. If school districts or their contracted bus companies wish to electrify their fleets, it seems imprudent for regulations written for a different time to block their way when the societal benefits of an electric school bus exist. Several larger urban school districts have expressed interest in adopting electric-drive buses into their fleets.

These rule changes focus on maintaining the high standard for safety while increasing the compliant options available for school districts.

SUMMARY OF PREVIOUS BOARD ACTION

This is the first time electric school bus standards have been presented to the board.

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AGENDA ITEM: 5.D

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

Department staff have engaged in dialogue with school district transportation directors and managers who have expressed an interest in implementing electric-drive school buses and find them receptive to or eager for the possibility. They have also contacted representatives of all major equipment manufacturers to ensure that rule changes would not specifically favor one brand over any other. For clarity, it should be noted that this rulemaking is in response to district interest in implementing this new technology, and not in response to vendors or utility companies.

Department staff have emphasized that electric-drive vehicles are used expressly for the purpose of safely transporting school pupils to and from school, and as such, no allowances for company logos or non-standard signage, decals or paint are included in this rulemaking.

No negative effects of such a change have been suggested.

EQUITY IMPACT ANALYSIS

Adoption of these rule changes would permit historically underserved populations the opportunity to experience less air pollution or health side effects due to vehicle emissions. If districts implement electric school buses on routes serving neighborhood schools in areas where traffic congestion or traffic create an increased exposure to unhealthy air, they will decrease the immediate curbside exposure.

Any barriers to more equitable outcomes would be in where school districts plan to implement electric-drive school buses. A great opportunity exists to deploy zero-emissions service, but how districts consider and plan for those with the greatest need for such service will influence the outcome.

FISCAL ANALYSIS

Any fiscal impact of the proposed change would reflect in the State School Fund reimbursements for allowable transportation expenses. Reimbursements for vehicles and expenses related to home-to-school service are reimbursed at 70%, 80% or 90% as outlined in OAR 581-023-0040, and while other public or private grant opportunities may be presented to defray the higher cost of an electric-drive vehicle, the reimbursement for an electric drive vehicle will be higher than that of a traditional combustion engine vehicle. However, this may also initially present a self-governing factor in that school districts will purchase fewer vehicles due to their higher price.

Fiscal impacts may be present in ODE employee time spent learning about and inspecting new vehicle components, as no current pupil transportation staff is familiar with the details of specifications and

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AGENDA ITEM: 5.D

maintenance, and will need to be educated to be able to properly perform inspections of the vehicles during site visits, or grant license approvals for the purchase of new vehicles.

EFFECT OF A “YES” OR “NO” VOTE

Board approval will implement language that maintains the exclusionary standard requiring school buses to meet stringent safety standards before use in pupil transportation and uphold the department’s high value of safety in local operations, while permitting districts or private bus companies interested in adding electric-drive school buses to their fleets to do so. This will align with the stated values in 2019’s Senate Bill 1044 to encourage the eventual electrification of public fleets.

A lack of approval by the board would result in promulgating the existing school bus minimum standards in rule, which by default exclude the existence of electric-drive school buses in school district or private bus company fleets due to language specific to combustion engine vehicles. The option to request a variance to minimum standards as described in rule would still exist, but could result in an increased workload to the Pupil Transportation and Fingerprinting unit as well as The Office of the Director, since requests for variance are required by rule to be addressed to the State Superintendent of Public Instruction.

STAFF RECOMMENDATION

Approve Approve next month No recommendation at this time

Prompted by: State law changes Federal law changes other: new technology emerging

ATTACHMENTS

Attachment 1: Proposed rule OAR 581-053-02## Minimum Standards for All-Electric School Buses

Attachment 2: OAR [581-053-0003](#) Definitions revisions

New Rule: OAR 581-053-06502## Minimum Standards for All-Electric School Buses

An all-electric vehicle school bus shall meet all minimum standards for the applicable type of school bus as listed in OAR 581-053-0240 and all retrofit standards as listed in 581-053-0250 with the following modifications. All-electric vehicle school buses:

- (1) Shall meet FMVSS 305, Electric-Powered Vehicles: Electrolyte spillage and electrical shock protection.
- (2) Shall meet the requirements of FMVSS 105 or 121.
- (3) Shall meet minimum sound requirements when tested to FMVSS 141.
- (4) Shall be exempt from the following standards:
 - (a) Air Cleaner
 - (b) Generator/alternator
 - (c) Exhaust system
 - (d) Fuel system
 - (e) Governor
 - (f) Gauges:
 - (i) Fuel gauge
 - (ii) Oil pressure
 - (iii) Water temperature
 - (iv) Tachometer
 - (g) Oil filter
 - (h) Throttle
 - (i) Transmission
- (5) Electrical System shall not be required to have a cold cranking capacity, nor conform to a uniform voltage with the chassis for non-propulsive electrical components. Non-propulsive electrical systems shall be isolated from propulsive electrical systems.
- (6) Chassis wiring shall conform to manufacturer's color coding standards.
- (7) An equivalent display for electric propulsion power shall be required in place of a fuel gauge.
- (8) Heaters need not be hot water type, but shall have the same output as a hot water type heater.
- (9) Shall be equipped with an interlock device to prevent vehicle motion when connected to charging infrastructure.
- (10) All paint, lettering, trim, and any other markings shall conform to existing minimum standards in place at the time of construction. Accepted colors shall be national school bus yellow or black for all markings. Lettering specifying electric drive may be used in place of fuel type decals, and shall meet the same requirements as fuel type decals.

Addition to OAR 581-053-0003 Definitions

Electric Vehicles: electric vehicles derive all or part of their power from electricity supplied by the electric grid. They include all-electric vehicles and plug-in hybrid electric vehicles.

- (a) All-Electric Vehicles are powered by one or more electric motors. They receive electricity by plugging into the grid and store it in batteries. They consume no petroleum-based fuel, produce no tailpipe emissions and do not have an internal combustion engine. They include battery electric vehicles and fuel cell electric vehicles.
- (b) Plug-In Hybrid electric vehicles use batteries to power an electric motor, plug into the electric grid to charge, and use a petroleum-based or alternative fuel to power the internal combustion engine.

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DRAFT RULE TO IMPLEMENT SB 52

OAR 581-022-2510

Suicide Prevention Plan

(1) For purposes of this rule, “behavior health crisis” means a disruption in an individual’s mental or emotional stability or functioning resulting in an urgent need for immediate treatment to prevent a serious deterioration in the individual’s mental or physical health.

(2) Each district school board shall adopt a policy requiring plan on student suicide prevention for students in kindergarten through grade 12.

(3) A plan required under this rule must include:

(a) All requirements set out in 2019 OL Ch. 172, Section 1 (Enrolled SB 52);

(b) Procedures for sharing information between a hospital and school district regarding a student who has been seen in a hospital for a behavioral health crises where a valid release of information has been voluntarily signed by the student or the student’s parent or guardian. The procedures should be developed in consultation with hospitals serving the geographic location of the school district;

(c) Procedures for reentry into the school environment following a hospitalization; and

(d) A process for designating staff to be trained in an evidence based suicide prevention program. The Department of Education will provide a list of available programs.

Statutory/Other Authority: 2019 OL Ch. 172 (Enrolled SB 52)

Statutes/Other Implemented: 2019 OL Ch. 172 (Enrolled SB 52)

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AGENDA ITEM: 5.E

<p>SUBJECT: Suicide Prevention Plan 581-022-2510 STAFF NAME & OFFICE: Jeremy Wells / Office of Equity, Diversity & Inclusion</p> <p>This will be a new rule where all school districts shall develop a suicide prevention/intervention plan to reduce risk and promote healing after a suicide. Districts will have identifiable officials and will have methods to address high-risk groups. Plans need to be available annually to the community (available at the District Office or online).</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 type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p>
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BACKGROUND

SB 52 was championed by Basic Rights Oregon (BRO) who was the guiding force behind the development of this legislation (LGBTQplus populations have an remarkable high suicide rate and many school districts did not have a plan to address student suicidality.) This legislation had broad support from the Oregon Health Authority (including Public Health), the Alliance to Prevent Suicide, YourthEra and Lines for Life. It specifically tasks The Oregon State Board of Education to create rules that integrates feedback from state level partners and school-based mental health professionals, parents, guardians, school employees, students, administrators, ESD’s, School Safety Task Force and Tribes. These individuals were invited to a stakeholders meeting on 9/11/19 and had the opportunity to complete an online Google form to send ODE official input.

SB 52 legislation and rules will have a direct impact upon all of Oregon’s public schools, communities and concerned parties. Especially because it specifically identifies high-risk members of Oregon state to be directly impacted. The high-risk groups identified are the following; youth bereaved by suicide, youth with disabilities, mental illness or substance disorders, youth experiencing homelessness (out-of-home settings like foster car) and LGBTQplus. Through collaboration with ODE’s Office of Indian Education, Oregon Tribes are added to the high risk group list.

SUMMARY OF PREVIOUS BOARD ACTION

There has not been any board action prior to today.

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:

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POLICY ISSUE OR CONCERNS

Stakeholder engagement has been a high priority since the last legislative session ended. I have traveled the entire state presenting at meetings, conferences, and events with the primary goal of engaging partners around this, and other school safety/inclusion related topics.

The positive effects of SB 52 is that lives will be saved and that it speaks to ALL students. Another positive effect is that this legislation should have a positive impact upon the stigma that surrounds suicide in all 197 schools in Oregon. This rule will also directly affect the implementation of Section 36 in ESSA.

District concerns around developing these plans will entail development in the written form (hopefully in the languages of all their students) and support from state, local, community, county, for rural regions.

EQUITY IMPACT ANALYSIS

This process of developing a plan could make certain community sectors feel disenfranchised or alienated from the process. County mental health may also want to help, but may not know who to contact at their local school districts. County level support could ensure that all voices are present.

After spending the last 6 months working throughout the state I am fairly confident that all sectors of all communities believe that suicidality in Oregon is a problem and that all sectors will try to come to the table to assist and support this work.

The impact of these rules will or should have a very positive impact upon historically underserved populations in Oregon. With the connections that ODE has made in the field, there is a high probability that if segments of our society are not feeling included they will reach out to us or our partners so that we may follow up to assist.

These rules validate every student's life even if they do not at the moment they will or will hopefully know that their school district and their state agencies are working for every student's best safety.

FISCAL ANALYSIS

The Safe and Inclusive Schools Team from within Office of Equity, Diversity & Inclusion will be able to support the implementation of this legislation and the 197 school districts for the 2020-2021 school year. If schools do not complete their plans, then they will be found non-standard under division 22. Our hope is that many of the stakeholders that participated in the rule input process will support their local school districts.

EFFECT OF A "YES" OR "NO" VOTE

A yes will then allow our partners (Alliance to Prevent Suicide, County Mental Health Agencies, OHA/Public Health and local school districts) to assist ODE in further developing guidance for the field.

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AGENDA ITEM: 5.E

A no will allow ODE to gather more feedback around the rules and potential guidance.

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1:



December 4, 2019
Jeremy Wells
School & Community Wellness Advocate
Oregon Department of Education
255 Capitol Street NE
Salem, OR 97310-0203

On behalf of OSBA and COSA membership, including 197 school districts and 19 Education Service Districts, we write in support of the theme of the proposed rules for the implementation of Senate Bill 52 (2019), and also to request consideration of specific revisions to the proposed rules.

We have been deeply involved in supporting the advocates for SB 52 during the 2019 session. We were happy to assist Basic Rights Oregon, the Staub family, and other advocates in making sure that SB 52, Adi's Act, could be a valuable tool for school districts. The rules largely reflect the concerns and direction of the proponents of the measure.

However, a few portions of the rule go beyond the text of the measure. Specifically, we believe sections 3(b) and (c) go beyond the scope of the bill. These subsections concern information sharing and reentry to school, respectively. These topics are tremendously important to student wellbeing. However, they are not included in the text of the bill. And they are areas that, with a few exceptions, are outside of normal school operations. Rather than including them in rule, we would request that they be removed and instead have these topics be included, along with any other relevant mental health expertise, in guidance issued by ODE.

Similarly, 3(d), which deals with suicide prevention training, raises a similar concern. This section probably is within the scope of the bill, as it tracks closely to the text of the engrossed measure. However, it is more specific than is normal for rules. Again, we would request consideration that this section be included in ODE guidance rather than the rules.

We make these requests because we believe these changes will be most valuable to school districts and the work of Adi's Act. Thank you for the opportunity to collaborate in the drafting of rules for Adi's Act.

Sincerely,

Richard Donovan
Legislative Services Specialist
OSBA

Ben Bowman
Legislative Affairs Specialist
COSA

SB 52 Feedback
Summary of Input and Comments

The table below includes a “rough cut” of input and comments received at the meetings. Table entries should not be considered verbatim.

School Safety and Prevention System				
Meeting Date	Input Received	Rules	Guidance	Other
9/11	how do we define the procedures in 3(a)?		+	
9/11	Lines for Life how has 3rd revision of step-by-step guide for school district (Williamette ESD). Each section has a checklist with priorities. Working off Cairns, Trevor Project, and after suicide policy guide.		+	
9/11	a prescriptive list of what procedures needs to be in a resource not in rule.		+	
9/11	Alliance is working on guidance for school districts. There was concern for how scale to different size districts.		+	
9/11	need resources for controls, ways to measure whether policy/plan is being followed.		+	
9/11	model plan needs to address: 1) tone at the top, 2) risk assessment of all the ways that could go wrong, 3) what are the things you do to address those risks, 4) then communicate to everyone in need, and 5) then a monitoring system with frequency. Need monitoring to insure that the policy exists (do teachers know that policy exists?), including who has ownership.		+	
9/11	can we define what "comprehensive district plan" means in rule? sounds more like guidance than rule. ODE website will include links to resources like Lines for Life and Alliance. OSBA: Guidance can be changed by a dime, but rule needs to be changed by the Board in a process that takes 6 months to a year. Guidance can be more up-to-date that day and could include the "methods" required by the bill.		+	
9/11	a little concerned that guidance doesn't carry as much pressure to do the work. What does technical			+

School Safety and Prevention System				
	assistance look like going forward for districts? For example, forums for school practitioners, etc.			
9/11	examples of offering free technical assistance that aren't being responded to.		+	
9/11	ask schools what the barriers are to free services / resources.			+
9/11	no TA person at ODE. Using the Welcoming, Safe, and Inclusive For all Students Unit in Student Services.			+
9/11	want to collect what information needs to be attended to and ODE can figure out whether in rule or guidance.			+
9/11	number 1 risk is a lack of understanding at the teacher of level on how to deal. Teachers need training at a frequency. Need ownership - who at every school is responsible for the training.			+
9/11	training for all personnel.			+
9/11	Can we add rules to better clarify that under 3(e)?			+
9/11	their guide says different levels of training. At least two people with more fully fleshed training.		+	
9/11	need more sharing across districts about what works and doesn't		+	
9/11	most school districts have less than 200 students.			+
9/11	the term "methods" is way too loose - need more prescription in rule. COSA: here's what methods mean in this context.		+	
9/11	we need to work with the unions as well to ensure everyone has a common understanding.			+
9/11	current exemplar plans do not do a good job of describing methods for reaching LGBTQ youth and other populations listed		+	
9/11	tighten up "methods," when and how to refer youth to "appropriate mental health services" in 3(A) "suitable" in 3(e)(B)		+	
9/11	3 (b) - "identification of the school officials responsible" should take into account transitions of employees. OSBA: could do it by position not by naming person. "reports to school official" could be any kind of notification - verbal or written.			+
9/11	what does "method" mean? is a survey a method (Oregon Healthy Teens Data). None-exclusive examples can be listed in definition. method is an articulated strategy for assessing and addressing risk.			+
9/11	training is so important for everyone in the classroom. And creating a conversation around mental health and doing check ins and normalizes ability to		+	

School Safety and Prevention System

<p>9/3</p>	<p><u>Proposed rule for SB 52</u></p> <p>We are proposing the adoption of a rule under section 1 (3) (a) and 1 (3) (d) (B) to the following effect:</p> <p><i>School districts shall endeavor to enter into written agreements with each hospital within the geographical area served by the district or in which a student might be likely to utilize the hospital in order to have appropriate persons within the district notified if a student has been seen in the emergency department or as an in-patient for a behavioral health crisis so that the school may help provide a safe transition for the student.</i></p> <p><i>Behavioral Health Crisis has the meaning given it in ORS 441.053.</i></p> <p><u>Explanation:</u></p> <p>The point of the reference to <i>in which a student might be likely to utilize the hospital</i>, is that in rural areas, a student may attend a school in one county but be closer to a hospital in another county. One example is North Wasco SD 21, in which some students live much closer to Hood River Memorial Hospital than they do to Mid-Columbia Medical Center in The Dalles.</p> <p>It is recognized that hospitals might believe they need a release of information from the parent prior to notifying the school of student with a behavioral health crisis. But that level of detail is not required in the rule which would merely require that districts endeavor to enter into an agreement. The details of the agreement are a matter that would be expected to vary greatly over the range of conditions within the state. The significant issue is to attempt to enter into an agreement to accomplish the goals.</p> <p>Finally, it might be thought that one impediment to EDs being willing to notify schools is that they may feel, especially in rural areas, that they do not have staff sufficient to do so. Again, that limitation would be part of the negotiations between the district and the hospital, rather than a matter for the rule. However, to provide more hope in this arena, the COO of Lines for Life has committed to seeking approval from OHA to utilize one of their specialty services to make the actual contacts if that would enable the hospital to enter into such an agreement, assuming the hospital provides LFL with the necessary information.</p> <p>In summary, for most students, the place where they spend the second greatest amount of time is the school. The school can be essential to saving the life of the student. But if the school does not know the student is particularly at high risk, the school cannot be expected to do its part. This proposed rule would be a great benefit to letting the school obtain the necessary information to do its part. We urge its adoption.</p> <p><u>Argument:</u></p> <p>1. The Oregon Legislature has granted ODE broad discretion to develop detailed rules under section 1 (2) of SB 52. Plans must</p>	<p align="center">+</p>		
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School Safety and Prevention System

