



# 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 5, 2024**

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 [Corey Rosenberg](#) at 503-947-5740, at least 48 hours before the meeting. You can access all board materials on our [Boardbook](#) page. Staff respectfully request that you submit email copies of written materials before or after your testimony.

**Please note: all times are approximate.**

### 1. Call to Order

#### A. **Roll Call**

*Time: 9:00 AM*

#### B. **Board Member Reports**

*Time: 9:05 AM*

#### C. **Break**

*Time: 10:05 AM*

#### D. **Director's Report**

*Time: 10:10 AM*

### 2. Public Comment

*Time: 10:45 AM*

A. The State Board of Education will hold space for **virtual** public comment. 3  
Individuals must register to provide virtual comment. Written public comment received will be posted to BoardBook.

### 3. Consent Agenda

*Time: 11:00 AM*

A. Technical Fix: Fund Administration for Student Investment Account, High School Success, and Early Literacy 4

B. Intensive Program Proposed Rule Changes 14

C. House Bill 4084 (2024) Implementation: Pilot Grant to Improve Educational Outcomes of Foster Care Students 30

D. Senate Bill 1532 (2024) Implementation: Immigrant and Refugee Student Success Plan Grant Program 37

E. 2024-2025 School Board Advisor Nomination 50

### 4. Informational Reports

A. Overview of the Educator Advancement Council

*Time: 11:05 AM*

Dr. Karen Perez and Emily McCaffrey, Educator Advancement Council

**5. First Readings**

A. Senate Bill 283 (2023) Implementation: Education Workforce Survey 53  
Administration Rules

*Time: 11:35 AM*

Emily McCaffrey, Educator Advancement Council, Tamara Dykeman, Office of the Director, and Josh Rew, Office of Research, Assessment, Data, Accountability, and Reporting

**6. Break for Lunch**

*Time: 12:00 PM*

**7. First Readings (continued)**

A. Funding for Youth Corrections and Juvenile Detention Rule Updates: OAR 581-015-2585 and OAR 581-015-2940 108

*Time: 1:00 PM*

Adamn Henning, Office of Enhancing Student Opportunities

B. Technical Fix: Transfer of Student Educational Records 132

*Time: 1:30 PM*

Kara Nystrom Boulahanis and Don Dorman, Office of Enhancing Student Opportunities

C. Instructional Materials Adoption Criteria: Social Science 137

*Time: 1:45 PM*

Amit Kobrowski, Jenna Montgomery, and Vanessa Martinez, Office of Teaching, Learning, and Assessment

D. House Bill 2275 (2023) Implementation: Accelerated College Credit Grants 157

*Time: 2:00 PM*

Kristidel McGregor, Office of Teaching, Learning, and Assessment

E. House Bill 4137 (2024) Implementation: International Baccalaureate Students and the Oregon Diploma 197

*Time: 2:20 PM*

Kristidel McGregor, Office of Teaching, Learning, and Assessment

F. Instructional Materials Substitution Request 239

*Written Report Only*

**8. Adjourn**

*Time: 3:00 PM*

**From:** [Michelle Clinkenbeard](#)  
**To:** [StateBoard Public Email](#)  
**Subject:** Physical education/self defense  
**Date:** Friday, November 8, 2024 10:22:45 AM

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You don't often get email from moparmichelle1969@yahoo.com. [Learn why this is important](#)

[\*\*\* This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond. \*\*\*]

My name is Michelle clinkenbeard and I'm not affiliated with the school board or any member of any school legislation or anything I'm just a mom who's had six boys and one girl who grew up in Southeast Portland and has seen first hand horrific crimes committed against normal people harmless people that are just trying to survive including children.

In April of 2002 my 8-year-old daughter Vanessa Neubarth was stabbed 18 plus times by a 6 ft 200 lb male adult 33 years of age. She lost her life that day. I still struggle with it even now after all these years I just can't understand it it never should have happened. Which by the way her murderer will be released a few months from now and I fear for my safety and my other children's safety. In no way is this man rehabilitated he spent the whole 23 years appealing to try and get out and when he finally realized he wasn't going to be released then he started figuring out ways to sue the correction facility for anything you can think of but mainly medical malpractice.

My mission today is to introduce this idea to the schools and hopefully have it implemented into their physical Ed curriculum. I would like to see it mandatory that elementary schools and middle schools require self-defense classes for the children to protect them from bad people like the man who took my daughter's life or even their own family members who might be beating them and molesting them give these children a Fighting Chance. You never think something bad is going to happen to your child but when it does it changes your whole outlook on life and people who you can trust and things you wish you had done or could have done to change the outcome. I truly believe that physical self-defense program mandatory is a great place to start it also made build confidence in children who struggle. So please discuss this amongst yourselves and spread the word maybe we can get this to go somewhere and help millions of kids get their lives started on the right foot to grow and do great things for this country or even the world.

Thank you for your time and if maybe you have some good news to share with me you may email me back or even phone me at 503-380-0077 thank you.

Respectfully  
Michelle clinkenbeard

[Yahoo Mail: Search, Organize, Conquer](#)

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: Technical Fix on Fund Administration for SIA, HSS, and Early Literacy

<p><b>SUBJECT:</b> Technical Fix on Fund Administration for SIA, HSS, and Early Literacy/581-014-0004; 581-013-0015; 581-017-0809 – Fund Administration</p> <p><b>STAFF NAME &amp; OFFICE:</b> Cassie Medina &amp; Brittany Deckard, Office of Education Innovation and Improvement</p> <p>Current fund administration rules for Student Investment Account (SIA), High School Success (HSS), and Early Literacy state that grantees can carry forward funds from one biennium to the next. A rule change is needed to amend the date to June 30 to align with accounting rules and legislative intent of the biennial funds. This will ensure that funds are expended in the biennium for which they are appropriated for SIA, HSS, and Early Literacy.</p> <p><input type="checkbox"/> New Rule <input checked="" type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> <b>First Reading</b> <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> Temp Rule <input checked="" type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p>
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## BACKGROUND

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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?
    - i. ODE learned that the practice of carrying funds forward from one biennium to the next for these grant programs, Student Investment Account, High School Success, and Early Literacy Success School District Grants, is not an allowable practice, and therefore the language in the rule must change.
  - b. What is the current requirement in rule or statute?
    - i. Grant recipients are currently allowed to carry funds forward from one biennium to the next to cover summer expenditures.
2. Purpose
  - a. What function does the current rule hold?
    - i. The current rule allows grant recipients to carry funds forward from one biennium to the next to cover summer expenditures.
  - b. How long has the rule been in place?
    - i. 581-014-0004: March 20, 2020
    - ii. 581-013-0015: March 1, 2017
    - iii. 581-017-0809: March 22, 2024
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. This has limited board discretion as we need to bring the rule into alignment with accounting standards, practices, and laws.

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4. Stakeholder voice/input (individual and collective i.e., groups)
  - a. Who was involved in bringing this to the Board?
    - i. ODE staff, the LFO, state CFO, and the Governor’s Office.
  - b. What did engagement in this process entail?
    - i. Initially, ODE engaged with the LFO as well as the state CFO to learn nuances around accounting practices. As we learned of changes that needed to be made to our current operating practice, we engaged with education partners, specifically COSA, OASBO, and OAESD as well as convened groups of superintendents and business managers to explain the situation and the shift that would be made. Furthermore, we engaged with ESD leadership to help prepare them for the shifts that were to come.
  - c. Who may be affected by this?
    - i. All 197 school districts, many charter schools, YCEP and JDEP programs, and Oregon School for the Deaf.
  - d. Whose voice is missing potentially?
    - i. We have made efforts to communicate this broadly to our education partners. Since this is a change that is required, we did not seek feedback on the amendment.
  - e. What additional information does the Board need prior to moving forward?

## SUMMARY OF PREVIOUS BOARD ACTION

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1. Has this been before the board before? If so, what action did the board take?
  - i. No. This admendment has not yet been before the board.

## HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

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

## 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, 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?
    - i. We met with education partners and convened groups of district leaders to share information as it was available. As decisions were made, we communicated with all impacted parties and have worked to support them in making any necessary operational shifts to align with the shift in practice.

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- b. Who are the historically underserved groups affected?
    - i. While this change is necessary, ODE recognizes that this change may have a disproportionate impact on schools (and students) with fewer resources. ODE is working behind the scenes to ensure grantees do not have a delay in funding, and therefore can continue offering summer learning opportunities, which are particularly important for historically underserved groups.
  - 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. No engagement or collaboration with tribes was required for this rule change.
  - 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. In light of this required rule change, ODE has examined our operational practices to make shifts that will support grantees and ensure early access to the next biennium's funds so as to not cause a delay in summer learning or planned summer expenditures.
2. Negative/Positive Effects
- a. What is the impact on the population most affected by this rule that the board should consider?
    - i. Grantees will be most affected by this rule change; however, it is not a change we have discretion over.
  - b. What is the impact on eliminating the opportunity or achievement gap?
    - i. ODE is working behind the scenes to ensure grantees do not have a delay in funding, and therefore can continue offering summer learning opportunities specifically designed to eliminate the opportunity and achievement gaps.
  - c. Have all the potential unintended consequences been considered?
    - i. We have examined all unintended consequences and have made plans to address those that we can. As previously named, there is not a lot of discretion afforded in this rule change as it is currently in violation of accounting principles and laws.
  - d. Does this rule advance the 40/40/20 goals?
    - i. No, but it does not create a barrier either.
3. What are the barriers to more equitable outcomes, either:
- a. State or federally mandated?
    - a. N/A
  - b. Political?
    - a. N/A
  - c. Emotional?
    - a. N/A
  - d. Financial?
    - a. N/A
  - e. Programmatic?

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- a. N/A

## EQUITY IMPACT ANALYSIS

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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. Yes
  - a. If yes, describe how the rule changes, policy, or action could produce other unintended consequences not listed in the docket.
    - i. While this change is necessary, ODE recognizes that this change may have a disproportionate impact on schools (and students) with fewer resources. ODE is working behind the scenes to ensure grantees do not have a delay in funding, and therefore can continue offering summer learning opportunities, which are particularly important for historically underserved groups.
  - 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.
  - a. If grantees experience a delay in access to SIA, HSS, and EL funds, they may not be able to provide summer learning opportunities that many historically underserved populations participate in.
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. ODE is working behind the scenes to ensure grantees do not have a delay in funding, and therefore can continue offering summer learning opportunities specifically designed to eliminate the opportunity and achievement gaps.

## FISCAL ANALYSIS

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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 Office of Education Innovation and Improvement and the Office of Teaching, Learning, and Assessment will be impacted as these programs are held across these two offices. Partners in the Office of Finance and Information Technology will also be impacted through workflows for

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staggered grant agreements, ensuring grantees do not experience delays in access to funds.

2. How does the proposed rule change impact school districts and ESDs?
  - a. Moving forward, school districts will be required to set 24-month budgets to ensure funds for these programs are spent within the biennium.
3. How does the proposed rule change impact schools and other educational institutions?
  - a. Grantees will be most affected by this rule change; however, it is not a change we have discretion over.
4. Does the proposed rule change impact other stakeholders?
  - a. No.

## EFFECT OF A “YES” OR “NO” VOTE

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

A “Yes” vote will ensure the Oregon Department of Education is operating within standard accounting principles and laws in the distribution of grant funds associated with SIA, HSS, and Early Literacy.

A “No” vote will mean the Oregon Department of Education is out of compliance with standard accounting principles and laws in the distribution of grant funds associated with SIA, HSS, and Early Literacy.

## STAFF RECOMMENDATION

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

## ATTACHMENTS

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Attachment 1:

[581-014-0004](#)

**Fund Administration for Student Investment Account**

(1) For each biennium, the Oregon Department of Education will determine the amount of grant funds from the Student Investment Account to be apportioned among eligible applicants for each year of the biennium.

(2) For purposes of establishing the amount of grant funds apportioned to eligible applicants, the Oregon Department of Education will use the most current finalized ADMw from the State School Fund from the prior year.

(3) If a school district has an ADMw of 50 or less, it will receive an allocation based on an ADMw of 50.

(4) If an eligible applicant does not apply for a grant from the Student Investment Account by the close of the application period, the amount of their grant funds will revert to the Student Investment Account and be reallocated within the grant award cycle. An eligible applicant that does not apply for a grant will be eligible in the next application process for the Student Investment Account.

(5) Following approval of the grant agreement, an eligible recipient will receive payments of at least 25 percent on a quarterly basis per annual allocation. If adjustments to installment payments are required, a lower percentage may be used.

(6) Grant recipients will be eligible to expend funds until ~~September~~June 30 each year. Any allocated funds that are not used by a grant recipient by ~~September~~June 30 each year will be returned to the Student Investment Account for distribution in the next biennium.

(7) Funds received by a grant recipient under this section must be separately accounted for and must be used in accordance with the recipient's grant agreement for the Student Investment Account. A grant recipient may use funds for administrative costs, including indirect costs, directly related to allowed expenditures as provided in the grant agreement. Administrative costs are limited to five percent of the total expenditures or \$500,000 annually, whichever is less. Any administrative costs incurred by a participating charter school must be accounted for within the sponsoring school district's overall limit of five percent or \$500,000, whichever is less.

(8) The Deputy Superintendent of Public Instruction shall resolve any issues arising from the administration of the Student Investment Account grants not specifically addressed by this rule. The Deputy Superintendent of Public Instruction's determination shall be final.

**Statutory/Other Authority:** ORS 327.175 – 327.235

**Statutes/Other Implemented:** ORS 327.175 – 327.235

**History:**

[ODE 1-2023, amend filed 01/24/2023, effective 01/24/2023](#)

[ODE 23-2021, amend filed 06/22/2021, effective 06/22/2021](#)

[ODE 6-2020, adopt filed 03/20/2020, effective 03/20/2020](#)

[ODE 149-2019, temporary adopt filed 10/24/2019, effective 10/24/2019 through 04/20/2020](#)

**581-013-0015**

**Fund Administration**

(1) For each biennium, the Oregon Department of Education shall determine the total amount of funds to be apportioned among the eligible school districts and charter schools for each year of the biennium.

(2) For each school year, the Oregon Department of Education shall determine the portion of funds available to each school district or charter school that serves students in grades 9 through 12 from the High School Graduation and College and Career Readiness Fund. In calculating the portion available to each school district and charter school, the Oregon Department of Education shall use the most current finalized extended ADMw from the State School Fund from the prior year.

~~(3) Grant recipients will be eligible to expend funds until June 30 of odd years. Any allocated funds that are not used by a grant recipient by June 30 of odd years will be returned to the High School Graduation and College and Career Readiness Fund for distribution in the next biennium. Funds that are apportioned to a school district or charter school for a given biennium must be apportioned by the school district, charter school, or ESD in that biennium. School districts, charter schools, or ESDs will have the first two months of the following biennium to spend funds previously apportioned. Funds that are not used by a school district, charter school, or ESD during year one of a given biennium may be carried over and used in year two of that same biennium. Any funds that are not used by a school district, charter school, or ESD at the end of a biennium will be returned to the High School Graduation and College and Career Readiness Fund and reapportioned among all school districts and charter schools in the next biennium.~~

(4) Funds received by a school district or charter school under this section must be separately accounted for and must be used in accordance with the school district or charter school's approved biennial plan.

**Statutory/Other Authority:** Sec. 1, Ch. 1 & OL 2017

**Statutes/Other Implemented:** Sec. 1, Ch. 1 & OL 2017

**History:**

[ODE 3-2023, amend filed 01/24/2023, effective 01/24/2023](#)

[ODE 17-2019, amend filed 05/17/2019, effective 05/17/2019](#)

ODE 3-2017, f. & cert. ef. 3-1-17

[581-017-0809](#)

**Early Literacy Success School District Grants: Fund Administration**

(1) For each biennium, The Oregon Department of Education will determine the amount of grant funds from the Statewide Education Initiatives Account to be apportioned among eligible applicants for each year of the biennium.

(2) For the 2024-2025 school year, the Oregon Department of Education shall determine the portion of funds available to each eligible applicant, using K-5 data. In calculating the portion available to each eligible applicant, the Oregon Department of Education shall use the most current finalized ADMw from the State School Fund from the prior year.

(3) For the 2025-2026 school year and thereafter, the Oregon Department of Education shall determine the portion of funds available to each eligible applicant, using K-3 data. In calculating the portion available to each eligible applicant, the Oregon Department of Education shall use the most current finalized ADMw from the State School Fund from the prior year.

(4) The department will determine floor funding for each biennium while ensuring eligible applicants with an ADMw of 50 or less, but not greater than 350 ADMw, will receive a minimum grant award.

(5) If an eligible applicant does not apply for the Early Literacy Success School Grant by the close of the application period, the amount of their grant funds will revert to the Statewide Education Initiatives Account.

(6) Following approval of the grant agreement, an eligible recipient will receive payments of at least 25 percent on a quarterly basis per annual allocation. If adjustments to installment payments are required, a lower percentage may be used.

(7) Grant recipients will be eligible to expend funds until June 30 of odd years. Any allocated funds that are not used by a grant recipient by June 30 of odd years will be returned to the Statewide Education Initiatives Account. Funds that are apportioned to an eligible applicant for a given biennium must be apportioned by the school district, public charter school, or ESD in that biennium. Grant recipients will be eligible to expend funds until September 30 each year. Funds that are not used by a grant recipient during year one of a given biennium may be carried over and used in year two of that same biennium. Any allocated funds that are not used by a grant recipient at the end of a biennium will be returned to the Statewide Education Initiatives Account.

(8) Funds received by a grant recipient under this section must be separately accounted for and must be used in accordance with the recipient's grant agreement for the Early Literacy Success School Grant. A grant recipient may use funds for administrative costs, including indirect costs, directly related to allowed expenditures as provided in the grant agreement. Administrative costs are limited to five percent of the total expenditures.

(9) The Deputy Superintendent of Public Instruction shall resolve any issues arising from the administration of the Early Literacy Success School Grants not specifically addressed by this rule. The Deputy Superintendent of Public Instruction's determination shall be final.

(10) In the case of a public charter school closure that impacts a sponsoring district's allocation, the Department will determine the best way to reapportion funds based on the timing of the closure, context, and communication with the closing charter school and the sponsoring district. The Department may;

(a) Allocate what have been apportioned to the charter school to the sponsoring district at the same time as the district allocations are made.

(b) Allocate what would have been apportioned to the charter school to the charter schools successor entity.

(c) Return the apportioned amount to the Statewide Education Initiatives Account for reallocation in a subsequent fiscal year.

(11) An eligible applicant must advance the Early Literacy Success Plan with at least a 25 percent match of the allocation using any other fund sources available to the applicant.

(a) Eligible applicants are required to report the matching fund source in their application.

(b) Any eligible applicant with an ADMw of 50 or less is exempt from the matching requirement.

(c) For the 2024-2025 school year, eligible applicants may use match funding broadly to support literacy across prekindergarten through 5th grade.

(d) For the 2025-2026 school year and thereafter, eligible applicants may use match funding broadly to support literacy across prekindergarten through 3rd grade.

(12) Rules will be applied by ODE for fund administration of the Early Literacy Success Initiative beginning immediately after temporary OAR's 581-017-0800 and 581-017-0810 expire March 29, 2024.

**Statutory/Other Authority:** ORS 327.829 & ORS 327.833

**Statutes/Other Implemented:** ORS 327.825 to 327.837

**History:**

[ODE 13-2024, adopt filed 03/22/2024, effective 03/22/2024](#)

## **Summary**

**Meeting Date:** 12/5/2024

**Title:** Intensive Program– Administrative Rules/ OAR 581-017-0729 to OAR 581-017-0744

**Status:** Second Reading/Adoption (no changes)

**Presentation:** Yes

**Key Staff:** Chelsea Mabie, Sarah Dey, Tim Boyd

**Topic Summary:** The Intensive Program provides school districts with the highest needs in the states with additional support and funding. After three years of the program, these proposed rule changes reflect ODE staff and participating districts’ experience in the program. The proposed changes 1) align tribal consultation with current requirements at the Office of Indian Education’s request; 2) allow districts to participate beyond the minimum four years; 3) provide funding to participating districts to support collaboration and coordination with the Department; 4) refine exit criteria to deepen alignment with existing district requirements; and 5) make minor conforming edits throughout the ruleset.

## **ODE Education Equity**

### **Stance**

Education equity is the equitable implementation of policy, practices, procedures, and legislation that translates into resource allocation, education rigor, and opportunities for historically and currently marginalized youth, students, and families including civil rights protected classes. This means the restructuring and dismantling of systems and institutions that create the dichotomy of beneficiaries and the oppressed and marginalized.

## **BACKGROUND AND NEED**

*Members of the State Board of Education are volunteers, with existing lives and commitments. This section should provide context for this item, including any needed overviews of relevant programs or initiatives.*

**Briefly, how does this topic, program, or initiative currently operate? Where is it felt in the school setting? How does it ultimately serve students?**

The Intensive Program provides funding and support to the districts with the highest needs. Districts are selected through a combination of student outcomes and student demographic data. Currently, the program has four participating districts and will invite additional districts in early 2025. The anticipated start date for this newest cohort is July 1, 2025.

Designed as a collaborative partnership model between the district and ODE, the Intensive Program provides a systems approach through the following:

- **Student Success Team:** The Student Success Team works collaboratively with district staff, ODE staff, community members, contracted stewards, and others to make binding recommendations to improve district practice, funding, and outcomes.
- **Stewards:** Each district is assigned three stewards who bring external perspectives and deep knowledge and skills in the focal areas of leadership, teaching and learning, and community engagement. Stewards work to build trust and leverage dispositions of transformational leaders in order to attend both to climate and culture challenges as well as instructional practices.
- **ODE Internal Alignment:** Staff from across the Agency meet regularly to support Intensive Program districts in an effort to examine ways to reduce burden, align processes, and reexamine policy to dismantle systems that are detrimental to student and district success.

The Stewarding Body formally approves recommendations which have been vetted by the Advisory Body. Districts must accept and implement any recommendations connected to grant-in-aid associated with the program, as well as Student Investment Account monies. Recommendations are specific to district system needs; recommendations from current districts range from starting new CTE pathways to district community engagement assessments. Current impacts of recommendations can be felt from the classroom level (e.g. infusing educational assistants to support early literacy initiatives), to the building level (e.g. hiring Climate and Culture TOSAs at each elementary school to support building a positive climate and culture), to district levels (e.g. reviewing assessments and audits to support reflection on current systems).

**Please list the specific rule(s), statute(s), or recently passed legislation that allows the Board to take action on this item. Where are they prescriptive and where do they provide the Board and Department flexibility?**

ORS 327.222– Student Investment Account, Intensive Program. Statute provides an outline for the Intensive Program, but ODE staff do not anticipate any key decision points in these proposed rule changes to conflict with statute.  
OAR 581-017-0732 - 0744– Intensive Program rules

**Has this item come before the Board before? If so, when did the Board last take action, and what was that action?**

The Intensive Program ruleset was initially adopted by the State Board of Education on January 28, 2021. Out of the proposed changes, only the one related to collaboration and coordination funds has been the focus of additional rulemaking. The proposed rule changes would move collaboration and coordination funds from being a portion of the district's initial allocation to additional funding that all districts receive. Additional funding will particularly support small districts whose program allocation is limited.

- 9/22/21- State Board adopted temporary rules allowing collaboration and coordination funds to support implementation of the program.
- 3/25/22- State Board adopted the same rules as permanent.
- 6/23/22- State Board adopted a minor language change related to collaboration and coordination funds, specifying that they would be used during the planning phase of the program.

## Why is this item coming before the Board now?

The Intensive Program is at a key moment in implementation. Our first participating district is just over halfway through their four year partnership. This district will begin examining exit criteria and what continued support could look like in the spring of this school year. Current rules outline how improvement is measured, with both participating districts as well as districts that have declined invitation, requesting additional clarity in this area.

Since implementation began, the Agency has moved forward the Aligning for Student Success Integrated Plan. The Student Investment Account is a key component of the Integrated Application, so finding ways to align implementation and rule to reduce burden for districts is a pillar the Intensive Program wants to uphold. Updating exit criteria, as well as definitions, to align with the Integrated Application ahead of the first district exiting the program has provided the urgency to come to the Board now.

In addition, the team is preparing to invite the next round of districts in early 2025. Having rule sets that incorporate the needed shifts from what the program has learned with the first two cohorts of districts, as well as providing greater clarity around how improvement is measured, feel essential in helping invited districts have the greatest clarity around the program they are considering opting into.

## Who requested or brought about the need for this item?

- ODE Staff
- Students
- Families
- Community-Based Organizations
- Culturally Specific Organizations

# Oregon State Board of Education Docket



- School Districts
- Education Service Districts
- Charter Schools
- Oregon State Legislature
- Educational Associations
- Racial Justice Council
- Federal Government
- One or more of Oregon’s nine federally recognized tribes: \_\_\_\_\_
- Other: \_\_\_\_\_

## ENGAGEMENT STRATEGY AND LEARNINGS

*The State Board of Education expects all items that come before it be reviewed and influenced, to the greatest extent possible, by a robust community engagement process. This section should provide an overview of the role that engagement played in this item, including with Oregon’s nine federally recognized Tribes, other state agencies, and external partners.*

**Please describe your office/team engagement strategy. Who is most likely to be affected by this item, and how have they been intentionally incorporated into the engagement process?**

From the Equity Decision Tree, one of the most important questions that we considered as we planned our engagement around the proposed rule changes was how to solicit feedback in a way that builds relationships and creates a deeper sense of community. We knew that participating and invited districts were most likely to be affected as well as tribal communities in at least one participating district. We intentionally incorporated these districts as well as the Office of Indian Education in multiple rounds of engagement and ensured that their feedback was fully integrated into the proposed changes.

**After consulting with ODE’s Rules Coordinator and the Office of Indian Education, did this item require Tribal Consultation and/or Tribal Communication with Oregon’s nine federally recognized tribes? (For more information, please reference ODE’s [Tribal Consultation Toolkit](#).)**

- No
- Yes – Both Consultation and Communication.
- Yes – Only Communication.

**Has your office/team considered how this item intersects with the authority of other state entities that serve the health and education needs of Oregon’s students, or otherwise contribute to the climate of Oregon’s school systems? If so, please select from the below list, share why they are involved, and share how the Department partnered and/or gathered feedback from them.**

- N/A; this item does not intersect with other state entities.
- Oregon Health Authority (OHA): \_\_\_\_\_

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- Department of Early Learning and Care (DELIC; formerly ELD): \_\_\_\_\_
- Educator Advancement Council (EAC): \_\_\_\_\_
- Higher Education Coordinating Commission (HECC): \_\_\_\_\_
- Youth Development Oregon (YDO): \_\_\_\_\_
- Teacher Standards and Practices Commission (TSPC): \_\_\_\_\_
- Oregon Housing and Community Services (OHCS): \_\_\_\_\_
- Other: \_\_\_\_\_

## Which geographic perspectives are intentionally represented in your office/team engagement strategy?

- Northeast Oregon
- Central and Southeast Oregon
- Southwest Oregon
- Willamette Valley and Central Coast
- Northwest Oregon
- Tribal lands
- Other: \_\_\_\_\_

## Please highlight some of the key pieces of feedback your office/team received during the engagement process. How did this feedback influence the development of this item? How were differences in opinion accounted for?

The Intensive Program did multiple rounds of engagement with staff within the Office of Education Innovation and Improvement, the Office of Indian Education, the ORCA (early concept and first read), and with participating districts and steward contractors. During these engagement sessions with partners, common trends in feedback emerged:

- Strong support to allow continued participation beyond the statutorily required four years for districts, without a pause.
- A need to clarify how improvement will be measured and named in rule.
- Strong support for providing funding specifically for collaboration and coordination to strengthen implementation, especially in small districts.
- A need to refine definitions, and make small edits, to provide greater clarity for both participating districts as well as those invited.

The consistency in feedback helped prioritize areas of rules to refine as well as which areas of current rule sets needed greater clarity.

## Please describe any additional engagement opportunities your office/team will be pursuing prior to asking the Board to take action on this item.

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The team will return to the ORCA for a second read. No additional engagement opportunities are anticipated at this time.

## FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

*Equitable resource allocation is a critical component of education equity. This section should describe the fiscal, administrative, and small business impacts of this item, and how it affects the larger social system that serves Oregon's students.*

**After consulting with ODE's Rules Coordinator and Grant Consolidation Team, was this item identified as a grant-related item?**

- No
- Yes; please review Appendix B: Grant Consolidation below.

**Will Board action create fiscal or administrative impacts on districts, ESDs, community-based organizations, and/or the nine federally recognized tribes? If so, please describe the anticipated short- and long-term effects and how they may be felt differently in small, rural, or remote communities.**

**Proposed Change: Collaboration and Coordination Funds:** We anticipate that this change, which moves collaboration and coordination funds from a percentage of the district's initial allocation to additional funding, will have a positive fiscal impact on districts, especially small districts whose grant funds were significantly reduced by collaboration and coordination expenses.

**Proposed Change: Aligning Tribal Consultation with Current Requirements:** The Office of Indian Education requested that we align tribal consultation requirements for participating districts with existing ESSA requirements with the intention of reducing fiscal and administrative burden on tribes and districts.

**Will Board action create a fiscal or administrative impact on state agencies, units of local government, and/or the public? Will it increase costs associated with compliance for small businesses?**

ODE staff do not anticipate a fiscal or administrative impact on any of these entities, including small businesses.

## EQUITY IMPACT ANALYSIS

*The State Board of Education envisions an aspirational education system that honors its increasingly diverse student body and affirms every student to reach their full potential in a rapidly shifting global environment. This section should describe the impact of this item on students and the larger social system that serves their health and education needs.*

**How will Board action on this item ultimately impact students and their families, particularly those who have been and continue to be systemically marginalized?**

**Proposed Change: Collaboration and Coordination Funds:** We anticipate that this change will have an outsized importance for small and rural school districts whose limited funding can be a barrier to supporting students and their families, especially those who are systemically marginalized.

**Proposed Change: Aligning Tribal Consultation with Current Requirements:** The intent of this proposed change to the program’s approach to tribal consultation is to lessen the burden and deepen the engagement for both tribes and participating districts in order to allow both entities to better serve students and families.

**Proposed Change: Exit Criteria:** The Integrated Application hones in on four key goals and outcomes around them. By aligning exit criteria to those in the district’s Integrated Application, we’re both directing the district to focus on what we believe will support students and families, especially those who are systemically marginalized, as well as alleviating the burden of districts’ addressing multiple sets of outcomes.

**How will Board action on this item ultimately impact school district employees and volunteers, particularly those who have been and continue to be systemically marginalized?**

We anticipate that these proposed changes will result in less administrative burden and more fiscal resources to support school districts and their employees.

**What are the anticipated short- and long-term consequences of Board action on this item? Will Board action have a cumulative effect on students, families, educators, districts, or Oregon’s school systems?**

ODE staff anticipate minimal short term impacts with the most significant being that participating districts will receive additional funds to support collaboration and coordination.

ODE staff anticipate more significant long-term impacts including: reduced administrative burden for participating districts and tribes through aligned requirements and exit criteria, strengthened collaboration and coordination between participating districts and the Department through the additional funds, and, ideally, stronger district, community, and student outcomes as a result of these changes.

# Oregon State Board of Education Docket



What are the anticipated short- and long-term consequences of inaction on this item and who would experience those consequences?

If the proposed changes are not adopted, the Intensive Program will likely have a more limited impact on participating districts and communities by duplicative requirements, processes, and outcomes and limited funding to support collaboration and coordination.

## RECOMMENDED ACTION

*The State Board of Education has dedicated itself to challenging the status quo and sharing responsibility for every student's academic and lifelong success. This section should describe the choice before the Board, the Department's recommendation, and any other relevant information.*

Please provide a brief summary of the specific language your office/team is bringing to the Board. Are there are key decisions within this language that your office/team would like the Board to make?

**Proposed Change: Collaboration and Coordination Funds:** ODE staff drafted language to allow for collaboration and coordination funds, if there are available programmatic funds. Also, the language specifies that these funds– and only these funds– are not required to be approved as a recommendation by the Stewarding Body.

**Proposed Change: Aligning Tribal Consultation with Current Requirements:** ODE staff consulted OIE on this language and copied the language related to tribal consultation requirements in other areas of rule.