	<p>identify school officials responsible for responding to reports of suicidal risk, section 1 (3) (b). Specific procedures must address youth with mental illness among others, section 1 (3) (d) (B).</p> <p>ODE has the authority to adopt any reasonable regulation related to the legislation, in this case specifically to youth with mental illness. An analogy is HB 3090 from 2017, now ORS 441.053. That law merely required hospitals with an emergency department to adopt and implement rules for release of a person presenting with a behavioral health crisis, ORS 441.053 2 (2). Pursuant to the Act, OHA adopted and/or amended 19 pages of rules. OAR 333-520-0070 adopted pursuant to that Act, requires in great detail for hospitals to create a process to arrange for caring contacts, a process for case management, and a process to coordinate care in transition. This was all done without the specific delegation of rule-making contained in SB 52 to ODE. ODE's authority under SB 52 if anything is broader.</p> <p>2. The legislature specifically allows ODE to prescribe any other requirement based upon reviews of national models or among other consultations, section 1 (3) (f).</p> <p>One of those highly respected national models is the Montana Crisis Action School Toolkit on Suicide. The Montana model includes the following in the section entitled: Student Reentry After Hospitalization for Suicidal Behavior pp. 41-42</p> <p>“The reentry process and follow-up procedures after hospitalization for a student who has expressed the desire to end his/her life by suicide are essential, and the student should be considered at high risk immediately upon reentering their school environment. (Emphasis added.) It is critical that key school personnel such as the counselor or the suicide-prevention expert carefully monitor the student’s suicidal behavior as there is a great need for continuing mental health care and assessment of suicide risk. This can best be done by utilizing the Suicide Monitoring Tools provided in Tools 15A and 15B. The counselor should review the Reentry Checklist (Tool 20) as they address with the student and his/her parents the following considerations:</p> <ul style="list-style-type: none"> • The student may have fallen behind on the curriculum that is important for graduating or passing to the next grade. Empathy and compassion should be shown in this situation. Academic expectations for lessons that were missed should be adjusted to allow for extended time for assignments, possible modification of assignments, and a notation of “incomplete” for the term until the prioritized work has been turned in and assessed. • The suicidal student’s teachers need to know that depression and suicide are of concern. Discussion as to why the student has been suicidal and discussions of possible contributing factors such as losses, family issues, mental illness, or bullying are to be avoided. The emphasis should be on teachers simply acknowledging depression and suicide as a concern and knowing the importance of being alert to further warning signs of suicide. In the event the teacher becomes concerned about a student’s 			
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	<p>suicidal behavior, the teacher should escort the student to the counseling office for immediate attention.</p> <ul style="list-style-type: none"> • It is recommended that key school personnel such as counselors meet weekly for a minimum of a month with a student returning from hospitalization due to suicidal behavior and utilize the Suicide Risk Monitoring Tools (Tool 15A for elementary/middle school students and Tool 15B for middle/high school students). Suicide assessment is not a single event but necessitates careful follow-up at school and coordination with community mental health providers.” <p>On p 39 the Montana plan urges schools to “Persuasively request that parents sign a release of information form, so that designated school personnel can speak directly with community mental health professionals.”</p> <p>The Guide for Suicide Prevention in New York Schools has similar procedures in it, p. 18.</p> <p>Both the Montana plan and the New York plan eloquently speak to the need for a safe, and gentle, transition back into the school setting. But how can that be achieved unless the school knows of the visit to the hospital, whether ED or in-patient, and the reason for the visit? If the parent knows, they may inform the school but they may not. If they do not, there may be a variety of reasons for that failure to do so. The burden cannot lie reasonably upon the parent to know what to do.</p> <p>3. In addition to the Montana CAST-S plan included above, Oregon currently has at least 3 models operating in which hospital to school communication for at risk students is accomplished. The proposed wording for the OAR would allow for any of these or others which get at the ultimate goal. The 3 programs referred to are:</p> <ol style="list-style-type: none"> 1. MESD has a contract from ODE to provide education to any student in-patient in the metropolitan area. For the 2 hospitals, Willamette Falls and Unity, which have MH units for children and adolescents, MESD has its staff attempt to obtain a release of information from the parent or other legally responsible party. If obtained, MESD staff will then notify appropriate staff at the student’s school of the hospitalization. 2. Clackamas County has mediated a program in which the staff at Willamette Falls Hospital’s emergency department seeks a release and if obtained, will notify the school directly of any student seen in the ED for a behavioral health emergency. 3. Lincoln HS has a protocol under which it coaches school staff to call ahead to the emergency department if they know a student will go there to provide the school perspective on the situation, and the family receives a “supporting a loved one in crisis” booklet. Also, if a student is in-patient, there is a partnership between the 2 psychiatric hospital school teachers and PPS through which the family is asked to sign a release 			
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	<p>for school/hospital coordination. Lincoln reports an 80% completion rate.</p> <p>4. A sample tool-kit for schools was developed by Cairn under a GLS grant in 12/17, Developing Comprehensive Suicide Prevention, Intervention and Postvention Protocols: A Toolkit for Oregon Schools. It has a number of references to the need for school/hospital communication and coordination. These include:</p> <p>P. 38 - Prior to Return: If not done by the mental health provider at the parent's request already, obtain releases of information from the parent so the mental health provider, inpatient, or outpatient team can talk to the school counselor. This will ensure that pertinent information is shared, and there is a smooth transition throughout the levels of care.</p> <p>P. 40 - Sample Re-Entry Procedures after Hospitalization</p> <p>Transitioning back to school from hospitalization for suicide risk or attempt can be challenging for students, families, and young people. In 2014, the Educational Coordinators at Providence Willamette Falls Medical Center Child and Adolescent Psychiatric Unit noticed that schools were not getting necessary information from the hospital to help returning students have access to the necessary learning supports and services when in school. (Emphasis added.) After meeting with many school district counselors and school psychologists, the team put together a Physician's Disclosure for Educational Records form that compiled the information from the Unit's multi-disciplinary team to accommodate for these patients/students. Additionally, the team created a Student Support Recommendations Checklist that is completed by the student and hospital staff. The checklist indicates needed accommodations related to access to supports and services, classroom/assignments, and testing.</p> <p>P. 51 - Strengthening Partnerships between District and Community Mental Health Providers</p> <p>In her previous role as Youth Suicide Prevention Coordinator for Jackson County, Jill Jeter forged partnerships and created new processes to better coordinate the work of community mental health providers and school districts in the county. Jill saw that mental health providers and the schools district had the same goals, but there wasn't the time to link the two and get everyone on the same page.</p> <p>Jill started by offering her time and support to Eagle Point School District. She created a one page postvention checklist based on best practices. She also helped to create a memorandum of understanding (MOU) between the school district, county mental health, crisis center, and school based health center at Eagle Point high school.</p> <p>"A really big part of the MOU was an opportunity for the school district and crisis center to understand each other. The MOU is a four-part clarification letter that states the role of each partner, when to get the county involved, how they can help support the</p>			
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	<p>District, and then how the partners would continue to coordinate care together.”</p> <p>Eagle Point also included specific guidelines about when to call the crisis center and procedures to ensure there is a release of information (ROI) in place within their safety plan. Upon re-entry, the SBHC shares information with the county mental health provider and the school guidance counselor takes on re-entry planning.</p> <p>Since getting the MOU in place, Jill states they saw an influx of Eagle Point students.</p> <p>If Jill could change one thing about the MOU, she would include a statement that under HIPPA, information sharing for care coordination does not require a ROI. (Emphasis added.) She wants to consider the amount of re-traumatization involved when a young person has to tell their story over and over again when the information should be available to professionals involved in care.</p> <p>Jill’s key to success is meeting schools where they are. She got in the door with Eagle Point by offering her time and tailoring her support to their specific needs. Then, other Districts in the area heard about the work and the “flood gates opened”.</p> <p>4. ORS 192.567 (1) (a) (A) and (2) provide authority consistent with HIPAA for Ms. Jeter’s contention that a hospital would not necessarily need to obtain an ROI for disclosures to a school. However an authorization is preferable and Lincoln High’s experience indicates an 80% success rate in getting one signed.</p> <p>5. OAR 333-520-0070 requires an emergency department to determine whether a person can be properly cared for in the place where the patient resided at the time the patient presented at the ED, (4) (d) (C). Most students do not “reside” at a school of course, but the reasoning would be the same, e.g. a determination of whether the environment the student will be in (the school) is a safe place. This requires some level of communication between the hospital and the school.</p> <p>If ODE adopts the proposed rule, a procedure will be in place which can lead to communication between hospitals and schools across the state that will save lives. That is a bold statement, but also an accurate one. We urge ODE to do so.</p>			
9/12	<p align="center">Proposed Legislation Original Wording:</p> <p>We are proposing the adoption of a rule under section 1 (3) (a) and 1 (3) (d) (B) to the following effect:</p> <p>School districts shall endeavor to enter into written agreements with each hospital within the geographical area served by the district or in which a student might be likely to utilize the</p>	+		

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	hospital in order to have appropriate persons within the district notified if a student has been seen in the emergency department or as an in-patient for a behavioral health crisis so that the school may help provide a safe transition for the student.			
9/18	<i>“School districts shall endeavor to enter into written agreements with each hospital within the geographical area served by the district or in which a student might be likely to utilize the hospital in order to have appropriate persons within the district notified if a student has been seen in the emergency department or as an in-patient for a behavioral health crisis so that the school may help provide a safe transition for the student.</i>	+		
Google Form	School/district plans must list how they will deploy resources at the building level to meet this need; may reference Student Success Act			+
Google Form	Require Youth Mental Health First Aid Training for ALL staff. ODE needs to help with funding for this. Remove the opt out option in comprehensive sexuality education. LGBTQ+ inclusivity is often taught during those units and students who opt out are sending clear messages to LGBTQ+ students about their worth. We cannot simultaneously have anti-bullying policies, transgender inclusive policies, anti-discrimination policies, etc and then allow students to opt out of discussions around those issues. This will require ODE to clarify the opt out law (please review because it actually only applies to STI education) and revise the recent FAQ that was posted. Increase counselor training requirements on mental health and LGBTQ+ support. Counselors need to understand mental health from a DSM perspective, not just I have an "anxious" kid which is totally different that a kid with diagnosed anxiety. Provide sample policies and/or organizations with which to connect. Hold district accountable to providing policies and prevention.	+		
Google Form	We really need to focus on building trust between parents and schools, and between youth and schools. In response to the 2018 Student Wellness Survey, Table 210 measuring responses to "There is at least one teacher or other adult in my school that really cares about me," 29% of 8th grade students and 24% of 11th grade students answered "A little true or not true at all." I would be willing to bet that these same youth are at a higher suicide risk. In addition, we also need to build trust before progressing with any kind of recommendation for EDs to ask parents to sign an ROI if a youth has been admitted for a suicide crisis. There's a lot that we don't understand: The complications of being a youth whose parents are undocumented, or a youth who is undocumented. What level of trust would there be for "systems"		+	+

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	<p>asking them to sign an ROI? What if a parent is a domestic violence victim whose abuser is aggressively seeking custody? Would signing an ROI allow that abuser to access confidential mental health records? Way too many worst case scenarios. While I support individual schools and mental health agencies working toward this goal, a one-size fits all approach would not be safe for every student, no matter how well-intended. And, based on my experience as a mom whose 6th grade daughter lost a classmate to suicide and who was greatly let down by an urban school's poor response, if she had experienced a mental health crisis and had the hospital approached me and asked me to sign an ROI, my response would have been...impolite. We also need to assure 1) Fidelity to any EBP Suicide Prevention Model, and 2) That we are asking our youth about the effectiveness of our efforts on a) Their comfort level of noticing warning signs; b) Their confidence level in their ability to help a peer who may be at risk of suicide; and c) Their ability to identify a trusted adult or local resource that can help their peer.</p>			
<p>Google Form</p>	<p>Ensuring the schools WILL consult with state or national suicide prevention organizations, the Department of Education, school-based mental health professionals, parents, guardians, school employees, students, administrators and school board associations when developing the plan required under this section to ensure that the school in compliance with National Best Practice Evidence Based Suicide Prevention Programs and that all organizations/parents/community members are fully integrated into the plan required under this section.</p>		<p align="center">+</p>	
<p>Google Form</p>	<p>In answer to identifying school officials who should be responsible for responding: Everybody. Then teachers. Then principal. Then SRO. Should always be someone that the student who is having problems trusts, not just any ol' teacher. If I'd have had my way, I'd have fired all of the teachers at my school after someone died by suicide. There should be someone to report to if a family or youth doesn't think that the school handled a situation properly. If a teacher doesn't respond, then the principal should be told; if the school doesn't respond, then someone above the schools should investigate. The biggest difference for youth who are bereaved by suicide loss is teachers who care--who are willing to set aside extra time. Outsiders are helpful, but it isn't as meaningful. Not everyone trusts the counselors, and not every counselor is good. But one good teacher can make it easier for us. For example, if a youth loses an adult family member to suicide over the weekend and comes to school, teachers shouldn't fuss at the student because he forgot his glasses at home. Trauma informed education, put in action, not just words, by all staff, especially after a traumatic event. Maybe even meeting immediately after a suicide loss to review trauma informed practices. Allow students with disabilities special time with a teacher; don't punish youth who are using substances--talk to them compassionately and ask them what's going on. Don't take away their vape--that'll just tick them off and chase them away. For youth with mental illness, having someone who cares. Give them small stuffed animals that they can hold onto. All of our school</p>		<p align="center">+</p>	<p align="center">+</p>

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	<p>teachers gave us their phone numbers on the first day of school and told us that if we were worried about anything, we should call them. Make sure that counselors are connected with youth who have mental health challenges; make sure they know them before something comes up, not just after a teacher complains about a problem. For youth with disabilities, engage other youth to help them out. Include them. All-inclusive environments. Look for teachers aides who really do care about the youth, not just the paycheck. For homeless youth, we need to provide them with food and care bags for hygiene. That's a way to say we care; give them clothes, say we care. Be there for them—not just getting agencies involved. Don't give them money because their families may have drug problems and they'd just buy drugs. For foster care youth, have a teacher who gives a damn who is willing to tell them it's okay and it isn't their fault. Offer to give them more attention and help them with school work. Remind them it wasn't their choice and they don't have any control over it. Remind everyone that LGBTQ people are people, too, whether you believe they exist in our community, or not. Sometimes adults are too full of themselves and it gets annoying—you can't remove them from the earth. Schools need to teach faculty to be accepting. For example, schools can give out Pride Flags for Pride Month; flags for gay, flags for trans, etc. Have an enforceable no bullying policy, where you'd get two warnings and then your parents are called. Then if you bully again, parents have to meet with school staff. Take expulsion as a last resort, figure out why the youth is bullying, but don't allow it to continue happening. Create a calm environment to inform parents or guardians to appropriate mental health services. If a youth is worried about a parent's reaction, ask the youth who another trusted adult would be. Regarding hospitals asking parents for a release, "Tell the hospital to kiss my ass" because everything went wrong at the school—why would I want them to have my mental health records? Teachers and counselors need to have relationships with the student first, trusted relationships. Only tell trusted adults, not teachers or counselors who've ignored the student. The school may be a part of the problem—why would I want them to have my personal story??? At one school, I wouldn't have wanted teachers to know why I cut. At my current school, I trust every adult there. Because they have relationships with the students—relationships have to be in place—and at my new school we have relationships. If classrooms have assigned seats and a youth returns after hospitalization, let the student sit in the back with their best friend, with a teacher's aide to help them catch up on their work. Have a process in place for reintegration with a trusted adult at the school helping out in the classroom. After any traumatic incident, let students sit next to best friends. A trusting relationship with a student and staff member is what matters. And after a suicide loss, gummy bears and juice boxes doesn't mean anything; it's about the trusted relationship.</p>			
<p>Google Form</p>	<p>There is a challenge with school staff obtaining treatment planning after a hospitalization or acute treatment from medical providers. Any regs that would address this and are consistent</p>	<p>+</p>		

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	with other applicable rules for sharing of information between medical/mental health and schools would be helpful.			
Google Form	Rules adoption could include some detail or reference to the essential components of a comprehensive plan under the statute. For example: “A high quality comprehensive district plan for suicide postvention should include: (a) immediate crisis response protocol and activities, (b) activities for student and staff coping with the stresses caused by the suicide(s), (c) community outreach and connections with other agencies and entities, (d) tools for working with the local media, (e) methods for handling memorials, (f) monitoring and involving students in use of social media following a suicide, (g) strategies to address suicide contagion, and, (h) tools and templates for staff use in addressing factors listed previously.” Rules could address specific components of a high quality plan consistent with the language in SB52 for each area addressed in SB52.		+	
Google Form	How will these plans also be navigated with Prevention plans required by SB 561? We are working with School districts to come up with a menu and community responses to death by suicide and will there be funding allowed to work on postvention training. We will look at State wide implementation of CONNECT training for schools to build a common language? Will there be a template similar to SB 561 to provide information back to the designated person?		+	+
Google Form	Evidence-based Suicide prevention interventions are critical. Schools country-wide are experiencing increased suicidal ideation and attempts. We need to focus on interventions that have shown success. They are out there!	+		
Google Form	I think the main helpful recommendation would be to have a district wide plan that is the same in all schools. I visit 6 schools, so having a consistent program would be helpful. Personalities should not get in the way of administering the plan i.e., this is "my" plan). Also, I think the pendulum is swing towards 'all suicides can be prevented'. I've been a school nurse for a long time, and I don't believe this to be true. And, if anyone does complete a suicide, it would just make everyone feel more guilty if they blamed themselves for not protecting the person.		+	
Google Form	1. What about funding? Should SSA funds be set aside for schools to adequately staff (more school counselors and school-based mental health therapists) and adequately train- regular, consistent, high-quality, whether in-person or virtual (e.g. Kognito). Trainers and training programs are not cheap. The school district should also participate with any local suicide prevention groups if they exist. There are plenty of national standards and guidelines via books or orgs such as AAS, SPRC, Jed Foundation, etc.			+
Guidance Document Received	NY Schools Suicide Prevention Guide		+	
Guidance Document Received	Student Safety Plan Template		+	

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Guidance Document Received	Model School Policy Suicide Booklet		+	
Guidance Document Received	AFSP Model School Policy Booklet		+	
Guidance Document Received	After a Suicide A Toolkit for Schools		+	
Guidance Document Received	NH Aftercare Release of Information		+	
Google Form	Rural School Districts have less access to mental health professionals and mental health resources. I would ask the committee to consider supporting evidence-based online training for Licensed school-based staff (Registered Nurses, Licensed Clinical Social Workers, Licensed Mental Health Therapists, Counselors) to assist in providing the support services outlined in SB 52.			+
Google Form	As with all health education related mandates...these laws are critical! However, to pass them without guidance or funding continues to put districts in a serious bind. Quality Suicide prevention education is expensive. Also requiring that is be taught also means training teachers to deliver the content which takes even more money. Our district is large enough to have someone dedicated to supporting health but most do not. Is ODE going to provide free training and sub coverage? Is ODE going to provide instructional materials? Is ODE going to even review the various materials out there and make a list of recommendations? Not the "comprehensive health curriculum" that were already approved because they DO NOT do enough to support Suicide prevention nor Comprehensive Sex Ed etc. my problem is never with the laws. Those laws are critical to ensuring I can force my district to do what is right, but the reality of implementation never seems to be ODEs problem. Sorry but that is how I and many other districts feel. Please take these points into consideration to on as the law is amended.		+	
Google Form	So far, the rules look straightforward. It may be more helpful to allow for information sharing between hospitals and schools, even without a signed ROI. Also, annual training for 6th-12th grades should be mandatory.			+
Google Form	Thank you for sending the proposed rule for our comments. And thank you for including the wording on school district/hospital communication in section 3. I strongly support that wording as written with one change. I would substitute the words "seen in" for "admitted to" in section 3 (b). This is because "admitted" is the wording for a patient who is actually admitted to a hospital as an inpatient and therefore excludes visits to the emergency department which are far more common, and perhaps more relevant in the rural areas of Oregon with which I am most familiar. I am not certain to whom to address comments. If not to you, please let me know to whom. And if you need more support	+		

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	for that wording, please let me know. I believe that a number of persons who have been meeting informally over the past year and a half would be likely to contact you with endorsements. Best regards, Jerry			
Google Form	I think it would be important to funnel more money to school districts so that we can hire more counselors in each school. Every year counselors are tasked with more but given no more support. We can't possibly meet the needs of our students at this rate.			+
Google Form	qualified licensed school counselors or licensed professional counselors should be in every school!			+
Google Form	Please add "evidence-based" comprehensive	+		
Google Form	I love that there are rules addressing the communication between hospitals and schools, especially during transition times from EDs to the community. While I don't think this can be addressed in SB 52 rules, I do think we need to look at addressing this with hospitals and not put the onus on schools. We have heard from some hospitals that they are reluctant to speak with schools because it is their experience that schools share the information too broadly. Hospital staff have told us that they have gotten feedback from families that their information was shared with schools and school staff to a degree that they did not want. I think we need to address this issue with schools for sure but also need to create some guidance for hospitals to address this. I think these rules will take hospitals by surprise and will put schools in a position where they need to reach out to hospitals but that may be met with both surprise and resistance, depending on the hospital and their past experiences. i do think this is wonderful legislation and is very promising. I do think we need to address this with hospitals in a broad way though so that schools are not being asked to do something that will be difficult, by placing them in a position where they feel required to have these communication protocols in place but without the support of their local hospital. Great work!			+

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AGENDA ITEM: 5.G

<p>SUBJECT: OSAS Science Assessment/OAR # 581-022-2100 Administration of State Assessments</p> <p>STAFF NAME & OFFICE: Noelle Gorbett & Dan Farley, Office of Teaching, Learning and Assessment (OTLA)</p> <p>In 2014 new science standards were adopted for Oregon Students. The Oregon Statewide Assessment System (OSAS) Science Assessment was created to assess students in alignment with these new standards. The OTLA will present a first read of the cut score recommendations and achievement level descriptors (ALDs), which were established by Oregon educators in August 2019 and have undergone substantial community partner review since that time, for the new OSAS Science Assessment.</p> <p><input 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

Include the following points for new OARs, OAR updates or changes.

1. History:
 - a. What prompted the rule (why do we have it?) State law? Federal law? Incident? Why are changes/amendments being proposed?

State Law: ORS 329.045 (Revision of Common Curriculum Goals, performance indicators, diploma requirements, Essential Learning Skills and academic content standards). (1)(a) In order to achieve the goals contained in ORS 329.045 (Characteristics of school system), the State Board of Education shall regularly and periodically review and revise its Common Curriculum Goals, performance indicators and diploma requirements. (b) The review and revision conducted under this section shall: (B) Involve teachers and other educators, parents of students and other citizens and shall provide ample opportunity for public comment.

Federal Law: Every Student Succeeds Act (ESSA) Oregon’s Plan for ESSA: Districts will, with support from ODE, lead, support and monitor their efforts to improve student outcomes. Section 3: Challenging State Academic Standards and Assessments a. Challenging State Academic Standards and Assessments (ESEA section 1111(b)(1) and (2) and 34 CFR §§ 200.1–200.8.)¹
 - b. What is the current requirement in rule or statute?

581-022-2100 (1) Definitions. As used in this rule: (j) “Oregon Statewide Assessments” means: (A) The Oregon Assessment of Knowledge and Skills (OAKS) in: (i) Science; (2)(a) School districts, as defined in ORS 332.002, must enforce the assessment policies described in this rule for all students enrolled in a school operated by the district or enrolled in a public charter school that is located within the boundaries of the school district.

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(3) School districts must administer Oregon Statewide Assessments in accordance with the Test Administration Manual and Test Schedule published by ODE. The results of these assessments are used to satisfy the requirements specified in OAR 581-022-2270 and 581-022-2250 and as a method to evaluate compliance with 581-022-2030

OAR 581-022-2270 (1) As used in this rule: (2) Each school district shall assess and record each student's progress and achievement in all subject areas of instruction and to academic content standards consistent with ORS 329.045 and OAR 581-022-2030:

OAR 581-022-2250 (1) For the purposes of OAR 581-022-2250 the following definitions apply: (a) "Aligned with standards" means that the taught curriculum (what teachers teach), the learned curriculum (what students learn), and the assessed curriculum (what students are tested on) as identified through state and national academic standards do not deviate significantly one from another. This alignment includes four components:

(A) Content match — topical coverage, or comprehensiveness and level of detail

(B) Depth match — level of difficulty, or cognitive complexity

(C) Emphasis match — the relative duration of the instruction about each topic/standard within a subject

(D) Performance match — the type of performance required to demonstrate proficiency of the standard

(e) "High quality instructional programs" means that teachers teach knowledge and skills through the use of an appropriate variety of instructional strategies reflecting best practice and based on state/national standards and assessments that effectively measure what the standards require. Such instruction is not universal but is situational based on instructional context.

(2) Each school district shall conduct self-evaluations in order to develop and update their local district continuous improvement plans once every three years. Except as provided in subsection (3) of this rule, the department may not require school districts or schools to conduct self-evaluations or to update their local district continuous improvement plans more frequently than biennially.

(7) The local district continuous improvement plan shall include: (h) Improvement planning that is data-driven;

(8) Each school district shall annually review and report test results and progress on the district improvement plan to the community.

2. Purpose

- a. What function does the current rule hold?

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- i. The cut scores identify the achievement levels, in reference to the assessment's scale, for students who have taken the Oregon Statewide Assessment System (OSAS) Science Assessment.
 - ii. The ALDs describe the knowledge, skills, and processes that students demonstrate on state tests at pre-determined levels of achievement for each tested grade level.
 - b. How long has the rule been in place?
 - i. The previous cut scores were applied to the legacy operational OAKS Science summative assessment from 2011-2018.
3. Does the board have any areas of discretion or is this strictly mirroring statute?
 - a. If the board does have discretion, those areas should be called out here or in the next section.
 - i. The board has discretion to approve the adoption of these cut scores and ALDs or make a different recommendation for cut scores and achievement level descriptors. Other recommendations may include the provisional adoption of the scores, different (lower/higher) cut scores, or request that ODE's OTLA engage additional groups or engage in additional research prior to the adoption of these scores.
4. Stakeholder voice/input (individual and collective i.e., groups)
 - a. Who was involved in bringing this to the Board?
 - i. OTLA Assessment Team Members,
 - ii. Teacher Authors and Evaluators from Oregon and other partner states, via our memorandum of understanding (MOU),
 - iii. ODE Science Content and Assessment Advisory
 - b. What did engagement in this process entail?
 - i. Initial drafts of the ALDs were developed by a multi-state teacher panel comprised of teachers from the nine cooperating states in the MOU to share science test items. Four Oregon teachers participated in the 36-member panel. The items are created to a common set of item specifications and consistent with an adopted style guide. The Framework for K-12 Science Education and Next Generation Science Standards were utilized to guide teachers in the development of the initial drafts of the ALDs.
 - ii. The initial drafts of the ALDs were brought to the ODE Science Content and Assessment Advisory for further review and revisions. The ODE Science Content and Assessment Advisory made initial recommendations for the content of the Level 1 descriptors. Their process included the application of the descriptors to scoring assertions found in the OSAS Science Assessment sample tests at Grades 5, 8, and High School.
 - iii. ODE staff implemented the requested revisions and addition of content of the Level 1 descriptors.
 - iv. A representative Oregon teacher panel brought together for the purposes of OSAS Science Assessment item content review participated in a review of the ALDs and made recommendations for edits. Their process included the

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application of the descriptors to scoring assertions found in the OSAS Science Assessment sample tests at grades, 5, 8, and High School.

- c. Who may be affected by this?
 - i. Students will receive scores for the OSAS Science Assessment. Individual Score Reports (ISRs) in the Oregon Reporting System will contain achievement level information to assist students and their families in understanding their current academic achievement as demonstrated on the OSAS Science Assessment.
- d. Whose voice is missing potentially?
 - i. Though recruitment targeted diverse participation of Oregon educators, the standard setting meeting panelists engaged in August 2019 were not representative of Oregon’s student demographic diversity. This is due in some part to the fact that only 7% of Oregon’s educators within the sciences, engineering, and mathematics are educators of color.
- e. What additional information does the Board need prior to moving forward?
 - i. To help address the concern identified above, the OTLA engaged four affinity groups to help us understand the impact that these cut scores might have on specific student groups who have been traditionally marginalized in our school system. During these meetings, Assessment Team members provided information about the OSAS Science Assessment, the standard setting process that was employed, and discussed the associated cut scores and impact data, which was disaggregated by student group (race/ethnicity, Individualized Education Program status, and English learner status). We solicited feedback regarding these areas in an effort to ensure that we work to meet the needs of our community and education partners. One additional affinity group meeting is being planned.

SUMMARY OF PREVIOUS BOARD ACTION

- 1. Has this been before the board before? If so, what action did the board take?

This is a new assessment and the first time the OTLA has presented recommendations for OSAS Science Assessment cut scores and ALDs.

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

These policy issues or concerns could be from the field, stakeholder groups, statements submitted during the comment period, or discussions among ODE staff. Consider the following questions:

- 1. Community and Education Partners

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- a. How have you intentionally involved stakeholders who are also members of communities affected by this rule?
 - i. Yes, teachers, administrators, and college educators have participated in the development of the assessment, cut scores, and ALDs.
 - ii. We have met with the Community Engagement Group, an advisory panel to the ODE EDI team, as well as Confederated Tribes of Grande Ronde. We also met with a new, more diverse panel of Science Content and Assessment Advisory members comprised of university leaders and educators, district administrators, and science coaches and teachers. We are meeting with a diverse group of educators in Eugene 4J on Monday, December 2, 2019. Additionally, we working on a date with diverse educators from Portland Public Schools, but no meeting date has been set at present.
 - b. Who are the historically underserved groups affected?
 - i. Historically underserved student groups will be affected by cut scores similarly to past implementations of legacy statewide science assessments. The achievement gaps persist for students of color, students with IEPs and students experiencing poverty. Overall achievement results based on the new standards is also lower than it has been historically.
 - c. If the rule change or policy decision has tribal implications and it has been deemed appropriate by the Department's Tribal Liaison, the Deputy Superintendent, or State Board, has there been engagement or collaboration with tribes in this rule change or policy decision?
 - i. Dan Farley and Noelle Gorbett from the Assessment Team attended the government to government meeting to introduce ourselves to tribal leaders, share information about what we do, and request feedback on how we can better partner with tribal educators and families.
 - ii. Dan Farley and Noelle Gorbett from the Assessment Team also engaged an educator group from the Confederated Tribes of Grande Ronde to review information about the assessment, ALDs and cut scores. Their feedback was supportive of the assessment and they expressed that they wished for all students to be held to the same performance expectation. Additionally they requested support from the state to provide administrator and teacher professional learning to help ensure that all students received science instruction, particularly at elementary where it is often pushed aside for other needs. They also shared that it is important to protect parent, student, and teacher morale, as the new expectations are more challenging.
 - d. How has the Oregon Department of Education modified or enhanced the rule change or policy decision to address the needs of historically underserved communities?
 - i. Because of the support received from the affinity groups engaged thus far, there has been no change to the recommended achievement level descriptors or cut scores at present.
2. Negative/Positive Effects
- a. What is the impact on the population most affected by this rule that the board should consider?
 - i. All students are held to a higher rigor in the 2014 Oregon Science Standards. The OSAS Science Assessment is aligned to the rigorous standards and, as a

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- result, lower percentages of students are currently meeting proficiency expectations. We know that many districts are still striving to implement the 2014 Oregon Science Standards, so we expect these percentages to climb over the coming years as increases in student opportunities to learn the new science content and procedures develops.
- b. What is the impact on eliminating the opportunity or achievement gap?
 - i. The affinity groups that OTLA has met with find it important to hold all students to the same proficiency expectation. The definition of proficiency established ensures that they're well-prepared to meet their post-secondary goals in the areas of college and careers.
 - ii. Oregon must invest in diversifying its core of educators in science. In addition, OTLA recommends relevant training and equity work as a way to bridge and eliminate the achievement gap.
 - c. Have all the potential unintended consequences been considered?
 - i. OTLA engaged affinity groups to help ensure that we have substantially addressed intended and potential unintended consequences.
 - d. Does this rule advance the 40/40/20 goals?
 - i. This assessment is in alignment with the Next Generation Science Standards. The Next Generation Science Standards were created in part to "prepare high school graduates for the rigors of college and careers. In turn, employers will be able to hire workers with strong science-based skills- including specific content areas, but also skills such as critical thinking and inquiry based problem solving."
3. What are the barriers to more equitable outcomes, either:
- a. State or federally mandated?
 - a. Our educator panels have informed us that elementary science instruction is often reduced or eliminated to make time for dedicated PE, Reading, Math, and intervention time, some of which is state mandated.
 - b. Political?
 - a. Unknown.
 - c. Emotional?
 - a. Unknown.
 - d. Financial?
 - a. Assessment revisions may result in additional development costs.
 - e. Programmatic?
 - a. Delays in adoption of cut scores and ALDs would prevent 2018-19 and 2019-20 science scores from being released to districts for the purpose of program evaluation as well as identification of high school students who have already passed and therefore do not need to repeat taking the OSAS Science Assessment in 2019-20.

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EQUITY IMPACT ANALYSIS

The following questions are designed to examine how the proposed rule, policy or action systematically affect historically underserved students and/or communities.