**Proposed Change: Refining and Aligning Exit Criteria:** ODE staff reordered the existing exit criteria to prioritize the outcomes in the district's Aligning for Student Success integrated plan and provided more specifics across all criteria.

**Proposed Change: Allowing Districts to Participate Beyond Four Years:** Current rule restates statute: districts must remain in the program for a minimum of four years. ODE staff proposed changing the rule to allow a participating district's Student Success Team to request staying in the program until the end of the fiscal biennium if the district has not yet demonstrated improvement. This would allow the district, if needed, to be reinvited into the next cohort at the end of the current biennium and ensure that support was continuous.

**Proposed Change: Minor and Conforming Edits:** Additional edits include minor language changes to definitions and requiring districts to identify a district point person.

How is this language responsive to identified needs and/or feedback received through the engagement process? How is it in alignment with [the Board's Mission, Vision, and Values](#)?

Discussions with and among participating districts, invited districts, OIE, and Intensive Program staff spurred these proposed rule changes which are deeply aligned to the Board’s equity-oriented mission, vision, and values. After multiple years of implementation, ODE staff recognized a need to adapt and innovate the current program to be more responsive to district needs, especially those serving systemically marginalized students and families. Engagement has reiterated these needs, and the proposed rule changes speak to the iterative and innovative nature of the program adjusting to current needs of districts in real-time.

**Please describe the action your office/team is recommending to the Board and how it reflects the Department’s commitment to academic excellence, belonging and wellness, and reimagining accountability.**

Following the second reading of these proposed rule changes, ODE staff recommend adoption of this item.

One of the Department’s key priorities is reimagining accountability, and the Intensive Program– and specifically these proposed changes– are deeply in alignment with the vision of this work: a vision that centers shared accountability for the success of students and families.

**Please note any additional support the Department is (or will be) providing to ensure successful implementation of this item.**

- N/A; this item does not require any additional support.
- Communications plan
- Technical assistance, professional development, and/or coaching
- Direct or differentiated support for small, rural, or remote school districts
- Corrective Action Processes
- Safety measures
- Organizational culture or practice changes (change management)
- Materials and/or supplies
- Guidance and/or supplemental resources
- Other: \_\_\_\_\_

**Has this item changed since the last Board meeting?**

- N/A; this item has not previously been before the Board
- No; same as last month
- Yes; please review Appendix A: Second Reading below.

# Oregon State Board of Education Docket



## APPENDIX A: SECOND READING

*This section should only be completed if required above. It should provide a summary of any additional engagements, learnings, or changes that have occurred since the First Reading of this item.*

**Please describe any additional engagement opportunities your office/team has pursued since the First Reading of this item. Which perspectives were intentionally included?**

Since the First Reading of this item, we presented to the ORCA on November 7<sup>th</sup>. We did not receive any additional feedback.

**Has your office/team received any additional public comment on this item? If so, who provided that comment and what feedback did they provide?**

No.

**Please describe any overall learnings that have occurred since the First Reading of this item. How were differences in opinion accounted for?**

We have not received any new learnings, but the Intensive Program staff have heard repeatedly from participating districts who are eager for news of the passed rules.

**Please provide a brief summary of the changes your office/team have made to this item since the First Reading. How are these changes responsive to identified needs and/or feedback received through the engagement process?**

N/A

## APPENDIX B: GRANT CONSOLIDATION

*This section should only be completed if required above. It should provide additional detail on how grant rules have been aligned and designed to support districts and meet administrative needs.*

**Please indicate which of the following underlying processes are required for this grant program.**

- Conduct a needs assessment
- Gather and provide additional data
- Submit an application to ODE
- Submit a report to ODE
- Submit a plan to ODE
- Submit a budget to ODE
- Conduct community engagement

Other: \_\_\_\_\_

**How has your team/office worked to encourage more equitable resource allocation and address administrative impacts, particularly for small or rural school districts? How has this grant been aligned with existing grant programs?**

Updates to 581-017-0738 Intensive Program & Student Success Teams: Criteria, Agreement and Establishing Improvement are specifically intended to address administrative impacts for districts. Namely, the focus on how schools demonstrate improvement (exit criteria) proposed language is aligned with processes and tools required in the Aligning with Student Success Application. The intention is for districts to incorporate the work they are already undertaking for that application into the Student Success Team as a means to demonstrate progress for the Intensive Program.

The inclusion of coordination and collaboration funds will positively impact all districts during implementation but will be especially helpful for small or rural participants. Currently, our smallest district is setting aside nearly a quarter of their grant-in-aid to support implementation work through staffing a District Point Person. By freeing up specific funds to support implementation, more grant-in-aid can be used to support initiatives in these districts that support students and community.

**How are the grant requirements differentiated for small and rural school districts?**

The Intensive Program rules currently include floor funding for grant-in-aid for the smallest districts since the amount of funds they would receive per their ADMw calculation would be very limited. As mentioned above, the shift in coordination and collaboration funding for implementation is particularly important for supporting small and rural districts.

Beyond funding amounts, grant agreements are the same for small or rural schools as larger districts. However, implementation for each district is specific to their context. For example, the advisory body size is adjusted and right sized for the district size.

## PROPOSED RULE REVISIONS—September 5, 2024

### 581-017-0729

#### Intensive Program & Student Success Teams: Definitions

The following definitions apply to OAR 581-017-0729 to 581-017-0744:

(1) “Advisory ~~Members~~Body” means the entity which may include the following members: Education Service District staff, additional Department staff, district contracted personnel, additional district educators (principals, teachers and paraprofessionals), students, ~~and~~ family, caregivers, and community members as defined by OAR 581-017-0729 (X).

(X) “Collaboration and Coordination” means activities and expenses that help the participating school district and the Department coordinate the program.

(X) “Community Member” means:

(a) a representative of a community-based organization, as defined by OAR 581-017-0550, that serves the local community;

(b) a representative of a culturally specific organization, as defined by OAR 581-017-0550, that serves the local community;

(c) a representation of an organization that regularly partners with the school district to network resources and assist students in meeting state and local standards, and prepare students for post high school transitions;

(d) a resident of the local community capable of representing underserved community voices, as defined by OAR 581-017-0550, or

(e) a resident of the local community capable of representing community voice, as defined by OAR 581-017-0550.

(2) “Community Steward” means the person designated by the Department who, among other things, brings expertise and experience in developing relational and operational community agreements aimed at fostering shared accountability for changing practice, policy and experiences.

(3) “Department” means the “Oregon Department of Education”.

(X) “District Point Person” means the designated school district employee who will support implementation of the program for the participating school district.

(4) “Focal Student Group” means the specific groups of students outlined in ORS 327.180(2)(b).

(5) “Initial Allocation” means the formula allocation developed for a participating school district for the first year of the program.

(6) “Leadership Steward” means the person designated by the Department who, among other things, brings expertise and experience in transformational education leadership aimed at dismantling structures of systemic oppression.

(7) “ODE Point Person” means the designated, full-time Department employee who will serve on the Student Success Team.

~~(8) “Planning Phase” means the period of time dedicated to establish the Student Success Team.~~

~~(9) “Public Charter Schools” means an elementary or secondary school offering a comprehensive instructional program operating under a written agreement entered into between a sponsor and an applicant and operating pursuant to ORS 338.~~

(10) “School Districts” means an Oregon common school district, joint school district, or union high school district.

~~(11) “Sovereign Nation” means designated representation from one of Oregon’s nine Federally recognized Native American tribes.~~

(12) “Stewarding MembersBody” are is the decision-making entity of the Student Success Team which must include the following members: the ODE point person, the Leadership Steward, the Teaching and Learning Steward, the Community Steward, the district superintendent, a school board member or community member, and a classroom teacher.

(13) “Student Success Team” includes both the Stewarding Body and Advisory Body~~means the group of Stewarding Members and the group of Advisory Members.~~

(14) “Teaching and Learning Steward” means the person designated by the Department who, among other things, brings deep knowledge and expertise in culturally responsive, sustaining and inclusive instructional practices.

(15) “Total Allocation” means the ~~four-year~~ total grant ~~in aid~~ distributed to a participating district over their participation in the program given available funds. factoring in available funds for the entire program and participating districts.

## **581-017-0732**

### **Intensive Program & Student Success Teams: Purpose**

(1) The purpose of the intensive program is to assist school districts with the highest needs.

(2) For the purpose of assisting school districts participating in the intensive program, a Leadership Steward, a Teaching and Learning Steward, and a Community Steward will work with local personnel as part of the Stewarding MembersBody of the Student Success Team.

## **581-017-0735**

### **Intensive Program & Student Success Teams: Eligibility**

(1) The Department will review district demographic data and student outcome data to determine which school districts are most in need of additional support in the form of Student Success Teams. Districts who fall into the bottom quartile of the index will be eligible for invitation.

(2) The Department will develop a list of eligible districts once per biennium.

~~(3) Public Charter Schools are not eligible to participate or receive funding.~~

## 581-017-0738

### Intensive Program & Student Success Teams: Criteria, Agreement and Establishing Improvement

(1) The department will prioritize districts with the greatest need as determined by a review of data. ~~Districts with the highest need will receive priority.~~ Given available resources, the department will determine the number of districts to include in the program.

(2) The Department will invite a minimum of three school districts and no more than 10 districts per biennium.

(3) Acceptance of the invitation requires:

(a) ~~Participation in the program for a minimum of four years;~~

~~(x) Execution of a grant agreement to receive grant-in-aid:~~

~~(A) Grant-in-aid will continue until June 30<sup>th</sup> of the participating district's final school year of program participation; Four-year participation in the program that starts with the execution of grant agreements for additional funding; and~~

~~(x) Including the Intensive Program into district requirements to engage in Tribal Consultation with Tribal Nations, for affected districts under Section 8538 of the Every Student Succeeds Act;~~

~~(x) Commitment to scheduling and supporting regular Student Success Team meetings;~~

~~(x) Ensuring that the decision-making process of the Stewarding Body centers students' perspectives, including represented focal student groups, as appropriate given the district's demographics.~~

~~(b) Commitment to membership and representation on the Student Success Team, whether by formal participation or through consultation, the experiences of the following perspectives, where applicable, must be included in decision-making considerations by the group of Stewarding Members:~~

~~—— (A) Focal student groups~~

~~—— (B) General student body~~

~~—— (C) Sovereign nation leadership~~

~~(x) Identifying a District Point Person to support the Intensive Program within the district for each year of participation;~~

(c) Acceptance and implementation of the recommendations of the Student Success Team pursuant to terms outlined in ORS 327.222.

(4) At the end of the ~~fourth year of participation, four years, participating~~ school districts will have demonstrated improvement when:

~~(a) The Student Success Team determines the district has made progress in achieving the stated outcomes outlined in the district's Aligning for Student Success integrated plan;~~

~~(b) A needs assessment, including community engagement, indicates that sufficient progress has been made;~~

~~(c) The school board and Student Success Team have established a sustainability plan to maintain and build on the progress and improvements made; and~~

~~(d) Student outcome data has improved since initial identification as measured by:~~

~~\_\_\_\_\_ (A) Initial eligibility data; or~~

~~\_\_\_\_\_ (B) The district is on-track to meet their longitudinal performance growth targets outlined in their Student Investment Account grant agreement.~~

~~(5) Whether a participating district has demonstrated improvement will be determined by a progress monitoring tool created by the Department using the criteria outlined in OAR-581-017-0738 (4).~~

~~(6) At the end of the fourth school year of participation, the Student Success Team may request that the district remain in the Intensive Program until the completion of the current fiscal biennium if the district has not yet demonstrated improvement.~~

~~(a) Student outcome data has improved to a point where the district would not be eligible for the program; and~~

~~— (b) The Student Success Team determines the district has made progress in achieving the stated goals; and~~

~~— (c) A community assessment indicates that sufficient progress has been made; and~~

~~— (d) The school board and success teams have established a sustainability plan to preserve the progress and improvements made.~~

## **581-017-0741**

### **Intensive Program & Student Success Teams: Funding**

(1) The Initial Allocation will be determined as follows:

(a) Available funds will be distributed at a rate of \$300 / ADMw.

(b) The maximum allocation a district will receive will not exceed \$5,000,000.

(c) The minimum allocation a district will receive will not fall below \$500,000.

(2) The Total Allocation for the four years will be determined using a tapered distribution over the course of four years.

(3) Additional funding for subsequent years of participation will be determined based on the district's need to sustain existing initiatives and the available grant-in-aid funds available for the program.

(4) The Department will provide additional funds to each participating district on an annual basis to support collaboration and coordination of the program at the district level.

(a) The Department will determine additional funding to participating districts only if there are available programmatic funds;

(b) Each district's funding allocations will be based on a calculation determined by the Department;

(c) These funds are part of the participating district's Total Allocation;

(d) These funds will be available for the duration of the district's participation in the program;

(e) The participating district shall ensure that these funds are spent in accordance with federal and state law as well as Department guidance to support collaboration and coordination; and

(f) These funds are not required to be approved as a formal recommendation by the Stewarding Body.

~~(3) A portion of the Initial Allocation of at least \$50,000 but not to exceed 5% of the participating district's Initial Allocation may be used to support coordination and collaboration in the Planning Phase between The Department and the participating district.~~

~~(54) With the exception of the collaboration and coordination funds referenced in 581-017-0741(3), all remaining funds will be spent in accordance with recommendations from the Student Success Teams, including whether or not to sustain the expenditures for coordination and collaboration in subsequent years of participation.~~

## **581-017-0744**

### **Intensive Program & Student Success Teams: Reporting**

Participating school districts must provide reports in the manner and form required by the Department and in accordance with ORS 327.222.

**Permanent Rules for House Bill 4084 Implementation**  
**Pilot Grant to Improve Educational Outcomes of Foster Care Students**

○ [581-017-0915](#)

○ **Definitions**

The following definitions apply to OAR 581-017-0915 to 581-017-0930:

- (1) “Foster Care Student Success Pilot Grant” means the grant established by Oregon Laws 2024, chapter 33, sections 1 to 6 pursuant to House Bill 4084 (2024).
- (2) “Education advocate” means a person who:
  - (a) Provides advocacy, guidance, and support for a foster child student for educational purposes during the course of this grant; and
  - (b) May or may not be the same person as the designated foster care point of contact.
- (3) “Foster child student” means a student enrolled in middle school or high school who is:
  - (a) In the care and custody of the Department of Human Services pursuant to the provisions of ORS chapter 418 or 419B and is placed in substitute care;
  - (b) A ward, as defined in ORS 419A.004, who remains in the legal custody of the ward’s parent or who is in the care and custody of the Department of Human Services but who is residing with the ward’s parent.

Statutory/Other Authority: House Bill 4084 (2024)

Statutes/Other Implemented: House Bill 4084 (2024)

History:

[ODE 41-2024, temporary adopt filed 06/24/2024, effective 06/24/2024 through 12/20/2024](#)

○ [581-017-0920](#)

○ **Selection**

The Department of Education shall select three public middle or high schools in accordance with Oregon Laws 2024, chapter 33, sections 1 to 6 pursuant to House Bill 4084 (2024).

Statutory/Other Authority: HB 4084 (2024)

Statutes/Other Implemented: HB 4084 (2024)

History:

[ODE 41-2024, temporary adopt filed 06/24/2024, effective 06/24/2024 through 12/20/2024](#)

○ [581-017-0925](#)

○ **Funding**

- (1) Each biennium, the Department of Education will determine the funds available for the Foster Care Student Success Pilot Grant and the distribution of grant funding to eligible grant recipients.
- (2) Funds received by a grant recipient under this section must be separately accounted for and may be used only for the purposes described in the grant agreement.
- (3) A grant recipient may use up to five percent for administrative costs, including indirect costs, as determined by the grant agreement.

Statutory/Other Authority: HB 4084 (2024)

Statutes/Other Implemented: HB 4084 (2024)

History:

[ODE 41-2024, temporary adopt filed 06/24/2024, effective 06/24/2024 through 12/20/2024](#)

○ [581-017-0930](#)

○ **Reporting**

- (1) Grant recipients must report on the grant in the manner and form required by the Department of Education.
- (2) The Department may require grant recipients to submit a final report prior to receiving their final request for funds.

Statutory/Other Authority: HB 4084 (2024)

Statutes/Other Implemented: HB 4084 (2024)

History:

[ODE 41-2024, temporary adopt filed 06/24/2024, effective 06/24/2024 through 12/20/2024](#)

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 3.C.

<p><b>SUBJECT:</b> OAR 581-017-0915, OAR 581-017-0920, OAR 581-017-0025, and OAR 581-017-0930   Pilot Grant to Improve Educational Outcomes of Foster Care Students</p> <p><b>STAFF NAME &amp; OFFICE:</b> Marlie Magill and Cynthia Stinson; Office of Teaching, Learning, and Assessment</p> <p>With the passage of House Bill 4084, permanent rules are needed to implement a pilot grant program to meet the educational needs of students in foster care. Temporary rules were passed in June and will expire in December.</p> <p><input checked="" type="checkbox"/> <b>New Rule</b> <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> <b>First Reading</b> <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p>
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## BACKGROUND

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Per HB 4084, the department shall use moneys in the Statewide Education Initiatives Account to provide funding for a pilot program (considered a statewide education plan for purposes of ORS 327.254.) The program is aimed at meeting educational needs of students in foster care and improving academic outcomes, and the bill directed ODE to select three schools (middle or high schools) to participate. These schools are required to ensure that foster child students are provided access to an educational advocate who will provide guidance and educational support. The Department of Education shall also submit reports concerning the pilot program to the interim committees of the Legislative Assembly related to education in September of 2025 and 2027.

The provisions of the pilot program and its implementation, as articulated in the bill, lacked clarity with regard to definitions, selection, funding, and reporting. These rules were written to provide:

- Clearer definitions for key terms such as “foster child student” and “education advocate,” which are critical to understanding which students may participate in the pilot programs and the role of facilitators
- Insight on the grantee selection process and expectations for reporting
- Clarity on the appropriate use of funds related to this grant

The parameters outlined by these rules provide the selected schools with the necessary autonomy and discretion to implement a program that reflects the unique needs of their students in foster care.

The provisions established by HB 4084 required selected schools to create a pilot program from the grant funds; however, further detail was not provided on the administration of the grants.

# Oregon State Board of Education

**December 5, 2024**

AGENDA ITEM: 3.C.

Temporary rules were passed on Jun 13, 2024 to provide more detailed guidance. The purpose of this request is to make those Temporary rules permanent.

The draft rules were written by an internal cross-agency team within ODE and external partners including the ODE Foster Care Team, ODE Grant Consolidation Team, and ODHS’s Child Welfare Education Program Coordinator. The ODHS Coordinator assisted with the Definitions rule, ensuring that the pilot program’s definition of “foster child student” is in alignment with definitions used by ODHS and ODE. The Office of Indian Education provided feedback on the bill analysis during session, indicating there would be no tribal impact from this bill and pilot program directly. The Foster Care Team is working with WestEd to develop a reporting plan that will summarize the outcomes related to this pilot program and make recommendations for statewide action to benefit students in foster care. Within that process, the Foster Care Team will continue communicating with the Office of Indian Education to ensure tribal impact is considered when making recommendations for further statewide efforts to support foster child students.

The timeline established by HB 4084 required that participating districts receive grant funds by **July 1, 2024**, with the grant sunset on **June 30, 2025**. This constituted an immediate need for temporary rules to be passed and resulted in a timeline that limited opportunity for community engagement. Further opportunities for community engagement have been, and will continue to be utilized. Each participating school has had the opportunity to identify programmatic needs and speak to the unique needs of students in foster care in their schools. This has been done through monthly meetings, continued correspondence as programmatic developments have taken place, and mutual feedback discussions in which selected schools have been able to name areas of growth or concern, potential barriers that the Foster Care Team may help address, and moments of success as this pilot program has gotten underway. Due to the specific limited nature and purpose of these rules, engaging with parties outside the pilot program may not provide the most relevant insight. Thus, those engaged have been school administrators in participating schools, those in the district fiscal department, Title I and Foster Care Program coordinators, local ODHS offices, and state-level ODHS education representatives.

## **SUMMARY OF PREVIOUS BOARD ACTION**

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These rules were adopted by the Board as temporary rules on June 13<sup>th</sup>, 2024. Following adoption, they were presented to the Board for a First Reading a permanent rules on October 17<sup>th</sup>, 202, and are now being brought forward again for potential adoption.

## **HAS THE RULE CHANGED SINCE LAST BOARD MEETING?**

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

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 3.C.

No; same as last month

Yes – As follows:

\* The proposed permanent rules are identical to the previously adopted temporary rules; no changes or updates were made since their adoption or since the First Reading.

## POLICY ISSUE OR CONCERNS

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Students in foster care disproportionately experience high chronic absenteeism, exclusionary discipline, and special education designations compared to their peers. Despite these areas of need, this population of students has not previously had any fiscal assistance specifically targeted at improving their educational experiences or outcomes. This program brings additional awareness to the unique needs of this population and may highlight current gaps in district and community services. Ideally, this pilot program will produce learnings that inform longer-term efforts to address educational disparities experienced by students in foster care.

The proposed rules provide clearer definitions for key terms such as “foster child student” and “education advocate,” which are critical to understanding who may participate in the pilot program and who may facilitate it. The rules also provide insight on the selection process, appropriate use of funds, and expectations for reporting. Within the space of required reporting, the selected districts will have discretion to implement a program that reflects the unique needs of their students in child welfare foster care.

Because the pilot program is for just two years and students in foster care may need support through graduation, the proposed rules were written to allow districts greater flexibility in their program implementation. As the experts in their communities, the selected schools have been able to determine what program design will best serve their specific community of students. This flexibility has allowed each selected school to develop unique collaborative relationships with community partners such as behavioral health departments, community colleges, and service coordinators to aid in the effective implementation of this pilot program.

The rules also provide the grantees with additional specificity regarding who the funds will serve and provide autonomy for how those funds are invested. The ODE Foster Care Team has created a contract with WestEd to develop an evaluation plan. This plan will help the ODE Foster Care Team pursue community engagement throughout the reporting process. Within that, we intend to seek opportunities for engagement and youth voice, to identify how future supports can build upon this program and expand services to improve the educational experiences for students experiencing foster care.

As we have begun engaging with schools on their plans for implementation, we have been able to see how the temporary rules have enabled the grantees to target needs related to graduation and school completion based on their direct work with students. Because data suppression policies and confidentiality measures might significantly limit what academic

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outcome data can be analyzed and/or shared in the legislative reports, it has been beneficial for schools to have the flexibility to make adjustments to their approach.

While this pilot program does have the potential for positive impact, it is also critical to anticipate potential barriers to its success. Federal mandates regarding education rights for foster care students are vague in interpretation and application. Consequently, there may be differing opinions about whether this pilot program aligns with federal requirements related to privacy and confidentiality, equal educational opportunities, and special support programs. As such, ODE's Foster Care Team has continued to engage with and advise grantees on what state and federal guidance should be considered when developing outcomes measures.

Additionally, students in foster care have only recently been identified as a student group for whom data and outcomes should be independently collected and evaluated. As a result, funding priorities have not historically included this population. These limitations on both resources and data have affected ODE's ability to develop historical context to pull from when drawing conclusions about areas of need. It has also limited the means by which these needs, when identified, may be addressed.

The amount of money allotted for this pilot program may also create limitations, as it is a relatively small grant. Consequently, identified areas of need for students in foster care may extend beyond what can be addressed and supported by the current allocation of funds. The selected schools, however, have been able to operate within the provisions of HB 4084 and the corresponding temporary rules to develop effective implementation plans. What these schools are able to demonstrate as this program progresses may be used to help inform larger-scale efforts to address the educational needs of students in foster care.

Non-participating school districts may have questions about the selection process and why they did not have the opportunity to participate, as this pilot is not a competitive formula grant. Because an ideal result of this pilot program is an overall emphasis on foster care student support, ODE will be working with WestEd to determine the most effective approach for gaining insight from non-participating schools on how this pilot program may lay a groundwork for long-term student success goals. Diverse representation and stakeholder voice will be a vital contribution to these future efforts.

Our team has also been considering the potential for barriers within the Foster Care Program as a whole. The Foster Care Team at ODE is robust, despite being relatively new in its conception. ODE's communication and partnership with district Foster Care Points of Contact/Liaisons is a critical aspect of preserving the educational rights and opportunities of students in foster care. Through monthly Office Hours, Federal Programs Monitoring, and direct case-management, ODE program staff work hard to ensure districts are aware of foster care student rights under the Every Student Succeeds Act (ESSA), and that their policies and protocols reflect that. Because these technical assistance and support efforts are still

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underway, there is potential for programmatic barriers if the roles and operations associated with the pilot program conflict with those of the existing Foster Care Program.

For example, the district Foster Care Liaison is the appropriate district point of contact to receive foster care identification notices and forms. Due to concern that this role may be confused or conflated with that of the liaison and, as a result, critical information not ending up with the correct parties, the ODE Foster Care Team has worked with the participating schools to ensure they are actively engaging all relevant parties. The grantees were expected to develop a Project Plan, and strategizing around how these roles may collaborate was an established action named in this plan.

Additionally, ODE's partnership with ODHS has allowed for this agency to play an active role in the implementation of this program at the local level. This has led to ODHS and the selected schools developing a collaborative process for referring students and families to the pilot program, thereby ensuring that sensitive student information remains with the appropriate parties.

## **EQUITY IMPACT ANALYSIS**

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HB 4084 focuses on providing educational support and advocacy for students in foster care. Foster care youth are a historically underserved population. Additionally, students in foster care are also statistically more likely to receive special education services, experience housing instability, receive exclusionary discipline, experience chronic absenteeism, and to be members of the LGBTQ2SIA+ community. Thus, students who will be participating in this pilot program are more likely to represent multiple identities within underserved communities. Currently, ODE's Foster Care Team is working with WestEd to determine the most effective data-collection practices for a program of this scope. It will be critical to collect and reflect on data related to student participation, services, and outcomes. At the same time, it will be critical to ensure these reflections can be shared in a meaningful way while maintaining confidentiality. ODE has been, and will continue to engage with participating schools, WestEd, and ODHS to strategize around analyzing equity impact given existing laws and policies. All of these partners will provide important feedback on the demographic of participating students, if/how outcomes progress over time (once the program has had time to get underway in selected schools,) and how students themselves may be engaged as they receive and continue to utilize these services.

## **FISCAL ANALYSIS**

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A total of \$450,000 may be distributed for the implementation of the grant. The rules authorize ODE to distribute these funds to the three selected districts. The Funding section of the proposed rules specifically has offered guidance on the appropriate use of funds and fund distribution.

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## EFFECT OF A "YES" OR "NO" VOTE

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A yes vote will make the existing temporary rules permanent and maintain continuity in the administration of the grant program outlined in House Bill 4084. This pilot program is intended to provide support for foster care students to improve their educational outcomes.

Should the board vote no, the expectations and provisions established by these rules may be disrupted, which would create confusion for the selected schools. As a result, ODE would experience barriers in continuing to implement the grant program and fulfill the bill requirements.

## STAFF RECOMMENDATION

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

## ATTACHMENTS

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- [HB 4084 \(2024\)](#)
- Temporary Rules:
  - [Definitions: 581-017-0915](#)
  - [Selection: 581-017-0920](#)
  - [Funding: 581-017-0925](#)
  - [Reporting: 581-017-0930](#)
- [ORS 327.254](#)
- [ORS 339.133](#)
- [Foster Care Race Statistics | The Annie E. Casey Foundation - The Annie E. Casey Foundation \(aecf.org\)](#)

## **Immigrant / Refugee Student Success Plan Draft Rules**

### **581-017-~~XXXX~~0885 Definitions <sup>1</sup>**

The following definitions apply to OAR 581-017-~~0885XXXX~~ to 581-017-~~XXXX~~0910:

- (1) “Immigrant” means an individual who was born in another country and permanently resides in the United States.
- (2) “Asylum Seeker” means a person who has or is actively seeking protection and/or permanent relocation from inside of the U.S. due to having experienced grave danger because their home government is unwilling or unable to protect them or may be actively persecuting them.
- (3) “Refugee” means a person who has or is actively seeking protection and/or permanent relocation from outside of the U.S. due to having experienced grave danger because their home government is unwilling or unable to protect them or may be actively persecuting them.
- (4) “English Learner” means students who receive English language instruction, support, and services as part of an English language development (ELD) program as English learners.
- (5) “Multilingual Learners” means students who speak multiple languages and may or may not be eligible to receive English language instruction, support as part of an English language development (ELD) program.
- (6) Asexual means a person who does not experience sexual attraction, but could still experience other forms of attraction (e.g. emotional, intellectual).
- (7) Agender means a person who does not identify with a specific gender or feels neutral when it comes to their gender identity.
- (8) Bisexual means a person who is attracted to more than one gender.
- (6) Cisgender means a person who feels their gender identity and expression align with the gender they were assigned at birth or by society.
- (9) Community-Based Organization means a nonprofit organization that is reflective of a community or significant segments of a community it seeks to serve.
- (10) Community Voice means that members representing the community served by the project will be involved in co-constructing the project design, implementation, and/or providing strategic guidance in final decision-making.
- (11) Culturally Specific Organization means an organization that serves a particular cultural community and is primarily staffed and led by members of that community; these organizations demonstrate: intimate knowledge of lived experience of the community, including but not limited to the impact of structural and individual racism or discrimination on the community; knowledge of specific disparities, barriers or challenges documented in the community and how that influences the structure of their program or service; commitment to the community’s strength-based and self-driven thriving and resilience; ability to describe and adapt their services to the community’s cultural practices, health and safety beliefs/practices, positive cultural

identity/pride, religious beliefs, etc.

(12) Department means the Oregon Department of Education.

(13) Disproportionate refers to unequal or inequitable differences in access and outcomes that historical and current-day White supremacy has created between certain families, children and students. What is “proportionate,” however, must also be critically analyzed and addressed in terms of its values, intent, and ideology.

(14) Gay means a person who is attracted to a person of the same gender.

(15) Lesbian means a woman-identified person who is attracted to women.

(16) Non-binary/Genderqueer means people whose gender is not exclusively male or female, including those who identify with a gender other than male or female, as more than one gender, or as no gender.

(17) Partnership means a group of organizations, Tribes, districts or individuals who agree to work together with a common interest and shared vision. In a partnership, there is a high level of trust and 2-way communication, and differences in power and privilege are addressed. Roles and responsibilities on all sides are well-defined and developed with shared authority in decision making. There might be shared space and staff, with expectations and agreements in writing.

(18) Plan Student means a student enrolled in early childhood through post-secondary education who:

(a) Is an asylum seeker, a refugee or any other immigrant, regardless of status; and

(b) Has experienced disproportionate results in education due to current and historical practices and policies, as identified by the State Board of Education by rule.

(19) Transgender: A person who feels their gender identity and expression do not align with the sex they were assigned at birth or by society.

(20) Two-Spirit ~~is~~ means a term used within some Indigenous communities, encompassing cultural, spiritual, sexual and gender identity. The term reflects complex Indigenous understandings of gender roles, spirituality, and the long history of sexual and gender diversity in Indigenous cultures. Individual terms and roles for Two-Spirit people are specific to each nation.

Stat. Auth. Section [ORS 329.849](#)—, [House Senate Bill 1532](#)—

Stat. Implemented: [ORS 329.849](#)—, [House Senate Bill 1532](#)—

[History: ODE 40 – 2024, temporary adopt filed 06/14/2024, effective 6/14/2024 through 12/10/2024](#)

*Notes: All definitions should be in alphabetical order. Definitions are useful to: (1) Limit or extend the meaning of a word, particularly if the word is used in other than its normal sense or has several meanings. (2) Translate technical terms or words of art into common language. “XXXX” is a placeholder for numbers received from the Secretary of State’s office.*

### **581-017-~~XXXX~~0890 Establishment**

(1) There is established the Immigrant Refugee Success Plan Grant Program to support early learning hubs, providers of early learning services, school districts, education service districts, post-secondary institutions of education, and Community-Based

Organizations who are working to design, implement, improve, expand, or otherwise revise programs and services for Plan students.