1. Will historically underserved populations be impacted by this docket item?
 - a. If yes, describe how the rule changes, policy, or action could produce other unintended consequences not listed in the docket.
 - i. A smaller percentage of all students, and therefore a smaller percentage of students from historically underserved backgrounds, will demonstrate proficiency on this assessment due to the increase in rigor.
 - b. If no, refer to *Policy Issue or Concerns* and identify the historically underserved populations affected. Conduct a reflection and examination, which will and should answer 1a.
2. Examine the potential impact of the rule changes, policy, or action on historically underserved populations in Oregon. Describe this ongoing and/or foreseeable impact, using as much detail as possible.
3. Explain how the rule change, policy, or action works toward the elimination of either (one or both):
 - a. the achievement gap
 - b. the opportunity gap
 - i. A possible positive impact for students from historically underserved populations will be that they may receive additional resources and attention once achievement gaps are identified. The process points to the lack of diversity in Oregon's current STEM educator cadre as a primary source of concern that can be addressed.

FISCAL ANALYSIS

What is the fiscal impact of the proposed rule changes to the Department of Education, school districts, education service districts or schools? Use the following suggestions as a guide:

1. How does the proposed rule fit within the budget of the agency?
 - a. Which units/divisions/offices will be impacted and how?
 - i. The ODE Office of Teaching, Learning, and Assessment allocates portions of their budget for assessment delivery as well as professional learning.
2. How does the proposed rule change impact school districts and ESDs?
 - a. Schools will use assessment results to guide program level decisions for professional learning and curriculum purchases.
3. How does the proposed rule change impact schools and other educational institutions?
 - a. Schools will need to relay information about the new assessment to their educators, students, families, and community. Instruction will need to continue to shift toward the more rigorous 2014 Oregon Science Standards.
4. Does the proposed rule change impact other stakeholders?

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- a. Teacher preparation programs are already focusing on the 2014 Oregon Science Standards (NGSS)
- b. A decrease in cut scores may be viewed as a decrease in performance without explanation that the rigor of the standards, and therefore the assessment, has increased.
- c. Assessment data are often used in inappropriate ways, such as to make real estate decisions or disqualify students from access to unique programs (e.g., talented and gifted, Advanced Placement, etc.).

EFFECT OF A "YES" OR "NO" VOTE

Explain the consequences of a Board approving or not approving the staff recommendation.

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1: ODESciStandSetting_ExecSum_Accessible_VF
Attachment 2: OSAS_Science_Assessment_Cutscores_ALDs_VF
Attachment 3: 2019 Science Standard Setting Information

Science Assessment
Policy Level Achievement Level Descriptors

Level	Policy ALD
4	Learner can synthesize the application of science and engineering practices, core ideas, and cross-cutting concepts to local and global phenomena, becoming community members who are critical consumers of scientific information capable of engaging in scientific argumentation from evidence on track for post high school college and career readiness
3	Learner can demonstrate the application of science and engineering practices, core ideas, and cross-cutting concepts to local and global phenomena, becoming community members who are critical consumers of scientific information on track for post high school college and career readiness
2	Learner can demonstrate some application of science and engineering practices, knowledge of core ideas, and understanding of cross-cutting concepts tied to local and global phenomena. It is unlikely learners at this level are on track for college and career readiness.
1	Learner demonstrates minimal application of science and engineering practices, knowledge of core ideas, and understanding of cross-cutting concepts tied to local and global phenomena. Learners at this level are not on track for post high school college and career readiness

College Readiness Definition for Science:

Learners who perform at the college ready level in Science demonstrate proficiency in science and engineering practices and can make the cross-cutting connections between core ideas and practices at a foundational level associated with entry-level, transferable, credit-bearing post-secondary science and engineering courses.

Claim: Learners can demonstrate progress toward science and engineering college and career opportunity readiness through the application of science and engineering practices, disciplinary core ideas, and cross-cutting concepts.

Elementary Range Achievement Level Descriptors

	Level 1	Level 2	Level 3	Level 4
Physical Science				
PS1 Matter and its Interactions	Limited to no demonstration of using a model to describe matter as made of tiny particles and make observations that mixing different types of matter can result in new substances.	Use a model to describe matter as made of tiny particles and make observations that mixing different types of matter can result in new substances.	Develop models that represent matter is made up of tiny particles and conduct an investigation to provide data that mixing different types of matter can result in new substances.	Evaluate and revise models that represent that matter is made of tiny particles and plan an investigation to provide data that mixing different types of matter can result in new substances.
PS2 Motion and Stability: Forces and Interactions	Limited to no demonstration of planning and conducting an investigation matter as made of tiny particles and make observations that mixing different types of matter can result in new substances.	Identify questions that can be investigated to provide evidence about the effects of balanced and unbalanced forces on the motions of objects.	Ask questions, and conduct an investigations to provide evidence about cause and effect relationships between balanced and unbalanced forces and objects' motions of objects.	Ask questions, plan, and conduct investigations to provide evidence that a pattern can be used to predict the future motion of objects caused by balanced and unbalanced forces.
PS3 Energy	Limited to no demonstration of using evidence to support an explanation about the relationship of an object's speed and its energy and predict how changes in energy will be observable when objects collide.	Use evidence to support an explanation about the relationship of an object's speed and its energy and predict how changes in energy will be observable when objects collide.	Use evidence to construct an explanation about the relationship of an object's speed and its energy and predict how changes in energy will be observable when objects collide.	Use evidence to compare and revise explanations describing the relationship of an object's speed and its energy and predict how changes in energy will be observable when objects collide.
PS4 Waves and their Applications in Technologies for Information Transfer	Limited or no demonstration to use a model to describe the patterns of wave properties and how reflected light from objects to the eye causes objects to be seen.	Use a model to describe the patterns of wave properties and how reflected light from objects to the eye causes objects to be seen.	Develop a model to describe the patterns of wave properties and how reflected light from objects to the eye and causes objects to be seen.	Evaluate and/or revise a model that describes the patterns of wave properties, and use the model to explain how reflected light from objects to the eye causes objects to be seen.
Life Science				
LS1 From Molecules to Organisms: Structure and Processes	Limited to no demonstration to use a model to identify stages in life cycles of organisms, and use evidence to support an argument that plants and animals need internal and external structures to live.	Use a model to identify stages in life cycles of organisms, and use evidence to support an argument that plants and animals need internal and external structures to live.	Develop a model that describes patterns in the life cycles of organisms, and use evidence to construct an argument that plants and animals need internal and external structures to live.	Evaluate and/or revise a model that describes patterns in the life cycles of organisms, and use evidence to construct an argument that explains how plant and animal structures need internal and external structures to live.

Elementary Range Achievement Level Descriptors

<p>LS2 Ecosystems: Interactions, Energy, and Dynamics</p>	<p>Limited or no demonstration to describe movement of matter through the interactions of the living and non-living components of an ecosystem.</p>	<p>Use a model to describe the movement of matter through the interactions of the living and non-living components of an ecosystem.</p>	<p>Develop a model that describes the movement of matter through the interactions of the living and non-living components of an ecosystem.</p>	<p>Evaluate and/or revise a model that describes the movement of matter through the interactions of the living and non-living components of an ecosystem.</p>
<p>LS3 Heridity: Inheritance and Variation of Traits</p>	<p>Limited to no demonstration to identify patterns in data that provide evidence that plants and animals inherit traits and that traits can vary within a group of similar organisms.</p>	<p>Identify patterns in data that provide evidence that plants and animals inherit traits and that traits can vary within a group of similar organisms.</p>	<p>Interpret data and use patterns in the evidence to construct an explanation (cause and effect) that plants and animals inherit traits from their parents and that traits can vary within a group of similar organisms due to inheritance and the environment.</p>	<p>Interpret, analyze, and compare data and use patterns in sets of data to make predictions and construct an explanation that plants and animals inherit traits from parents and these traits can vary within a group of similar organisms due to inheritance and the environment.</p>

Elementary Range Achievement Level Descriptors

	Level 1	Level 2	Level 3	Level 4
LS4 Biological Evolution: Unity and Diversity	Limited to no demonstration to identify data from fossils to provide evidence of the effects of environmental changes on the characteristics of organisms that lived long ago, and use the data to support an argument that some organisms survive better than others in a particular habitat.	Identify data from fossils to provide evidence of the effects of environmental changes on the characteristics of organisms that lived long ago, and use the data to support an argument that some organisms survive better than others in a particular habitat.	Analyze and interpret data from fossils to provide evidence of the effects of environmental changes on the characteristics of organisms that lived long ago, and use the data to construct an argument that some organisms survive better than others in a particular habitat.	Interpret, analyze, and compare data from fossils to provide evidence of the effects of environmental changes on the characteristics of organisms that lived long ago, and use the data to evaluate an argument that some organisms survive better than others in a particular habitat.
Earth Science				
ESS1 Earth's Place in the Universe	Limited to no demonstration to use graphical displays of data to describe how movements of the Earth around the Sun result in daily and seasonal patterns in shadows, hours of daylight, and appearance of stars in the night sky.	Use graphical displays of data to describe how movements of the Earth around the Sun result in daily and seasonal patterns in shadows, hours of daylight, and appearance of stars in the night sky.	Develop graphical displays of data to use as evidence to describe how movements of the Earth around the Sun result in daily and seasonal patterns in shadows, hours of daylight, and appearance of stars in the night sky.	Compare and evaluate graphical displays of data to describe how movements of the Earth around the Sun result in daily and seasonal patterns in shadows, hours of daylight, and appearance of stars in the night sky.
ESS2 Earth's Systems	Limited to no demonstration to use a model to describe how systems of geosphere, biosphere, hydrosphere, and/or atmosphere interact and graph the amounts of salt and fresh water in various reservoirs to provide evidence about the distribution of water on Earth.	Use a model to describe how the systems of the geosphere, biosphere, hydrosphere, and/or atmosphere interact and graph the amounts of salt and fresh water in various reservoirs to provide evidence about the distribution of water on Earth.	Develop a model to describe how the systems of the geosphere, biosphere, hydrosphere, and/or atmosphere interact and describe and graph the amounts of salt and fresh water in various reservoirs to provide evidence about the distribution of water on Earth.	Evaluate and/ or revise a model to describe how the systems of the geosphere, biosphere, hydrosphere, and/or atmosphere interact and compare, describe and graph the amounts of salt and fresh water in various reservoirs to provide evidence about the distribution of water on Earth.
ESS3 Earth and Human Activity	Limited to no demonstration to use evidence to support an argument about the merit of a design solution that reduces the impact of a weather-related hazard.	Construct an argument about the merit of a design solution that reduces the impact of a weather-related hazard.	Use evidence to support and construct an argument about the merit of a design solution that reduces the impact of a weather-related hazard.	Use evidence to support and construct and compare multiple arguments to consider the merits of multiple solutions to reduce the impacts of a weather-related hazard.

Middle School Range Achievement Level Descriptors

	Level 1	Level 2	Level 3	Level 4
Physical Science				
MS-PS1 Matter and its Interactions	Limited to no use of the periodic table to describe properties of matter and refer to it to explain changes of reaction rates and energy changes as conditions vary.	Use a model to show that the number of atoms does not change during chemical reactions, that particle motion changes when thermal energy is added or removed from a system, and to identify reactants and products in a chemical reaction.	Develop and use models to show that matter is conserved during chemical reactions and to predict changes in particle motion when thermal energy is added or removed. Analyze and interpret patterns in data to determine if a chemical reaction has occurred by means of comparing products and reactants.	Evaluate and revise a model that describes how mass is conserved during chemical reactions and to explain predicted changes in particle motion when thermal energy is added to or removed. Analyze and interpret patterns in data in order to predict the outcomes (products) of a chemical reaction.
MS-PS2 Forces and Motion	Conduct an investigation, using little to no basic algebraic thinking to collect data about net force acting on an object, its mass and its acceleration without describing any relationships.	Describe how data from an investigation could be used as evidence to support the claim that change in an object's motion depends on its mass and the forces with which it interacts and that some forces have fields that can be mapped.	Conduct an investigation and use collected data to construct an argument that change in an object's motion depends on its mass and the forces with which it interacts and that some forces have fields that can be mapped.	Plan and conduct an investigation to use collected data as evidence to construct an argument that change in an object's motion depends on its mass and the forces with which it interacts and that some forces have fields that can be mapped.
MS-PS3 Energy	Limited to no use of a model and/or little to no description of how energy changes in, or forces acting on, one part of a system and how it affects the other parts of the system.	Use graphical displays of data to describe the relationships of an object's speed and kinetic energy to the object's mass and, and support an argument that when an object's kinetic energy changes by position; energy is transferred to or from the object.	Construct and interpret graphical displays of data that can be used to develop a model to describe the relationships of an object's speed and kinetic energy to the object's mass, and construct an argument that when an object's kinetic energy changes by position, energy is transferred to or from the object.	Construct, interpret, and present graphical displays of data to evaluate and revise a model to describe the relationships of an object's speed and kinetic energy to the object's mass and, to compare and/ or critique and revise an arguments that when an object's kinetic energy changes by position, energy is transferred to or from the object.

Middle School Range Achievement Level Descriptors

MS-PS4 Waves and their Applications in Technologies for Information Transfer	Limited to no use of mathematical relationships to determine amplitude, frequency, and wave speed and limited to no description of interactions of wave speeds and the medium in which they travel.	Use a mathematical model to describe the relationship between wave characteristics and wave energy and use a model to describe that waves are reflected, absorbed, or transmitted through various materials and describe analog and digital signals.	Use mathematical representations to describe the relationship between wave characteristics and wave energy and develop and use a model to describe that waves are reflected, absorbed, or transmitted through various materials and argue that digitized signals are more reliable than analog signals.	Use mathematical representations to support the claim that there is a relationship between wave characteristics and wave energy and evaluate and revise a model to describe that waves are reflected, absorbed, or transmitted through various materials and justify why digitized signals are more reliable than analog signals.
Life Science				
<u>MS-LS1 From Molecules to Organisms: Structures and Processes</u>	Limited to no use of data from an investigation and/or model to support the arguments that all living things are made up of cells; all living things may form sub-systems which are part of the larger systems; characteristic animal behaviors and specialized plant structures affect the probability of growth and/or reproduction; describe the cycling of matter and flow of energy in organisms.	Use data from an investigation and a model to support the arguments that: all living things are made up of cells; all living things may form sub-systems which are part of larger systems ; characteristic animal behaviors and specialized plant structures affect the probability of growth and/or reproduction; describe the cycling of matter and flow of energy in organisms.	Use data from investigations to develop a model to support the arguments that: all living things are made up of cells; all living things may form sub-systems which are part of larger systems; characteristic animal behaviors and specialized plant structures affect the probability of growth and/or reproduction; describe the cycling of matter and flow of energy in organisms.	Revise and evaluate a model using multiple sets of data to construct arguments that; all living things are made up of cells; all living things may form sub-systems which are part of larger systems; characteristic animal behaviors and specialized plant structures affect the probability of growth and/or reproduction; evaluate a model to describe the cycling of matter and flow of energy in organisms.
<u>MS-LS2 Ecosystems: Interactions, Energy, and Dynamics</u>	Limited to no use of a model to identify the dynamic relationships between the diverse types of living and nonliving parts of an ecosystem, which includes the flow of energy and the cycling of matter; little to no use of data to describe how those relationships can affect human access to natural resources.	Use a model to identify the dynamic relationships between the diverse types of living and nonliving parts of an ecosystem, which includes the flow of energy and the cycling of matter; describe how changes in biodiversity can affect human access to natural resources.	Develop and use a model to describe the dynamic relationships between the diverse types of living and nonliving parts of an ecosystem, which includes the flow of energy and the cycling of matter; analyze data and interpret data to determine how changes in biodiversity can affect human access to natural resources.	Evaluate strengths and limitations of a model to analyze the dynamic relationships between the diverse types of living and nonliving parts of an ecosystem which includes the flow of energy and the cycling of matter; analyze and interpret data to explain/predict how those changes in biodiversity could affect human access to natural resources in the future.

Middle School Range Achievement Level Descriptors

<p><u>MS-LS3</u> <u>Heredity:</u> <u>Inheritance</u> <u>and Variation</u> <u>of Traits</u></p>	<p>Inaccurately uses a model to describe why sexual or asexual reproduction have different results in genetic variation of offspring and why structural changes to genes (mutations) affect the structure and function of an organism.</p>	<p>Use a model to describe why sexual or asexual reproduction have different results in genetic variation of offspring and why structural changes to genes (mutations) affect the structure and function of an organism.</p>	<p>Develop and use a model to describe why sexual or asexual reproduction have different results in genetic variation of offspring and why structural changes to genes (mutations) affect the structure and function of an organism.</p>	<p>Compare multiple models which describe how both sexual and asexual reproduction have different results in genetic variation and why structural changes to genes (mutations) affect the structure and function of an organism</p>
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Middle School Range Achievement Level Descriptors

	Level 1	Level 2	Level 3	Level 4
MS-LS4 <u>Biological Evolution: Unity and Diversity</u>	Unable to accurately describe patterns in the fossil record data to use as evidence for changes in populations over time, and use the data to support an explanation that some organisms survive better than other organisms because of differences in traits.	Describe patterns in the fossil record data to use as evidence for changes in populations over time, and use the data to support an explanation that some organisms survive better than other organisms because of differences in traits.	Analyze data for patterns in the fossil record data to use as evidence for changes in populations over time, and use the data to construct an explanation that some organisms survive better than other organisms because of similarities and differences in traits.	Analyze and interpret multiple data sets for patterns in the fossil record data to use as evidence for changes in populations over time, and use the data to evaluate and revise an explanation that some organisms survive better than other organisms because of similarities and differences in traits.
Earth and Space Science				
MS-ESS1 Earth's Place in the Universe	Inaccurately uses a model to describe patterns of motions of the sun, Earth, and moon system and the role of gravity in the motions of objects within the galaxy. Misinterprets data to determine scale properties of objects in the solar system or is unable to correctly identify data that provides evidence how the geologic time scale is used to organize Earth's history.	Use a model to describe patterns of motions of the sun, Earth, and moon system and the role of gravity in the motions of objects within the galaxy. Use data to determine scale properties of objects in the solar system and to identify data that provides evidence how the geologic time scale is used to organize Earth's history.	Develop and use a model to describe patterns of motions of the sun, Earth, and moon system and the role of gravity in the motions of objects within galaxies and the solar system. Analyze and interpret data to determine scale properties of objects in the solar system and to determine how the geologic time scale is used to organize Earth's history.	Evaluate and revise a model to describe patterns of motions of the sun, Earth, and moon system and the role of gravity in the motions of objects within galaxies and the solar system. Analyze, interpret, and compare multiple data sets to determine scale properties of objects in the solar system and to determine how the geologic time scale is used to organize Earth's history.
SS2 Earth's Systems	Inaccurately uses a model to describe the flow of energy driving the cycling of water and Earth's materials within and among Earth's systems. Unable to correctly identify data that supports an explanation for how geologic and atmospheric processes have changed Earth's surfaces and/or climates at varying time and spatial scales.	Use a model to describe the flow of energy driving the cycling of water and Earth's materials within and among Earth's systems. Identify data that can support an explanation for how geologic and atmospheric processes have changed Earth's surfaces and climate at varying time and spatial scales.	Develop and use a model to describe the flow of energy driving the cycling of water and Earth's materials within and among Earth's systems. Analyze and interpret data that can support an explanation for how geologic and atmospheric processes have changed Earth's surfaces and climate at varying time and spatial scales.	Evaluate and revise a provided model to describe the flow of energy driving the cycling of water and Earth's materials within and among Earth's systems. Use scientific reasoning to analyze and interpret data to construct an explanation for how geologic and atmospheric processes have changed Earth's surfaces at varying time and spatial scales.

Middle School Range Achievement Level Descriptors

<p>MS-ESS3 Earth and Human Activity</p>	<p>Unable to correctly identify evidence supporting the uneven distribution of Earth's resources resulting from geoscience processes. Incorrectly applies scientific principles to select solutions which best minimize human impact on the environment. Incorrectly interprets data about natural hazards to forecast and mitigate their global effects.</p>	<p>Identify among competing options, an explanation based on evidence that the uneven distribution of Earth's resources results from geoscience processes. Apply scientific principles to select among competing solutions those which best minimize human impact on the environment. Analyze and interpret data about natural hazards to forecast and mitigate their effects.</p>	<p>Construct an explanation based on collected or selected evidence that the uneven distribution of Earth's resources results from geoscience processes. Apply scientific principles to design solutions that minimize human impact on the environment. Analyze and interpret data about natural hazards to forecast their effects and develop strategies for mitigating those effects.</p>	<p>Evaluate and revise explanations based on evidence that the uneven distribution of Earth's resources results from geoscience processes. Apply scientific principles to evaluate and revise solutions that minimize human impact on the environment. Analyze, interpret, and communicate data from multiple sources about natural hazards to forecast and develop strategies to mitigate their effects.</p>
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High School Range Achievement Level Descriptors

	Level 1	Level 2	Level 3	Level 4
Physical Science				
PS1 Matter and its Interactions	Limited to no use of the periodic table as a model that is based on the patterns of atomic substructure to identify properties of matter. Limited to no description of change or reaction rates and resultant energy changes due to conditions applied.	Use the periodic table as model that is based on the patterns of atomic substructure to identify properties of matter. Describe changes in reaction rates and energy due to conditions applied.	Use the periodic table as model that is based on the patterns of atomic substructure to describe properties of matter. Use the model to explain changes in reaction rates and energy due to conditions applied.	Use the periodic table as model that is based on the patterns of atomic substructure to predict properties of matter. Use the model to determine evidence to support and/or revise an explanation of the change of reaction rates and resultant energy changes due to conditions applied.
PS2 Motion and Stability: Forces and Interactions	Investigation conducted with limited to no use of basic algebraic thinking to collect data that describes the relationship among the net force acting on an object, its mass, and its acceleration.	Conduct an investigation using basic algebraic thinking to collect data that describes the relationship among the net force acting on an object, its mass, and its acceleration.	Plan an investigation using mathematical and computational thinking, to collect data providing evidence of the relationship among the net force acting on an object, its mass, and its acceleration.	Evaluate and revise an investigation using mathematical and computational thinking, to collect data providing evidence of the relationship among the net force acting on an object, its mass, and its acceleration.
PS3 Energy	Limited to no use of a model to describe how energy changes in, or forces acting on one part of a system affect other parts of the system.	Use a model to describe how energy changes in, or forces acting on one part of a system affect other parts of the system.	Develop a model to quantitatively describe how energy changes in, or forces acting on, one part of a system affect other parts of the system.	Evaluate and revise a model which quantitatively describes how energy changes in, or forces acting on, one part of a system affect other parts of the system.
PS4 Waves and Their Applications in Technologies for Information Transfer	Limited to no use of mathematical representations as a model to describe relationships among amplitude, frequency, and wave speed; and to describe how wave speed depends on the medium through which waves travel.	Use mathematical representations as a model to describe the relationships among amplitude, frequency and wave speed; and to describe how wave speed depends on the medium through which waves travel.	Develop and use mathematical representations as a model to qualitatively predict how various media will affect amplitude, frequency and wave speed.	Evaluate mathematical or algorithmic representations as a model that quantitatively predicts how various media will affect amplitude, frequency and wave speed.

High School Range Achievement Level Descriptors

Life Science				
LS1 From Molecules and Organisms: Structures and Processes	Limited to no investigation conducted and/or limited to no evidence provided that feedback mechanisms maintain homeostasis and/or limited to no claim made for how DNA determines the structure of proteins.	Conduct an investigation to provide evidence that feedback mechanisms maintain homeostasis and make a claim for how DNA determines the structure of proteins.	Plan and conduct an investigation to provide evidence that feedback mechanisms maintain homeostasis and construct an explanation for how DNA determines the structure of proteins.	Plan, conduct, and revise an investigation to provide evidence that feedback mechanisms maintain homeostasis and construct and revise an explanation for how DNA determines the structure of proteins.

High School Range Achievement Level Descriptors

	Level 1	Level 2	Level 3	Level 4
LS2 Ecosystems: Interactions, Energy, and Dynamics	Limited to no application of mathematical concepts to make a claim describing the cycling of matter and flow of energy among organisms in an ecosystem and little to no argument based upon evidence that identify how interactions in ecosystems maintain population and diversity of organisms but changes in conditions may result in a new ecosystem.	Apply mathematical concepts to make a claim describing the the cycling of matter and flow of energy among organisms in an ecosystem and construct an argument based upon evidence that identify how interactions in ecosystems maintain population and diversity of organisms but changes in conditions may result in a new ecosystem.	Use mathematical and computational thinking to make and support support a claim about the cycling of matter and flow of energy among organisms in an ecosystem and use claims and evidence to describe how interactions in ecosystems maintain population and diversity of organisms but changes in conditions may result in a new ecosystem.	Use mathematical and computational thinking to evaluate and revise claims about the cycling of matter and flow of energy among organisms in an ecosystem and make and support a claim and use reasoning with evidence to argue that interactions in ecosystems maintain population and diversity of organisms but changes in conditions may result in a new ecosystem
LS3 Heredity: Inheritance and Variation of Traits	Questions asked are not based on observations about the role of DNA and chromosomes, and traits; limited to no use of evidence to support an argument about causes of inheritable genetic variation; and little to no application of concepts of statistics and probability to identify variation and distribution of expressed traits in a population.	Ask questions based on observations about the role of DNA and chromosomes, and traits; use evidence to support an argument about causes of inheritable genetic variation; and apply concepts of statistics and probability to identify the variation and distribution of expressed traits in a population.	Ask questions to identify relationships about the role of DNA and chromosomes, and traits; use evidence to make a claim about causes of inheritable genetic variation; and apply concepts of statistics and probability to describe the variation and distribution of expressed traits in a population.	Ask questions to clarify relationships about the role of DNA and chromosomes, and traits; use evidence to make and defend a claim about causes of inheritable genetic variation; and apply concepts of statistics and probability to explain the variation and distribution of expressed traits in a population.
LS4 Biological Evolution: Unity and Diversity	Little to no use of evidence to support an explanation about given factors that cause evolution and to support an argument for how environmental conditions lead to adaptation within populations.	Use evidence to support an explanation about given factors that cause evolution and to support an argument for how environmental conditions lead to adaptations within populations.	Construct an explanation based on evidence of how given factors result in evolution and to construct an argument for how environmental conditions lead to adaptations within populations.	Construct and revise an explanation based on evidence of how given factors result in evolution and to revise an argument for how environmental conditions lead to adaptations within populations.

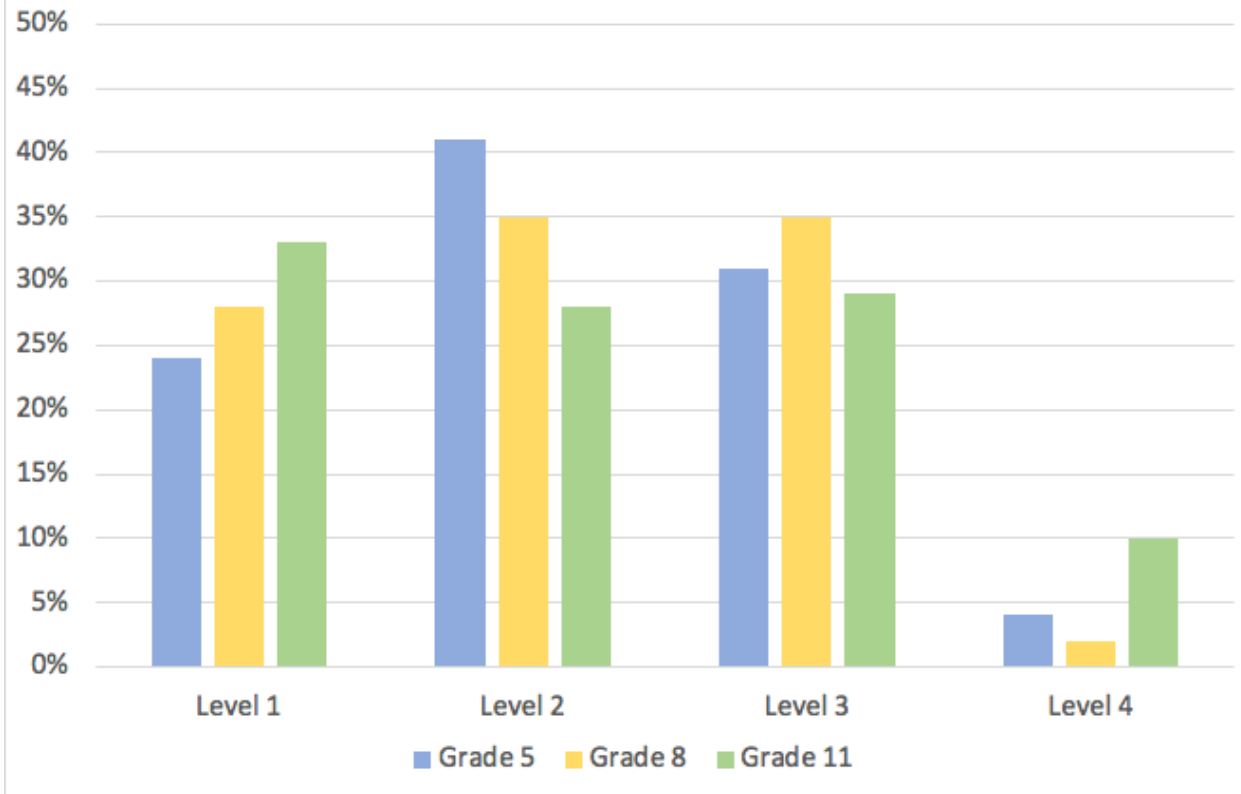
High School Range Achievement Level Descriptors

Earth and Space				
ESS1 Earth's Place in the Universe	Limited to no use of mathematical and computational thinking to describe the motion of objects in the solar system, and/or little to no use of information to describe the processes within stars that produce elements.	Use mathematical and computational thinking to describe the motion of objects in the solar system, and use information to describe the processes within stars that produce elements.	Use mathematical and computational thinking to predict the motion between objects in the solar system due to simple changes in their interactions, and obtain and evaluate information to describe how the processes to produce elements within stars depends on the mass and age of the star.	Use mathematical and computational thinking to predict the motion among numerous objects in the solar system due to changes in their interactions, and to obtain, evaluate, and communicate information to describe how the processes to produce elements within stars depends on the mass and age of the star.

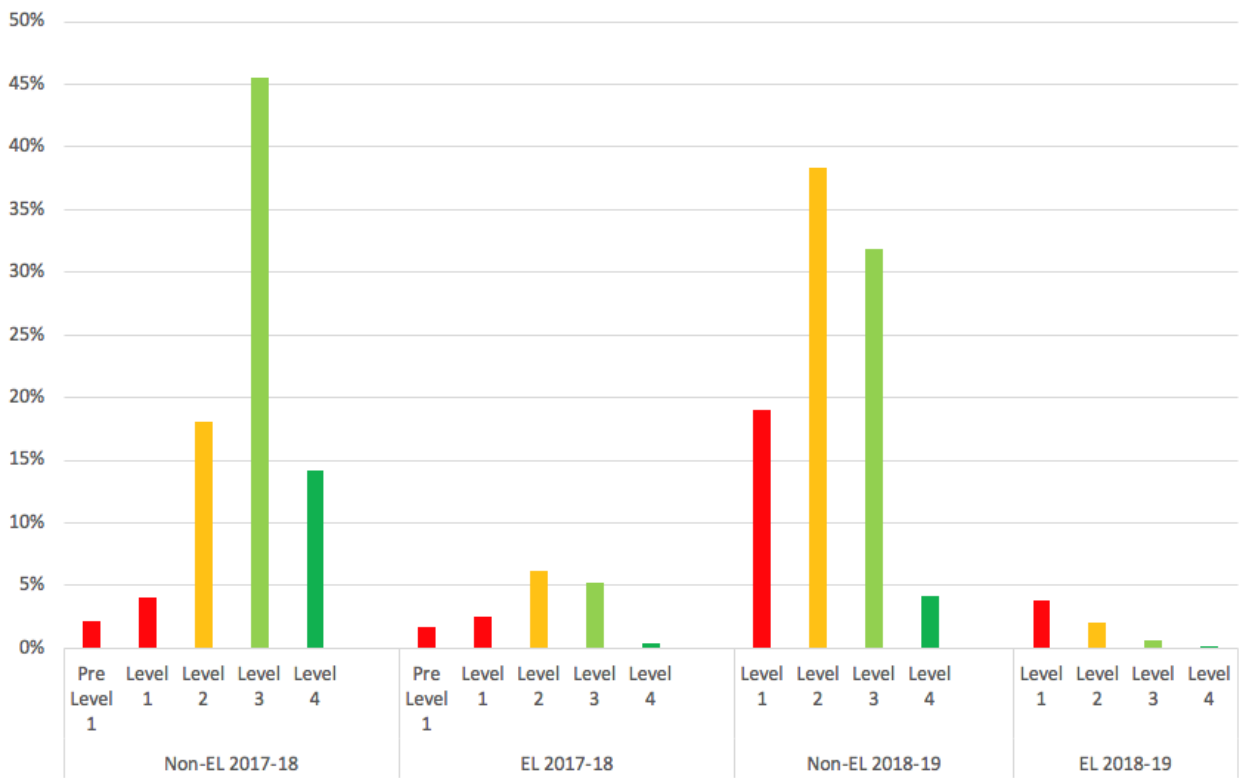
High School Range Achievement Level Descriptors

	Level 1	Level 2	Level 3	Level 4
ESS2 Earth's Systems	Little to no use of a model to identify how variations in energy flow within the Earth's systems change the climate and/or limited to no use of analysis of data to provided evidence that one change to Earth's surface can create feedbacks that cause changes to other Earth systems.	Use a model to identify how variations in energy flow within the Earth's systems change the climate and analyze data to provide evidence that one change to Earth's surface can create feedbacks that cause changes to other Earth systems.	Use a model to describe how variations in energy flow into and out of Earth's systems cause changes in climate and analyze data to make a claim that one change to Earth's surface can create feedbacks that cause changes to other Earth systems.	Evaluate and revise a model to describe how variations in energy flow into and out of Earth's systems result in changes in climate and analyze data to evaluate a claim that one change to Earth's surface can create feedbacks that cause changes to other Earth systems..
ESS3 Earth and Human Activity	Little to no explanation constructed for how human activity has been influenced by either natural resources, natural hazards, or climate change and/or little to no identification of data from climate models that describe the rate of change in climate and its impacts on Earth's systems.	Construct an explanation for how human activity has been influenced by either natural resources, natural hazards or climate change and identify data from climate models that describes the rate of change in climate and its impacts on Earth's systems.	Construct an explanation for how human activity has been influenced by availability of natural resources, natural hazards and climate change and analyze data from climate models to predict the rate of change in climate and its impacts on Earth's systems.	Construct an explanation for how future human activity will positively or negatively influence the availability of natural resources, natural hazards and climate change and analyze data from climate models to identify how limitations in the models affect the predicted the rate of change in climate and its impacts on Earth's systems.