- (2) The programs and services to be provided under the Grant must implement one or more of the strategies or address one or more of the objectives included in the Immigrant Refugee Success Plan
- (3) Subject to available funds, the Department of Education shall award Grants based on a detailed description of proposed programming or services. The programs or services may include:
  - a. The scale-up of an existing program or project; and/or
  - b. The implementation of a new program or project.
- (4) The purpose of the Grant program is to provide funds to applicants that document an understanding of the unique needs of Immigrant and Refugee students, have the potential to become exemplar programs, and who create collaborative practices relating to strategies outlined in the Immigrant Refugee Success Plan.

Stat. Auth. Section [ORS 329.849](#), [House Senate Bill 1532](#)

Stat. Implemented: [ORS 329.849](#), [House Senate Bill 1532](#)

*Notes: It may not be necessary to establish the grant program by rule if the program is already established in statute.*

### **581-017-~~XXXX~~0895 Eligibility**

- (1) The Department will establish a process for eligible entities to apply for a Immigrant Refugee Success Plan Grant.
- (2) To be eligible to receive a Grant, an applicant must:
  - (a) Be a Community-Based Organization, early learning hub, provider of early learning services, school district, education service district, tribe, or post-secondary institution of education; and
  - (b) Demonstrate [the outcomes of the proposed project are to benefit and serve plan students and their families.the majority of the students served by the proposed project are students served by the plan and their families.](#)
  - (c) [Demonstrates alignment between the project and the strategies of the Immigrant Refugee Student Success Plan.](#)

Stat. Auth. Section [ORS 329.849](#), [House Senate Bill 3233 1532](#)

Stat. Implemented: [ORS 329.849](#), [House Bill Senate Bill 3233 1532](#)

*Notes: In determining eligibility first review the statute that established the grant program. Eligibility must be consistent with the statute. Also review any documents that express the intent of the particular grant. These may include the enabling legislation or legislative testimony.*

**581-017-XXXX 0900 Criteria**

(1) The Department will award Grants to eligible entities based on the following criteria:

- (a) Whether the proposed project successfully implements the strategies provided in the Immigrant Refugee Success Plan;
- (b) Whether the applicant authentically and consistently engages Community Voice in the proposed project; and
- (c) Whether the applicant demonstrates equitable distribution of Grant funds and resources in Partnership.

(2) The Department may give priority to applications that:

- (a) Are led by Culturally Specific or Community-Based Organizations that represent Immigrant Refugee communities;
- (b) Demonstrate authentic and on-going Partnerships with Community-Based Organizations, Culturally Specific Organizations, school districts, early learning hubs, educational service districts, providers of early learning services, post-secondary institutions of education, or tribe(s);
- (c) Will help ensure geographic diversity of the Grant program by including rural communities or other underserved communities with large Immigrant Refugee student populations; or
- (d) Address a strategy or an objective of the Immigrant Refugee Success Plan that requires additional support, as determined by the Department.
- (e) Address strategies or objectives that are common across the African American/Black Student Success Plan, Latino/a/x and Indigenous Student Success Plan and/or the American Indian/Alaska Native Student Success Plan, the LGBTQ2SIA+ Student Success Plan, ~~t~~The Native Hawaiian/Pacific Islander Student Success Plan and communities.

Stat. Auth. Section ORS 329.849, House Senate Bill 1532  
Stat. Implemented: ORS 329.849, House Senate Bill 1532

*Note: In determining the criteria for the grant, have you considered the Equity Lens adopted by the OEIB.*

## 581-017-~~XXXX~~0905 Funding

- (1) Applicants must submit a detailed budget that explains how Grant funds will be used.
- (2) Administrative costs, which include indirect costs, will be allowed as a percentage of the Grant funds disbursed as follows:
  - (a) Up to five percent for school districts, education service districts, early learning hubs, or post-secondary institutions of education; or
  - (b) Up to fifteen percent for tribal governments, community-based organizations, or providers of early learning services.

Stat. Auth. Section [ORS 338.155 & ORS 329.849](#), [House Senate Bill ~~3233~~ 1532](#)

Stat. Implemented: [ORS 329.849](#), [House Senate Bill ~~3233~~ 1532](#)

*Notes: In determining funding, you should review the amount available for the grant, how many recipients will be awarded the funds and determine whether there should be a minimum or maximum grant amount. You should also consider whether the grant amount should be done based on the number of students in a district. ADMw is one method of “counting” students but there are others.*

## 581-017-~~XXXX~~0910 Reporting

1. Grant recipients must report project or program outcomes in the manner and form required by the Department of Education.

Stat. Auth. Section [ORS 329.849](#), [House Senate Bill 1532](#)

Stat. Implemented: [ORS 329.849](#), [House Senate Bill 1532](#)

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<p><b>SUBJECT:</b> Immigrant and Refugee Student Success Plan (Senate Bill 1532); Definitions OAR 581-017-0885; 581-017-0890 Establishment; 581-017-0895 Eligibility; 581-017-0900 Criteria; 581-017-0905 Funding; 581-017-0910 Reporting</p> <p><b>STAFF NAME &amp; OFFICE:</b></p> <p>Deb Lange, Assistant Superintendent Mariana Praschnik-Enriquez, Director Heidi Harless, Immigrant Refugee SSP Coordinator Mujidat Saaka, Immigrant Refugee SSP Coordinator</p> <p>The purpose of coming before the Oregon Department of Education State Board of Education is to share proposed adoption of permanent rules for the Immigrant and Refugee Student Success Plan that is to be established under Senate Bill 1532. Areas that are addressed in these permanent rules are: the OARs for Definitions; Establishment; Eligibility; Criteria; Funding; Reporting. During the 2024 legislative session, the Oregon Department of Education was provided \$4M in GIA per biennium, with \$2M in funding provided for the last year of the 23-25 biennium through Senate Bill 1532. This funding will establish a grant program which supports the implementation of the Immigrant and Refugee Student Success Plan strategies. The requested permanent rule set will allow for the grant program's establishment and implementation. This permanent rule language is rooted in three community engagement sessions and internal ODE review. This is the first time that this rule set is being presented for permanent rule adoption. OEDI seeks adoption of permanent rules.</p> <p><input checked="" type="checkbox"/> New Rule <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> <b>First Reading</b> <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation</p>
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## BACKGROUND

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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?
    - i. The passage of Senate Bill 1532 (SB 1532) during the 2024 legislative session provided funding for the implementation of the Immigrant and Refugee Student Success Plan (I/R SSP), the assembly of a statewide advisory group, and the \$4M in GIA provided per biennium beginning in 2025-27, with \$2M in funding provided for the last year of the 23-25 biennium. The permanent rules being presented today will allow for the establishment and implementation of the grant program.
  - b. What is the current requirement in rule or statute?



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- Advisory, and student voice. This feedback informed the development of permanent rules.
- ii. Permanent rules and an interim Immigrant Refugee Student Success Plan are required to establish a grant program. ODE is convening a task force of key perspectives and community voices to inform the development of the Interim Immigrant Refugee Student Success Plan over the next weeks. This task force will also engage in review of the permanent rules and provide perspective and feedback to inform the development of permanent rules that ODE will seek adoption for before January of 2025.
  
  - e. What additional information does the Board need prior to moving forward?
    - i. Permanent rules are being proposed to allow the Department to continue the Immigrant/Refugee Student Success Plan (I/R SSP) OAR development process as soon as possible thus ensuring that program funds can be allocated during the 2023-2025 biennium. ODE staff comes before the Board to propose draft Permanent rules.

## SUMMARY OF PREVIOUS BOARD ACTION

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- 1. Has this been before the board before? If so, what action did the board take?
  - i. Permanent OARs are being presented here for the first time.

## HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

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- N/A; first read—hasn't been before board
- No; same as last month
- Yes – As follows: (bold text was added to the rules)

We received feedback from the State Board of Education, OEDI Leadership, and reviewed HB3144. Based on feedback the language in statute ORS 329.849 that states

*“Section 6 (c): A grant may not be awarded to a community-based organization that has a representative on the advisory group established under subsection (2)(b) of this section.”*

was not included in the Eligibility OARs. The text in blue was added to maintain alignment among all Student Success Plans. The prioritization of alignment is documented in HB3144.

581-017-0895 Eligibility

(1) The Department will establish a process for eligible entities to apply for a Immigrant Refugee Success Plan Grant.

(2) To be eligible to receive a Grant, an applicant must:

(a) Be a Community-Based Organization, early learning hub, provider of early learning services, school district, education service district, tribe, or post-secondary institution of education; and

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**(b) Demonstrate the outcomes of the proposed project are to benefit and serve plan students and their families.** ~~The majority of the students served by the proposed project are students served by the plan and their families.~~

**(c) Demonstrates alignment between the project and the strategies of the Immigrant Refugee Student Success Plan.**

## 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, 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?
    - i. Through the community engagement processes described above, ODE has engaged with Immigrant/Refugee Student Success Plan (I/R SSP) advocates across the state and in a variety of contexts.
  - b. Who are the historically underserved groups affected?
    - i. The plan is designed to support Immigrant/Refugee students. The community engagement sessions highlighted that Immigrant/Refugee students and families have unique needs that make entering or accessing education challenging including: financial barriers such as housing instability or earning income for older students, safety and confidentiality concerns around immigration and asylum status, less support for older newcomer and ELL students who are at or nearing 18 or have recently graduated, lack of language supports in academic programs, specifically naming CTE, and supporting students who have been pushed out or are currently disengaged from school.
      - a. 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. OEDI is committed to ongoing and deep engagement and alignment of Student Success Plans, which include the American Indian/Alaska Native Student Success Plan implemented out of the Office of Indian Educations.
      - b. 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. The development and presentation of a permanent rule set to implement the Immigrant/Refugee Student Success Plan (I/R SSP) grant program is evidence.
2. Negative/Positive Effects
  - a. What is the impact on the population most affected by this rule that the board should consider?
    - i. The department is hopeful that this ruling will lead to increased programming to support Immigrant/Refugee students and families across the

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state as well as allow the state to identify best and promising practices for accomplishing the statutory objectives of the Immigrant/Refugee Student Success Plan (I/R SSP) that can be scaled up and implemented across the state by Local Education Agencies to improve Oregon's education system.

- b. What is the impact on eliminating the opportunity or achievement gap?
  - i. This permanent rule is designed to establish the parameters for the various OARs that guide the Immigrant/Refugee Student Success Plan (I/R SSP) as well as the distribution of Grants in Aid funding allocated by the Oregon Legislature for the purpose of identifying best and promising practices for accomplishing the statutory objectives of the Immigrant/Refugee Student Success Plan (I/R SSP).
- c. Have all the potential unintended consequences been considered?
  - i. The program is designed to address the achievement gaps for Immigrant/Refugee students.
- d. Does this rule advance the 40/40/20 goals?
  - i. Yes
- 3. What are the barriers to more equitable outcomes, either:
  - a. State or federally mandated?
    - i. None known/identified
  - b. Political?
    - i. There may be opposition to the rule's focus on supporting I/R students with some groups.
  - c. Emotional?
    - i. Ongoing discrimination against Immigrant/Refugee students in the schools has been shown to have disproportionately higher negative academic and emotional outcomes, which may pose challenges to grantees and the youth they serve within program implementation.
  - d. Financial?
    - i. The Immigrant/Refugee Student Success Plan (I/R SSP) will provide funding to support one of our most vulnerable populations, our Immigrant and Refugee students.
  - e. Programmatic?
    - i. Immigrant/Refugee Student Success Plan (I/R SSP) will provide funding to support one of our most vulnerable populations; our Immigrant and Refugee students.

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## EQUITY IMPACT ANALYSIS

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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. This rule set is designed to support the needs of Immigrant/Refugee students and families and is based on community and internal ODE engagement.
  - 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.
    - i. The Immigrant/Refugee populations will be affected by this rule set
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.
  - i. The Immigrant/Refugee populations will be affected by this rule set. Through the implementation of the Immigrant/Refugee Student Success Plan grant program, best and promising practices will be identified for the purpose of scaling across local education agencies throughout the state to improve Oregon educational systems to better serve Immigrant/Refugee youth.
3. Explain how the rule change, policy, or action works toward the elimination of either (one or both):
  - a. the achievement gap
    - i. The Immigrant/Refugee Student Success Plan (I/R SSP) is designed to support the achievements, opportunities, and sense of belonging for Immigrant/Refugee students across Oregon. This grant program will allow for the implementation of programming in a wide array of local communities that will support the plan's strategies.
  - b. the opportunity gap
    - i. The Immigrant/Refugee Student Success Plan (I/R SSP) is designed to support the achievements, opportunities, and sense of belonging for Immigrant/Refugee students across Oregon. This grant program will allow for the implementation of programming in a wide array of local communities that will support the plan's strategies.

## FISCAL ANALYSIS

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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:

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1. How does the proposed rule fit within the budget of the agency?
  - a. Which units/divisions/offices will be impacted and how?
    - i. These permanent rules allow for the expenditure of Grants in Aid funding allocated to the agency for this purpose.
    - ii. The grant program funds will be allocated to eligible entities through the Office of Equity, Diversity, and Inclusion within ODE.
2. How does the proposed rule change impact school districts and ESDs?
  - i. The rule will provide Early Learning Hubs, providers of early learning services, school districts, Educational Service Districts, post-secondary institutions of education, Tribal governments, Community Based Organizations or a consortium of these entities, the opportunity to apply for funding for programming that achieves the objectives of the identify best and promising practices for accomplishing the statutory objectives of the Immigrant/Refugee Student Success Plan (I/R SSP). Through the implementation of the Immigrant/Refugee Student Success Plan grant program, best and promising practices will be identified for the purpose of scaling across local education agencies throughout the state to improve Oregon educational systems to better serve Immigrant/Refugee youth.
3. How does the proposed rule change impact schools and other educational institutions?
  - i. These permanent rules start to set up a grant program that affirms Immigrant/Refugee students and helps address the needs identified in the Immigrant/Refugee Student Success Plan (I/R SSP).
4. Does the proposed rule change impact other stakeholders?
  - i. Yes, the proposed rule will allow Early Learning Hubs, providers of early learning services, school districts, Educational Service Districts, post-secondary institutions of education, Tribal governments, Community Based Organizations or a consortium of these entities, the opportunity to apply for funding to support programming in their local community that align to the goals of the Immigrant/Refugee Student Success Plan (I/R SSP).

## **EFFECT OF A "YES" OR "NO" VOTE**

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

We are seeking the approval of these permanent rules for the Immigrant/Refugee Student Success Plan (I/R SSP) to embark on the work outlined/needed by SB1532. If the permanent rules are not approved during this meeting, it is unlikely that the RFA process for grants will be completed during the 2023-2025 biennium.

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 3.D.

## STAFF RECOMMENDATION

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

## ATTACHMENTS

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Attachment 1: Draft Rules for the Immigrant/Refugee Student Success Plan (I/R SSP)

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 3.E.

<b>SUBJECT:</b> State Board of Education Advisor Nominations <b>STAFF NAME &amp; OFFICE:</b> Corey Rosenberg, State Board of Education Administrator	<input type="checkbox"/> <b>First Reading</b> <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation <input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> No Presentation
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## BACKGROUND

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The State Board of Education Procedures & Policy Manual states in Policy Number 102 that each year, the board may elect to have board advisors. The Board of Education selects new or reappoints Advisors on a yearly basis. Advisors serve a one-year term from July 1 through June 30. Advisors may serve more than a single term and be re-elected for consecutive terms. Advisors receive all materials distributed to the board as a whole.

Board policy states that for the School Board Advisor position, "Up to three nominations from the Oregon School Boards Association" will be submitted to the board. The board Executive Committee will recommend a candidate to the full board who will vote on the selection.

### Responsibilities of Advisors

- Attend board meetings
- Assist the board in analyzing issues, proposals, and requests before it
- Other duties as assigned by the board chair

A vote of the full board is required.

The following recommendation has been made:

*K-12 School Board Advisor:* Becky Tymchuk, Northwest Regional Education Service District Board of Directors

## SUMMARY OF PREVIOUS BOARD ACTION

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This is the first year that Becky Tymchuk is being considered by the full board.

## POLICY ISSUE OR CONCERNS

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# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 3.E.

The Oregon School Boards Association (OSBA) recommended Becky Tymchuk for this position in September 2024. Additional information can be found in the attached recommendation. After reviewing OSBA’s recommendation, Board leadership is now proposing her to the full Board for confirmation.

## EQUITY IMPACT ANALYSIS

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While working with OSBA on this advisor position, the Board Chair specifically named the importance of a thoughtful and student-centered candidate that was aware of the unique situations that students experience in urban, rural, remote, and frontier communities. As part of their recommendation, OSBA shared highlights from Becky’s personal and professional experiences and illustrated how she would be able to meet the needs named by the Board.

## FISCAL ANALYSIS

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Advisors are eligible for reimbursement of actual expenses incurred in attending board meetings and board-related activities, including mileage, meals and hotels.

## EFFECT OF A “YES” OR “NO” VOTE

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A yes vote will confirm the nomination. A no vote will leave the board without a school district superintendent advisor while alternative candidates are identified and interviewed.

## STAFF RECOMMENDATION

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

## ATTACHMENTS

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Attachment 1: State Board of Education School Board Advisor 9.7.24



September 7, 2024

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**Haley Percell**

Jennifer Scurlock, Chair  
255 Capitol Street NE  
Salem, OR 97310-0203

Dear Chair Scurlock:

The Oregon School Boards Association is a membership association representing over 1,400 school board members. Our board members provide good governance and local decision making to 197 school districts, 19 education service districts, and Oregon’s community colleges. We value the opportunity to put forward our recommendation for a school board member to serve as the State Board of Education’s School Board Advisor.

It is important to OSBA and its members to have a leader on the State Board of Education who cares deeply about Oregon’s young scholars, is respected in the field, and who would provide a valued perspective when contributing to policy deliberations. It is our recommendation that Becky Tymchuk be considered as the next School Board Advisor.

Having been nominated by her peers to be Oregon’s School Board Member of the Year in 2022, Becky represents the best of our membership. She has a breadth and depth of board experience across education and non-profit boards. Becky began her elected service on the Beaverton School District Board in 2019, moving to the Northwest Regional Education Service District Board in 2023. She also serves on the Children’s Institute Board, continuing her service to Oregon’s education continuum.

Over her career, she has centered students in short-term initiatives and long-term planning. A public servant at heart, she brings her experience growing up in Grants Pass as she thinks about statewide impacts of policy for urban, rural, and frontier communities. She not only focuses on how decisions impact students differently geographically, but also with Oregon’s focal student populations.

Becky Tymchuk is a leader who thoughtfully engages in governance and advocacy spaces, is a skilled coalition builder who leverages her network to support student success, is respectful and courteous of diverse viewpoints, and is empathetic to the increasing needs of students, teachers, and school staff. She would be a great addition to the State Board of Education’s leadership as a School Board Advisor.

We appreciate the opportunity to share our recommendation with you. Thank you for all you do on behalf of 550,000 students across Oregon.

Sincerely,

Emielle Nischik  
Interim Executive Director, Oregon School Boards Association

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 5.A.

<p><b>SUBJECT:</b> SB 283 Education Workforce Survey Rules – 1<sup>st</sup> Read</p> <p><b>STAFF NAME &amp; OFFICE:</b> Emily McCaffrey, Educator Advancement Council; Tamara Dykeman, Director’s Office; Josh Rew, RADAR</p> <p>SB 283 Section 4 directs ODE to annually administer a survey of the education workforce, and for the State Board to adopt standards for the survey in consultation with the Educator Advancement Council.</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"/> <b>First Reading</b> <input checked="" type="checkbox"/> <b>Presentation</b> <input type="checkbox"/> <b>No Presentation</b></p> <p><input type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Temp Rule Presentation</b> <input type="checkbox"/> <b>No Presentation</b></p>
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## BACKGROUND

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The Legislature passed SB 283 in 2023, and Section 4 creates a new requirement that ODE annually administer a survey to licensed and classified members of the education workforce on working experiences, climate, and culture. School districts are required to ensure staff have the opportunity and are encouraged to participate in the survey, and ODE must make results available at the school and district levels, as well as submit a report on the survey to the Legislative subcommittees.

No rules currently exist relating to statewide surveys of education staff. Section 4 calls on the State Board to adopt rules in collaboration with the Educator Advancement Council. The State Board has discretion to adopt standards for the survey, as well as more clearly define what districts are required to do in administering the survey, as SB 283 requires districts to ensure staff have the opportunity and are encouraged to participate in the survey.

Since February 2024, ODE has convened a cross-agency workgroup, including staff who support the EAC, to plan for and develop the survey, as well as conduct engagement with education partners and staff across the state to inform the survey design and implementation plan. In addition to meeting with educational association partners, ODE contracted with Oregon’s Kitchen Table from April to August 2024 to gather input from education staff in a variety of roles within Oregon’s public school system to help inform the scope, content, and delivery of Oregon’s new annual statewide survey on the experiences of the state’s education workforce. Oregon’s Kitchen Table (OKT) is a statewide program that creates ways for Oregonians from every corner of the state to share their hopes, values, and ideas and to influence the decisions that affect them. OKT is a program of Portland State University.

OKT heard from approximately 200 people in a variety of settings. Approximately 125 people participated in the 8 conversations (2 in-person and 6 via Zoom), which ranged from 5 attendees to 50 attendees. In addition, 7 people submitted input via writing through an online form and 7 people participated in individual interviews. OKT also presented to or spoke with approximately 60 people through 2 events. Participants live in a variety of counties across the state, and they work both in large, more populous districts and in smaller, less populous districts. While this engagement process is not a comprehensive representation of the state’s very large and diverse education workforce, it provides a

# Oregon State Board of Education

## December 5, 2024

AGENDA ITEM: 5.A.

range of perspectives, experiences, and hopes for ODE to consider in developing first a pilot survey and subsequent years' surveys. ODE and OKT worked with the following organizations to hear from their constituents:

- Oregon School Personnel Association
- Oregon Substitute Teachers Association
- Oregon Association of Educational Service Districts
- Oregon School Psychologists Association
- Coalition of Oregon School Administrators
- Oregon Education Association
- Oregon School Employees Association
- Oregon Trail Regional Educator Network
- Oregon School for the Deaf
- ODE staff members working with charter schools
- ODE staff members working with correctional, hospital, and treatment schools

Staff have also engaged with the members of the Educator Advancement Council for their input and feedback on the survey design and administrative rules at the October Council meeting, as well as ODE's Ongoing Rules Community Advisory (ORCA) at their October meeting.

### SUMMARY OF PREVIOUS BOARD ACTION

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N/A

### HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

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

### POLICY ISSUE OR CONCERNS

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In developing the implementation plan and administrative rules for the new survey, ODE staff have used Section 4 of SB 283, input gathered through the community engagement process, as well as research-based best practices for education workforce surveys, gathered through researching national, international, and local survey tools.

Through the community engagement process, ODE aimed to hear from staff across the state, on what was important to them, particularly staff who have not had the opportunity to participate in a statewide survey on working conditions previously – this largely includes classified staff, staff serving in alternative programs, and district-level staff. Several key themes emerged from this engagement process (and are further described in the attached report from Oregon's Kitchen Table):

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 5.A.

- **Anonymity is important:** Across the different conversations and interviews, participants repeatedly emphasized the importance of anonymity to feel comfortable sharing their work experiences. While this was a common concern for people in different settings, those who work in small districts and schools particularly emphasized that ensuring anonymity was a top priority for them. When asked how people would like the results to be presented and shared, people generally said they'd like to see it aggregated at a regional level in order to help ensure anonymity.
- **Building trust will take time:** Participants want reassurance that their input is valued and will influence decisions and actions, which will take time to demonstrate with this new survey. They shared how important it is to them to see staff input recognized. Many people said that knowing their input would be considered and that the input would lead to some tangible action would be enough to encourage them and others to participate. There is strong interest in being able to see results. A few people noted that they would like to have transparency and that it was important for the broader community to see results.
- **Survey fatigue vs. no opportunity to share voice:** Participants talked about "survey fatigue" in two ways: (1) People simply receive too many requests to fill out surveys and don't have the time or energy to respond; and (2) People are tired of responding to surveys and then seeing no action or hearing no response. At the same time, people who have not been asked about their work experience indicated that this survey's inclusivity would help in overcoming survey fatigue.
- **Accessibility and messaging:** People emphasized the need to make sure all communications about the survey – and the content itself – clearly indicate who the survey is for, naming particular roles, and what decision makers intend to do with the results. They also offered suggestions for how to encourage people to participate and make the survey as easy as possible to access, including ensuring that participants have time to take the survey, have access to a computer, and offering it in languages other than English.
- **Use of results is critical:** Many participants – across a variety of roles – expressed concern about how the results will be used. While participants expressed hopes that the survey would help in some way to address recruitment and retention issues, there was also skepticism that the results would even be considered and concerns that, at best, survey results could lead to ill-considered initiatives that don't address the true drivers of recruitment or retention issues or lead to "blame" or finger pointing at particular individuals or organizations. There is a need for "careful meaning making" or interpretation to ensure that the results meet the purpose of and people's expectations for the survey.

The usefulness of results for local and state leaders will be dependent on the participation rates, both locally and statewide, which means it is critical that ODE design and administer a survey that is responsive to the input gathered through the community engagement process. Based on the input gathered, ODE has developed an implementation plan that prioritizes anonymity of results, that is intentionally designed to collect feedback during the first year of implementation and uses robust and clear communication regarding the survey and its results. The implementation plan must also account for and align with other initiatives facing local district leaders and staff – such as alignment with the required SEED survey for students. In planning for the sharing of results, ODE staff are considering how best to ensure that results are meaningful to local and state leaders, while maintaining the confidentiality of staff who participate. Staff are also planning to co-create with education partners a

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 5.A.

toolkit and resources for leaders that will support use of survey results in a constructive and appropriate way.

## Specific Feedback on the rules:

- The ORCA provided feedback regarding the definition of “classified staff.” The definition used is aligned with the definition in SB 283, despite there being a different definition adopted in SB 1552 (2024) regarding just cause. The SB 283 definition is more inclusive, which is aligned with the legislative intent that all members of the education workforce should have the opportunity to participate.
- Recognition that staff may be required to complete the survey after their working hours, since the law does not require districts to provide them time during the workday.
- Recognition that early learning and care staff are included only in cases where they are employed by entities named in the law and the rules.
- Concern regarding requirement that districts provide access to an internet-enabled computer and that districts share plans for how they will use survey results.

## EQUITY IMPACT ANALYSIS

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ODE aims to create a meaningful statewide survey of all education staff and to promote equitable access and participation in survey. The equitable administration of this survey will support all education staff to have a voice in how our education system serves students, therefore providing additional perspectives to be used in improvement planning for serving students and supporting staff. The survey can also create accountability for state and local education agencies to use survey results from education staff, particularly those who are members of groups systematically marginalized, to improve systems. It is important to recognize that the impact of both the survey administration, as well as the results, will be different for very small schools and districts (i.e., less than 10 staff) than for larger schools and districts.

Collection of demographic, professional, and experiential information about survey takers is begin carefully considered and weighted against the desire for anonymity and confidentiality. In order to protect identities of minority groups within a locality, results will not be shared in any disaggregated way at a local level. However, disaggregation at the statewide or regional level will help the state understand the experiences of historically underserved populations.

## FISCAL ANALYSIS

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The survey required by SB 283 is unfunded; ODE is unable to contract with an outside entity to develop, conduct, and report on the survey. ODE and district staff will absorb the responsibilities; therefore, the rules attempt to minimize the administrative and fiscal requirements for schools and districts. Rules require minimal resource allocation (time, staffing, financial resources) for the administration of the required survey within school and district buildings.

## EFFECT OF A “YES” OR “NO” VOTE

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No action is needed from the Board at this time.

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 5.A.

When the rules are brought back for Board action, failure to adopt rules may result in low and uneven participation, particularly among groups who have never been surveyed by the state (i.e. classified staff, contracted staff, district-based staff) as ODE will be unable to administer the survey with clear guidance for districts regarding requirements.

## STAFF RECOMMENDATION

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

## ATTACHMENTS

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Attachment 1: "Community Input on Oregon's New Education Workforce Survey" published by Oregon's Kitchen Table for ODE

**OAR ###-###-### Definitions**

1. Public education provider means:
  - a. A school district, as described in ORS 330.005
  - b. A public charter school, as described in ORS 338.005
  - c. An education service district, as described in ORS 334.003
  - d. A long term care or treatment facility, as described in ORS 343.961;
  - e. The Youth Corrections Education Program;
  - f. The Juvenile Detention Education Program; or
  - g. The Oregon School for the Deaf.
2. Education workforce means licensed educators and classified staff who are:
  - a. Employed by a public education provider; or
  - b. Under contract to provide services to a public education provider.
3. Licensed educator means a teacher, administrator, or other school professional who is licensed, registered or certified by the Teacher Standards and Practices Commission.
4. Classified staff means all employees of a public education provider except those for whom a Teacher Standards and Practices Commission license is required as a basis for employment in a public education provider.
5. Employed means paid by a public education provider as a regular employee.
6. Under contract means paid by a public education provider through a contracted third party or contracted individually.

**OAR ###-###-### Survey Purpose**

1. The Department of Education shall annually administer a web-based survey of the education workforce designed to:
  - a. Assist in the gathering of information about the perceptions of working experiences of the education workforce of this state, including the experience in the school district and in individual schools.
  - b. Evaluate school climate and culture from the education staff perspective.
2. Individual responses collected through the survey will be confidential and anonymous.
3. Data from the survey shall be used to support the following purposes:
  - a. Honor the importance and necessity of incorporating voices of members of the education workforce into the continuous improvement process for Oregon's public education systems.
  - b. Provide Oregon's public education providers, state agencies, and the Legislature with meaningful and actionable data regarding perceptions of working

experiences, climate, and culture that can be used in combination with state and local data to improve systemic working conditions.

**OAR ###-###-### Survey Administration and Reporting**

1. The Department of Education shall annually prepare and administer a web-based survey of the members of the education workforce. The department shall:
  - a. Prepare and maintain a survey tool based on research-based best practices and the needs of members of the education workforce of this state.
  - b. Identify an administration period for the survey, during which the department will make available the web-based survey to public education providers for dissemination to members of the education workforce actively employed by or under contract to provide services to the public education provider during the survey window.
  - c. Identify any minimum participation requirements or suppression rules for survey results to be reported in order to protect respondent anonymity.
  - d. Consult relevant advisory groups on topics identified in this section, which may include but is not limited to survey content, item type, response category options, questionnaire length, delivery methods, administration window, language translation, accessibility tools and supports, data visualization, and public reporting and dissemination.
  - e. Collaborate with the Educator Advancement Council when making any changes to survey standards adopted by the State Board of Education.
  - f. Disseminate information on survey access, timelines, purpose, and content to public education providers.
  
2. During the survey period, each public education provider shall ensure that members of the education workforce employed or under contract during the survey period have the opportunity to participate in the survey by:
  - a. Distributing to members all information provided by the Department of Education about accessing the survey.
  - b. Distributing to members the web-based survey link(s) provided by the Department of Education at least twice during the survey period.
  - c. Ensuring that members have access to an internet-enabled computer for the purpose of accessing the survey.
  - d. Helping to connect members to the Department of Education should they have questions or accessibility needs related to the survey.
  
3. Prior to and during the survey period, each public education provider shall encourage members of the education workforce employed by or under contract during the survey period to participate in the survey by:
  - a. Distributing to members all information provided by the Department of Education, including
    - i. Information about the survey purpose and use of results.
    - ii. Information about confidentiality and consent.

- b. Honoring the confidentiality of members' survey responses.
  - c. Communicating to members any plans for using survey results to inform program, school-, district-, or education service district-level strategic or improvement planning.
4. The Department of Education shall annually:
- a. Review the survey results.
  - b. Prepare an interactive data visualization tool that provides access to aggregated and suppressed survey results at the state level, education service district level, district level, school level, and program level, while maintaining confidentiality and anonymity of survey respondents.
  - c. Disseminate aggregated and suppressed survey results to public education providers.
  - d. Submit a report on education workforce satisfaction to the interim committees of the Legislative Assembly related to education.
5. The Department of Education may enter into a contract or a partnership with any public or private entity, including the federal government, for the purpose of this section.

October 2024

# Community Input on Oregon's New Education Workforce Survey

Report from Oregon's Kitchen Table



# Community Input on Oregon’s New Education Workforce Survey

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## INTRODUCTION

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In recent years, there has been increased focus on the workers that serve Oregon schools and students. Particularly since the pandemic, there has been widespread media coverage related to the difficulties of working in public education, and there have been a number of ideas proposed to help schools and districts recruit and retain a healthy and effective workforce. To that end, the 2023 Legislature enacted Senate Bill 283 to better understand and support Oregon's education workforce. One of the provisions of that bill requires that the Oregon Department of Education develop and administer an annual statewide workforce survey.

This summer and fall, ODE partnered with Oregon's Kitchen Table (OKT) to hear from a wide range of school and district staff members in different parts of the state about how the survey could be most accessible and helpful to people working in Oregon schools and districts. Approximately 200 people participated in the different engagement activities. While this engagement process is not a comprehensive representation of the state's very large and diverse education workforce, it provides a range of perspectives, experiences, and hopes for ODE to consider in developing first a pilot survey and subsequent years' surveys.

Throughout this process, we met experienced and passionate school and district staff members from across the state who serve in a variety of capacities. As you will read in more detail below, we heard varying levels of trust and confidence in how the survey will be implemented to encourage participation and ensure anonymity, as well as in how decision makers and the broader community will interpret and use the results. There is a widespread desire for decision makers to acknowledge the experiences and ideas that people share through the survey and to demonstrate how those ideas then impact decisions. There is also significant interest in using the survey to drive systemic – rather than individual school or district – level improvements for education workforce recruitment and retention.

This community engagement process and the pilot survey in 2025 offer opportunities for ODE to acknowledge people's input and demonstrate how that

input impacts both decisions and actions.

The following report consists of an Executive Summary followed by the full report, which includes the following sections:

- Summary of community engagement process
- General observations about cross-cutting themes
- Barriers and challenges to participation
- Ways to encourage participation
- Content expectations
- Hopes for outcomes from the survey
- Recommendations for future community engagement
- Conclusion
- Appendices with conversation materials and process details

The purpose of the report is to give a snapshot of where values, hopes, and ideas overlap and where they diverge. It lays out themes and points out tensions. It also suggests places where more information and engagement might be helpful.

This report is not a scientific study, nor a presentation of the facts about issues facing the education workforce, but rather a recounting of a series of community conversations over a particular period of time. It does not offer a comprehensive list of every comment shared. In the report, we do include a selection of quotes or comments we heard in different engagement activities. Quotes and comments included in the report either illustrate a particular point in someone's own words or echo what other people shared.

This report is now in the hands of ODE and other education leadership across the state to help – alongside other information, experiences, and ideas – in making decisions about a pilot statewide workforce experiences survey in 2025 and, ultimately, to improve the experience of Oregon educational workers and the students they serve.

## EXECUTIVE SUMMARY

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In spring 2024, the Oregon Department of Education (ODE) partnered with Oregon’s Kitchen Table (OKT) to conduct a community engagement process to hear from a cross-section of Oregon’s education workforce about how the new statewide education workforce experiences survey<sup>1</sup> could be most accessible and helpful. OKT designed and hosted community conversations in partnership with ODE and a number of statewide education associations to hear from people in different roles.

This report provides an overview of the engagement process as well as high level findings.

### Participation

OKT heard from approximately 200 people in a variety of settings. Approximately 125 people participated in the 8 conversations (2 in-person and 6 via Zoom), which ranged from 5 attendees to 50 attendees. In addition, 7 people submitted input via writing through an online form and 7 people participated in individual interviews. OKT also presented to or spoke with approximately 60 people through 2 events. Participants live in a variety of counties across the state, and they work both in large, more populous districts and in smaller, less populous districts.

### Findings: Commonly Held Values and Beliefs

Across the community conversations, events, and individual interviews, the following commonly held values and beliefs emerged:

- It is very important that the pilot survey and the ones that follow protect workers’ anonymity and privacy.
- People’s time is important. Carving out time for people to complete the survey during working hours will be helpful. Recognizing and acknowledging the

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<sup>1</sup> The 2023 Legislature enacted Senate Bill 283 to better understand and support Oregon’s education workforce. One of the provisions of that bill requires an annual statewide workforce survey.

time and energy people put into sharing their working experiences is important.

- It is essential for decision makers – from the school or district level to ODE and the legislature – to acknowledge both *what* people share about their working experiences and *how* that input impacts any decisions made by the district or the state.
- Overall, people are thinking about education workforce experiences on a systemic or broad level rather than on a personal or at the individual school level.
- There is concern about how the results of the statewide survey will be interpreted and used. This concern was raised by participants serving in a wide variety of roles across the education system, from school administrators to licensed educators to classified staff members.

### Findings: Areas of Differences or Tension

There are a few areas where people held different values and beliefs or where people noted that there are tradeoffs to be considered. While people do place a high value on anonymity and privacy, they also want to see flexibility in the formats people will be able to use to take the survey and to be able to identify distinctions by region and/or role in order to most effectively address recruitment and retention challenges, particularly in places and with positions that are hard to fill. And, while many people caution about survey fatigue, staff members in roles who have never been asked on a statewide level about their working experiences are excited for the opportunity to provide input.

### Recommendations for Future Engagement

As ODE develops and conducts a pilot survey in 2025, we recommend that ODE staff seek input from the workers themselves. Community engagement connected to the pilot could include one or more of the following:

- Input on how survey content is framed;

- Developing an outreach and organizing strategy to communicate about the survey and drive participation; and/or
- Feedback about both content and outreach after the pilot survey is complete.

In addition, based on people's strong desire to understand how decision makers are using survey results, we encourage ODE to focus on communicating with participants following this engagement process, as well as with respondents to future surveys. It will be important to thank people for their time and input, let people know what issues and ideas the survey results surface, and how survey results are – or are not – leading to decisions and actions.

In order to make the results transparent and actionable, ODE should consider creating a panel or focus groups made up of a cross-section of the education workforce to review the results, help ODE make sense of it, and to review or suggest recommendations related to workforce issues as well as future surveys.

### **About Oregon's Kitchen Table**

Oregon's Kitchen Table is a statewide community engagement program that invites all Oregonians to participate in the decisions that affect their lives. We particularly focus on reaching, engaging, and hearing from Oregonians that have been left out of traditional engagement processes. Using culturally specific and targeted outreach, as well as community partnerships, we work with organizers, translators, and interpreters to assure that materials and online and in-person engagement activities are available for and relevant to all Oregonians. We honor and value the wide range of values, ideas, and lived experiences that community members share with us and with public decision-makers.

OKT is housed in the Hatfield School of Government at Portland State University.

## SECTION 1: COMMUNITY ENGAGEMENT GOALS AND DESIGN

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### Background

In 2023 the state legislature passed Senate Bill 283. This bill came out of discussions about high levels of staff vacancy and turnover in Oregon schools in recent years. Section 4 of SB 283 directed the Oregon Department of Education to conduct an annual survey of the state’s education workforce to help understand staff experiences and how districts and the state can promote recruitment and retention of education staff.

As ODE began to develop standards for the new survey, ODE partnered with Oregon’s Kitchen Table (OKT) to hear from education staff members in different roles about how the new statewide survey could be most accessible, useful, and effective for them. In spring 2024, OKT conducted a series of community conversations and interviews to hear from education workers across Oregon districts and schools. Because the new statewide survey would include all types of school and district staff, ODE was particularly interested in hearing from groups of staff who the state had previously not surveyed about their working experiences.<sup>2</sup>

ODE will use the input from this community engagement process to draft survey standards to present to the State Board of Education in fall 2024. Once the State Board of Education approves standards, then ODE will create the survey and plans to administer a pilot survey in 2025.

### Engagement Goals

The goals for the community engagement process were multifold:

1. To hear from a variety of people in different roles within districts or schools, particularly those who the state has not surveyed about their working experiences before;

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<sup>2</sup> Oregon had previously surveyed licensed educators about their experiences through the Teaching, Empowering, Leading and Learning (TELL) survey periodically in the past decade.

2. To hear about the barriers and challenges school and district staff might face in responding to a survey about their working experiences;
3. To hear about what might help encourage or incentivize people to participate in the survey; and
4. To hear about people’s hopes for potential outcomes of the workforce survey.

## **Outreach and Engagement Activities**

From May to August 2024, OKT conducted a series of interviews and community conversations to gather input from Oregon school staff members in different roles and parts of the state. The engagement activities focused on what might make it hard for people to participate in the survey and what might make it more likely that people would participate. In addition, OKT also asked people to consider what topics they think the survey should cover. Finally, people were also invited to share what outcomes they would like to see as a result of the survey. The agenda and questions posed to participants in community conversations and interviews are included as “Appendix A. Materials for Community Conversations.”

Throughout the different conversations and interviews, many people shared feelings of relief about a statewide survey that will include all staff in Oregon schools. We heard this particularly from staff members whose roles had not previously been included in statewide efforts. People in roles who have been asked about their work experiences before also acknowledged that it is important to hear from the wide variety of roles and staff members in schools and districts.

More details about the outreach and participation, including limitations, are included as “Appendix B. Community Engagement Process.”

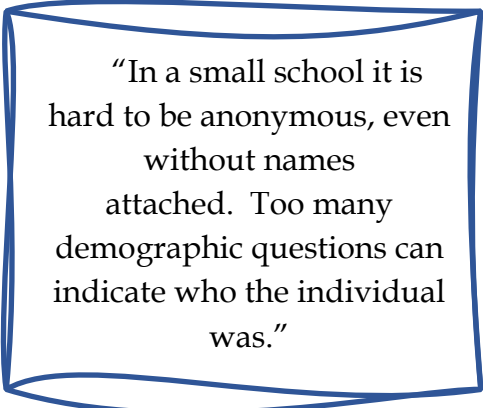
## SECTION 2: GENERAL OBSERVATIONS ABOUT CROSS-CUTTING THEMES

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A few themes came up repeatedly across roles and geography during the outreach and engagement process. These themes are discussed in more detail in later sections; however, given how prevalent they were in our discussions, we raise them here to highlight their significance.

### Anonymity

Across the different conversations and interviews, we heard loudly, clearly, and repeatedly about the importance of anonymity in order for people to feel comfortable sharing their work experiences. While this was a common concern for people in different settings, those who work in small districts and schools particularly emphasized that ensuring anonymity was a top priority for them. Several people also shared that even if the survey included a note about anonymity, they thought that



“In a small school it is hard to be anonymous, even without names attached. Too many demographic questions can indicate who the individual was.”

there would still be a high level of concern amongst their colleagues that it was in fact truly anonymous.

When we asked how people would like the results to be presented and shared, people generally said they'd like to see it aggregated at a regional level in order to help ensure anonymity. Several people also said they wanted to see results provided based on roles so they could understand how to approach recruitment and retention around particularly hard-to-fill positions. At the same time, because some roles are highly specialized or rare in some districts, this could jeopardize anonymity. People generally felt like sharing results on a school building level – and in some cases, at a district level - would compromise anonymity.

### People's Time Matters

In talking about both barriers and incentives, staff time came up as both a potential barrier as well as a potential incentive for participation; in fact, we noticed that many

people placed a higher value on time considerations over other factors such as survey platform accessibility. Many people shared concerns that staff members would not have time during their work day to fit in responding to a survey, particularly if the survey took more than 5 – 10 minutes to complete. In addition, several administrative staff members wondered how they might be able to provide staffing to cover the time classroom educators might need to respond to a survey during working hours. Nonetheless, nearly everyone said they thought staff should be provided time during the work day to respond to the survey.

Several people suggested that focusing on time in some way might serve as an encouragement or incentive for participation. We heard suggestions about carving out time in staff meetings for people to respond to the survey, for example. A couple of

“If it’s too long time may be an issue.”

people thought offering time off work in some way for people who did respond to the survey would be a strong incentive to participate.

**Acknowledge Input and Show how Input Impacts Decisions**

One other topic that came up in almost every discussion and interview was the need for decision makers – from superintendents to ODE and the legislature – to acknowledge what people share about their working experiences and how that input impacts any decisions made about working experiences and workforce recruitment and retention.

Throughout all of our conversations, people shared how important it is to them to see staff input recognized. Many people said that knowing their input would be considered and that the input would lead to some tangible action would be enough to encourage them and others to participate. Several people said that even if their own concerns weren’t the ones addressed, they would feel good about the survey if it could be demonstrated that the concerns of some people were addressed.

**Concerns about What Survey Input Will Lead to**

Relatedly, many people had questions about how ODE intended to share the results of the statewide

“We could do a better job by making people understand, 'We got you, we understood, but we just didn’t go your way.'”

survey, as well as how the results would be used. These questions came up no matter the role of the participant. We often heard concerns about whether people might face repercussions in their workplace or in the broader community. We also heard in a couple of conversations apprehension that results could lead to additional state mandates or legislative action that would be burdensome for schools or not address the specifics of workforce recruitment and retention in their region.

There is strong interest in being able to see results, particularly by role and region, in order to focus recruitment and retention on particularly hard to fill roles and in particular parts of the state. There was less concern about seeing results on a school building level, particularly in order to preserve anonymity. A few people noted that they would like to have transparency and that it was important for the broader community to see results.

### **Desire to See Systemic v. Individualized Outcomes**

While people did share their own individual circumstances or experiences to illustrate their thoughts about the statewide survey, we noticed that many workers are thinking more broadly about the new statewide survey. This was especially evident when we asked people about what they hoped might come out of the survey. People rarely – if at all – talked about an impact on their own individual position or experience; instead, they spoke about what they hoped to see for their school, district, community, or people broadly in their type of role or position. School psychologists hoped to see school psychologist positions filled in parts of the state where districts struggle to fill them. District administrators talked about wanting to see a workforce lens applied to new education legislation of all kinds. We heard people in different roles talk about hoping that the survey could create a better understanding in their broader communities about what working in a school or a district entails.

### **General Observations**

In addition to the above cross-cutting concerns, the following additional themes emerged:

- Most people were not aware of the new statewide education workforce experiences survey;

- When they learned about it, many people shared a sense of relief that the state is undertaking a comprehensive survey that includes all staff in all Oregon schools. We heard this particularly from people whose roles had not previously been included in statewide efforts to hear from licensed educators. People in roles who have been asked about their work experiences before also acknowledged that it is important to hear from staff members across the education workforce.
- People want to see their and their colleagues’ work and roles valued and appreciated.
- People are often juggling multiple roles and responsibilities in their schools or districts. We heard that many people feel stretched and overloaded in their work. This also impacts how people feel they would approach a survey about workforce experiences; and
- High among people’s concerns are anonymity and reassurance that their input is valued and will influence decisions and actions.

“I am glad they are focusing on all the district personnel. Everybody plays an important role in the students' education.”

### **SECTION 3: BARRIERS AND CHALLENGES TO PARTICIPATION**

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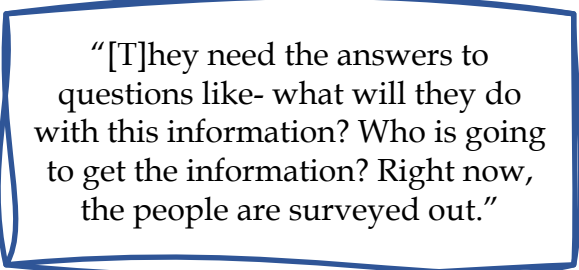
While a few people in the conversations and interviews said they do not foresee any barriers to their own participation in the survey, most participants identified barriers or challenges that some people would likely face. In addition to the issue of time, those barriers and challenges fall within four general categories: survey fatigue, accessibility, communications, and how results are used.

## Survey Fatigue

“Survey fatigue” came up frequently in conversations. We heard about “survey fatigue” in two particular ways:

1. People simply receive too many requests to fill out surveys and don’t have the time or energy to respond; and
2. People are tired of responding to surveys and then seeing no action or hearing no response.

At the same time, people who have not been asked about their work experience indicated that this particular survey’s inclusivity would help in overcoming survey fatigue. People emphasized the need to make sure all communications about the survey – and the content itself – clearly indicate who the survey is *for*, naming particular roles, and what decision makers intend to do with the results. They also offered suggestions (included in this report) for how to encourage people to participate and make the survey as easy as possible to access.



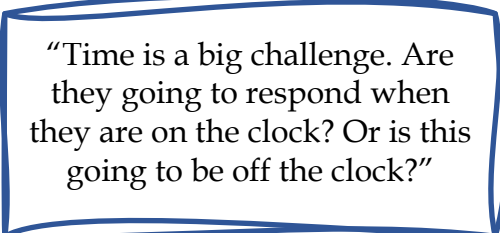
“[T]hey need the answers to questions like- what will they do with this information? Who is going to get the information? Right now, the people are surveyed out.”

People who are already administering a survey with similar content and topics were curious about whether they might be able to utilize their current instrument and provide results to ODE. A few people noted one instrument in particular—*Upbeat*—that covers similar topics related to working experiences. In our conversation with district human resources staff members, about twenty percent of participants said they either used *Upbeat* or another survey tool to collect information about working experiences. We also heard from several of the employee associations and from Regional Education Networks that they administer similar surveys to their members or have in the past. People shared concerns that in their districts, people would ignore or dismiss a new state survey on the same topics since they have already responded to something on the same topics. It is not clear, however, how widespread the use of similar tools is, how regularly those surveys are administered, or how well the content or topics of existing instruments would align with the statewide survey. One person said they would like to see the state align or prioritize which surveys should continue,

and reduce rather than add to the number of surveys administered to school and district staff.

## Accessibility

Several of the barriers or challenges that participants discussed relate to accessibility. As mentioned above in Section 2, people often cited carving out time during the work day – particularly if the survey takes longer than 10 minutes or even 5 minutes for many people to complete – as a barrier. Several people also mentioned internet or computer access would likely serve as a barrier, either for themselves or for



“Time is a big challenge. Are they going to respond when they are on the clock? Or is this going to be off the clock?”

people they work with. In one conversation, a bus driver noted that their district provides bus drivers with walkie talkies but not computers, tablets, or smartphones, creating a barrier to responding to an online survey during working

hours. They did suggest, however, that a district might set up a station with a device for bus drivers to use in a break room to respond. A few other people mentioned that some staff members are not comfortable with online survey formats for a variety of reasons and that providing a paper option might be helpful.

In a few conversations, language barriers for people who prefer a language other than English came up. While staff members may have some comfort communicating in English, the level of comfort and proficiency varies. One person also noted that they have people working in their district who speak a Mesoamerican language such as Mam that is primarily oral. They wondered if there might be an audio option to administer and respond to the survey. In our individual interviews with a few bilingual and multilingual staff members, we heard that translations can also cause barriers, particularly if the translation isn't of good quality; in fact, the people interviewed said they would likely prefer to respond to the survey in English rather than their home language to help ensure that they understood what the questions are asking.

## Communications

People also emphasized the importance of outreach messaging related to the survey. Several people shared that they thought a lack of enthusiasm or prioritization

from district and school leadership could play a role in a lack of staff response. Many people thought that workers would be much less likely to participate if messaging doesn't include a clear, direct explanation of the survey's purpose and plans for how the results will be used. In addition, if people don't see the survey as different from existing surveys asking about similar topics, participants thought they and others would be less likely to pay attention or respond. A few people also shared a concern that if email is the only or primary way to reach staff about the survey, then many people would likely not see or even receive notifications. For some people, this is because of the volume of emails they receive from their school and district. For others, regular, consistent access to email can be a challenge, particularly in parts of the state with less reliable internet access.

Section 4 describes suggestions about communications that participants thought could be helpful in encouraging participation.

### **Concerns about Use of Results**

Many people – across a variety of roles – also wondered whether and how the results of the survey would be used and thought perhaps that uncertainty might be a deterrent to participation. While participants expressed hopes that the survey would help in some way to address recruitment and retention issues, we heard a healthy amount of skepticism that the results would even be considered. We also heard concerns that, at best, survey results could lead to ill-considered initiatives that don't address the true drivers of recruitment or retention issues or lead to “blame” or finger-pointing at particular individuals or organizations. A few school administrators described experiencing this outcome from previous TELL surveys and said they felt a “breach of trust” in the way those results were used after receiving assurances that would not happen. In discussions about anonymity, several people also shared that they would hesitate to respond to the survey due to fears that their responses might be individually discernible by their school or district. One person said a barrier for them

would be “thinking that the district would have access to my answers and information.”

In one conversation with school administrators, a couple of people voiced concerns that the survey results would lead to a focus on topics unrelated to workforce recruitment and retention. A couple of people also said they want to see any new efforts be given enough time and attention to determine if they are having an impact before moving on to the next idea. For example, one person said they want to better understand how recent “grow-your-own programs” in districts are or are not working to support recruitment and retention. Another person emphasized the need for “careful meaning making” or interpretation of the results to ensure that the results meet the purpose of and people’s expectations for the survey.

“While conducting the survey it should be communicated that the questions are looking at the systems rather than the people. Questions need to be designed in a way that they don’t put the blame on a person but illuminate the gaps in the system.”

## SECTION 4: WHAT WILL HELP ENCOURAGE PARTICIPATION

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We heard a variety of ways that schools, districts, and the state could encourage participation. Participants offered these ideas and suggestions in an effort to address many of the barriers they identified. Those suggestions fell in four general categories: responsiveness, accessibility, and communications, as well as particular types of incentives.

### Importance of Responsiveness

Several people said that simply showing someone is paying attention to the responses and input and that the survey has led to actual, tangible outcomes and

“Accountability is demonstrated as follow up.”

actions would itself be a strong incentive. Participants acknowledged that they may disagree with a decision that ODE, their district, school, or the state legislature makes as a result of

the survey, but having the decision maker lay out *how* they came to their conclusion based on survey results would be key.

### **Increasing Accessibility**

Participants shared a variety of ideas they thought would make the survey more accessible to a broad range of workers.

### **Addressing Time Constraints**

While we heard many concerns about time constraints, participants also had several suggestions to provide time to workers. These include:

- Make sure to offer time during the work day for people to respond;
- Consider carving out time during regular staff meetings when people can take the survey;
- Use time during an in-service day, an early release day, or a late start day;
- Consider the timing of when the survey is administered, particularly avoiding May / June and August / September (people often mentioned October or “late September to early November” as an opportune time); and
- Include responding to the survey as a step in the performance evaluation process.

"Mid-October, about six weeks into the school year, is when people are in their rhythm. Alternatively, the midst of spring, around January or February, could also be a good time."

### **Language Support**

Several of the school administrators, classified employees, and school personnel officers we spoke with said they would like to make sure staff members whose first language is not English are able to participate in whatever language they would prefer. In particular, we heard the need for communications in English, Spanish, Russian, Vietnamese, and Mam. When we interviewed bilingual family engagement staff members, however, those interviewees said they would prefer to participate in the survey in English due to past experiences with poor translations in their first languages. We heard that there is a wide range of English comfort and proficiency,

indicating that while some people may feel comfortable responding in English, others may not. The interviewees' input points to the need to ensure translations are accurate and understandable. In addition, as one school personnel officer described, other forms of language support besides just translations, such as interpretation, might be just as important, particularly for oral languages like Mam and other Mesoamerican languages.

### Flexibility

One area of tension was in the desire to have flexible survey formats to help increase accessibility and participation alongside a strong preference for anonymity. Several participants thought that offering a paper version of the survey in addition to an online version would help encourage participation for people who either are not comfortable using an online format or who live in an area without reliable internet access. At the same time, those participants acknowledged that there could be a trade-off in less anonymity with a paper survey. Relatedly, a couple of people suggested offering an interview format or some audio version in order to support people who may be less comfortable with a written format – either online or on paper – or who might need language support. Here, too, they recognized such formats would lead to less anonymity and could be time consuming for both the participant and whomever was conducting the interview or supporting an audio version.

### Incentives for Participation

In addition, people offered ideas for different types of incentives to encourage more responses. While some kind of monetary incentive (such as a gift card or a raffle for a gift card) was often one of the first things people suggested, there are other types of incentives that people thought would be helpful. Again, people placed high value on time serving as an incentive. One person said that “allowing staff to leave work early” if they complete the survey would be a strong incentive.

Some of the incentive suggestions fall under the category of an activity. These include offering food in conjunction with responding to the survey. One person said they think it is important to offer food to both “show appreciation” and “nurture staff” at the same time. A few people thought that schools could incorporate a game or some

fun component into taking the survey. One person suggested creating a kind of scavenger hunt within the survey, inviting people to both respond and pay close attention to the content while making a game of the survey.

### Using the Pilot Survey to Build Participation

As mentioned above, many people said that a primary incentive for their participation would be a meaningful response from decisionmakers, expressing appreciation for the input and showing how they considered and acted upon worker input. We also heard skepticism that without evidence that their input matters, people would bring an assumption that their responses would not matter. ODE could use the responses from the pilot survey in 2025 to develop a reporting protocol and demonstrate clearly what they heard from participants. Even if there are no immediate decisions or actions taken from the pilot survey, an acknowledgement of people’s time, energy, and effort as well as some learnings from the pilot responses will be important to build ongoing trust that people’s input matters.

“Knowing the outcome of the survey and how the feedback will be used too could be an incentive for people to take the survey.”

One group also discussed how ODE might consider approaching the pilot year of the survey. The group shared experiences with past surveys when they experienced tensions over how survey content was framed. They wanted to see careful attention paid to framing and thought including different perspectives in the framing would help surface how different people might perceive the content. As a way to incorporate

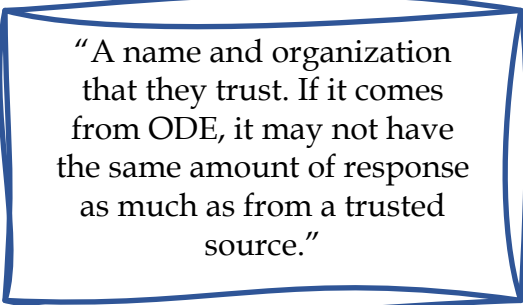
“For the old TELL survey we worked with our admin team to say why it was important. We put together a healthy competition by school to compare participation. That negated some of the concerns about only disgruntled people taking the survey.”

those different perspectives and encourage participation in the first year of the survey, they suggested “An incentive would be to provide opportunities for input on how the questions are framed. . . . There should be ways to do that with the pilot survey and use early lessons learned on the pilot on question framing.”

## Clear, Direct Communication across Multiple Channels

People frequently mentioned the importance of explicit, clear, and direct communications from ODE, districts, and schools about the survey as well as ensuring communications come through multiple channels at multiple times before and while the survey is active.

When we asked people about who they thought might be the best person or entity to invite people to participate, we heard a wide range of responses. Overall, people felt that an invitation from someone they had a personal connection to or a relationship with would be the most effective. Some people thought that invitations coming from ODE would carry a message of statewide importance. Others thought that if the survey comes from ODE, people will interpret it as “more mandates and requirements added to previous mandates and requirements.”



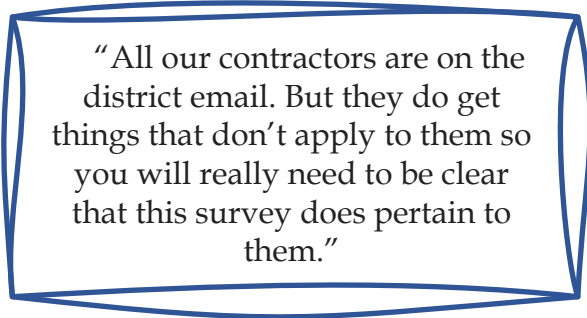
“A name and organization that they trust. If it comes from ODE, it may not have the same amount of response as much as from a trusted source.”

We also heard differing opinions about how effective messages from school leadership (superintendents or principals) might be, with some people saying that staff receive so many messages from leadership it would be easy to miss or skip over another message. Other people thought that district and school leaders could play a significant role in conveying the message of importance and value in participation. No matter who the invitation comes from, many people hope to see leaders convey enthusiasm and support for the survey and interest in the results. Many of the associations we talked with offered to do what they could to encourage members to participate. Several people noted that their membership list is incomplete and they are often missing contact information for their members.

Many conversations stressed that communications needed to clearly state *who* the survey was for and specifically name roles and particular types of schools, such as charter schools or hospital and treatment schools. Otherwise, people would assume it was not meant for them, as many groups of school staff are not used to being included or asked about their working experiences, particularly non-licensed staff members.

In terms of what messaging would be helpful to encourage participation, people offered the following suggestions:

- Communicate clearly and transparently how the results are intended to be used when introducing the survey;
- Give people a deadline to complete the survey;
- Communicate at multiple points: alert people prior to when the survey is open, remind people in the middle, send a final message before the survey concludes, and make sure to follow up with people to acknowledge their input and any actions take;
- Clearly acknowledge *who* the survey is for to make sure all groups of staff know they are included; and
- Create a promotional campaign that places importance on the effort, ties it to decision-making, and includes a “human” element through highlighting some real people or stories. People cautioned that it would be important to avoid focusing just on problems, however.



“All our contractors are on the district email. But they do get things that don’t apply to them so you will really need to be clear that this survey does pertain to them.”

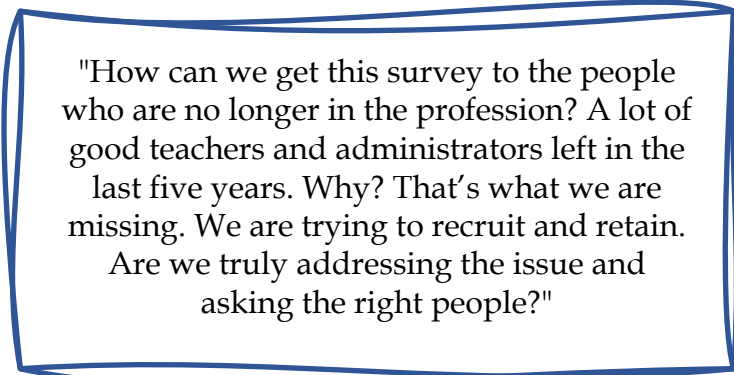
We also heard that while emails are a vital channel for communications, people are concerned about some staff members’ access to email, as well as the email getting lost amidst a large volume of emails. In particular, we heard concerns about reaching contracted staff, as well as people who have recently left their positions. During a conversation with staff members working in human resources departments, a few people noted that contracted staff often do have district emails and that they also often have personal emails on record for people who have left their positions in order to provide them with W-2s and other types of information. Several groups voiced wanting to make sure there was a way to hear from people who recently left their school, district, or the education workforce to better understand how to improve workforce retention. One person suggested that ODE could partner with higher education programs in universities and colleges that prepare teachers and other

members of the education workforce in order to understand what could help support recruitment.

## SECTION 5: CONTENT EXPECTATIONS

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During conversations, we asked people to consider a list of broad potential topics that could be included in the survey. That list is included in the slides in Appendix A. Generally, many people thought that list encompassed what they would



"How can we get this survey to the people who are no longer in the profession? A lot of good teachers and administrators left in the last five years. Why? That's what we are missing. We are trying to recruit and retain. Are we truly addressing the issue and asking the right people?"

expect to be in the statewide survey. We heard some desire for tailored survey questions that reflect the unique challenges faced by different districts or regions, as well as questions that are tailored for particular roles. People also offered some perspectives on how they or others might perceive the examples we provided.

We noticed some general categories of topics came up most frequently and generated energy and interest in the conversations from many different people. These include:

- **School Climate:** People frequently gravitated towards this category, noting that it can mean very different things to different people and in different settings. One person said they hope the survey will ask about whether schools or districts are “welcoming” spaces and another mentioned “racism in the workplace.” We did hear from people in roles like substitute teachers and school psychologists that because of the nature of their work, their responses on both School Climate and Safety may differ dramatically when thinking about their assignments at different schools.

- **Professional Development Opportunities:** People also frequently mentioned professional development opportunities. Several people would like to see “access to professional development opportunities.” Those people said they often felt like access was a big barrier to professional development, particularly related to licensing and credentials. Relatedly, a number of people would like to see “career advancement” or “career pathways” for all staff and not just licensed or certified staff within this category or as a standalone category.
- **Leadership:** A few people thought it would be important to make sure to include different types of leadership, not just administrative leadership. A couple of people used the term “teacher leaders.” In other discussions people wondered what – or who “leadership” – refers to.
- **Safety:** In a couple of conversations people discussed what the topic of “safety” might cover and how it could look very different depending on roles. One person shared that they would like to see safety include school facilities.

People also provided ideas for both additional broad categories of topics as well as more detailed topics within broader categories. This next set of ideas about content topics was not quite as widely discussed, but we still noticed they came up in more than a couple conversations or were raised by more than a few people.