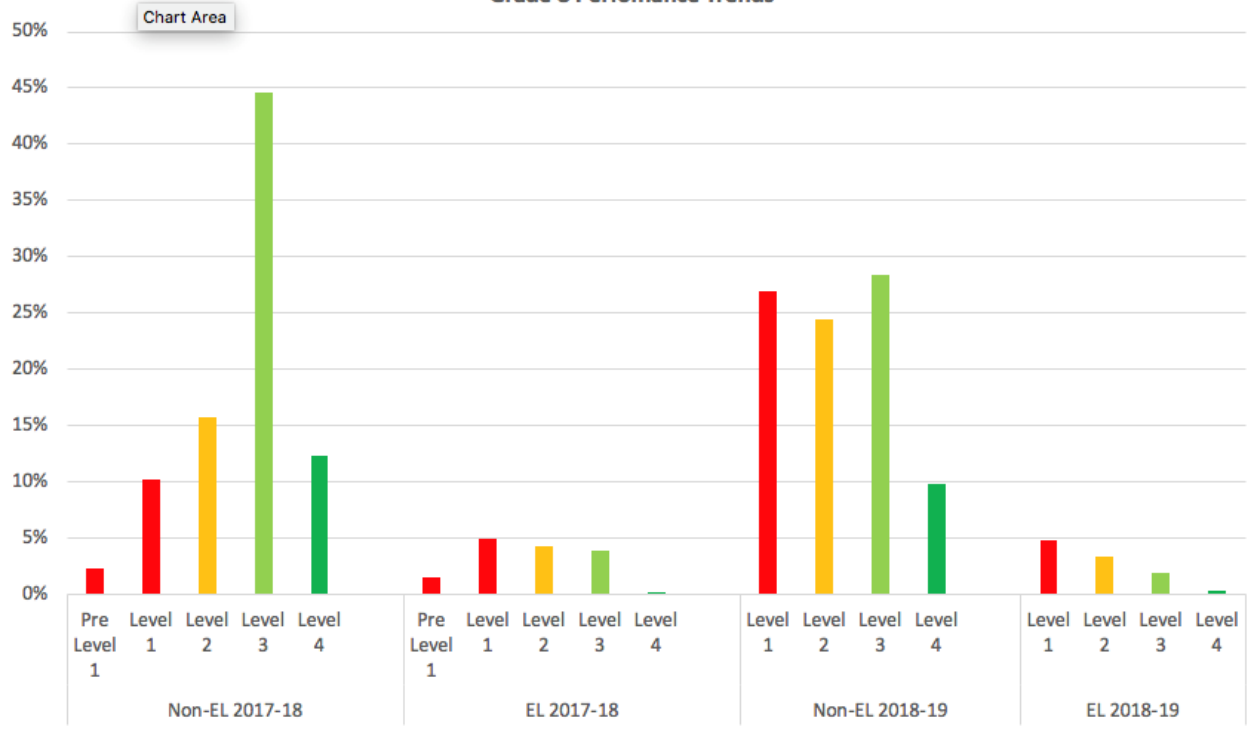
Science Proficiency Percentages by Grade