### Working Conditions

The term “working conditions” came up in several conversations; however, we heard different variations on what people thought fell under the category of “working conditions.” In one group, school administrators discussed wanting to see how

“We need to acknowledge our political context. How teachers show up in the classroom and the types of topics they are allowed to talk about with their kids; some are feeling very attacked. We talk about cultural awareness, but how are they navigating that? Our superintendents of color when they talk about equity work are getting attacked.”

broader expectations from the state or the community impact members of the education workforce, particularly for people of color who are administrators or in leadership positions and particularly when

those expectations differ or are in opposition to one another. In another group, substitute teachers talked about having information about schools and students they are serving. One substitute teacher shared the example of the challenges in not having a list of students' preferred names or students' IEPs when they enter a classroom and the impact on their ability to do their job well and create a positive learning environment. Another said it would be helpful to know more about different schools' student conduct protocols.

### Content Related to Students and Student Voice

We heard interest in including a topic related to students or in somehow incorporating student voice in the survey process. One person suggested identifying what students would want to ask their teachers and workers in their schools about their working experiences. Another person wondered if "School Climate" would be a space to include student voice or opinions in some way. Other people talked about students and the survey in terms of how the student population might impact staff working experiences. A couple of people said they are seeing student issues or behaviors impact working conditions so felt this would be important to include. On the other hand, some people cautioned that they don't want to see a working experiences survey become focused on attitudes towards students.

### Additional Topics of Interest

Additional topics came up in discussions though with less frequency or by fewer people overall. They are worth noting, however, as they were important to the participants who raised them. These include:

- **Burnout:** People raised the topic of burnout in a couple of conversations. We heard a desire to better understand what people view as "burnout" as well as the sources of burnout.
- **Workload:** People mentioned workload generally as well as in specifically talking about staff to student ratios. A couple of people referred to wanting a better understanding of how staff are spending their time, particularly on work that goes beyond traditional academic or educational work. They thought this

would be helpful so the broader community understands all of the work that members of the education workforce undertake on a regular basis in schools and districts.

- **Technology:** One person mentioned the topic AI specifically while another person mentioned student cell phone use.
- **Accountability Measures:** A category that covered accountability came up in a couple of conversations. One person suggested a group of topics under “Expectations, Standards, and Accountability” as a category.
- **Purpose:** A couple of people noted that it would be helpful to better understand workforce motivations. One person suggested asking, “What provides purpose for you / your job? What keeps you in your job?” Relatedly, one person suggested asking about people’s “job satisfaction.”
- **Compensation:** Compensation in general came up in a few conversations. People who raised it often did not go into detail beyond stating they were interested in seeing compensation covered in the survey. One bilingual staff member did specify that they wanted to see compensation cover differential payment for all bilingual/multilingual staff members who use more than one language at work.
- **External factors:** In one conversation, people suggested including a section on factors outside of the school workplace (e.g. childcare or housing availability and affordability) as these can be just as crucial as workplace issues in recruiting and retaining employees.
- **Wellness / well-being / behavioral health:** One person said that while well-being is often discussed in the context of students, they don’t see wellness applied as often to discussions around school and district staff and administrators.

“I’d like to ask people, what would you do about it? I’d want to hear their ideas for improvement so it doesn’t just turn into a method for complaining. Get our employees’ voice about what we could do.”

- **Opportunity for generating solutions or support:** A few people said they hope the survey will offer an opportunity to share ideas that they and their colleagues have about addressing recruitment and retention. One person referred to wanting to see some “reciprocal accountability” through the survey and thought posing a question about what people think ODE or the state legislature could do to support local or regional efforts would help achieve that.

“We used to be an institution about academics but now we are all things to all kids and families. Information on the way their day is broken up and how they spend their time and energy would help us really understand that. We get money that supports the academics but what about the other demands?”

## SECTION 6: HOPES FOR OUTCOMES FROM THE SURVEY

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When we asked participants what they hoped to see as a result of the survey, we noticed that most participants shared hopes related to the education workforce as a whole or as a system rather than individual outcomes. In several cases, people’s responses reflected a desire to see impacts involving the broader community within which a school or district is situated. And, people often made the connection between

“I hope this helps with changes that support all the different roles.”

outcomes for the education workforce and better outcomes for students, including, as one person put it, “a positive impact on student retention and success.”

We did hear some differences in the geographic scope of people’s hopes. Some people are more focused on regional or district-level shifts as a result of the survey while others are thinking more about the state as a whole. For instance, some people shared that they hope the survey will help identify common issues at a district or regional level to help set district or regional priorities around retention and recruitment. Another group discussed wanting to see

“I’d like the survey to lead to more open communication between the buildings in our district. Often feels like it’s the buildings vs. district office. It would be nice if we could actually become more of a collaborative team.”

a “coherent state strategy” about how to better streamline or connect “duplicative work” of different state initiatives or efforts related to the education workforce. We also heard hopes that the survey would help paint a clearer and/or accurate picture of what is happening regarding the education workforce. One person used the phrase “brink of disaster” to describe their sense of education workforce shortages in Oregon.

People shared the following hopes:

- A clear correlation between survey input and future investments;
- Connections made across schools or districts and with communities;
- Identification of professional roles where Oregon needs to concentrate on growing a workforce and an increase of hires in those roles;
- More training in areas the survey is able to identify;
- Decreased ratios for staff to students;
- Resources and funding devoted to some action related to recruitment and retention; and
- Desire to see a “workforce lens” applied to any statewide education initiative, taking into consideration what the impacts might be on the education workforce for different initiatives.

“It would shine a light for legislators and the Department of Education on everything the workforce is carrying in light of what our kids need. It would restore trust and build confidence in what our workshop is currently doing, and identify areas where we need to grow our workforce based on the needs of our students.”

## **SECTION 7: RECOMMENDATIONS FOR FUTURE COMMUNITY ENGAGEMENT**

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Our conversations over the course of spring and summer 2024 raised a number of opportunities for future community engagement. Most notably, people repeatedly talked about wanting to see acknowledgement that their input was heard and how that input is influencing decisions around recruitment and retention. In any community

engagement process, we encourage decision makers to reach out to the people who gave their input and let them know how the input was used. Participants' desire for that kind of response or communication came through clearly in this engagement process. We recognize that there will likely be both short-term decisions (i.e. if the survey results elevate areas where districts, ODE, or the state legislature may be able to act within months), as well as longer-term decisions that will take years. We encourage ODE to ensure that there is broad, clear communication whenever a decision is made based on *this engagement* and more importantly, the survey results – and why ODE or decision makers came to that decision – even if the decision may appear minor or if the decision happens years after participants responded.

The planned pilot survey in 2025 offers some immediate opportunities for ODE to more deeply explore the ideas and issues this engagement process has surfaced. We offer the following recommendations for how ODE might integrate community engagement into the pilot survey process:

- Consider follow-up engagement with people who participated in this process to test out content framing for the pilot survey;
- Conduct post-pilot community engagement with people who respond to the pilot survey to learn how the pilot worked or didn't work for people;
- Consider forming an “outreach and organizing” team with partner organizations and with people who participated in this process to help develop outreach communications and drive participation in the pilot survey; and
- Consider conducting participatory meaning making with a cross-section of the education workforce to review and analyze the results of the survey.

In addition, as described in Appendix B, this community engagement process identified some participation gaps. ODE might consider additional, targeted engagement either prior to the pilot or immediately after to ensure that people in those roles have input into the process. For instance, there was significant concern that it was and will continue to be difficult to hear from contract employees. ODE could consider hosting focus groups for substitute teachers and / or for bus drivers employed by a contract agency (rather than directly by a school district). While we heard from people who are in those roles as employees of a district, we did not hear from people in those roles who are working through a contractor. Due to employment

status, there may be both differences in how to support those people's participation in the survey as well as in how they respond to the survey.

## **SECTION 8: CONCLUSION**

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This engagement process was intended to provide ODE with a sense of what people in a variety of roles in schools and districts want to see for the new statewide education workforce experiences survey. While this particular period of engagement has ended, we encourage ODE to return to people in Oregon's education workforce to share how their input will inform the upcoming pilot survey, future surveys, and any decisions made as a result of survey input to support recruitment and retention efforts. This community engagement process clearly calls for deliberate efforts from decision makers to demonstrate what they hear from people as well as how that input impacts decisions and results in any actions.

We have been honored to get to talk with a wide range of staff members and leaders from Oregon schools and districts who care so deeply about their colleagues, schools, students, and communities. Throughout this process, nearly everyone we talked with expressed a strong desire that new efforts like the new education workforce survey will lead to better experiences for the workers themselves, as well as for Oregon students and the communities to which schools belong.

## **APPENDICES**

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**Appendix A. Community Conversation Materials**

**Appendix B. Community Engagement Process**

# Welcome!

Please share in the chat :

- Name and role
- Where you are joining from today
- What's one thing you love about your school community?

# Introductions

**Oregon's Kitchen Table** is a statewide program that creates ways for community members to influence the decisions that affect their lives. We are a program of Portland State University.

# Today's Discussion

Hear and learn from each other about about  
how to make the survey accessible and  
helpful to everyone who works in schools

- Background
- Pairs / Trios ~ Share
- Discussion on barriers and supports
- Discussion on survey topic areas
- Next steps and Appreciations

## Education Workforce Survey: Background

### **SENATE BILL 283 (PASSED IN 2023 BY STATE LEGISLATURE)**

Directs ODE to conduct annual statewide survey of **all members** of the Oregon education workforce, including licensed and classified staff

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### **GOAL**

To provide a sense of the working experience among education staff within all education providers, including culture and climate.

# Education Workforce Survey: Community Engagement

## MAY - AUGUST 2024

The Oregon Department of Education is partnering with OKT to hear from variety of people in different staff roles and learn about how the education workforce survey can be most accessible and effective.

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## HOW INPUT WILL BE USED

Your input will help ODE draft survey standards (content, delivery, management, and use) to be reviewed and adopted by the State Board of Education. ODE will then create a pilot survey for 2025.

# Discussion Guidelines

- help us hear everybody
- be respectful of your neighbors
- listen with curiosity
- everyone brings different experiences and ideas

Tell us about a time when you felt like your input really mattered in a decision. This could be any time / place in your life (not just at your school or work)

What made you feel that way?

**Pairs / Trios**

- Each share for 3 minutes
- OKT team will send a broadcast message to switch
- Return and share what you noticed in each other's stories (verbally or in chat)

**Share Out**

## Discussion

**What are barriers or challenges you and other staff in your districts and schools might face in responding to a survey asking about working experience?**

**What do you think schools / districts / regions might be able to do to encourage and support participation?**

## Broad Groups of Types of Topics

- Professional Development Opportunities
- School Climate, Belonging, and Safety
- Diversity, Equity and Cultural Awareness
- Family and Community Engagement
- Leadership
- Staff Beliefs, Attitudes, and Practices
- Working Conditions and Job Satisfaction

As you look at this list, do you notice topic areas that are missing?

Based on the topics we talked about, if the survey went really well, what do you hope it would lead to in your districts or in the state?

# NEXT STEPS



OKT will create a report about the input. We'll share that report with ODE and with people who give us their emails. We will also post it on our website.

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ODE will create draft survey standards with your input. The State Board of Education will consider and adopt standards.



Once the BOE has adopted the standards, ODE will create the survey and conduct a pilot in winter 2025.

## APPENDIX B. Community Engagement Process



# Community Input on Oregon's New Education Workforce Survey

## Community Engagement Process

From May to August 2024, Oregon's Kitchen Table conducted a series of interviews and community conversations to gather input from Oregon school staff members in different roles and parts of the state. The following provides additional details about the community engagement process, including engagement activities, outreach, participation, and limitations.

### Outreach and Engagement Activities

#### Community Connector Interviews

At the start of planning for engagement, OKT conducted approximately 10 small group or individual interviews with community connectors from organizations that bring together people who serve in different licensed, classified, and administrative roles across the state. We spoke with people from the following organizations:

- Oregon Trail Regional Educators Network
- Oregon School Personnel Association
- Oregon Substitute Teachers Association
- Oregon Association of Educational Service Districts
- Oregon School Psychologists Association
- Coalition of Oregon School Administrators
- Oregon Education Association

- Oregon School Employees Association
- Oregon Trail Regional Educators Network
- Oregon School for the Deaf
- ODE staff members working with charter schools
- ODE staff members working with correctional, hospital, and treatment schools

These interviews were intended to help inform the design of the eventual outreach and the engagement plan. They also helped to identify potential settings and co-hosts for community conversations as well as outreach strategies. Community connector interviews also helped the OKT and ODE team to frame the content for engagement. OKT continued to work with these groups to invite their members to participate in the community conversations or submit written input via an online form.

### Community Conversations and Individual Interviews

OKT worked with several of the organizations identified above to hold a series of community conversations and to conduct outreach to their members. OKT had a table at the Oregon School Employees Association's (OSEA) spring conference, and spoke with dozens of OSEA members who visited the table. We also presented on the new survey and the community engagement effort at the Oregon Education Association's (OEA) spring board meeting. Both these events were held in Portland but drew members from all over the state.

### Participation

OKT heard from approximately 200 people in a variety of settings. Approximately 125 people participated in the 8 conversations (2 in person and 6 via Zoom), which ranged from 5 attendees to 50 attendees. One in-person conversation took place in Boardman at the Oregon Trail Regional Educator Network's spring meeting. The other in-person conversation took place at the Oregon School Personnel Association's summer meeting in Portland. This meeting also drew members from districts all over the state.

In addition, 7 people submitted input via writing through an online form. A member of the OKT team also conducted individual interviews with 7 people who were

in a variety of family engagement positions in different districts. OKT presented to or spoke with approximately 60 people at the OSEA and OEA meetings mentioned above.

### Demographic Information about Participants

Due to the limited scope and timeline for this project, as well as the focus on group settings for engagement, we did not collect detailed demographic information from participants. When engagement activities take place in a group, discussion setting – either by Zoom or in-person – we do not ask people to publicly provide demographic information about themselves. Participants’ focus on anonymity throughout this process underscored the importance of not collecting or providing personally identifying information. As participants pointed out, one or two pieces of demographic information can often be enough to identify individuals, especially in particular schools or districts. Some participants did choose to self-identify in different ways when they introduced themselves or shared their perspective or experience during the conversations. This was not consistent among participants or across conversations.

Partnering with different statewide associations provided opportunities to ensure that we were hearing from people in a variety of roles as well as from different parts of the state and types of districts. For example, the Oregon Trail Regional Educators Network hosted an in-person community conversation with educators in parts of Eastern Oregon.

Should ODE wish to hear from particular groups of the state’s education workforce, we recommend a longer timeline for community engagement with focused outreach and organizing. A more robust community engagement process would allow for different ways to hear from people that help to ensure people’s anonymity as they share demographic information.

### Project Limitations

This community engagement process took place under a number of factors that limited the extent to which we were able to host activities and thus the breadth of participation. Community engagement activities occurred either during the final weeks of the school year or in summer months, when many school employees’ attention is

focused elsewhere. District calendars also vary widely in terms of the final weeks of the school year, with many schools in eastern Oregon finishing in May while schools in the Portland area finished in mid-June. This engagement process also occurred against a backdrop of announcements around school budget challenges and staff cuts in many districts, as well as recent tense contract negotiations in a few districts. Given all of these factors, several of the people we spoke with during the community connector interviews and throughout the community conversations cautioned that participation in this process would likely be limited and that community engagement should continue after the launch of the survey.

Due to these limitations, we recognize that participation in this community engagement process is not a comprehensive representation of Oregon's large and very diverse education workforce across different geographic areas. Types of roles also differ greatly from district to district and even school to school. One missing perspective that is noticeable is staff who are "under contract to provide services to a public education provider" (per Senate Bill 283 Section 4). Several participants explained that there are many different kinds of contracts that schools and districts have for different positions, including with other public education providers such as Educational Service Districts. We heard this is especially true for roles like school psychologists, speech and language pathologists, and special education staff members. Other people shared that some schools and districts contract with companies to provide staff such as bus drivers or substitute teachers. This varies across parts of the state, and there is not widespread knowledge about who contracting entities might be or how to connect with them to reach the individuals who are employed by those entities.

While we weren't able to hear directly from people who are in these contracted positions, this information is helpful as ODE considers standards or guidance about how schools and districts can ensure the survey is available to all staff, employed by the district or not. In addition, substitute teachers we talked with shared some of the companies that Oregon schools and districts contract with to provide substitute teachers. Participants in interviews and conversations did share information about how their districts and schools might be able to communicate with those who are providing services but not employed by the district or school. As ODE pilots the new statewide

survey, we recommend ODE staff consider additional targeted outreach and engagement to hear from people in those contracted roles.

**581-015-2585**

**Youth (Juvenile) Corrections Education and Juvenile Detention Education Programs**

(1) Definitions:

(a) "Youth Corrections Education Program" means the provision of educational services to youths in youth correction facilities of the Oregon Youth Authority, and includes secure regional youth facilities, regional accountability camps, residential academies and satellites, camps and branches of those facilities.

(b) "Juvenile Detention Education Program" means the provision of educational services to youths lodged overnight who receive educational services on consecutive days within a detention facility.

(2) Youth Corrections Education Program: The following administrative rules apply to education programs for youth housed in Oregon Youth Authority youth correctional facilities:

(a) Special Education Rules, OAR 581-015-2000 through 581-015-2070, 581-015-2080 through 581-015-2255, 581-015-2300 through 581-015-2445, 581-015-~~0607-2540~~ through 581-015-2565, and 581-015-~~2585-2930~~ through 581-015-~~2590-2940~~.

~~(b) School Improvement and Professional Development Rules, OARs 581-020-0005 through 581-020-0200;~~

~~(c) School Governance and Student Conduct, OARs 581-021-~~0037-0003~~ through 581-021-04400009, 581-021-0022, 581-021-0030, 581-021-0037, 581-021-0038, 581-021-0045, 581-021-0046, 581-021-0050, 581-021-0210 through 581-021-0512, 581-021-0550 through 581-021-0570, and 581-021-0580 through 581-021-0665;~~

~~(d) Standards for Public Elementary and Secondary Schools, OARs 581-022-0102 through 581-022-~~0413-2030~~, 581-022-~~0606-2050~~ through 581-022-2120, 581-022-2205, 581-022-2220 through 581-022-2225, 581-022-2250 through 581-022-2270, 581-022-2310 through 581-022-2315, 581-022-2325 through 581-022-2330, 581-022-2355, 581-022-2500, and 581-022-2510; 581-022-0610, 581-022-0705, 581-022-1020 through 581-022-1210, 581-022-1310 through 581-022-1340, 581-022-1420, 581-022-1440, 581-022-1520, 581-022-1610 through 581-022-1670, 581-022-1710 through 581-022-1730;~~

~~(e) Funds to State and Local Agencies to Provide Employment and Training Services Under the Workforce Investment Act (formerly the Job Training Partnership Act (JPTA)), OARs 581-060-0010 through 581-060-0020;~~

~~(f) Teacher Standards and Practices Commission Rules.~~

~~(g) Education service districts will grant high school diplomas in accordance with all standards for Public Elementary and Secondary Schools OARs listed in subsection (c) of this section.~~

~~(3) Students enrolled in a Youth Corrections Education Program may not be suspended or expelled from the program.~~

(34) Juvenile Detention Education Program: All rules applicable to education programs for ~~OYA~~ Oregon Youth Authority youth correction facilities, as set out in sections (12) of this rule, apply to educational programs for juvenile detention facilities.

(a) Students may not be suspended or expelled from juvenile detention education programs.

(b) Juvenile directors and the school district or education service district responsible for the education of students in a juvenile detention education program under contract with the Department will sign a letter of agreement establishing each agency's areas of responsibility and duties.

(45) Notwithstanding OAR 581-015-2190(6)(b), the school district or ESD responsible for the special education of students in a juvenile detention program or juvenile-youth corrections program is not required to provide notice of meetings to the parent after rights transfer to the student pursuant to OAR 581-015-2325.

**Statutory/Other Authority:** ORS 326.021

**Statutes/Other Implemented:** ORS 326.695-326.712 & 34 CFR 300.520(a)(2)

**History:**

Renumbered from 581-015-0301, ODE 10-2007, f. & cert. ef. 4-25-07

ODE 6-2003, f. 4-29-03, cert. ef. 4-30-03

EB 3-1997, f. & cert. ef. 4-25-97

## Summary

**Meeting Date:** 12/5/2024

**Title:** Funding for Youth Corrections and Juvenile Detention Rule Updates: OAR 581-015-2585 and OAR 581-015-2940

**Status:** First Reading

**Presentation:** Yes

**Key Staff:** Adam Henning

**Topic Summary:** Adding new legislative language to 581-015-2940 focused on funding Youth Corrections and Juvenile Detention Education Programs. Updating language in 581-015-2585 to include legislative language allowing education service districts to issue high school diplomas in Youth Corrections and Juvenile Detention Education Programs.

## ODE Education Equity

### Stance

Education equity is the equitable implementation of policy, practices, procedures, and legislation that translates into resource allocation, education rigor, and opportunities for historically and currently marginalized youth, students, and families including civil rights protected classes. This means the restructuring and dismantling of systems and institutions that create the dichotomy of beneficiaries and the oppressed and marginalized.

## BACKGROUND AND NEED

*Members of the State Board of Education are volunteers, with unique professional and lived experiences. Using plain language, this section should provide context for this item, including any needed overviews of relevant programs or initiatives.*

- 1. Briefly, how does this topic, program, or initiative currently operate? Where is it located within Oregon’s school systems? How does it ultimately serve students?**

Youth Corrections and Juvenile Detention Education Programs are a responsibility of the Oregon Department of Education to serve students in juvenile justice setting within the state. These programs are housed within Oregon Youth Authority facilities and county juvenile detention facilities. Students in these programs have access to an education program from which they can earn a high school diploma.

- 2. Please list the specific rule(s), statute(s), or recently passed legislation that allows the Board to take action on this item. Where are they prescriptive and where do they provide the Board and Department flexibility?**

581-015-2585 - ORS 336.585 & ORS 336.590. This is to update the language of the rule and include an education service district may issue high school diplomas in Youth Corrections and Juvenile Detention Education Programs.

# Oregon State Board of Education Docket



581-015-2940 – SB 1552. New legislation focused on funding for Youth Corrections and Juvenile Detention Education Programs.

**3. Has this item come before the Board before? If so, when did the Board last take action, and what was that action?**

No

**4. Why is this item coming before the Board now?**

This proposed rule language is primarily in response to certain sections of Senate Bill 1552 (2024), as well as natural learnings made during the implementation process:

581-015-2585 – Updating rule references and adding education service districts can issue high school diplomas.

581-015-2940 – New legislation being added to the rule.

**5. Who requested or brought about the need for this item? (Select all that apply.)**

- ODE Staff
- Students
- Families
- Community-Based Organizations
- Culturally Specific Organizations
- School Districts
- Education Service Districts
- Charter Schools
- Oregon State Legislature
- Educational Associations
- Racial Justice Council
- Federal Government
- One or more of Oregon’s nine federally recognized tribes: \_\_\_\_\_
- Other: \_\_\_\_\_

**ENGAGEMENT STRATEGY AND LEARNINGS**

*The State Board of Education expects all items that come before it be reviewed and influenced, to the greatest extent possible, by a robust community engagement process. Using plain language, this section should provide an overview of the role that engagement played in this item, including with Oregon’s nine federally recognized Tribes, other state agencies, and external partners.*

**6. How did the [Equity Decision Tree](#) inform your office/team engagement strategy? Who is most likely to be affected and how have they been intentionally incorporated into the engagement process for this item?**

## Oregon State Board of Education Docket

The community partners operating the programs will be most impacted by this. We have conducted multiple engagement sessions with Youth Corrections and Juvenile Detention Education Program providers to solicit input on the proposed changes to these rules. We have also had multiple engagement sessions with the Oregon Youth Authority and the Juvenile Detention Directors and Managers to solicit input on the proposed changes to these rules.

7. **After consulting with ODE’s Rules Coordinator and the Office of Indian Education, did this item require Tribal Consultation and/or Tribal Communication with Oregon’s nine federally recognized tribes? (For more information, please reference ODE’s [Tribal Consultation Toolkit](#).)**
- No
  - Yes – Both Consultation and Communication.
  - Yes – Only Communication.
8. **Has your office/team considered how this item intersects with the authority of other state entities that serve the health and education needs of Oregon’s students, or otherwise contribute to the climate of Oregon’s school systems? If so, please select from the below list.**
- N/A; this item does not intersect with other state entities.
  - Oregon Health Authority (OHA)
  - Department of Early Learning and Care (DELIC; formerly ELD)
  - Educator Advancement Council (EAC)
  - Higher Education Coordinating Commission (HECC)
  - Youth Development Oregon (YDO)
  - Teacher Standards and Practices Commission (TSPC)
  - Oregon Housing and Community Services (OHCS)
  - Other: Oregon Youth Authority

**If you selected any of the above entities, please share why they were involved, how the Department partnered with them, and what feedback they provided.**

See response for question 6.

9. **Which geographic perspectives are intentionally represented in your office/team engagement strategy?**
- Northeast Oregon
  - Central and Southeast Oregon
  - Southwest Oregon
  - Willamette Valley and Central Coast
  - Northwest Oregon
  - Tribal lands
  - Other: \_\_\_\_\_

## Why did your office/team focus on the above geographical perspective(s)?

We did not target any specific areas in the state. We did reach out to all areas of the state during our engagement process because we have programs statewide. We provided multiple opportunities for statewide input during our engagement sessions.

## 10. Please highlight some of the key pieces of feedback your office/team received during the engagement process. How did this feedback influence the development of this item? How were differences in opinion accounted for?

Some of the key take aways include:

- Changing all classroom ratio's to 1:8 students is good
- Mixed responses to funding by statewide average – some like that it keeps a level funding amount for all sites, some are concerned there will be sites that get too much funding while other sites will not get enough funding.

## 11. Please describe any additional engagement opportunities your office/team will be pursuing prior to asking the Board to take action on this item.

Presenting to Ongoing Rules Community Advisory (ORCA) in January and will continue to accept input and feedback through that time.

## FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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*Equitable resource allocation is a critical component of education equity. Using plain language, this section should describe the fiscal, administrative, and small business impacts of this item, and how it affects the larger social system that serves Oregon's students.*

## 12. After consulting with ODE's Rules Coordinator and Grant Consolidation Team, was this item identified as a grant-related item?

No

Yes; please review Appendix B: Grant Consolidation below.

## 13. Will Board action create fiscal or administrative impacts on districts, ESDs, community-based organizations, and/or the nine federally recognized tribes? If so, please describe the anticipated short- and long-term effects and how they may be felt differently in small, rural, or remote communities.

No

## 14. Will Board action create a fiscal or administrative impact on state agencies, units of local government, and/or the public? Will it increase costs associated with compliance for small businesses?

No

## EQUITY IMPACT ANALYSIS

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*The State Board of Education envisions an aspirational education system that honors its increasingly diverse student body and affirms every student to reach their full potential in a rapidly shifting global environment. Using plain language, this section should describe the impact of this item on students and the larger social system that serves their health and education needs.*

**15. How will Board action on this item ultimately impact students and their families, particularly those who have been and continue to be systemically marginalized?**

Youth Corrections and Juvenile Detention Education Programs serve marginalized students. This action will give clarity to funding the programs and how the education services are provided.

**16. How will Board action on this item ultimately impact school district employees and volunteers, particularly those who have been and continue to be systemically marginalized?**

No impact to school district employees and volunteers.

**17. What are the anticipated short- and long-term consequences of Board action on this item? Will Board action have a cumulative effect on students, families, educators, districts, or Oregon's school systems?**

No perceived consequences from Board action on these rules.

**18. What are the anticipated short- and long-term consequences of inaction on this item and who would experience those consequences?**

No perceived consequences from inaction on these rules.

## RECOMMENDED ACTION

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*The State Board of Education has dedicated itself to challenging the status quo and sharing responsibility for every student's academic and lifelong success. Using plain language, this section should describe the choice before the Board, the Department's recommendation, and any other relevant information.*

**19. Please provide a brief summary of the specific language your office/team is bringing to the Board. Are there any key decisions within this language that your office/team would like the Board to make?**

## Oregon State Board of Education Docket



581-015-2585 - This is an update to the language within the rule and to add language allowing education service district to issue high school diplomas in Youth Corrections and Juvenile Detention Education Programs.

581-015-2940 - New legislation focused on funding for Youth Corrections and Juvenile Detention Education Programs. Included is the legislation is a Juvenile Justice Education Fund creation, Target Level Funding for the programs, an appeals process for the program providers, and a new legislative report requirement.

**20. How is this language responsive to identified needs and/or feedback received through the engagement process? How is it in alignment with [the Board's Mission, Vision, and Values](#)?**

The proposed language aligns with the majority of the feedback received. The proposed rule updates are focused on the needs of students and providing an educational program within the juvenile justice settings in Oregon.

**21. Please describe the action your office/team is recommending to the Board (for example, the adoption of rules or the approval of a waiver) and how it reflects the Department's commitment to academic excellence, belonging and wellness, and reimagining accountability.**

This is the first read by the Board of these proposed updates. These rules are focused on providing an educational program to marginalized students resulting in a successful transition back to the community.

**22. Please note any additional support the Department is (or will be) providing to ensure successful implementation of this item.**

- N/A; this item does not require any additional support.
- Communications plan
- Technical assistance, professional development, and/or coaching
- Direct or differentiated support for small, rural, or remote school districts
- Corrective Action Processes
- Safety measures
- Organizational culture or practice changes (change management)
- Materials and/or supplies
- Guidance and/or supplemental resources
- Other: \_\_\_\_\_

**23. Has this item changed since the last Board meeting?**

- N/A; this item has not previously been before the Board
- No; same as last month
- Yes; please review Appendix A: Second Reading below.



# Funding for Youth Corrections & Juvenile Detention and OAR Updates

Adam Henning (He, Him)

Office of Enhancing Student Opportunities

[adam.henning@ode.oregon.gov](mailto:adam.henning@ode.oregon.gov)

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# Youth Corrections & Juvenile Detention Education Program: Overview

- The Youth Corrections Education Program (YCEP) and Juvenile Detention Education Program (JDEP) provide educational services for students incarcerated in the juvenile justice system.
- The Oregon Department of Education (ODE) is responsible to provide and fund educational services for the students. ODE partners with School Districts (SDs) and Education Service Districts (ESDs) to provide the educational services in the facilities around the state.
- The educational year is eleven months (220 days at 5.5 hours a day) which results in a 22% increase from the traditional nine-month educational year. Regardless of the average student count, ODE strives to have a full-time licensed teacher as well as Special Education and English Language Learners (ELL) services at every JDEP and YCEP site.

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# Differences between Youth Corrections and Juvenile Detention

## YCEP

- Oregon Youth Authority secure close custody facilities
- Long-term students
- Multi-classroom sites
- Students earn and are awarded high school diplomas and GED certificates
- Statutorily 2.0 ADMw State School Funding

## JDEP

- County Juvenile Detention Facilities
- Short term students
- All except Multnomah are single or two classroom locations
- Due to the short-term stay, while in JDEP sites, only a handful of students earn high school diplomas or GEDs
- Statutorily 1.5 ADMw State School Funding

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# Who Provides the Education Services

## Youth Corrections Education Program (8 sites)

Harney SD, Inter-Mountain ESD, Multnomah ESD, Tillamook SD, Grants Pass SD, and Willamette ESD

## Juvenile Detention Education Program (11 sites)

Bend-LaPine SD (COIC), Douglas ESD, Grants Pass SD, Klamath SD, Lane ESD, Medford SD, Multnomah ESD, North Wasco SD, and Willamette ESD

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\*Oregon Department of Education enters into grant agreements with school districts and education service districts to provide the educational services.

# SB 1552 (2024)

**Juvenile Justice Education Fund (JJEF)** - Funds for both YCEP and JDEP will be placed in this account to be used by both programs to provide educational services.

**Target Funding Level (TFL)** - Calculation to determine the amount of funding necessary to provide educational services to YCEP and JDEP.

**Program Funds** - ODE has access to State Education Initiatives Account funds and Legislative Emergency Board (E-Board) to bridge gaps in funding the programs.

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**Legislative Report** - ODE will provide a report to project funding needs for the upcoming biennium.