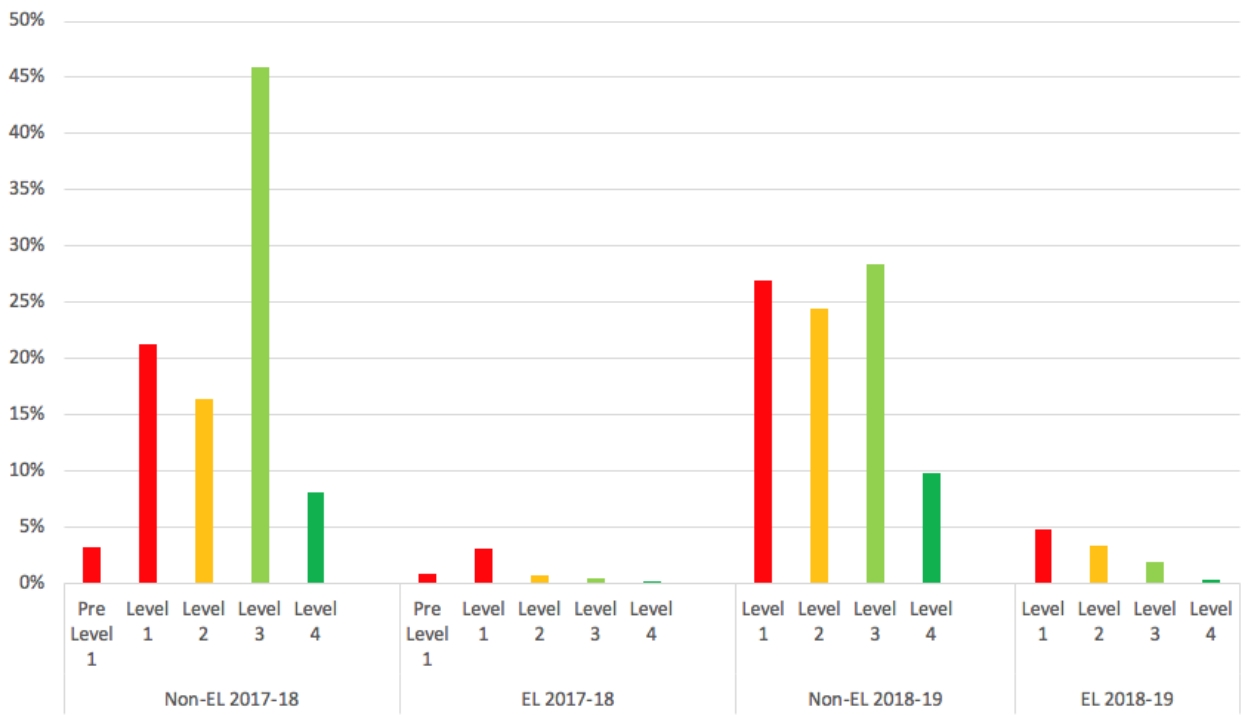
Grade 5 Performance Trends



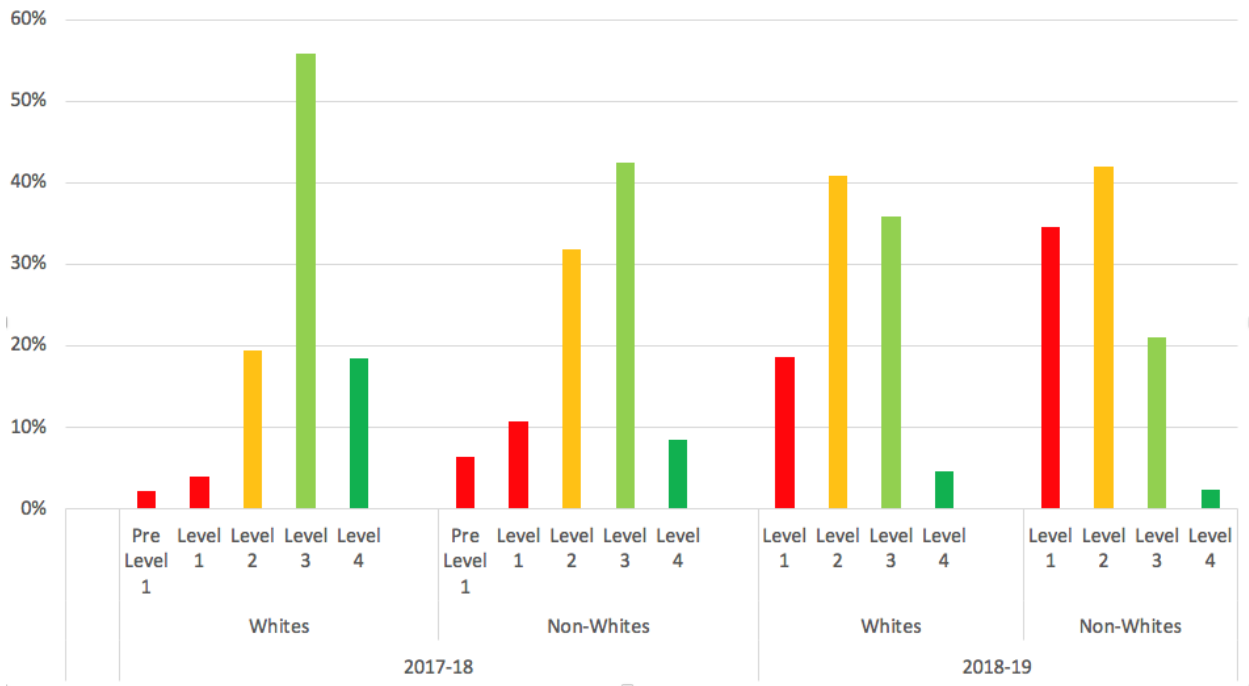
Grade 8 Performance Trends



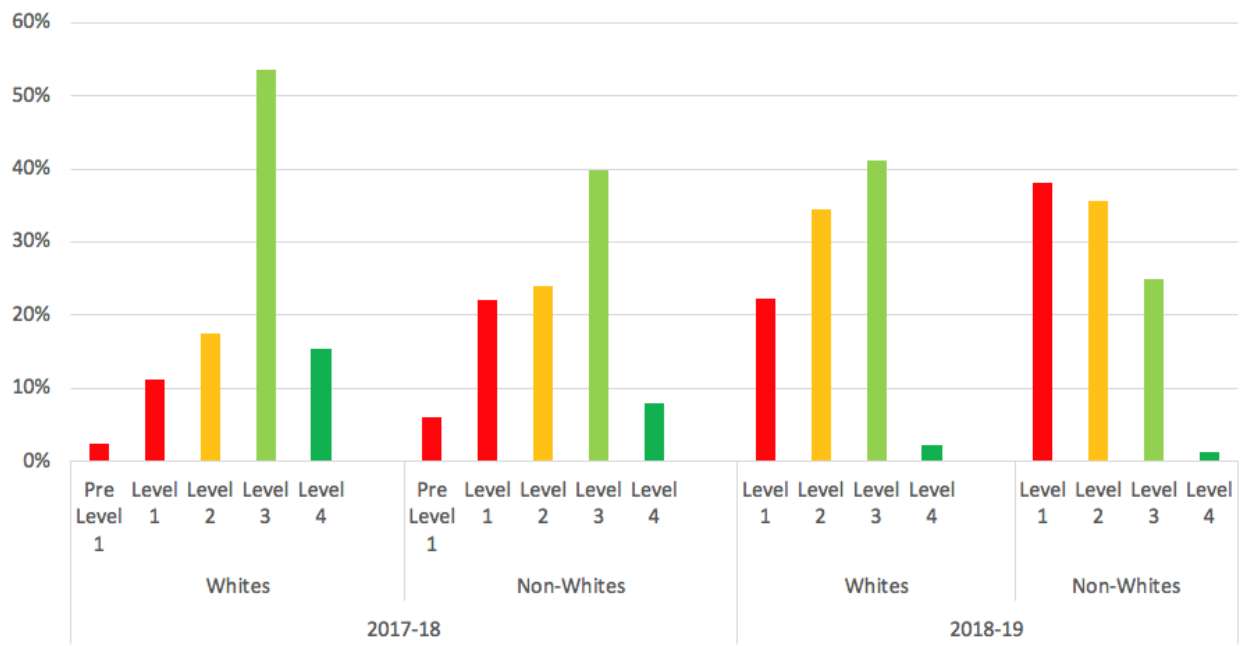
Grade 11 Performance Trends



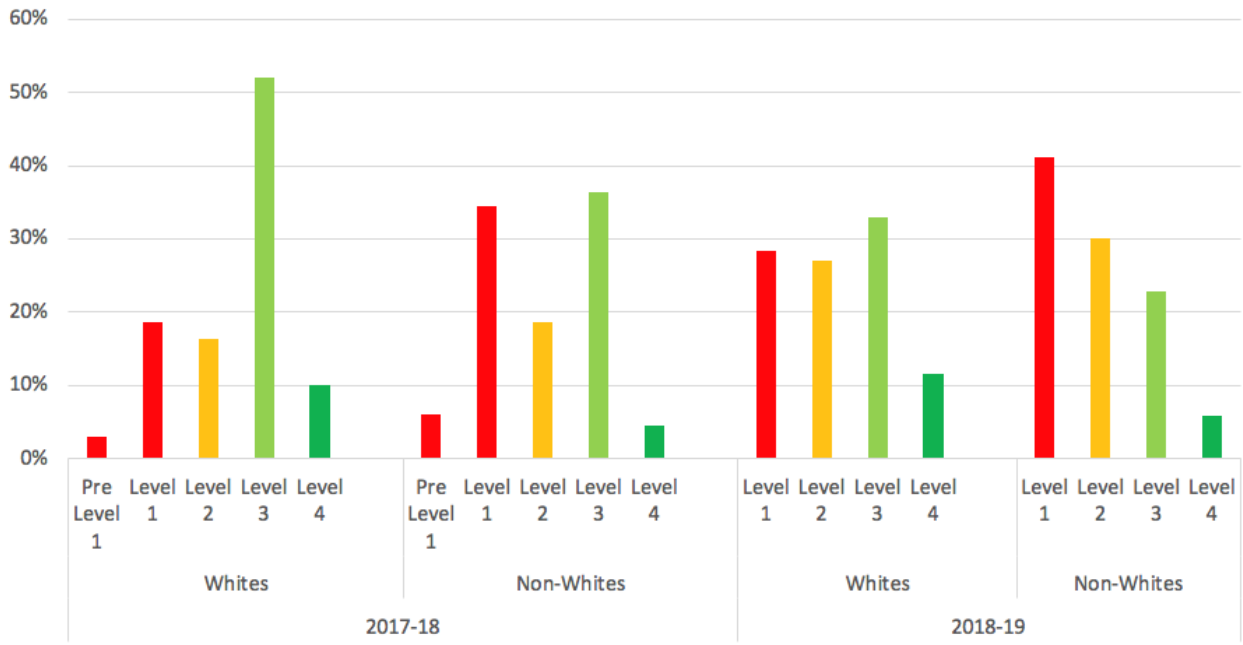
Grade 5 Ethnicity



Grade 8 Ethnicity



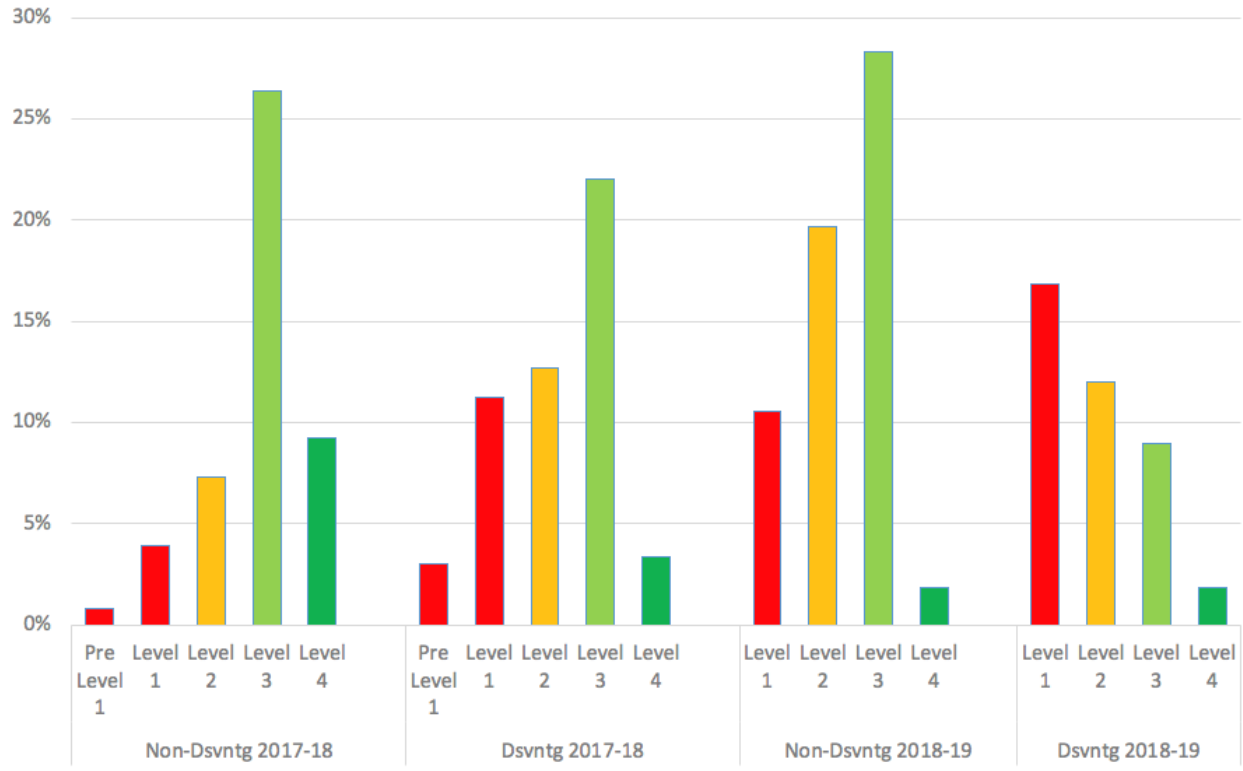
Grade 11 Ethnicity



Grade 5 Economic Disadvantage



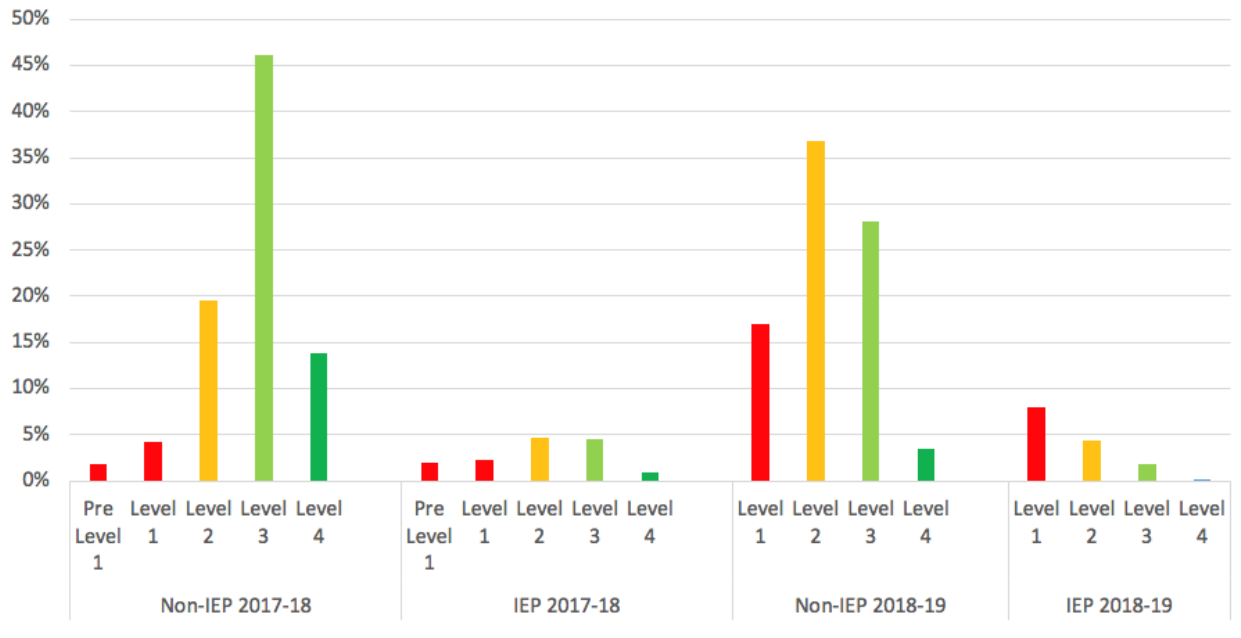
Grade 8 Economic Disadvantage



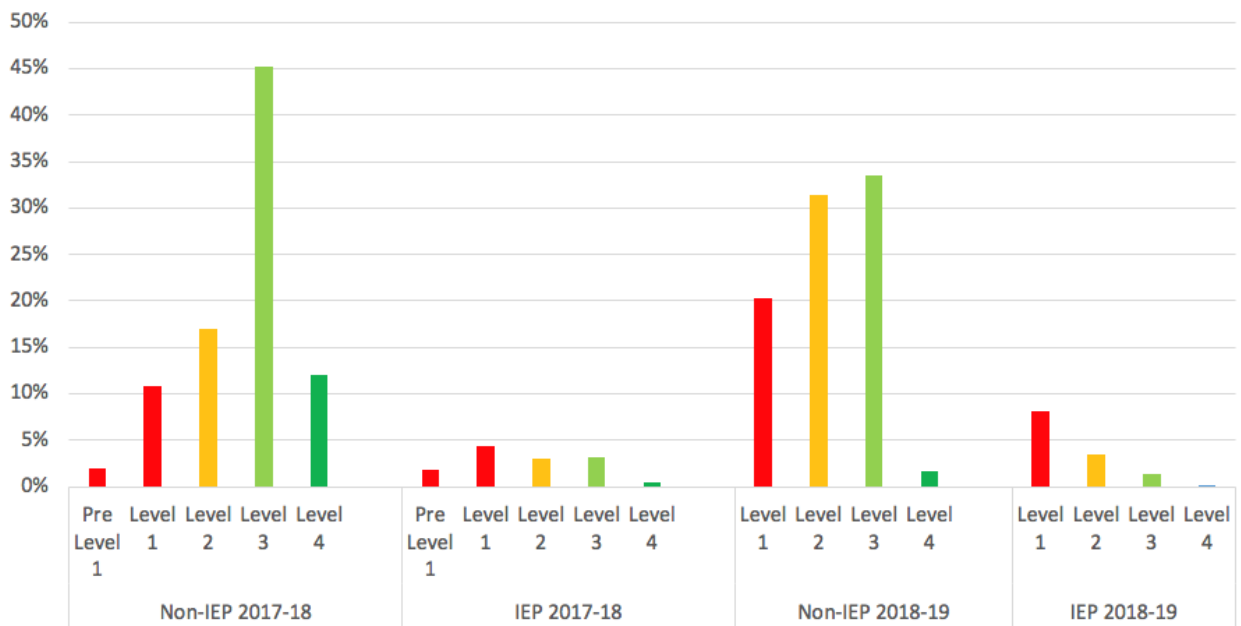
Grade 11 Economic Disadvantage



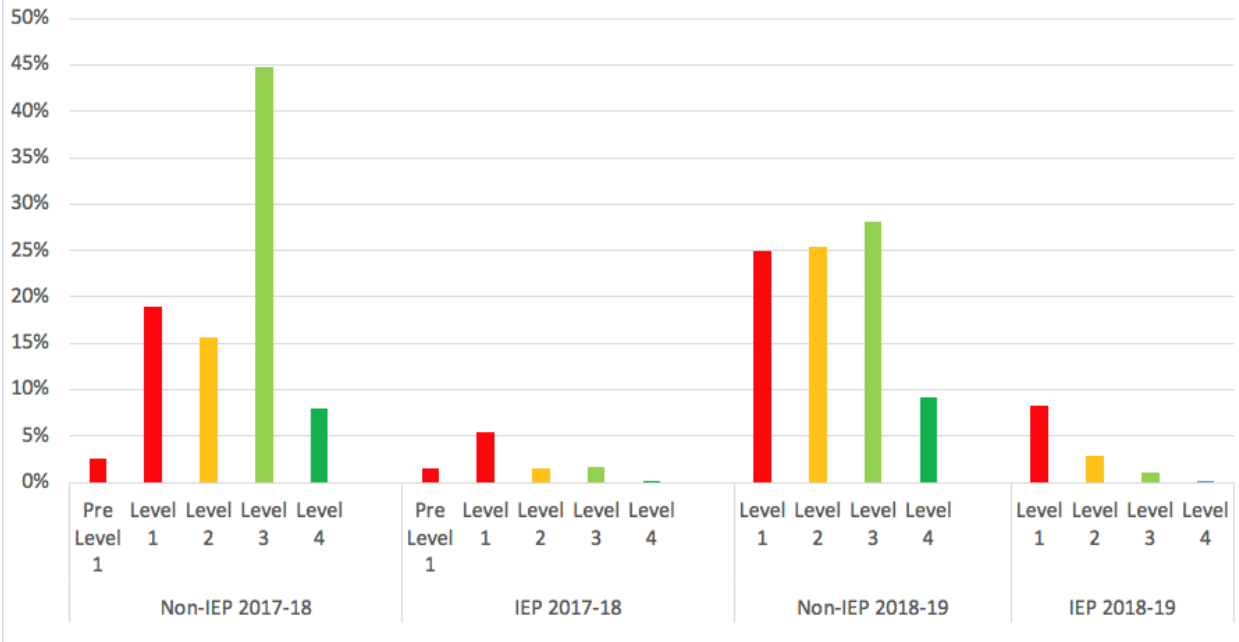
Grade 5 Students with IEPs



Grade 8 Students with IEPs



Grade 11 Students with IEPs



Executive Summary
Oregon Science Standard-Setting Workshop
August 19–August 21, 2019
Science, Grades 5, 8 & 11

1. Overview

In March 2014, the Oregon State Board of Education adopted the Next Generation Science Standards (NGSS) as the new Oregon 2014 Science Standards. The new standards employ a three-dimensional conceptualization of science understanding, including science and engineering practices, crosscutting concepts, and disciplinary core ideas. With the adoption of the NGSS standards in science, and the development of new statewide assessments to assess achievement of those standards, the Oregon Department of Education (ODE) convened a standard setting workshop to recommend a system of achievement standards to determine whether students have met the learning goals defined by the NGSS.

Under contract to ODE, AIR conducted the standard-setting workshop to recommend achievement standards for Oregon’s Science Assessment at grades 5, 8, and 11. The workshop was conducted August 19–August 21, 2019, at the DoubleTree Hotel Portland, 1000 NE Multnomah Street, Portland, Oregon.

Oregon’s Science Assessments are designed to measure the Next Generation Science Standards adopted by Oregon. The assessments are comprised of item clusters and stand-alone items. Clusters represent a series of interrelated student interactions directed toward describing, explaining, and predicting scientific phenomena. Stand-alone items are added to increase the coverage of the test while limiting increases in testing time and burden on students and schools. Test items were developed by AIR, working in conjunction with a consortium of states working to implement three-dimensional Next Generation Science Standards. Test items were developed to ensure that each student is administered a test meeting all elements of Oregon’s Science Assessment blueprint, which was constructed to align to the Next Generation Science Standards.

Oregon science educators, serving as standard-setting panelists, followed a standardized and rigorous procedure to recommend achievement standards demarcating each achievement level. To recommend achievement standards for the new science assessments, panelists participated in the Assertion Mapping Procedure, an adaptation of the Item-Descriptor (ID) Matching procedure (Ferrara and Lewis, 2012). Consistent with ordered item procedures generally (e.g., Mitzel, Lewis, Patz, and Green, 2001), workshop panelists reviewed and recommended achievement standards using an ordered set of scoring assertions derived from student interactions within items. Because the new science items – specifically the item clusters – represent multiple,

interdependent interactions through which students engage in scientific phenomena, scoring assertions cannot be meaningfully evaluated independently of the item interactions from which they are derived. Thus, panelists were presented ordered scoring assertions for each item separately rather than for the test overall. Panelists mapped each scoring assertion to the most apt achievement level descriptor.

Panelists reviewed Achievement Level Descriptors (ALD) describing the degree to which students have achieved Oregon’s Next Generation Science Standards. After reviewing the range ALDs, standard setting panelists worked to identify knowledge and skills characteristic of students just qualifying for entry into each achievement level.

Working through the ordered scoring assertions for each item, panelists mapped each assertion into one of the four achievement levels – Level 1, Level 2, Level 3, and Level 4. Mapping of scoring assertions was based on consideration of test content. Panelists were provided additional contextual information, including the percentage of students who performed at or above the proficiency level associated with each individual assertion, as well as the projected National Assessment of Educational Progress (NAEP) science achievement level of the assertion. The panelists performed the assertion mapping in two rounds of standard setting. Panelists’ mapping of the scoring assertions was used to identify the location of the three achievement standards used to classify student achievement – Level 2, Level 3, and Level 4. Following Round 1, panelists were provided with feedback about the mappings of their fellow panelists and discussed their mappings as a group. Following Round 2, panelists engaged in a moderation session to review and modify recommended achievement standards to facilitate the adoption of an articulated set of achievement standards across grades and assessment systems. No modifications to the achievement standards were recommended during the moderation session.

Thirty-one Oregon science educators were selected to serve as science standard setting panelists, with 10 participants for the grade 5 panel, nine participants for the grade 8 panel, and 12 participants in the grade 11 panel. The panelists represented a group of experienced teachers and curriculum specialists, as well as district administrators and other stakeholders. The composition of the panel ensured that a diverse range of perspectives contributed to the standard-setting process.

2. Standard-Setting Workshops

Overall Structure of the Workshops

The key features of the workshops included the following:

- The standard-setting procedure produced three recommended achievement standards (Level 2, Level 3, and Level 4) that will be used to classify student science achievement on the Oregon Science Assessment.

- Panelists recommended achievement standards in two rounds.
- Context data, including the percentage of students who performed at or above the proficiency level associated with each individual assertion, and the projected NAEP science achievement level of each assertion, were provided to panelists as part of their review of the ordered assertions.
- The standard-setting workshops were conducted online using AIR’s online standard-setting tool. A laptop computer was provided for each panelist at the workshops.
- Following Round 2, panelists engaged in a moderation session to review and modify recommended achievement standards to achieve an articulated system of standards across grades and assessment systems. No modifications to the achievement standards were recommended during the moderation session.

3. Results of the Standard-Setting Workshops

Table 1 displays the achievement standards recommended by the standard-setting panelists.

Table 1: Achievement Standards Recommended for Science

Grade	Level 2	Level 3	Level 4
5	3131	3162	3198
8	3433	3460	3507
11	3735	3755	3788

Table 2 indicates the percentage of students that will reach or exceed each of the Achievement Standards in 2019. Figure 1 represents those values graphically.

Table 2: Percentage of Students Reaching or Exceeding Each Achievement Standard in 2019 in Science

Grade	Level 2	Level 3	Level 4
5	76	35	4
8	72	37	2
11	67	39	10

Figure 1: Percentage of Students Reaching or Exceeding Each Achievement Standard in 2019 in Science

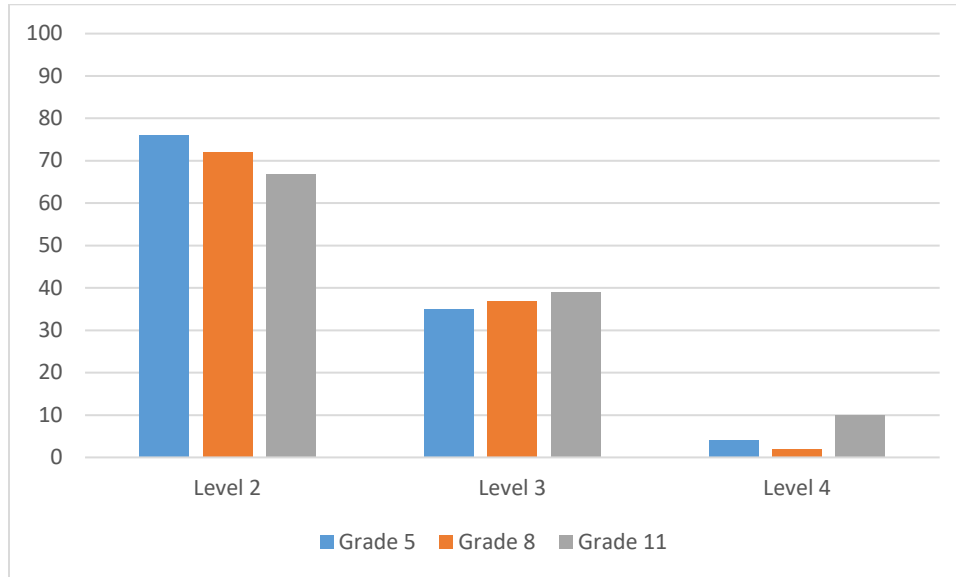
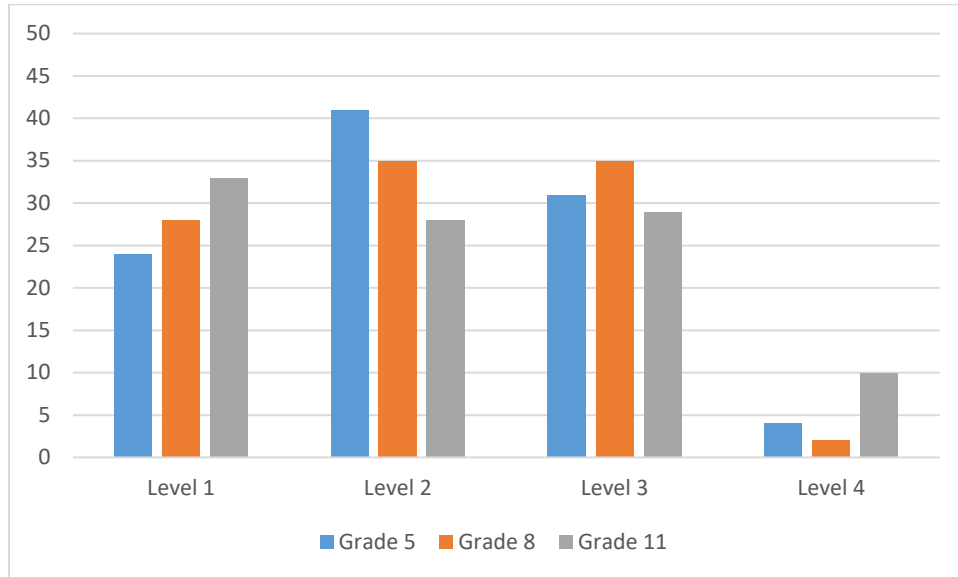


Table 3 indicates the percentage of students classified within each of the achievement levels in 2019. The values are displayed graphically in Figure 2.