**Appeal Process** - Program providers have a process to appeal funding amount to granted to operate individual programs.

# OAR 581-015-2940

- Creation of the Juvenile Justice Education Fund
- Creation of the Target Funding Level
- Programs have access to Statewide Education Initiative Fund (SEIA) and Legislative Emergency Board (E-Board) to request supplemental funds beyond what is received in General Funds (GF) and State School Funds (SSF)
- Develop an Appeal Process for program funding amounts
  - \*This takes the place of the current application process in rule
- Requirement of a report on the Target Funding Level due in August of each even year
- Update Classroom ratio to 8 ADM = 1 classroom across all sites

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# OAR 581-015-2585

- Deleted references to outdated rules and included new applicable Oregon Administrative Rules
- Include language which allows education service districts providing educational programs in Youth Corrections Education Program and Juvenile Detention Education Programs to issue high school diplomas
  - ORS 336.585
  - ORS 336.590

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# Funding for Youth Corrections & Juvenile Detention: Fiscal Impact

Target Level Funding may not be sufficiently met through the current funding streams:

- General Funds
- State School Funds
- Cash reserves

The Department of Education may transfer funds from the Statewide Education Initiatives Account (SEIA) to fund any needed amounts or request additional funds through the Legislative Emergency Board (E-Board).

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# Funding for Youth Corrections & Juvenile Detention: Equity Impact

- Youth Corrections Education Program and Juvenile Detention Education Program serve populations of marginalized students.
- YCEP and JDEP serve a disproportionate percentage of students of color across the programs.
- These populations have a far higher rate of IDEA students as compared to traditional public schools as well.
- Providing quality education programs and re-entry transitional services for these students greatly increase opportunities for success and belonging in the community.

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# Funding for Youth & Juvenile Corrections: Engagement Strategy

Oct 16th - Engagement with Oregon Juvenile Detention Directors Association

Oct 28th - Engagement with Youth Corrections Education Program and Juvenile Detention  
Education Program community partners

Nov 4th - Engagement with School Districts and Education Service Districts

Nov 4th - Engagement with Parents

Nov 7th - ORCA presentation

Nov 8th - Engagement with Juvenile Detention Managers

Nov 12th - Engagement with Oregon Youth Authority Family Advisory Council

Nov 13th - Engagement with Oregon Youth Authority partners

Dec 5th - State Board of Education 1st read

Jan 9th - ORCA presentation

Feb 13th - State Board of Education 2nd read

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# Funding for Youth & Juvenile Corrections: Engagement Feedback

- Positive response to changing all classrooms to being funded at a ratio of 8 students = 1 classroom
- Mixed responses to funding by statewide average – some like that it keeps a level funding amount for all sites, some are concerned there will be sites that get too much funding while other sites will not get enough funding.
- Suggestions
  - Appeals can not be made without the program applying for all available funds (ex: Student Investment Account & High School Success funds)
  - All appeals are reviewed at the same time

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# Funding for Youth & Juvenile Corrections

## Questions

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**581-015-2940**

**Corrections Education Program Funding Formula**

(1) The Department of Education shall administer the Youth Corrections Education Program and provide State School Funding to the Juvenile Detention Education Program (JDEP) in a manner that provides youths in those programs with a quality education based on anticipated Average Daily Membership times 1.5 ADMw for the school year.

(2) The Superintendent of Public Instruction may contract with an education service district or a school district to provide teachers, counselors or other personnel for the youth Corrections Education Program and the Juvenile Detention Education Program. Department of Education shall provide State School Funding to the Youth Corrections Education Programs (YCEP) based on anticipated Average Daily Membership times 2.0 ADMw for the school year.

(a) When a contract is entered into with an education service district, the Youth Corrections Education Program and the Juvenile Detention Education Program are not considered a component district of the education service district and the youth enrolled in the program may not be counted when determining the number of pupils in average daily membership for the purpose of ORS 334.175 (5).

(3) When determining the amount to be paid under a contract entered into, the following shall be taken into consideration:

(a) The number of youths to be provided educational services;

(b) The characteristics of the facility where the educational services will be provided, including the number of classrooms required to provide educational services;

(c) The diversity of the population of youths to be provided educational services, including the number and percentage of youths who are from historically underserved populations;

(d) The number and percentage of youths to be provided educational services who qualify for special education and related services; and

(e) The level of transition support provided to the youths.

(4) The Juvenile Justice Education Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Juvenile Justice Education Fund shall be credited to the fund. Moneys in the Juvenile Justice Education Fund are continuously appropriated to the Department of Education for the distribution to the Youth Corrections Education Program and the Juvenile Detention Education Program, as those terms are defined in ORS 326.695, to provide educational services to youths in those programs under contracts entered into as provided by ORS 326.695. The Juvenile Education Fund shall consist of:

(a) Moneys allocated from the State School Fund for students enrolled in the Youth Corrections Education Program and the Juvenile Detention Education Program in ORS 327.026;

(b) Moneys made available for the Youth Corrections Education Program and Juvenile Detention Education Program from the Statewide Education Initiatives Account under ORS 327.254;

(c) Money appropriated or otherwise transferred to the fund by the Legislative Assembly; and

(d) Other amounts deposited into the Juvenile Justice Education Fund from any source.

(e) Federal Funds will not be deposited into the Juvenile Justice Education Fund.

(5) Under ORS 327.036, the Department of Education shall provide State School Funds to provide education programs in the Youth Corrections Education Program and the Juvenile Detention Education Program.

(a) The Department of Education shall provide State School Funding to the Youth Corrections Education Program based on anticipated Average Daily Membership times 2.0 Average Daily Membership weighted for the school year.

(b) The Department of Education shall provide State School Funding to the Juvenile Detention Education Program based on anticipated Average Daily Membership times 1.5 Average Daily Membership weighted for the school year.

~~(36)~~ The Department of Education shall determine the number of classrooms to be funded at each Youth Corrections Education Program and each Juvenile Detention Education Program ~~JDEP and each YCEP school~~ using the methodology of a classroom for every 8 Average Daily Membership for Youth Corrections Education Program and Juvenile Detention Education Program.:

~~(a) A classroom for every 8 ADM for JDEP and YCEP schools with 48 ADM or below;~~

~~(b) An additional classroom for every 10 ADM above 48 ADM; and~~

~~(c) Based on the cost of operating a JDEP or YCEP classroom, with input from stakeholders, the Department of Education will determine the level of funding per classroom.~~

~~(4)(a) Based on available funding, the Department of Education will fund each classroom.~~

~~(b) If the total state funding available for all JDEP and YCEP schools is less than the total state funding needed to fully fund each classroom, the amount of state funding for each classroom determined under paragraph (3) of this subsection will be prorated.~~

~~(5) Based on remaining available funding after the allocations for the classrooms have been determined and calculated, each JDEP school and each YCEP school may apply for funding based on the below criteria:~~

~~(a) The diversity of the student population being served, including the number or percentage of youth from historically underserved populations;~~

~~(b) The characteristics of the facility, including the number of classrooms in use.~~

~~(c) The number of students who are enrolled in the school.~~

~~(d) The percentage of students qualifying for special education services.~~

~~(e) The level of re-entry transition support offered by the educational provider.~~

~~(6) Oregon State Funding may be transferred between the JDEP and YCEP programs.~~

7)(a) The target funding level of the Juvenile Justice Education Fund shall be calculated by multiplying:

(A) The average funding level per classroom, as calculated based on all classrooms operated under the Youth Corrections Education Program and the Juvenile Detention Education Program; and

(B) The total number of classrooms the Department of Education expects to be operated under the Youth Corrections Education Program and the Juvenile Detention Education Program for the following biennium.

(b) For the purpose of determining the average funding level per classroom, the Department of Education shall:

(A) Determine the average funding level per classroom for the previous biennium; and

(B) Adjust the amount determined under subparagraph (A) of this paragraph based on the same percentage by which the amount appropriated to the State School Fund increased for the biennium in which the calculation is being made as compared with the amount appropriated for the previous biennium.

(c) The Department of Education shall estimate the expected difference between the target funding level calculated and the amount anticipated to be made available to the Juvenile Justice Education Fund. If, after all funding available has been accounted for, the Department of Education determines that the amount required for the target funding level for the fund has not been met, The Department of Education may transfer from the Statewide Education Initiatives Account to fund any needed amounts.

(d) If, at any time during the biennium, the amount available in the Juvenile Justice Education Fund and from other sources is not sufficient to pay for costs incurred in relation to the Youth Corrections Education Program or the Juvenile Detention Education Program, the Department of Education shall inform the Legislative Assembly or the Emergency Board of the lack of funding and shall provide and accounting of the amount needed to pay those costs.

(e) Oregon State Funding may be transferred between the Youth Corrections Education and Juvenile Detention Education programs.

(f) In each even year by August 31, the Department of Education will submit a report to the Governor and Legislature explaining the Target Funding Level.

(8) A school district or education service district may appeal the amount received in the contract to provide educational services at a Youth Corrections Education Program and or a Juvenile Detention Education Program.

(a) The appeal must be in writing using the Juvenile Corrections Education Funding Appeal Form provided by the Department of Education within 30 calendar days of notice of the estimated funding contract amount;

(b) The appeal must include an accounting of the purpose and use of the additional funds and impacts of not receiving the requested funding;

(c) All appeals will be reviewed by the Department of Education and a written response will be issued within 45 calendar days of receiving the appeal.

**Statutory/Other Authority:** ORS 327.026 & HB 5014 (2023)

**Statutes/Other Implemented:** ORS 327.026

**History:**

[ODE 31-2024, adopt filed 06/14/2024, effective 06/14/2024](#)

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 7.B.

<p><b>SUBJECT: Transfer of Student Educational Records Technical Fix</b></p> <p><b>STAFF NAME &amp; OFFICE:</b> Kara Nystrom Boulahanis, Interim Director of IDEA Initiatives, and Don Dorman, Education Programs Specialist, OESO</p> <p><b>Summarize issue:</b> Technical fix of existing OARs to clarify options for Oregon educational agencies when storing and transferring student educational records, and to maintain equitable access to paper student records.</p> <p><input type="checkbox"/> New Rule <input checked="" type="checkbox"/> <b>Amend Existing Rule</b> <input type="checkbox"/> Repeal Rule</p>	<p><input checked="" type="checkbox"/> <b>First Reading</b> <input checked="" type="checkbox"/> <b>Presentation</b> <input type="checkbox"/> <b>No Presentation</b></p> <p><input type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Temp Rule</b> <input type="checkbox"/> <b>Presentation</b> <input type="checkbox"/> <b>No Presentation</b></p>
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## BACKGROUND

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

1. History:
  - a. The passage of House Bill (HB) 4124 (2022) required the Oregon Department of Education (ODE) to review challenges and develop solutions to the transfer of student education records. A committee of interested partners was assembled as required by the bill. The 4124 Committee examined in detail the complexities surrounding the transfer of student records in the state, highlighting significant issues including delays in both receiving and in sending student records, as well as challenges with storage and distribution of both electronic and paper student records.
  - b. What is the current requirement in rule or statute?  
OAR 581-021-0220 Definitions – Defines what constitutes an educational record.  
OAR 581-021-0255 Transfer of Student Educational Records - provides requirements for the transfer of educational records including timelines.
  - c. Why is this rule being brought forward right now?  
To bring forward one of the recommendations from the House Bill (HB) 4124 (2022) committee recommendations. Specifically to improve transmittal of student educational records by clarifying electronic records transmission.
2. Purpose
  - a. Current rule OAR 581-021-0220 **Definitions** defines terms used throughout this division. Current rule OAR 581-021-0255 **Transfer of Student Educational Records**, describes the processes and timelines for transfer of student educational records between educational agencies.
  - b. How long has the rule been in place? The rule was established in 2011, with a revision in 2007.

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 7.B.

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

The Board has little discretion on these technical fixes.

4. Stakeholder voice/input (individual and collective i.e., groups)

- c. Who was involved in bringing this to the Board? The Office of Enhancing Student Opportunities (OESO) is bringing this to the board on behalf of the HB 4124 Committee.
- d. What did engagement in this process entail? There was extended engagement on this topic from the HB 4124 Committee, as well as a community engagement survey of the committee members and the Oregon registrars List-Serv. Additionally, a consultation with the Secretary of State Records Archivist was conducted to ensure alignment with other statutes governing records.
- e. Who may be affected by this? Registrars and office staff at all Oregon educational agencies may be affected by this revision.
- f. Whose voice is missing? Adequate engagement for this topic was sought.
- g. What additional information does the Board need prior to moving forward? No additional information is needed by the Board prior to moving forward.

## SUMMARY OF PREVIOUS BOARD ACTION

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- 1. This item has not been before the Board before.

## HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

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

## 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, 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?
  - b. This request resulted from a legislative committee's efforts to examine obstacles hindering the prompt transfer of critical school records. To support these recommendations for technical improvements, school registrars were contacted and surveyed for their input.
  - c. Who are the historically underserved groups affected?

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 7.B.

- i. Students with high mobility rates during their education, such as children in foster care, substitute care programs, or eligible for Migrant Education services.
    - d. Has there been consultation or collaboration with tribes in this rule change or policy decision?
      - i. No, consultation or collaboration with tribes in this rule change has been conducted.
    - e. How has the Oregon Department of Education modified or enhanced the rule change or policy decision to address the needs of historically underserved communities? These changes will benefit all students transitioning between educational settings.
  - 2. Negative/Positive Effects
    - a. What is the impact on the population most affected by this rule that the board should consider?
      - i. This rule change will facilitate faster access to educational history, current transcripts, relevant reports, and identified supports for a student's new educational placement.
    - b. What possible opportunities, assets or access could this rule provide?
      - i. With faster access to critical student information, the receiving educational agency can prepare and implement supports more quickly, minimizing the negative impacts of a transition event.
    - c. What is the impact on eliminating the opportunity or achievement gap?
      - i. These changes would enable the faster transfer of critical support information for students transitioning between educational settings.
    - d. Have all the potential unintended consequences been considered?
      - i. Yes, all potential unintended consequences have been considered.
    - e. Does this rule advance the ESSA goals?
      - i. Yes, this rule advances the ESSA goals.
  - 3. What are the barriers to more equitable outcomes?
    - a. No barriers to more equitable outcomes are noted.

## EQUITY IMPACT ANALYSIS

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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. For all students transferring between educational agencies, including highly mobile students, those eligible for McKinney-Vento protections, and students experiencing disability, these updates will help districts in expediting the record transfer process by offering multiple options, including immediate electronic transfer.
- 2. Explain how the rule change, policy or action works toward improving achievement, opportunities and a sense of worthiness for underserved students?

# Oregon State Board of Education

December 5, 2024

AGENDA ITEM: 7.B.

- a. Streamlining the transfer of student educational records enables receiving educational agencies to access critical support information more quickly, reducing disruptions for students during the transition.

## FISCAL ANALYSIS

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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. There is no expected impact on ODE’s budget.
2. How does the proposed rule change impact school districts and ESDs?
  - a. Potential cost savings: Currently, districts are required to share paper copies, but this change will enable them to avoid the costs associated with sending paper documents unless specifically requested.
3. How does the proposed rule change impact schools and other educational institutions?
  - a. This update expands options for districts and education service districts (ESDs) transitioning to digital student record management while allowing districts to continue using their existing paper-based processes, if preferred.
4. Does the proposed rule change impact other stakeholders?
  - a. No, the proposed rule change does not impact other stakeholders.

## EFFECT OF A “YES” OR “NO” VOTE

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A ‘Yes’ vote would clarify language in the rules addressing transferal of electronic student records. A ‘No’ vote would leave the current language undefined in this area.

## STAFF RECOMMENDATION

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

## ATTACHMENTS

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Attachment 1:

### **OAR 581-021-0220 Definitions**

(13) "Record" means any information recorded in any way including, but not limited to, handwriting, print, **electronically**, tape, film, microfilm and microfiche.

### **OAR 581-021-0255 Transfer of Student Educational Records**

(4) The educational agency must retain originals of student education records for the time periods and under the conditions described in the record retention rule, OAR 166-400-0060, except that originals **or a printed copy of the record** shall be transferred to a new education agency upon request.

(5) When original records have been transferred to a new educational agency as required in subsection (2) of this rule, readable ~~photocopies~~ **copies** of the following documents must be retained by the former educational agency or institution for the time periods and under the conditions as prescribed in the record retention rule, OAR 166-400-0060:

**Criteria for the Review and Adoption of Instructional Materials for:**

Categories 1-6: Oregon Social Sciences– Grades K-5, 6-8, and 9-12 History, 9-12 Civics and Government, 9-12 Geography, 9-12 Economics

**Legal Requirements Section**

1. Basal Instructional Materials Requirement

The submitted materials must make up an organized system of instruction that provides opportunities for teaching the 2024 Social Science Standards, including the Essential Disciplinary Practices.

*Does the program meet the above requirements for basal instructional materials?*

Yes                      No

2. Nondiscriminatory Requirement

Submitted materials must provide models, selections, activities and opportunities for responses, which promote respect for all people described in ORS 659.850 and OAR 581-021-0045; materials must support program compliance standards described in OAR 581-021-0046.

*Does the program meet the above nondiscrimination requirements?*

Yes                      No

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3. National Instructional Materials Accessibility Standard (NIMAS)

Submitted materials must include assurance from the publishers that they agree to comply with the most current NIMAS specifications regarding accessible instructional materials. NIMAS files must be submitted to the National Instructional Materials Access Center (NIMAC) by February 1, 2026.

*Does the program meet the above requirements for NIMAS?*

Yes                      No

4. Digital Manufacturing Standards and Specifications for Textbooks (MSST Form B and M):

Submitted materials must include assurance from the publishers agreeing to comply with the most current manufacturing standards and specifications (MSST Form B and M).

*Does the program meet the above MSST requirements?*

Yes                      No

## Part 1: Oregon Social Science Baseline Criteria [K-HS]

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
<b>Criterion 1.1</b> Alignment to Standards	Description: Materials incorporate the majority of grade-/course-level standards in a way that promotes rigor and depth of learning	<p><b>COMPREHENSIVE</b></p> <p>Materials address a significant majority of the grade-/course-level standards and promote the ability of educators to teach a more complete history, integrating the diverse perspectives and contributions of traditionally underrepresented groups.</p>	<p><b>DEPTH OF CONTENT</b></p> <p>Materials encourage a deep understanding of <a href="#">Domain Concepts</a>*. Materials encourage student engagement with complex texts, problems, or scenarios that require critical thinking and analytical skills aligned with grade-level expectations.</p> <p>*See page 5 of 2024 Oregon Social Science Standards</p>	<p><b>SOCIAL SCIENCE PRACTICES</b></p> <p>Materials seamlessly integrate the <a href="#">Essential Disciplinary Practices</a>* through regular and authentic engagement opportunities. Students have multiple relevant opportunities to apply learned content and skills demonstrating the interconnectedness of the standards.</p> <p>*See page 6 of 2024 Oregon Social Science Standards</p>	<p><b>RIGOROUS LEARNING</b></p> <p>Tasks and assignments are appropriately aligned with grade-level expectations and require students to apply higher-order thinking skills.</p>
<b>Criterion 1.2:</b> Scope and Sequence	Description: Materials present a clear pathway for educators to address the content and skills in a coherent sequence, grounded in the standards	<p><b>COHERENT DESIGN</b></p> <p>Materials are organized in a sequence that builds on prior knowledge and increases in complexity throughout the course or grade level. The sequence aligns with the natural progression of concepts and skills outlined in the standards.</p>	<p><b>CONNECTIONS TO STANDARDS</b></p> <p>Materials provide transparency in how the sequence aligns with and supports the full range of grade-level standards including connections to previous and future learning.</p>	<p><b>FLEXIBILITY</b></p> <p>Materials offer guidance for adapting instruction to different timeframes, learning environments, and/or student needs while maintaining the overall coherence of the sequence. Resources include strategies for addressing prerequisite knowledge or skill gaps and guidance on prioritizing content when necessary.</p>	

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Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
<b>Criterion 1.3:</b> Practice and Skills	Description: Materials align with Oregon’s <a href="#">Essential Disciplinary Practices</a> for social science practices.	<b>INQUIRY &amp; ANALYSIS</b> Materials are organized to provide consistent opportunities for sustained inquiry through questioning, reflection, and analysis of diverse, strategically sequenced sources. Students are encouraged to generate and explore their own questions and understandings.	<b>DISCIPLINARY THINKING &amp; COMMUNICATION</b> Materials offer regular and varied opportunities for students to engage in discipline-specific thinking, reading, writing, listening, speaking, and analyzing. Materials mirror the practices of social science scholars and include various types of sources.	<b>EVIDENCE-BASED REASONING &amp; ARGUMENTATION</b> Materials provide diverse opportunities for students to engage in evidence-based reasoning and discourse, critically evaluate and use evidence from sources, and construct well-supported arguments and conclusions.	<b>APPLICATION &amp; CIVIC ENGAGEMENT</b> The instructional materials foster students' ability to connect their learning to real-world contexts and participate in civic life. They provide opportunities for students to apply their knowledge and skills to address authentic issues at various levels of societies, from local to global, while offering educators the necessary resources to guide this process.
<b>Criterion 1.4</b> Holocaust and Genocide Education  (6-12 History only)	Materials accurately address genocide, the historical origins of antisemitism and key events of the Holocaust.	<b>ANTISEMITISM AND HOLOCAUST</b> Materials explain the historical roots of antisemitism and cover significant events and policies of the Holocaust.	<b>GENOCIDES</b> The content includes comprehensive and accurate historical information on genocide.	<b>PREVENTION AND INTERVENTION</b> Materials discuss modern efforts to prevent genocide, including international laws and organizations.	<b>RESISTANCE AND RESILIENCE</b> Content highlights historical and contemporary examples of resistance and resilience among targeted groups throughout history.

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## Part 2: Equitable Student Engagement and Cultural Pedagogy Criteria [K-HS]

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
<b>Criterion 2.1:</b> Engagement & Relevance	Materials give opportunities for rigorous, student-driven learning. Materials provide opportunities to connect to relevant topics, provide authentic contexts and experiences, and allow students to explore ideas, interests, and values.	<p><b>RELEVANCE</b></p> <p>Materials include culturally relevant and diverse contexts. Materials support the integration of contemporary social issues, connecting grade-level concepts to current contexts.</p>	<p><b>STUDENT AGENCY AND CHOICE</b></p> <p>Materials offer multiple pathways for investigation and expression, allowing students to pursue individual interests while meeting learning objectives. Students have opportunities to make meaningful choices about their learning process and demonstration of understanding.</p>	<p><b>ADAPTABILITY AND EXTENSION</b></p> <p>Materials include adaptation strategies to differentiate learning for all students. Examples may include extensions to build on prior learning or scaffolds to support students in reaching grade-level content.</p>	
<b>Criterion 2.2:</b> Culturally Responsive Instructional Support	Materials provide equitable inclusion and representation of diverse perspectives and experiences.	<p><b>REPRESENTATION IN CONTENT</b></p> <p>Materials include a wide-range of histories, contributions, and perspectives across various aspects of identity including race, ethnicity, gender, ability, socioeconomic status, geographic origin, and religion. Representations are multifaceted avoiding stereotypes and reflecting both historical and contemporary contexts.</p>	<p><b>MULTIPLE PERSPECTIVES</b></p> <p>The materials integrate multiple perspectives on historical and contemporary issues, encouraging students to consider global perspectives and international issues, and fostering students' understanding of the interconnected nature of our world. Materials promote critical thinking about diversity, equity, and inclusion as integral parts of the subject matter.</p>	<p><b>ASSET-BASED</b></p> <p>Materials empower educators to identify, value, and leverage students' funds of knowledge from their homes and communities as resources.</p>	

### Part 3: Technical Usability Criteria [K-HS]

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
<b>Criterion 3.1:</b> Supports for Teachers	The materials include opportunities for teachers to effectively plan and utilize materials with integrity and to further develop their understanding of the content.	<p><b>SUPPORTING GUIDANCE</b></p> <p>Materials include detailed teacher guidance providing clear instructional strategies, lesson plans, and pacing suggestions. Rationale for instructional choices, anticipated student responses or misconceptions, and suggestions for differentiation to support diverse learners.</p>	<p><b>PEDAGOGICAL CONTENT KNOWLEDGE</b></p> <p>Resources incorporate embedded professional learning opportunities that enhance educators' content knowledge and pedagogical skills including approaches to underrepresented histories.</p>	<p><b>HOME CONNECTION</b></p> <p>Materials provide strategies for engaging all partners—including students, families, or caregivers—about the program and suggestions for how they can help support student progress and achievement.</p>	<p><b>CONTENT EDITABILITY</b></p> <p>Materials are designed to allow a teacher to differentiate content and vary modes of communication within lessons, tasks, or other activities for students.</p>
<b>Criterion 3.2:</b> Supports for Students	Materials have explicit teacher support with suggestions (routines, strategies, etc.) for how they can meet the needs of individual learners. Support materials include live updates (data sources, current events, etc.).	<p><b>STRATEGIES FOR SPECIAL POPULATIONS</b></p> <p>Materials provide scaffolds to support students from special populations in their regular and active participation in social science learning (i.e. students who are multilingual, students experiencing disabilities, and/or students identified as TAG).</p>	<p><b>EMERGENT BILINGUAL STUDENT SUPPORT</b></p> <p>Materials provide strategies and support for students who read, write, and/ or speak in a language other than English to enable their full participation in learning.</p>	<p><b>STUDENT EDITABILITY</b></p> <p>Materials include resources for students and allow them to show their understanding and comprehension through different modes of expression.</p>	

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
<p><b>Criterion 3.3:</b> Digital Learning Design Elements</p> <p><small>*This criterion is not required. Quality indicators are provided for evaluation if digital components are present.</small></p>	<p>The materials are attentive to digital design elements specific to structure, support for users, and adaptability of materials.</p>	<p><b>MATERIALS USABILITY</b></p> <p>The organizational structure of the digital materials allows for intuitive navigation and meaningful interaction on a variety of devices.</p>	<p><b>LEARNING RESOURCES</b></p> <p>The digital materials provide support for users in a variety of settings, including:</p> <ul style="list-style-type: none"> <li>Professional learning resources to support educators’ use of the materials and content.</li> <li>Robust support to help families understand and utilize the materials while supporting their students at home</li> <li>Support for students working independently.</li> <li>Support for emergent bilingual students.</li> <li>Support for students with disabilities.</li> </ul>	<p><b>MEDIA INTEGRATION</b></p> <p>Digital and multimedia elements support, rather than distract from, intended learning outcomes and instructional content.</p>	<p><b>ADAPTABILITY OF MATERIALS</b></p> <p>Digital materials allow teachers to adjust and adapt documents and resources to meet student needs. (e.g., translating materials, modifying reading levels, downloading capacity, etc.).</p>

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**Part 4: Assessment Criteria [K-HS]**

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
<p><b>Criterion 4.1:</b> Formative Assessment Process</p>	<p>Materials embed formative assessments throughout units to evaluate student learning progress and inform social science instruction.</p>	<p><b>MULTIPLE OPPORTUNITIES</b></p> <p>Materials include diverse and strategically placed formative assessment opportunities throughout each unit. These may include quick writes, exit tickets, discussion prompts, graphic organizers, or short quizzes aligned with lesson objectives and providing ongoing insights into student understanding.</p>	<p><b>LEARNING RELEVANCY</b></p> <p>Formative and summative assessments align closely with the unit's learning objectives and build towards summative assessment goals, allowing for timely interventions and adjustments in instruction.</p>	<p><b>INTERPRETATION OF FEEDBACK</b></p> <p>Assessment tools provide clear guidance for using a strengths-based approach in interpreting student responses and offer suggestions for targeted feedback. Materials include strategies for using assessment results to inform instruction, such as reteaching suggestions, extension activities, or differentiation options based on student performance.</p>	<p><b>STUDENT REFLECTION</b></p> <p>Materials incorporate opportunities for students to assess their own learning and reflect on their progress. This may include self-check questions, peer review activities, or reflective journaling prompts that encourage metacognition and support students in taking ownership of their learning in social science.</p>

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
<p><b>Criterion 4.2:</b> Summative Assessments</p>	<p>Materials incorporate summative assessments that support students in demonstrating deep knowledge of social science content, concepts, and skill.</p>	<p><b>ALIGNMENT</b> Materials include performance tasks that are comprehensive, inclusive, and aligned with social science standards including the ten Essential Disciplinary Practices.</p>	<p><b>VARIETY</b> Materials include multiple assessment formats that cater to different learning styles and allow students to demonstrate their understanding in a variety of ways. This may include verbal or written responses, in-depth projects, presentations, debates, or performance tasks that simulate real-world applications of social science concepts.</p>	<p><b>AUTHENTICITY</b> Assessments allow students to engage with social science issues and topics relevant to contemporary civic life and democratic discourse.</p>	<p><b>CLARITY &amp; FEEDBACK</b> Materials include clear scoring criteria while providing structured opportunities for feedback, reflection, and improvement before final submission.</p>
<p><b>Criterion 4.3:</b> Integrated Assessment System*</p> <p><small>*This criterion is not required. Quality indicators are provided for evaluation if an integrated assessment system is present.</small></p>	<p>Diagnostic, benchmark, and/or interim assessments are integrated into instructional materials in ways that support the learning process. Student results are interpreted relative to the performance expectations of the standards (i.e. criterion-referenced, as demonstrated by student evidence gathered in the learning environment, and recommend instructional next steps.</p>	<p><b>ASSESSMENT DESIGN</b> Diagnostic assessments are well-designed, rigorous, connected to standards, and offer multiple opportunities and modalities to demonstrate knowledge and/or skills.</p>	<p><b>DATA QUALITY</b> The assessment system provides clear and actionable data that allow educators to respond to specific student strengths and opportunities for growth.</p>	<p><b>RESPONSIVENESS</b> The assessment system is connected to resources designed to meet students’ specific opportunities for growth. Intervention and extension materials effectively accelerate student learning. (These resources serve to answer the question, “Now what?”)</p>	<p><b>FAMILY ENGAGEMENT &amp; COMMUNICATION</b> If the assessment system provides reports and/or diagnostic information to families, those resources are accessible in multiple languages, allowing families to effectively partner with their child(ren) in the learning process.</p>

<p><b>SUBJECT:</b> Instructional Materials Adoption Criteria for Social Science (OAR 581-011-0065)</p> <p><b>STAFF NAME &amp; OFFICE:</b> Vanessa Martinez, Jenna Montgomery, and Amit Kobrowski Office of Teaching, Learning, and Assessment</p> <p>Criteria for the selection and adoption of instructional materials for social science were developed by the ODE Social Science Education Specialist, and reviewed and revised by a social science 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"/> <b>First Reading</b></p> <p><input checked="" type="checkbox"/> <b>Presentation</b></p> <p><input type="checkbox"/> <b>No Presentation</b></p> <p><input type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Temp Rule</b></p> <p><input type="checkbox"/> <b>Presentation</b></p> <p><input type="checkbox"/> <b>No Presentation</b></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 most recent contracted period for instructional materials in social science was established for the years 2019-2026. The current social science content standards were adopted by the State Board in June 2024. The next phase in this process is for ODE to develop new adoption criteria to ensure that instructional materials align with the newly revised social science standards and current instructional practices.

In 2021, members of the Standards and Instructional Support Team, along with the Assessment Team and the Office of Equity, Diversity, and Inclusion, developed a foundation for consistent and cohesive criterion across content areas grounded in the ODE Equity Stance. The State Board of Education adopted the criteria framework for implementation in the subsequent mathematics, science, and health instructional materials evaluations.

In October 2024, following the guidelines provided in OAR 581-011-0055, ODE staff convened a committee of K-12 teachers, curriculum specialists, and other content area experts in social science to review, revise, and recommend the adoption criteria for social science instructional materials included as an attachment to this docket. This criteria was developed using ODE’s standardized criteria framework as a guideline, as well as examples from state and national criteria.

The social science adoption criteria require all recommended materials to align with Oregon’s commitment to inclusive social science education. Among the non-negotiable criteria are requirements for materials to address topics identified in recent legislation on underrepresented histories, the Holocaust, genocide, and civics ([HB 2845](#), [HB 2023](#), [HB 2905](#), [SB 664](#), and [SB 702](#)).

Requirements that all materials support teaching inclusive histories are embedded throughout Parts 1 and 2 of the criteria, ensuring alignment with HB 2845, HB 2023, and SB 2905. Metric 1.4.3: Application & Civic Engagement specifically addresses the civics instruction required by SB 702. Additionally, Criteria 1.4 ensures that materials accurately address genocide, the historical origins of antisemitism, and key events of the Holocaust, fulfilling the requirements of SB 664. After consultation and discussion with

external partners on the complexities of addressing genocide and the Holocaust with younger students, criteria 1.4 is limited to instructional materials in grades 6-12.

The committee supports the draft adoption criteria for social science instructional materials. Upon adoption by the State Board, this criteria will guide the creation of the evaluation tool for identifying quality K-12 social science instructional materials.

### **SUMMARY OF PREVIOUS BOARD ACTION**

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The last criteria was presented in 2017. This is the first read for the updated criteria.

### **HAS THE RULE CHANGED SINCE LAST BOARD MEETING?**

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

### **POLICY ISSUE OR CONCERNS**

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

### **EQUITY IMPACT ANALYSIS**

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The review and revision of the instructional materials adoption criteria is an opportunity to set a clear vision for equitable and high quality social science teaching and learning in grades K-12.

The 2024 Social Science Standards require students to explore diverse perspectives, discourses, and rich counternarratives, emphasizing the range of ethnic and historical perspectives that shape our society. For students from historically and currently underrepresented communities, encountering these perspectives in the classroom can resonate with their lived experiences, fostering a sense of belonging and inclusion. Research consistently shows that culturally responsive classrooms, where students feel valued and connected, contribute to improved learning outcomes.

The updated instructional materials review criteria reinforce this commitment to inclusive education by requiring materials to be aligned to the adopted more inclusive social science standards. Materials recommended for adoption also must meet the non-negotiable Part 2 criteria, *Equitable Student Engagement and Cultural Pedagogy* identified for all recent content area adoptions

These criteria require that all materials support student-driven learning through asset-based, culturally responsive instruction. By articulating the baseline standard for high quality materials, the updated criteria establishes a foundation for fostering an educational environment where students see their identities, cultures, and histories valued, advancing a more equitable and inclusive learning experience for every Oregon student.

### **FISCAL ANALYSIS**

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High-quality instructional materials can significantly improve student learning outcomes, often rivaling or exceeding the impact of more costly interventions. However, for districts facing deep fiscal cuts or delays in adoption cycles, the cost of purchasing these materials can pose a significant challenge.

#### **EFFECT OF A “YES” OR “NO” VOTE**

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A “yes” vote will provide the Oregon Department of Education and Oregon school districts with criteria for the evaluation and adoption of social science instructional materials that are aligned to the newly revised social science standards.

A “no” vote will mean that the Oregon Department of Education and school districts will use previously approved adoption criteria from 2018 for social science instructional materials. This will result in evaluation of instructional materials using outdated criteria and standards.

#### **STAFF RECOMMENDATION**

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

#### **ATTACHMENTS**

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Attachment 1: Adoption Criteria for K-12 Social Science Instructional Materials



# Social Science K-12 Adoption Criteria

Amit Kobrowski, Social Science Education Specialist

Jenna Montgomery, Instructional Materials Coordinator

Vanessa Martinez, Director of Standards and Instructional Support

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# Purpose

Share **first read** of Social Science Education instructional materials criteria

Relevant statutes:

- **ORS 337.035**: instructional materials review guidelines
- **OAR 581-011-0117**: adoption cycle
- **OAR 581-011-0065**: State Board's decision-making role

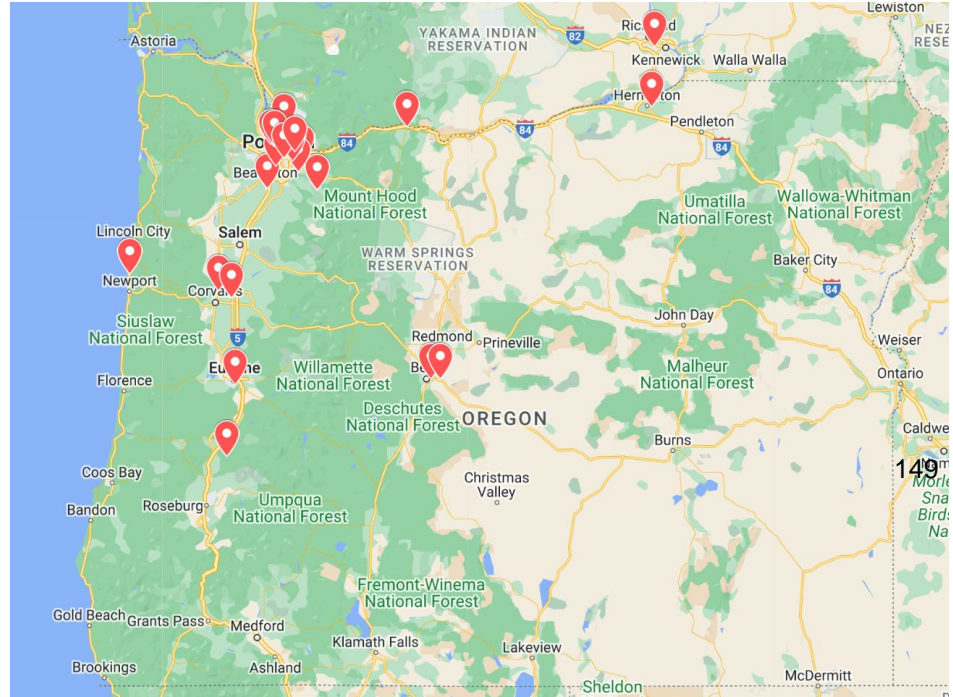
Answer questions and gather feedback before adoption of Social Science instructional materials criteria (January 2025)



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# Instructional Materials Criteria Committee

- OAR 581-011-0055 outlines required committee composition
- Prioritized diversity and Social Science expertise in committee membership.
- Categories:
  - K-5
  - 6-8
  - HS History
  - HS Economics
  - HS Civics & Government
  - HS Geography



# Criteria Development Timeline



June 2024	Sep.- Oct. 2024	Dec.- Jan. 2024	Summer 2025	October 2025	Fall of 2026
<p><b>2024 Social Science Standards Adopted</b></p>	<p><b>Social Science Instructional Materials Criteria Committee Convened</b></p> <p>Training, work sessions, and consensus meeting.</p>	<p><b>Recommendation to State Board for K-12 criteria adoption for Social Science Instructional Materials</b></p> <p>Once criteria is approved, circular of information will be sent out to publisher partners.</p>	<p><b>Evaluation of K-12 Social Science Instructional Materials</b></p> <p>K-12 Social Science materials evaluated using Instructional Materials Evaluation Tool (IMET), which will be developed from the criteria.</p>	<p><b>State Board adoption of K-12 Social Science Instructional Materials</b></p> <p>List with scores and publisher contact information posted on ODE website</p>	<p><b>Districts required to implement K-12 Social Science Instructional Materials</b></p> <p>Aligns with required implementation date of 2024 Social Science Standards</p>

***“How do we maximize precious time to ensure that students grasp enough to prepare them for informed civic life? Social Studies involves the skillful ability to conduct investigations, analyze sources, place events in historical and cultural context, and synthesize various points of view.”***

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**Hattie et. al., *Visible Learning for Social Studies***

# Social Science in Oregon

## 2024 Social Science Standards



The 2024 Standards integrate recent legislative initiatives, as well as national and state guidance.

**Transformative  
SEL Standards**

**SB 13 (Tribal  
History, Shared  
History)**

**SB 664 (Holocaust  
& Genocide  
Education)**

**NCSS Standards**

**HB 2845, HB 2023,  
and HB 2905  
(Inclusive Histories)**

**SB 702 (Civics  
Requirement)**

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**Oregon 2021  
Standards**

**Student Success  
Plans**

**Content &  
Advisory Panel**

# Alignment with other initiatives

Supportive  
Implementation  
of Inclusive  
Social Science  
Standards



HQIM for  
Social  
Science

HB 2023 &  
HB 2905  
More Complete  
Histories

SB 1050 & SB 13  
Professional  
Learning  
Modules

Ongoing  
Technical  
Assistance  
&  
Partnership

# Structure of the Social Science IM Criteria

## Part 1: Oregon Social Science Baseline Criteria [K-HS]

- 1.1 - Alignment to Social Science Standards
- 1.2 - Scope and Sequence
- 1.3 - Practice and Skills
- 1.4 - Holocaust and Genocide Education

## Part 2: Equitable Student Engagement and Cultural Pedagogy Criteria [K-HS]

- 2.1 - Engagement & Relevance
- 2.2 - Culturally Responsive Instructional Support

## Part 3: Technical Usability Criteria [K-HS]

- 3.1 - Supports for Teachers
- 3.2 - Supports for Students
- 3.3 - Digital Learning Design Elements

## Part 4: Assessment Criteria [K-HS]

- 4.1 - Formative Assessment Process
- 4.2 - Summative Assessments
- 4.3 - Integrated Assessment System



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# Criteria Design

## 1. Baseline Social Science Criteria

Ensures materials...

- Align to 2024 Inclusive Social Science Standards
- Support the development of Social Science disciplinary practices

## 4. Assessment Criteria

Ensures materials...

- Incorporate high quality formative and summative assessments

## 2. Equitable Student Engagement & Cultural Pedagogy Criteria

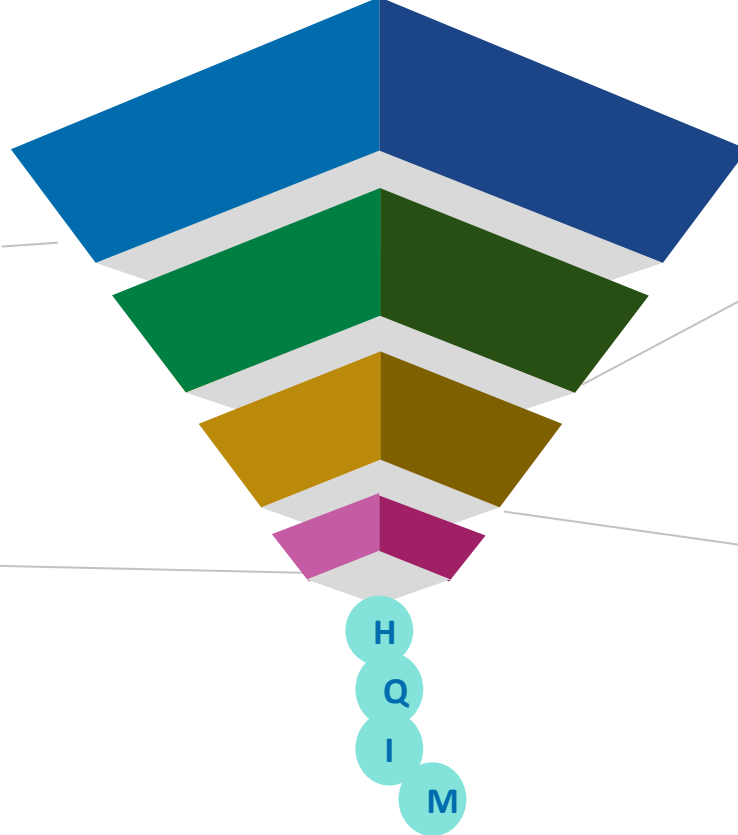
Ensures materials...

- Are relevant & engaging
- Include representation in content & integrate multiple perspectives
- Empower educators to leverage students' assets

## 3. Technical Usability Criteria

Ensures materials...

- Include appropriate supports for teachers and students



# Thank you!

## Accelerated College Credit Grant Programs: Definitions DRAFT

The following definitions apply to 581-017-xxxx through 581-017-xxxx:

- (1) “Accelerated college credit programs” is defined as established in ORS 340.315; “two plus two” is defined as secondary/postsecondary partnership programs that provide Dual Credit, Sponsored Dual Credit, and/or Assessment Based Learning
- (2) “Community College district” is defined as established in ORS 341.005(5).
- (3) “Education Service District” is defined as established in ORS 334.003(2).
- (4) “Public post-secondary institution of education” is defined as the following public universities:
  - (a) University of Oregon
  - (b) Oregon State University;
  - (c) Portland State University;
  - (d) Oregon Institute of Technology;
  - (e) Western Oregon University;
  - (f) Southern Oregon University;
  - (g) Eastern Oregon University;
  - (h) Oregon Health and Science University
- (5) “Qualified as instructors of accelerated college credit program courses” is defined as:
  - (a) meeting the requirements of a high school’s higher education partner(s) to be able to teach a dual-credit, sponsored dual credit, or assessment-based learning course that can award students college credit;
  - (b) receiving training to teach an International Baccalaureate course; or
  - (c) receiving training to teach an Advanced Placement Course.
- (6) “Historically underrepresented students” is defined as
  - (a) “Economically Disadvantaged Students,” which means students who meet one or more of the following qualifications:
    - (A) are participating in Supplemental Nutrition Assistance Program funded by the United States Department of Agriculture;
    - (B) are participating in the Temporary Assistance for Needy Families program as defined in Title IV of the Social Security Act;
    - (C) are foster students; or
    - (D) are migrant students.
  - (b) “Students from Racial or Ethnic Groups that Have Historically Experienced Academic Disparities,” which is defined as including, but is not limited to American Indian and Alaska Native students, Black and African American students, Hispanic and Latino students, Asian students, Native Hawaiian and Pacific Islander students, and multiracial students and any other racial or ethnic

group identified by the eligible applicant as historically experienced academic disparities.

- (c) “Students with Disabilities,” which means a child with a disability as defined in ORS 343.035(1) and ORS 343.035(14)(b).
- (d) “English Language Learners,” which means or “English learners,” which means a student who has limited English language proficiency because English is not the native language of the student or the student comes from an environment where a language other than English has had a significant impact on the student’s level of English language proficiency.
- (e) “Foster Students” as defined in ORS 30.297(5)(c).
- (f) “Students who are Homeless” has the same meaning as in section 725 of the McKinney-Vento Act, 42 USC § 11434a (2).
- (g) “LGBTQ2SIA+ Students,” which means students who may have one or multiple gender identities and/or sexual orientations including lesbian, gay, bisexual, pansexual, transgender, nonbinary, queer, questioning, two-spirit, intersex, and asexual. The plus sign (“+”) recognizes and includes the myriad ways to describe marginalized gender identities and sexual orientations.
- (h) “Students Recently Arrived,” which means a student who was NOT born in any state or US Territory and who has not been attending one or more schools in any one or more state for more than three full academic years.
- (i) “Migratory Students,” which means a student whose is a migratory worker or whose parent or guardian is a migratory worker in the agricultural, dairy, lumber, or fishing industries and who has moved due to economic necessity between school districts in the last thirty-six months, and is eligible to be a part of the Title 1-C Migrant Education Program.
- (j) “Justice involved youth” which means a student who is pre or post adjudication, been or currently detained in a secure juvenile justice facility, and/or been or currently placed in a community juvenile justice program.
- (k) “Students who are Homeless” which has the same meaning as in section 725 of the McKinney-Vento Act, 42 USC § 11434a (2).
- (l) “Students who are Pregnant, Parenting, and/or Students who Experience any Pregnancy-related Condition” which means students who are pregnant for any length of time, or who are actively caring for a child, whether biologically related to them or otherwise. This includes students with pregnancy-related conditions, including, but not limited to loss or termination of a pregnancy, childbirth, lactation, and/or mental health conditions.

(m) "Rural student" which means a student who lives in an area where NCES Census Codes Corresponding to Districts Eligible for Funding under the Rural Education Achievement Program (REAP) apply:

(A) 32 - Town, Distant: Territory inside an urban cluster that is more than 10 miles and less than or equal to 35 miles from an urbanized area;

(B) 33 - Town, Remote: Territory inside an urban cluster that is more than 35 miles from an urbanized area;

(C) 41 - Rural, Fringe: Census-defined rural territory that is less than or equal to 5 miles from an urbanized area, as well as rural territory that is less than or equal to 2.5 miles from an urban cluster;

(D) 42 - Rural, Distant: Census-defined rural territory that is more than 5 miles but less than or equal to 25 miles from an urbanized area, as well as rural territory that is more than 2.5 miles but less than or equal to 10 miles from an urban cluster; and

(E) 43 - Rural, Remote: Census-defined rural territory that is more than 25 miles from an urbanized area and is also more than 10 miles from an urban cluster.

Statutory/Other Authority: ORS 340.315, ORS 340.320, ORS 340.323, ORS 340.326

Statutes/Other Implemented: ORS 340.315, ORS 340.320, ORS 340.323, ORS 340.326

## Accelerated College Credit Instructor Grant Program Rule DRAFT

### Repeal:

**581-017-0640** Accelerated College Credit Instructor Grant Program: Definitions

**581-017-0642** Accelerated College Credit Instructor Grant Program: Eligibility

**581-017-0644** Accelerated College Credit Instructor Grant Program: Purpose

**581-017-0646** Accelerated College Credit Instructor Grant Program: Criteria

**581-017-0648** Accelerated College Credit Instructor Grant Program: Funding

**581-017-0650** Accelerated College Credit Instructor Grant Program: Reporting

### New Rule:

**581-017-xxxx**

#### **Accelerated College Credit Instructor Grant Program**

- (1) The Department will establish a process for eligible entities to apply for an Accelerated College Credit Instructor Grant.
- (2) The Department of Education shall select grantees in accordance with ORS 340.320, sections (1) through (4).
- (3) Applicants must submit a detailed budget that explains how grant funds will be used.
- (4) A grant recipient may use up to five percent of grant funds for administrative costs, including indirect costs, as determined by the grant agreement.
- (5) Grant recipients must report on the grant in the manner and form required by the Department of Education.
- (6) Prior to approving the final request for funds, the Department of Education may require grant recipients to submit a final report.

Statutory/Other Authority: ORS 340.320

Statutes/Other Implemented: ORS 340.320

Accelerated College Credit Partnership Enhancement Grant Program rules DRAFT

581-017-xxxx

**Accelerated College Credit Partnership Enhancement Grant Program**

- (1) The Department will establish a process for eligible entities to apply for an Accelerated College Credit Partnership Enhancement Grant.
- (2) The Department of Education shall select grantees in accordance with ORS 340.326, sections (1) through (5).
- (3) Applicants must submit a detailed budget that explains how grant funds will be used.
- (4) A grant recipient may use up to five percent of grant funds for administrative costs, including indirect costs, as determined by the grant agreement.
- (5) Grant recipients must report on the grant in the manner and form required by the Department of Education.
- (6) Prior to approving the final request for funds, the Department of Education may require grant recipients to submit a final report.

Statutory/Other Authority: ORS 340.315, ORS 340.326, ORS 340.330

Statutes/Other Implemented: ORS 340.315, ORS 340.326, ORS 340.330

Accelerated College Credit Planning Partnership Grant Program rules DRAFT

581-017-xxxx

**Accelerated College Credit Planning Partnership Grant Program**

- (1) The Department will establish a process for eligible entities to apply for an Accelerated College Credit Partnership Enhancement Grant.
- (2) The Department of Education shall select grantees in accordance with ORS 340.323, section (3).
- (3) Applicants must submit a detailed budget that explains how grant funds will be used.
- (4) A grant recipient may use up to five percent of grant funds for administrative costs, including indirect costs, as determined by the grant agreement.
- (5) Grant recipients must report on the grant in the manner and form required by the Department of Education.
- (6) Prior to approving the final request for funds, the Department of Education may require grant recipients to submit a final report.

Statutory/Other Authority: ORS 340.315, ORS 340.323, OAR 340.330

Statutes/Other Implemented: ORS 340.315, ORS 340.323, OAR 340.330

## **Summary**

**Meeting Date:** 12/5/2024

**Title:** HB 2275 (2023): Accelerated Learning Grants

**Status:** First Reading

**Presentation:** Yes

**Key Staff:** Kristidel McGregor

**Topic Summary:** This item creates rules to govern three grants: Accelerated College Credit Planning Partnership Grant Program, Accelerated College Credit Partnership Enhancement Grant Program, and Accelerated College Credit Instructor Grant Program.

## **ODE Education Equity**

### **Stance**

Education equity is the equitable implementation of policy, practices, procedures, and legislation that translates into resource allocation, education rigor, and opportunities for historically and currently marginalized youth, students, and families including civil rights protected classes. This means the restructuring and dismantling of systems and institutions that create the dichotomy of beneficiaries and the oppressed and marginalized.

## **BACKGROUND AND NEED**

*Members of the State Board of Education are volunteers, with unique professional and lived experiences. Using plain language, this section should provide context for this item, including any needed overviews of relevant programs or initiatives.*

- 1. Briefly, how does this topic, program, or initiative currently operate? Where is it located within Oregon’s school systems? How does it ultimately serve students?**

In Oregon, student opportunities to take courses in high school that offer college credit is sometimes called accelerated learning. Students can apply the credit earned through these opportunities to industry certifications, two year degrees, and four year degrees. Creating equitable opportunities for all students to access accelerated college credit is critical to supporting and preparing students for their transition into career and college, and participation in these opportunities has been shown to support the key education outcomes of high school graduation, college enrollment, and college persistence.

According to [Oregon’s Accelerated Learning Dashboard](#), nearly one third of Oregon’s high school students (31%) participated in accelerated college credit courses between 2018-19 and 2021-22, but access to these programs is not equally available to all students. Rates of student participation in accelerated college credit opportunities vary widely across districts. Nine Oregon school districts have fewer than 10% of their students participating in a college credit granting opportunity while in high school, while 13 Oregon districts have rates above 40%.

## Oregon State Board of Education Docket



Opportunity gaps also exist for groups of students who have been historically underserved by these programs, most significantly for students who are English language learners, Alaska Native/American Indian students, Native Hawaiian/Pacific Islander students, and Hispanic/Latinx students.

Some of the challenges faced by postsecondary and high school partnerships that offer these programs include training and retaining staff qualified to teach these courses, making sure students have access to advising, and creating opportunities for high school staff to be well informed about these opportunities. Ensuring that students and their families know about these opportunities can also be a challenge, particularly in communities that have historically been underserved by these programs.

In 2019, the Oregon State Legislature passed House Bill 2263, which amended ORS 340 to require the Oregon Department of Education (ODE), in coordination with the Higher Education Coordinating Commission (HECC), to administer grants for three programs:

- Accelerated College Credit Planning Partnership Grant Program
- Accelerated College Credit Partnership Enhancement Grant Program
- Accelerated College Credit Instructor Grant Program

HB 2263 was the result of a two-year collaboration among the Sustainable Systems for Accelerated Learning Work Group that included community college leaders, school and district leadership, Education Service Districts (ESDs), and staff from ODE and HECC.

This bill included specific directions for funding the Accelerated College Credit Instructor Grant Program, and six rules were adopted at that time to support implementation (OAR 581-017-0640 through -0650). No rules were adopted for the other two grants.

The Governor's Recommended Budget in 2019 included instructions to restructure existing appropriations to the Oregon Department of Education. This restructuring attempted to consolidate the programs supporting Accelerated Learning into a single fund, as directed by the legislature in HB 2263 (2019). However, this portion of the budget was not approved by the Legislature, and so no consolidation occurred. No changes were made to the ODE budget to alter the use of funds, nor did the Legislative Fiscal Office provide an analyst adjustment to redirect funding provided for these programs to allocations for accelerated college credit grant programs.

As a result, the budget for the 21-23 biennium and the 23-25 biennium included a budget line for accelerated learning but did not include funding specifically directed for any of the accelerated college credit grants, and ODE was unable to offer these grants.

In preparation for the 25-27 biennium, ODE conducted engagement sessions with potential grant recipients and drafted administrative rules for the three grant programs that could potentially be offered. The new rules include the Accelerated College Credit Instructor Grant Program; therefore, the rule set that was adopted in 2019 will need to be repealed.

## Oregon State Board of Education Docket



- 2. Please list the specific rule(s), statute(s), or recently passed legislation that allows the Board to take action on this item. Where are they prescriptive and where do they provide the Board and Department flexibility?**

In 2023, the legislature passed HB 2275. Section 11, part 4 of this bill amended ORS 340.330 to include that “unless otherwise specified by the Legislative Assembly, the Department of Education, in collaboration with the Higher Education Coordinating Commission, shall determine for each biennium the amount to be distributed under each program.” This flexibility will likely allow for these grants to be offered in the future, which necessitates establishing grant rules.

ORS 340, which governs college credit in the high school in Oregon, describes the purpose, eligible grantees, and allowable activities for these grants. These are prescriptive. The rules propose standard grant operation language for the grants and define important terms from the statute, and these areas provide the Department and Board flexibility.

- 3. Has this item come before the Board before? If so, when did the Board last take action, and what was that action?**

Rules for the Accelerated College Credit Instructor Grant program were adopted in 2019.

- 4. Why is this item coming before the Board now?**

With the implementation of this bill, ODE plans to offer grants in the coming biennium if funding levels in the Accelerated Learning budget line allow. By having rules in place now, ODE will be able to get funds to future grantees in a more timely way.

- 5. Who requested or brought about the need for this item? (Select all that apply.)**

- ODE Staff
- Students
- Families
- Community-Based Organizations
- Culturally Specific Organizations
- School Districts
- Education Service Districts
- Charter Schools
- Oregon State Legislature
- Educational Associations
- Racial Justice Council
- Federal Government
- One or more of Oregon’s nine federally recognized tribes: \_\_\_\_\_
- Other: \_\_\_\_\_

## ENGAGEMENT STRATEGY AND LEARNINGS

*The State Board of Education expects all items that come before it be reviewed and influenced, to the greatest extent possible, by a robust community engagement process. Using plain language, this section should provide an overview of the role that engagement played in this item, including with Oregon's nine federally recognized Tribes, other state agencies, and external partners.*

6. How did the [Equity Decision Tree](#) inform your office/team engagement strategy? Who is most likely to be affected and how have they been intentionally incorporated into the engagement process for this item?

These grants will have the most impact on the potential grant recipients and accelerated college credit practitioners. Their input was important for drafting these rules. ODE conducted a series of engagements with these stakeholders while drafting the accelerated college credit grant rules, including the High School Based College Credit Partnerships Oversight Committee, the Dual Credit Coordinators group, and general engagements with potential grant recipients.

7. After consulting with ODE's Rules Coordinator and the Office of Indian Education, did this item require Tribal Consultation and/or Tribal Communication with Oregon's nine federally recognized tribes? (For more information, please reference ODE's [Tribal Consultation Toolkit](#).)

- No  
 Yes – Both Consultation and Communication.  
 Yes – Only Communication.

8. Has your office/team considered how this item intersects with the authority of other state entities that serve the health and education needs of Oregon's students, or otherwise contribute to the climate of Oregon's school systems? If so, please select from the below list.

- N/A; this item does not intersect with other state entities.  
 Oregon Health Authority (OHA)  
 Department of Early Learning and Care (DELIC; formerly ELD)  
 Educator Advancement Council (EAC)  
 Higher Education Coordinating Commission (HECC)  
 Youth Development Oregon (YDO)  
 Teacher Standards and Practices Commission (TSPC)  
 Oregon Housing and Community Services (OHCS)  
 Other: \_\_\_\_\_

**If you selected any of the above entities, please share why they were involved, how the Department partnered with them, and what feedback they provided.**

ODE and HECC work collaboratively on accelerated college credit in the high schools via the Accelerated Learning State Team. This cross-agency group consists of ODE and HECC

## Oregon State Board of Education Docket



employees, and provided feedback on potential grant rules. HECC will continue to be a collaborator as these grants move forward.

**9. Which geographic perspectives are intentionally represented in your office/team engagement strategy?**

- Northeast Oregon
- Central and Southeast Oregon
- Southwest Oregon
- Willamette Valley and Central Coast
- Northwest Oregon
- Tribal lands
- Other: \_\_\_\_\_

**Why did your office/team focus on the above geographical perspective(s)?**

ODE sought broad engagement because this grant will be available to districts, ESDs, and postsecondary institutions across the state.

**10. Please highlight some of the key pieces of feedback your office/team received during the engagement process. How did this feedback influence the development of this item? How were differences in opinion accounted for?**

During engagements, ODE consistently heard that accelerated college credit practitioners are hopeful that these grants will increase equitable access for students. In particular, we heard about the need for support to increase the pool of qualified teachers and the need for support in developing more effective advising and outreach for historically underserved students and their communities.

Participants also shared that these grants should be focused on helping students earn credits with a purpose that will be useful and count towards student's future goals. Another common suggestion was that these grants should focus on transferable credits, such as classes that are part of the common course numbering system or the transfer maps. Participants were also excited that gathering information on effective/best practices in Oregon is an allowable activity that can be built into the program reporting. While much of this feedback is related to the purpose, potential grant recipients, and allowable activities spelled out by ORS 340 and will not impact rule making directly, this information will be useful when ODE is planning grant reporting.

**11. Please describe any additional engagement opportunities your office/team will be pursuing prior to asking the Board to take action on this item.**

No additional engagements are planned at this time.

## FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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*Equitable resource allocation is a critical component of education equity. Using plain language, this section should describe the fiscal, administrative, and small business impacts of this item, and how it affects the larger social system that serves Oregon’s students.*

**12. After consulting with ODE’s Rules Coordinator and Grant Consolidation Team, was this item identified as a grant-related item?**

- No
- Yes; please review Appendix B: Grant Consolidation below.

**13. Will Board action create fiscal or administrative impacts on districts, ESDs, community-based organizations, and/or the nine federally recognized tribes? If so, please describe the anticipated short- and long-term effects and how they may be felt differently in small, rural, or remote communities.**

Board actions will make grant funds potentially available to districts, ESDs, and Oregon’s public colleges and universities to improve equitable access to accelerated college credit programs for Oregon students. Rural communities are specifically named as a historically underserved group, and some grants include provisions prioritizing access for these groups.

**14. Will Board action create a fiscal or administrative impact on state agencies, units of local government, and/or the public? Will it increase costs associated with compliance for small businesses?**

Board action will create a minimal fiscal impact on stage agencies, as administration of these grants can be done with current ODE resources. Board actions will not create costs for small businesses.

## EQUITY IMPACT ANALYSIS

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*The State Board of Education envisions an aspirational education system that honors its increasingly diverse student body and affirms every student to reach their full potential in a rapidly shifting global environment. Using plain language, this section should describe the impact of this item on students and the larger social system that serves their health and education needs.*

**15. How will Board action on this item ultimately impact students and their families, particularly those who have been and continue to be systemically marginalized?**

Research shows that participation in Accelerated Learning has strong positive outcomes for Oregon students. One study showed that for Oregon students “in the class of 2015, accelerated learning participants were 30 percentage points more likely to graduate from high school, 25 percentage points more likely to enroll in college, and 22 percentage points more likely to persist in college than their peers who did not take accelerated learning in high school – and

findings were consistent for students of color” (Hodara & Pierson, 2018). Data shows that these opportunities are not offered equally across the state, and that opportunity gaps persist for historically underrepresented groups.

The accelerated college credit grants support efforts to increase opportunities for students to earn accelerated college credit. This funding is targeted to increase access for those students who have historically been excluded from these opportunities. These grants increase available accelerated college credit programming, particularly in schools where those opportunities are limited by school or district size and location.

**16. How will Board action on this item ultimately impact school district employees and volunteers, particularly those who have been and continue to be systemically marginalized?**

These grants will positively impact school district employees by helping more teachers to become qualified to teach accelerated college-credit courses, especially teachers who work in schools that have more limited college-credit granting opportunities. ODE consistently heard in engagements that if funding were available, teachers would be willing to seek this additional training, and that a lack of qualified instructors is a consistent barrier to equitable access to these programs.

**17. What are the anticipated short- and long-term consequences of Board action on this item? Will Board action have a cumulative effect on students, families, educators, districts, or Oregon’s school systems?**

Adopting these grant rules would allow ODE to offer these grants in future biennium, provided there is funding appropriated by the Legislature.

**18. What are the anticipated short- and long-term consequences of inaction on this item and who would experience those consequences?**

Without grant rules in place, ODE will not be able to offer these grants.

**RECOMMENDED ACTION**

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*The State Board of Education has dedicated itself to challenging the status quo and sharing responsibility for every student’s academic and lifelong success. Using plain language, this section should describe the choice before the Board, the Department’s recommendation, and any other relevant information.*

**19. Please provide a brief summary of the specific language your office/team is bringing to the Board. Are there any key decisions within this language that your office/team would like the Board to make?**

Statute is very clear for these grants and requires minimal clarification through rule.