Table 3: Percentage of Students Classified Within Each Achievement Level in 2019 in Science

Grade	Level 1	Level 2	Level 3	Level 4
5	24	41	31	4
8	28	35	35	2
11	33	28	29	10

Figure 2: Percentage of Students Classified Within Each Achievement Level in 2019 in Science



4. References

Ferrara, S., & Lewis, D. M. (2012). The item- descriptor (ID) matching method. In G. J. Cizek (Ed.), *Setting performance standards. Foundations, methods, and innovations* (2nd ed., pp. 255–282). New York: Routledge.

Mitzel, H. C., Lewis, D. M., Patz, R. J., & Green, D. R. (2001). The Bookmark procedure: Psychological perspectives. In G. Cizek (Ed.), *Setting performance standards: Concepts, methods and perspectives*. Mahwah, NJ: Erlbaum.



OREGON
DEPARTMENT OF
EDUCATION

Oregon achieves . . . together!

OSAS Science Assessment Presentation for the State Board of Education

December 12, 2019

Dan Farley, Director of Assessment

Noelle Gorbett, Science Assessment Specialist



- New Oregon Statewide Assessment System (OSAS) Science Assessment
- Achievement Level Descriptors (ALDs) and Cutscore Recommendations
- Impact Data and Ongoing Engagement

New OSAS Science Assessment Sample Item

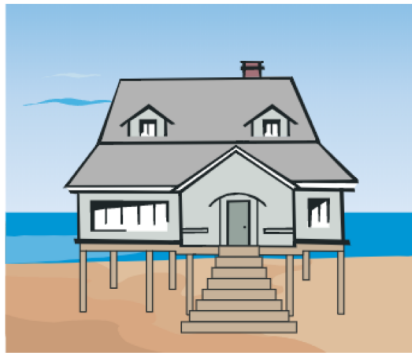


1

A house near the ocean in Surfside, New Jersey, is built on stilts.

Sometimes, when buildings are built near areas that are likely to flood, they are built on stilts. This allows the house and its contents to remain safe if the area floods. An example is shown in Figure 1.

Figure 1. Stilt House



Your Task

In the questions that follow, you will make a claim about the effectiveness of stilts as a solution to flooding.

Part A

Choose **three** ways that stilts protect houses from flooding.

	Protects Against	Does Not Protect Against
Household objects being washed away	<input type="checkbox"/>	<input type="checkbox"/>
Water damage to floors	<input type="checkbox"/>	<input type="checkbox"/>
Water damage to household objects	<input type="checkbox"/>	<input type="checkbox"/>
Yard flooding	<input type="checkbox"/>	<input type="checkbox"/>

Part B

Select **three** conditions that the stilts must meet to be effective.

- cost a lot of money
- resist strong water current
- match the building's appearance
- support the weight of the building
- tall enough to keep the building out of water

Part C

Choose **three** problems caused by using stilts under buildings.

- Building would be damaged if it falls.
- The stilts will get wet during the flood.
- Buildings are harder to enter because of stairs and ramps.
- The space stilts occupy could be another floor of the building.



Achievement Level Descriptors (ALDs)

- ALDs were developed using the language found in the 2014 Oregon Science Standards (Next Generation Science Standards).
- Teachers from each state in the MOU, including Oregon, participated in a combined session to write initial drafts of the ALDs.
- In later meetings, the ODE Science Content and Assessment Advisory Panel, Content Review Teacher Panels, and the Standard Setting Committee all reviewed and contributed to the refinement of the ALDs.

Level	Science Policy ALD
4	Learner can synthesize the application of science and engineering practices, core ideas, and cross-cutting concepts to local and global phenomena, becoming community members who are critical consumers of scientific information capable of engaging in scientific argumentation from evidence on track for post high school college and career readiness.
3	Learner can demonstrate the application of science and engineering practices, core ideas, and cross-cutting concepts to local and global phenomena, becoming community members who are critical consumers of scientific information on track for post high school college and career readiness.
2	Learner can demonstrate some application of science and engineering practices, knowledge of core ideas, and understanding of cross-cutting concepts tied to local and global phenomena. It is unlikely learners at this level are on track for college and career readiness.
1	Learner demonstrates minimal application of science and engineering practices, knowledge of core ideas, and understanding of cross-cutting concepts tied to local and global phenomena. Learners at this level are not on track for post high school college and career readiness.

Achievement Level Descriptor Example

5th Grade PS1 Matter and its Interactions

1	2	3*	4
Limited to no demonstration of using a model to describe matter as made of tiny particles and make observations that mixing different types of matter can result in new substances.	Use a model to describe matter as made of tiny particles and make observations that mixing different types of matter can result in new substances.	Develop models that represent matter is made up of tiny particles and conduct an investigation to provide data that mixing different types of matter can result in new substances.	Evaluate and revise models that represent that matter is made of tiny particles and plan an investigation to provide data that mixing different types of matter can result in new substances.

*Achievement of a Level 3 score or higher indicates proficiency.



- Standard Setting was held on August 19-21, 2019 in Portland, OR
- Thirty-one Oregon educators participated:
 - 10 in Grades 5,
 - 9 in Grade 8, &
 - 12 in Grade 11
- Three cut scores were recommended to define four levels of proficiency at each grade level
- Panelists made recommendations in two rounds, first independently, and second after having an opportunity to see how their independent ratings compared to peers
- Context data from NAEP was provided as a consideration and reference point for the general reasonableness of their recommendations



Achievement Level Cut Scores

Grade	Level 2	Level 3*	Level 4
5	3131	3162	3198
8	3433	3460	3507
11	3735	3755	3788

*Level 3 is indicates proficiency



Achievement Level Cut Scores Table

Percentages of Students at each Achievement Level

Grade	Level 1	Level 2	Level 3	Level 4
5	24	41	31	4
8	28	35	35	2
11	33	28	29	10



Affinity groups have been engaged to share information about the assessment and the impact these scores might have on specific student groups who have been traditionally marginalized in our school system.

- ODE Community Engagement Group
- 2019-21 Science Content and Assessment Advisory
- The Confederated Tribes of Grand Ronde
- Eugene 4J (anticipated 12/3)



Learnings from Affinity Groups:

- Agreement that ALL students should be working toward the same proficiency target
- Desire for more professional learning for teachers and administrators
 - Importance of Elementary Science Instruction
 - Instructional shifts required by the Next Generation Science Standards
- Important to address parent, student, and teacher morale during this transition

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AGENDA ITEM: 6.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 type="checkbox"/> First Reading <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input checked="" 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.

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

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AGENDA ITEM: 6.A

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:

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.

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AGENDA ITEM: 6.A

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.

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AGENDA ITEM: 6.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

“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

December 12, 2019

AGENDA ITEM: 7.A

<p>SUBJECT: Oregon’s National Assessment of Educational Progress (NAEP) 2019 results</p> <p>STAFF NAME & OFFICE: Beth LaDuca, Office of Research, Analysis, and Accountability</p> <p>On October 30, 2019, the National Center for Education Statistics released the 2019 NAEP results for Oregon and the nation in mathematics and reading for grades 4 and 8. This report summarizes Oregon’s results.</p>	<p><input type="checkbox"/> Informational Presentation</p> <p><input checked="" type="checkbox"/> Written Report</p>
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BACKGROUND

1. History:
 - a. The National Assessment of Educational Progress (NAEP) has conducted national assessments since 1969 in many content areas. Since 1990, NAEP has produced reports on student achievement at the state as well as the national level in mathematics and reading.
2. Purpose
 - a. NAEP is the only source of comparable achievement data from all 50 states.
3. Does the board have any areas of discretion on this policy and/or update? No.
4. Stakeholder voice/input (individual and collective i.e., groups)

Approximately 9,600 Oregon students in about 270 schools participated in NAEP 2019.

SUMMARY OF PREVIOUS BOARD ACTION

1. This is the first report to the Board on the NAEP 2019 results.

POLICY ISSUE OR CONCERNS

Oregon 4th graders had an average score below the national average on the NAEP mathematics assessment. Scores for Oregon 4th graders at the 10th and 25th percentiles declined from 2013 to 2019, while scores for students at the 50th, 75th and 90th percentiles were statistically the same in 2013 and 2019.

Oregon 8th graders had an average score at the national average on the NAEP mathematics assessment. Scores for Oregon 8th graders at the 10th, 25th, and 50th percentiles declined from 2013 to 2019, while scores for students at the 75th and 90th percentiles were statistically the same in 2013 and 2019.

Oregon 4th graders had an average score at the national average on the NAEP reading assessment. Scores for Oregon 4th graders at the 10th and 25th percentiles declined from 2015 to 2019, while scores for students at the 50th, 75th and 90th percentiles were statistically the same in 2015 and 2019.

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AGENDA ITEM: 7.A

Oregon 8th graders had an average score at the national average on the NAEP reading assessment. Scores for Oregon 8th graders at the 10th, 25th, and 50th percentiles declined from 2013 to 2019, while scores for students at the 75th and 90th percentiles were statistically the same in 2013 and 2019.

EQUITY IMPACT ANALYSIS

The NAEP 2019 results demonstrate widening differences between lower performing and higher performing students in Oregon over time. This is a serious equity concern, as lower performing students are disproportionately economically disadvantaged, from households headed by adults without a college degree, and from underserved races/ethnicities.

FISCAL ANALYSIS

Are there any fiscal impacts that the Board should consider as part of this update or report? Does the proposed rule change impact other stakeholders?

No.

ATTACHMENTS

Attachment 1: None.

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AGENDA ITEM: 7.B

<p>SUBJECT: Annual report on the activities of the Board of Education Audit Committee, OAR 125-700-0135(5)a, ODE policy 581-112</p> <p>STAFF NAME & OFFICE: David Terry, Chair, Bd. of Ed. Audit Committee; Latham Stack, Internal Auditor, Director’s Office</p> <p>The purpose of this Information Agenda Item is to report, to the Board, on the FY2019 activities of its Audit Committee which derives its authority from the Board. The primary purpose of the Committee is to enhance the quality and independence of the audit function, thereby helping ensure the integrity of the internal and external audit processes.</p>	<p><input checked="" type="checkbox"/> Informational Presentation</p> <p><input type="checkbox"/> Written Report</p>
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BACKGROUND

1. History:
 - a. What prompted this update to the board?
ODE policy 581-112, derived from OAR 125-700-0035, states that the Board’s Audit Committee should annually report on its activities to the Board.
2. Purpose:
 - a. What function does this policy or update hold?
The Audit Committee meets quarterly to support ODE, ELD, and YDD, and their internal auditor, in identifying and managing risks to Agency and Division mission and goals.
 - i. How long has this policy been in place?
3. Does the board have any areas of discretion on this policy and/or update?
In its oversight roles, the Board may direct the work of, seek clarification from, or request further reporting from, the Audit Committee.
4. Stakeholder voice/input (individual and collective i.e., groups)
 - a. Who was involved in bringing this to the Board?
 - b. What did engagement in this process entail?
 - c. Who may be affected by this?
 - d. Whose voice is missing potentially?
 - e. What more information does the Board need prior to moving forward?

SUMMARY OF PREVIOUS BOARD ACTION

1. Has this been before the board before? If so, what action did the board take?
Beginning in 2017, the Board received an Informational Report and verbal testimony on the previous year’s Audit Committee activities. During these meetings, the Board approved the structure of the Audit Committee (2017), and engaged in discussion with presenters.

POLICY ISSUE OR CONCERNS

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These policy issues or concerns could be from the field, stakeholder groups, statements submitted during the comment period, discussions among ODE staff or relevant stakeholders. Consider the following questions:

1. Stakeholders
 - a. How have you intentionally involved stakeholders who are also members of communities affected by this report or update?
Community stakeholders participate as voting members of the Audit Committee
 - b. Who are the historically underserved groups affected by this report or update?
The activities of the Audit Committee indirectly affect all historically underserved groups, by ensuring that ODE's Internal Audit Program adequately considers risks to underserved groups in formulating and implementing the audit plan.
 - c. Does this update or report have tribal implications and has it been deemed appropriate by the Department's Tribal Liaison, the Deputy Superintendent, or State Board?
This report does not have tribal implications.
 - d. How has the Oregon Department of Education modified or enhanced the report or update to address the needs of historically underserved communities?
This report was prepared to specifically address the areas that Audit Committee activities touch the needs of historically underserved communities.
2. Negative/Positive Effects
 - a. What is the impact on the population most affected by this report or update that the board should consider?
The Audit Committee supports Agency management in assessing risk to Agency mission and goals. By governing the Agency's Internal Audit function, which conducts program audits that assess the effectiveness of operations, the Committee promotes closing the achievement gap and the achievement of ESSA goals.
3. What are the barriers to more equitable outcomes:
Potential barriers to more equitable outcomes include:
 - The Audit Committee not having an accurate understanding of the Agency's risks;
 - The Internal Audit function not auditing the Agency's highest-priority risks;
 - Inadequate resources devoted to Internal Audit.

EQUITY IMPACT ANALYSIS

The following questions are designed to examine how this update or report systematically affects historically underserved students and/or communities.

1. Will historically underserved populations be impacted by this docket item?
Internal and external performance audits may measure the impact of ODE, ELD, or YDD programs on historically underserved populations, and may recommend actions to mitigate these impacts.

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2. The Audit Committee shares the Board's equity values, which inform the Committee's decisions. The Audit Committee is composed of between seven and nine voting members, and diversity and equity are significant factors in the selection of Committee members. The Audit Committee annually invites the Agency's Director of Equity to discuss current issues, successes, and challenges related to Diversity, Equity, and Inclusion (DEI). The Committee also supports the Internal Auditor's participation on the Agency's DEI Mission Control committee.
3. Explain how this update or report works toward the elimination of either (one or both):
The Audit Committee, through its oversight of the ODE internal audit program, promotes achievement of the Agency's goals for closing the achievement and opportunity gaps.

FISCAL ANALYSIS

Are there any fiscal impacts that the Board should consider as part of this update or report? Does the proposed rule change impact other stakeholders?

There are no fiscal impacts from this report.

ATTACHMENTS

Attachment 1: FY2019 annual report, Oregon Board of Education Audit Committee.pdf

Oregon Board of Education Audit Committee

Summary of Fiscal Year 2019 activities (*Approved by David Terry, Chairperson*)

The Audit Committee of the Oregon Board of Education meets quarterly to:

“...enhance the quality and independence of the audit function, thereby helping ensure the integrity of the internal and external audit processes. The Audit Committee, in consultation with the chief audit executive, sets the priorities of the internal audit function, promotes a strong internal control environment, and evaluates the adequacy of agency responses to risks or weaknesses identified through audits, reviews, or other processes, including those performed by external parties. Committee members are also involved in appraising the value of and assuring the sufficient funding of the internal audit function. The Audit Committee shares the Board’s equity values, which inform the Committee’s decisions.” *From the Audit Committee Charter, Oregon Board of Education*

During Fiscal Year 2019, the Committee had a quorum for all quarterly meetings. Regular agenda items at each meeting included:

- Approving minutes of the previous meeting;
- Receiving and discussing updates on ODE’s current strategic activities, issues, strengths/weaknesses/opportunities/threats (SWOT), budget, and legislation;
- Receiving and discussing reports of activities of the Internal Audit program;
- Roundtable opportunities for Committee members to raise and discuss issues pertaining to ODE risks or internal audit activities.

Additional activities during Fiscal Year 2019 included:

- A presentation by, and discussion with, Dr. Darryl Tukufu, Director of Equity, Diversity, and Inclusion
- An invited annual presentation by, and discussion with, the Secretary of State’s Audits Division. Topics were related to the Audits Division’s ODE-related audits and plans, the Student Success Act, and perceptions of risks and risk management by the Agency.
- Approving obtaining an external quality assurance review, during FY2020, of ODE’s internal audit program.
- Receiving and discussing reports of, and Management’s response to, internal audits, management consultations, and other activities: the Youth Corrections Education Program; the SPOTS Procurement Card Program; various consultations to management, including Measure 98 and Title IV-A; participation on ODE’s EDI Mission Control team; participation or leadership on Chief Audit Executives Council subcommittees.
- Reviewing and approving ODE’s mandated annual report to DAS on its internal audit program.
- Receiving and discussing administrative reports of the internal auditor, including a summary of activities, a quality assurance self-assessment, and annual Ethics and Conflict of Interest Disclosure.
- A Report to the Board of Education on the Audit Committee’s activities during the previous year.
- Providing input to, and approving, the annual work plan of the internal audit program.
- Evaluating the adequacy of ODE’s internal audit program, including independence and resources.
- Approving the Charters of the Audit Committee and the internal audit program.