ODE is proposing a single rule for each grant that outlines some basic requirements:

- Applicants must submit a detailed budget that explains how grant funds will be used.
- A grant recipient may use up to five percent of grant funds for administrative costs, including indirect costs.
- Grant recipients must report on the grant in the manner and form required by the Department of Education.
- Prior to approving the final request for funds, the Department of Education may require grant recipients to submit a final report.

ODE is also proposing a single rule that lists any needed definitions for the grants, referencing existing definitions in law and rule whenever possible.

### **20. How is this language responsive to identified needs and/or feedback received through the engagement process? How is it in alignment with [the Board's Mission, Vision, and Values](#)?**

Programs that provide college credit in high school have traditionally been programs of privilege. Equitable access to these programs for all students is a key metric for Oregon schools. All three of these grants will help Oregon's schools create accelerated college credit program opportunities for all. These grants support accelerated college credit programs in two ways: they increase the number of teachers who are qualified to teach these courses, and they support advising, coordination, and regional collaboration among the high school/college partnerships that offer these programs.

The proposed rules for these grants define "Historically underrepresented students" broadly, to maximize the potential of these grants to increase equitable access to college credit in the high school programs. The definition includes the following student groups:

- Economically Disadvantaged Students
- Students from Racial or Ethnic Groups that Have Historically Experienced Academic Disparities
- Students with Disabilities
- English Language Learners
- Students Recently Arrived
- Students who are Homeless
- LGBTQ2SIA+ Students
- Migratory Students
- Justice involved youth
- Students who are Pregnant or Parenting
- Foster Students
- Students from Rural areas

This definition was also a main topic of engagements, and participants were asked if there were any additional groups that should be included. Whenever possible definitions for these groups were taken from existing OARs.

- 21. Please describe the action your office/team is recommending to the Board (for example, the adoption of rules or the approval of a waiver) and how it reflects the Department’s commitment to academic excellence, belonging and wellness, and reimagining accountability.**

Adopting these grant rules would allow the issuance of grants, provided there is funding appropriated by the Legislature, to increase equitable access to accelerated college credit opportunities for students who have historically been underserved or excluded from these programs. This supports an overall culture shift from thinking of these opportunities as programs of privilege for the few, to seeing them as part of all students’ pathways to their future.

- 22. Please note any additional support the Department is (or will be) providing to ensure successful implementation of this item.**

- N/A; this item does not require any additional support.
- Communications plan
- Technical assistance, professional development, and/or coaching
- Direct or differentiated support for small, rural, or remote school districts
- Corrective Action Processes
- Safety measures
- Organizational culture or practice changes (change management)
- Materials and/or supplies
- Guidance and/or supplemental resources
- Other: \_\_\_\_\_

- 23. Has this item changed since the last Board meeting?**

- N/A; this item has not previously been before the Board
- No; same as last month
- Yes; please review Appendix A: Second Reading below.

## **APPENDIX B: GRANT CONSOLIDATION**

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*Appendix B should only be completed if “yes” is selected for question 12. Using plain language, this section should provide additional detail on how grant rules have been aligned and designed to support districts and meet administrative needs.*

- 1. Please indicate which of the following underlying processes are required for this grant program.**

- Conduct a needs assessment
- Gather and provide additional data
- Submit an application to ODE
- Submit a report to ODE

## Oregon State Board of Education Docket



- Submit a plan to ODE
- Submit a budget to ODE
- Conduct community engagement
- Other: \_\_\_\_\_

**2. How has your team/office worked to encourage more equitable resource allocation and address administrative impacts, particularly for small or rural school districts? How has this grant been aligned with existing grant programs?**

The statute that establishes these grants, ORS 340, is very clear on the grants purpose, eligible grantees, and allowable activities. These rules attempt to lessen administrative impacts of accepting a grant by allowing for administrative costs. There are no existing grant programs in this area.

**3. How are the grant requirements differentiated for small and rural school districts?**

The statute indicates that potential grantees can be part of a coalition of districts, districts and ESDs, districts or ESDs and postsecondary institutions, or of postsecondary institutions. Being a part of this kind of coalition will allow small and rural districts, colleges, and ESDs to be involved with taking on outsized administrative burdens.



# Rules Related to Accelerated College Credit Grants

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December 5, 2024

Kristidel McGregor (she/her)

Office of Teaching, Learning, and Assessment

[Kristidel.McGregor@ode.oregon.gov](mailto:Kristidel.McGregor@ode.oregon.gov)

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# Background

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# Background: ORS 340

Oregon Revised Statute (ORS) 340 is the law that governs the ways Oregon students earn college credit while in high school, which are sometimes called Accelerated Learning.

ORS 340 aims to expand program options available to all Oregon students, and to increase access to these programs for historically underserved students.

[College Credit in the High School:  
Oregon Revised Statute 340](#)



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# Why Accelerated Learning for all Oregon students?

Oregon students who participate in accelerated learning during high school are 30% more likely to graduate from high school, 25% more likely to enroll in college and 22% more likely to persist in college than those who do not.

This is consistent across demographic groups.

Source: [Accelerated Learning Access, Outcome, and Credit Transfer in Oregon](#)

SUPPORTING THE TRANSITION TO COLLEGE:  
Accelerated learning access,  
outcomes, and credit transfer  
in Oregon

November 2018

Michelle Hodara, Ashley Pierson

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*Education equity is the equitable implementation of policy, practices, procedures, and legislation that translates into resource allocation, education rigor, and opportunities for historically and currently marginalized youth, students, and families including civil rights protected classes. This means the restructuring and dismantling of systems and institutions that create the dichotomy of beneficiaries and the oppressed and marginalized.*

## Equitable Access

Opportunity gaps in college credit in high school programs

- have deep historical roots
- are closely tied to student identity and teacher beliefs about learning

Programs that offer accelerated college credit can be a lever for the restructuring of systems that reinforce current inequities.

# Accelerated College Credit Programs

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ORS 340 establishes three grants:

- Accelerated College Credit Instructor Grant Program
- Accelerated College Credit Planning Partnership Grant Program
- Accelerated College Credit Partnership Enhancement Grant Program

Funding for accelerated college credit is appropriated by the legislature each biennium, but this funding often doesn't include specific direction to fund one or more of these grants.

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# HB 2275 (2023): Accelerated College Credit Grants

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The change made to ORS 340 by HB 2275 gives ODE the authority to offer these grants in the absence of a budget note related to the Accelerated Learning budget line, if funding allows.



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## HB 2275 (2023): Accelerated College Credit Grants

These grants help **build the capacity** of districts, educational service districts, and post-secondary institutions to offer **college credit in high school**. The grants specifically target increasing access for students who have historically been underrepresented in these opportunities.

Equitable access to these opportunities is a key metric for many ODE programs, including CTE/Perkins and High School Success.

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In preparation for the 25-27 biennium, ODE has drafted administrative rules for the three grant programs that could potentially be offered.

# Accelerated College Credit Grants, Rule Needs

Grant Program	Rule Repealed	Rule Created
Accelerated College Credit Instructor Grant	<b>X</b>	<b>X</b>
Accelerated College Credit Planning Partnership Grant		<b>X</b>
Accelerated College Credit Partnership Enhancement Grant		<b>X</b> <sup>81</sup>



# Engagement

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# HB 2275 (2023): Accelerated College Credit Grants, Engagement Strategy

**ORS 340**

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graph LR; A[ORS 340] --> B[Expanded Options Program (ORS 340.005-090)]; A --> C[Accelerated College Credit Programs (ORS 340.300-330)];
```

**Expanded Options Program (ORS 340.005-090)**

**Accelerated College Credit Programs (ORS 340.300-330)**

# Accelerated College Credit Grants Engagement Strategy, Spring 2024

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ODE held engagements for grant programs and Expanded Options

May 8, 2023: Dual Credit Coordinators

May 9, 2024: College Credit in High School Practitioners, District Administrators, Counselors, Post-secondary Partners

May 17, 2024: Oversight Committee for High School Based College Credit<sup>184</sup>  
Partnerships

**FINDING: Too many topics at once, confusing, hard to grasp implications**

# Accelerated College Credit Grants, Engagement Strategy Revision

**After reviewing feedback, ODE determined implementing HB 2275 in stages would be more effective.**

Stage one: 2024-2025

Grant Programs

Stage two: 2025-2026

Expanded Options

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# Accelerated College Credit Grants Engagement Strategy, Fall 2024

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Oct 14: Oversight Committee for High School Based College Credit Partnerships

Nov 12: Potential Grantee Engagement with College Credit in High School Practitioners, District Administrators, Counselors, Post-secondary Partners

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Nov 14: Dual Credit Coordinators

133 total participants

Roles included:

- K12 School and District administrators
- K12 Counselors
- Postsecondary Administrators
- Postsecondary Advisors
- ESD administrators
- Postsecondary Program Coordinators
- Dual Credit teachers

Engagement  
Participation



# Engagement Findings

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Need for support to increase pool of qualified teachers

Hope that these grants will increase equitable access for students

Need to support advising and outreach for historically underserved students and their communities

Questions about funding availability

Grants should focus on credits with a purpose

Grants should focus on transferable credits, common course number credits

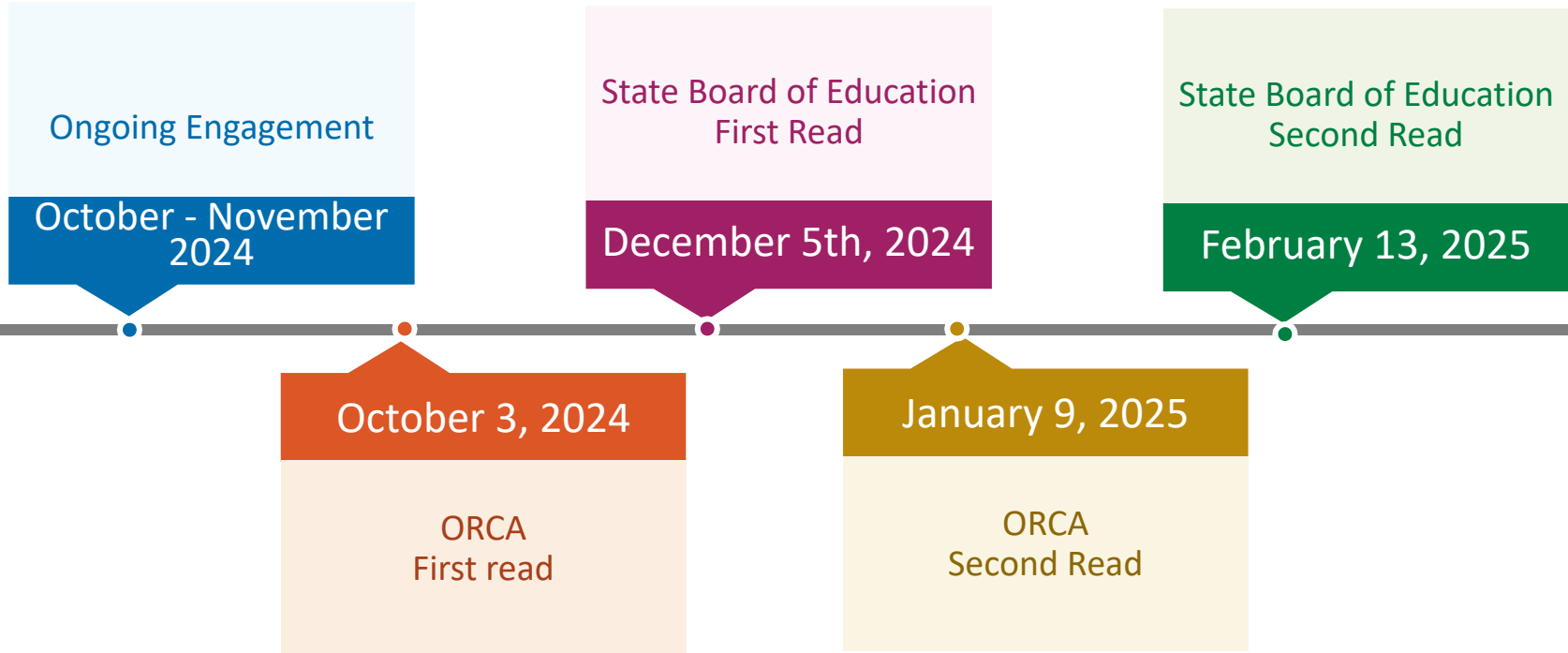
Excitement that gathering information on effective/best practices<sup>188</sup> in Oregon can be built into the program reporting



# Proposed Rules

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# Accelerated College Credit Grant Rules Timeline



# Accelerated College Credit Grant Rules: Summary of Changes

**Statute is very clear for these grants, and requires minimal clarification through rule.**

ODE is proposing

- a single rule for each grant, and
- a single rule that lists any needed definitions for the grants, referencing existing definitions in law and rule whenever possible

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# Accelerated College Credit Grant Programs, Proposed Rule Definitions

The proposed rules for these grants defines “Historically underrepresented students” broadly, including:

- Economically Disadvantaged Students
- Students from Racial or Ethnic Groups that Have Historically Experienced Academic Disparities
- Students with Disabilities
- English Language Learners
- Students Recently Arrived
- Students who are Homeless
- LGBTQ2SIA+ Students
- Migratory Students
- Justice involved youth
- Students who are Pregnant or Parenting
- Foster Students
- Students from Rural areas

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# Accelerated College Credit Grants Proposed Rules

ODE is proposing a single rule for each grant that outlines basic requirements:

- Applicants must submit a detailed budget that explains how grant funds will be used.
- A grant recipient may use up to five percent of grant funds for administrative costs, including indirect costs.
- Grant recipients must report on the grant in the manner and form required by the Department of Education.
- Prior to approving the final request for funds, the Department of Education may require grant recipients to submit a final report.

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# Next Steps

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# Next Steps: Implementing Rules



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# Thank you!

[Kristidel.McGregor@ode.oregon.gov](mailto:Kristidel.McGregor@ode.oregon.gov)

## Summary

**Meeting Date:** 12/5/2024

**Title:** HB 4137: International Baccalaureate and Oregon Diploma

**Status:** First Reading

**Presentation:** Yes

**Key Staff:** Kristidel McGregor

**Topic Summary:** House Bill 4137 passed in the 2024 legislative session. The bill directs ODE to create rules defining how a student who has satisfied the requirements of either the IB Diploma Programme or the IB Career-related Programme will also be considered to have satisfied the requirements for an Oregon Diploma.

## ODE Education Equity

### Stance

Education equity is the equitable implementation of policy, practices, procedures, and legislation that translates into resource allocation, education rigor, and opportunities for historically and currently marginalized youth, students, and families including civil rights protected classes. This means the restructuring and dismantling of systems and institutions that create the dichotomy of beneficiaries and the oppressed and marginalized.

## **BACKGROUND AND NEED**

*Members of the State Board of Education are volunteers, with unique professional and lived experiences. Using plain language, this section should provide context for this item, including any needed overviews of relevant programs or initiatives.*

### **1. Briefly, how does this topic, program, or initiative currently operate? Where is it located within Oregon’s school systems? How does it ultimately serve students?**

The International Baccalaureate (IB) is a program that offers high-quality, accelerated education to students in grades 11-12. IB programs are well-rounded, rigorous, and holistic, focusing on a full curriculum of deep and complex learning provided over two years. Many of the classes taken through the program can be articulated for credit at colleges and universities.

- 18 Oregon high schools currently offer an IB Diploma Programme
- 5 Oregon high schools currently offer an IB Career-related Programme
- 9 districts currently offer these IB Programs at one or more of their high schools: Portland Public, North Clackamas, Tigard-Tualatin, Beaverton, Hillsboro, Lincoln County, Salem, Bend-La Pine, and Eugene.
- Approximately 800 students, about 2% of Oregon’s graduates, completed the requirements for an IB Diploma Program or an IB Career-related Program in spring of 2024.

# Oregon State Board of Education Docket



For students in the IB program, and schools who offer an IB program, having to meet both IB program and Oregon Diploma requirements simultaneously can be challenging. IB program requirements are for two-year holistic programs, while the Oregon Diploma stretches over four years. This allows students to take some Oregon Diploma requirements in grades 9 and 10, but completing all the required credits in those two years is a challenge, and some required Oregon Diploma courses are not developmentally appropriate until a student is in 11th or 12th grade. Additionally, the subject categories for an Oregon Diploma and an IB Program are different, and often do not allow a one to one match of courses between the two.

**2. Please list the specific rule(s), statute(s), or recently passed legislation that allows the Board to take action on this item. Where are they prescriptive and where do they provide the Board and Department flexibility?**

HB 4137 (2024) amended ORS 329.451, the statute that governs high school graduation, to provide that students who successfully complete an IB Diploma Programme or IB Career-related Program can also be considered to have completed an Oregon Diploma. The legislature allows for the State Board of Education to include additional requirements if they see fit, but asks the Board to attempt not to enact requirements that discourage student access to or participation in IB programs.

**SB 3 (2023)** also amended ORS 329.451 and added a .5 credit of Higher Education and Career Paths course and .5 credit Personal Financial Education course to the credits required for students to earn an Oregon Diploma, effective January 1, 2027.

In June 2024, the State Board of Education adopted Oregon Administrative Rules requiring that these two credits be earned through stand alone classes. The Board also allowed districts that could not implement this requirement by January 1, 2027 to request a waiver which, if granted, would extend the requirement for one year only, to January 1, 2028.

**3. Has this item come before the Board before? If so, when did the Board last take action, and what was that action?**

No, this item has not been before the Board before.

**4. Why is this item coming before the Board now?**

HB 4137 takes effect on Jan. 1, 2025. ODE’s goal is to have the OARs for the statute in place as early in 2025 as possible so districts can be clear about the requirements for students graduating in June 2025, as well as allowing ODE to provide technical assistance to districts in implementing the new law.

**5. Who requested or brought about the need for this item? (Select all that apply.)**

ODE Staff

# Oregon State Board of Education Docket



- Students
- Families
- Community-Based Organizations
- Culturally Specific Organizations
- School Districts
- Education Service Districts
- Charter Schools
- Oregon State Legislature
- Educational Associations
- Racial Justice Council
- Federal Government
- One or more of Oregon’s nine federally recognized tribes: \_\_\_\_\_
- Other: \_\_\_\_\_

## ENGAGEMENT STRATEGY AND LEARNINGS

*The State Board of Education expects all items that come before it be reviewed and influenced, to the greatest extent possible, by a robust community engagement process. Using plain language, this section should provide an overview of the role that engagement played in this item, including with Oregon’s nine federally recognized Tribes, other state agencies, and external partners.*

**6. How did the [Equity Decision Tree](#) inform your office/team engagement strategy? Who is most likely to be affected and how have they been intentionally incorporated into the engagement process for this item?**

The Equity Decision Tree informed the engagement strategy by centering the positions of International Baccalaureate district leaders and practitioners. They will be immediately impacted by the rules, and also bring a unique perspective of both the challenges faced by IB students and their families and the funds of knowledge they possess. ODE considered the inclusion of students in the engagement process, but the logistics of conducting engagement with students under 18 was a barrier.

ODE sent a survey to IB practitioners, which closed on Aug 30th, 2024, to gather information on current practice in the field, and to collect their stories of students who have been impacted by having to meet the requirements of the Oregon Diploma as well as the IB Program. ODE also held a series of engagements for IB Practitioners on August 27 and September 19, 2024, to listen and learn from these practitioners and the information they received from IB students.

ODE also engaged with a general audience in a series of engagements on October 1, 2, and 3, 2024, guided by the knowledge that these rules touch on learning that has been positioned as essential to the Oregon Diploma. Gathering a broad perspective on the impact of these rules was important to forming ODE’s recommendation to the Board, but generating interest in this

## Oregon State Board of Education Docket



engagement has been a barrier, possibly due to the small size of the programs. ODE sent an invitation to the general engagement series via gov delivery.

On September 5, 2024 ODE presented to ODE’s Ongoing Rules Community Advisory (ORCA) and gathered their feedback. At that time, the draft rules for IB Diploma equivalency did not explicitly call out the inclusion of the requirements mandated by SB3.

While revising the draft rules in early October, ODE realized the importance of balancing the requirements of HB 4137 and SB 3. HB 4137 amended ORS 329.451, the statute that governs high school graduation, to provide that students who successfully complete an IB Diploma Programme or IB Career-related Program can also be considered to have completed an Oregon Diploma. SB 3 also amended ORS 329.451, adding additional graduation requirements to the Oregon Diploma. Both bills require changes to OAR 581-022-2000 Diploma Requirements, and this rule needs to honor the intent of both bills. This necessitated changes to the draft rules.

On November 7th, 2024 ODE presented the revised draft of the rules to ODE’s Ongoing Rules Community Advisory (ORCA) and again gathered their feedback. ODE also held an additional engagement with IB practitioners on November 14, 2024 to share the new draft rules and gather feedback.

ODE continues to engage with stakeholders and will bring any additional learnings to the second read of the proposed rules at the January meeting.

**7. After consulting with ODE’s Rules Coordinator and the Office of Indian Education, did this item require Tribal Consultation and/or Tribal Communication with Oregon’s nine federally recognized tribes? (For more information, please reference ODE’s [Tribal Consultation Toolkit.](#))**

- No
- Yes – Both Consultation and Communication.
- Yes – Only Communication.

**8. Has your office/team considered how this item intersects with the authority of other state entities that serve the health and education needs of Oregon’s students, or otherwise contribute to the climate of Oregon’s school systems? If so, please select from the below list.**

- N/A; this item does not intersect with other state entities.
- Oregon Health Authority (OHA)
- Department of Early Learning and Care (DELG; formerly ELD)
- Educator Advancement Council (EAC)
- Higher Education Coordinating Commission (HECC)
- Youth Development Oregon (YDO)
- Teacher Standards and Practices Commission (TSPC)
- Oregon Housing and Community Services (OHCS)
- Other: \_\_\_\_\_

If you selected any of the above entities, please share why they were involved, how the Department partnered with them, and what feedback they provided.

Please enter your answer here

**9. Which geographic perspectives are intentionally represented in your office/team engagement strategy?**

- Northeast Oregon
- Central and Southeast Oregon
- Southwest Oregon
- Willamette Valley and Central Coast
- Northwest Oregon
- Tribal lands
- Other: \_\_\_\_\_

**Why did your office/team focus on the above geographical perspective(s)?**

The engagement focused on these areas because there are currently no IB programs located outside of these areas.

**10. Please highlight some of the key pieces of feedback your office/team received during the engagement process. How did this feedback influence the development of this item? How were differences in opinion accounted for?**

Key pieces of feedback from the engagement process include the following broad themes:

The IB Diploma Programme and the IB Career-Related Programme are holistic curriculums that include in-depth, rigorous content across broad subject matters. Some people gave feedback that no additional credit requirements should be added by the Board to honor the rigor and completeness of these programs.

Engagement participants were clear that meeting both the requirements for the Oregon Diploma and an IB Program is a barrier to participation in the program. Satisfying both sets of requirements requires early planning, sometimes beginning in middle school.

- Many credit requirements for the Oregon Diploma must be completed before grade 10 for students who want to participate in an IB program.
- Schools struggle to create schedules that allow for the credit requirements needed to meet an Oregon Diploma to be taken in grades 9 and 10. Because of scheduling difficulties, some requirements must be taken in grades 11 and 12, simultaneously with IB program requirements.

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- This is a barrier to access for students from groups historically underrepresented in these programs, who may not know that they need to take these courses before beginning the IB program.
- Students in IB programs often need to satisfy some Oregon Diploma requirements outside of the regular school day, at their own expense.
- Students in IB programs often have to choose between participating in the program and participating in a high-interest elective, like band, theater, or participation in student government. Student access to support/advisory classes, such as [AVID](#), can also be impacted.

To fulfill the requirements of SB 3, IB students will need to earn 0.5 credit of Personal Finance Education and .05 credit of Higher Education and Career Path Skills. Based on the feedback ODE received in engagements regarding the difficulty of scheduling courses in IB students' junior and senior years, and to allow districts to best comply with HB 4137 while implementing SB 3, ODE recommends time-limited, case-by-case student waivers be available for Personal Finance Education and Higher Education and Career Path Skills until 2030, at which time districts should have fully implemented SB 3.

Engagement participants also felt that some of the Oregon Diploma requirements were important for IB students to learn as part of an Oregon Diploma. Of the possible Oregon Diploma requirements that could be added as a requirement for an IB student, and given the challenges of adding more requirements to students in IB programs, these credit requirements were considered most critical:

- 0.5 credit of US Civics
- 1 credit of Health

Engagement participants also cautioned against adding all of these requirements, as they felt adding too many additional credit requirements would undo the purpose of the bill.

In response to this feedback, ODE recommends that districts offering an International Baccalaureate Diploma Programme or an International Baccalaureate Career-related Programme develop a curriculum plan that ensures students in an International Baccalaureate Program receive instruction aligned to the adopted standards in Civics and Health, either as stand-alone classes or integrated into the International Baccalaureate curriculum.

### **11. Please describe any additional engagement opportunities your office/team will be pursuing prior to asking the Board to take action on this item.**

ODE continues to engage with stakeholders and will bring any additional learnings to the second read of the proposed rules at the January meeting.

### **FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS**

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## Oregon State Board of Education Docket



*Equitable resource allocation is a critical component of education equity. Using plain language, this section should describe the fiscal, administrative, and small business impacts of this item, and how it affects the larger social system that serves Oregon's students.*

**12. After consulting with ODE's Rules Coordinator and Grant Consolidation Team, was this item identified as a grant-related item?**

- No  
 Yes; please review Appendix B: Grant Consolidation below.

**13. Will Board action create fiscal or administrative impacts on districts, ESDs, community-based organizations, and/or the nine federally recognized tribes? If so, please describe the anticipated short- and long-term effects and how they may be felt differently in small, rural, or remote communities.**

These rules do not create additional costs for districts or communities.

**14. Will Board action create a fiscal or administrative impact on state agencies, units of local government, and/or the public? Will it increase costs associated with compliance for small businesses?**

These rules do not create a fiscal or administrative impact on state agencies, units of local government, small businesses, or the public. Costs for families of students pursuing an IB program will likely be reduced, as the need to take extra classes over the summer to "catch up" will be eliminated.

### **EQUITY IMPACT ANALYSIS**

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*The State Board of Education envisions an aspirational education system that honors its increasingly diverse student body and affirms every student to reach their full potential in a rapidly shifting global environment. Using plain language, this section should describe the impact of this item on students and the larger social system that serves their health and education needs.*

**15. How will Board action on this item ultimately impact students and their families, particularly those who have been and continue to be systemically marginalized?**

Programs that provide college credit in high school have traditionally been programs of privilege. Currently, these programs require additional time outside of school hours and additional costs for students and their families.

Some examples of cost for students include:

- Many students take Health or PE over the summer online, often from Brigham Young University's high school program. These courses can cost \$500 each.
- Many students cannot take any electives their 11 and 12 grade year because there is no room in their schedule.

Removing these additional costs doesn't just benefit the students currently enrolled in these programs. It will also broaden access to IB programs for all students. IB practitioners indicated that some students are hesitant to try the IB program, fearing it will create the need to take additional credits outside of normal class schedules or to give up beloved electives to fit all the required credits into the school day.

**16. How will Board action on this item ultimately impact school district employees and volunteers, particularly those who have been and continue to be systemically marginalized?**

IB programs are difficult for schools to administer and support, and the requirement of supporting students to meet both IB program requirements and Oregon Diploma requirements is part of that burden.

Areas where Board action on this item will positively impact school district employees and volunteers include (but aren't limited to):

- Reducing need for additional teacher FTE
- Reducing difficulty of creating the high school schedule
- Reducing the complexity of student advising and family communication

**17. What are the anticipated short- and long-term consequences of Board action on this item? Will Board action have a cumulative effect on students, families, educators, districts, or Oregon's school systems?**

Board action on this item will have immediate benefits for students, families, educators, and districts. Providing current IB students with this flexibility will allow them to continue to participate in electives, lessen the potential financial burden of participation in the program, and lessen the potential stressful impact of an inflexible school schedule and competing demands for students' time outside of school. Adopting these rules also allows for an easier on-ramp to participation in these programs, improving access for students who have been historically underrepresented in these programs.

Oregon's school systems that currently offer IB programs will be able to more easily create a high school schedule and provide effective advising for IB students. This easing of program requirements could also encourage districts and schools that do not currently offer an IB program to consider doing so.

**18. What are the anticipated short- and long-term consequences of inaction on this item and who would experience those consequences?**

If the rule is not passed, access to IB programs will continue to depend on time and financial costs for students outside of the school day. The addition of two new credit requirements, the Personal Finance Education and Higher Education and Career Path Skills credits, will cause additional stress for IB students, who are already experiencing difficulty meeting both the IB

## Oregon State Board of Education Docket



program requirements and the Oregon Diploma requirements. The additional flexibility given IB students by HB 4137 will help mitigate the potential that these courses will discourage students from participating in IB programs.

### RECOMMENDED ACTION

*The State Board of Education has dedicated itself to challenging the status quo and sharing responsibility for every student's academic and lifelong success. Using plain language, this section should describe the choice before the Board, the Department's recommendation, and any other relevant information.*

**19. Please provide a brief summary of the specific language your office/team is bringing to the Board. Are there any key decisions within this language that your office/team would like the Board to make?**

The proposed revisions to OAR 581-022-2000 Diploma Requirements honor the intent of HB 4137 to allow students who have completed an International Baccalaureate program to also satisfy the requirements of an Oregon Diploma. The revisions also honor the intent of SB 3 to require .5 credit of Personal Finance Education and .5 credit of Higher Education and Career Path Skills as stand-alone courses.

HB 4137 directs the Board to adopt these rules, but also says the rule may include “any other requirements prescribed by the Board by rule for a student who has completed an International Baccalaureate program.”

HB 4137 also says, “when establishing requirements under this paragraph, the board ... shall attempt not to establish requirements that may discourage access to or participation in the International Baccalaureate program.” ODE asks that the Board consider this as a framing lens when considering additional requirements.

ODE offers the recommendations below based on legislative intent and feedback from engagements.

#### Recommendation 1: Alignment with SB 3

Districts offering an International Baccalaureate Diploma Programme or an International Baccalaureate Career-related Programme will ensure IB students complete 0.5 credit of Personal Finance Education, and 0.5 credit of Higher Education and Career-path Skills as stand-alone courses.

#### Recommendation 2: Time-limited student level waiver for SB 3 credits

In order to allow districts to best comply with HB 4137 while implementing SB 3, ODE recommends time-limited, case-by-case student waivers be available for Personal Finance Education and Higher Education and Career-path Skills until 2030, at which time districts should have fully implemented SB 3.

A district may request a waiver:

- on behalf of a student actively pursuing an IB Diploma Program or an IB Career-Related Program
- for .5 credit of Personal Finance Education, and .5 credit of Higher Education and Career-path Skills courses,
- if the student has not had a reasonable opportunity to take the course during their high school years.

### Recommendation 3: Instruction aligned to Health and Civics standards

Districts offering an International Baccalaureate Diploma Programme or an International Baccalaureate Career-related Programme will develop a curriculum plan that ensures students in an International Baccalaureate program receive instruction aligned to the adopted standards in Civics and Health, either in stand-alone classes or integrated into the International Baccalaureate curriculum.

## **20. How is this language responsive to identified needs and/or feedback received through the engagement process? How is it in alignment with [the Board's Mission, Vision, and Values](#)?**

The need to reduce the burden on students and school systems to simultaneously complete the requirements for both an International Baccalaureate program and an Oregon Diploma was clearly communicated during engagement. Participant feedback also made clear the value of the Oregon Diploma requirements. The Board and the Legislature has also made clear the importance of the new credit requirements, Personal Finance Education and Higher Education and Career Path Skills. Holding and honoring this tension is an important step in the rulemaking process, drives ODE to seek innovative and adaptable solutions that will work for Oregon's diverse students and school systems, and allows for expanded access to IB programs for students who have been historically underrepresented.

Feedback received during engagement overwhelmingly emphasized the burden that additional credit requirements place on students who are participating in IB programs, and how these requirements can discourage access to and participation in IB programs.

## **21. Please describe the action your office/team is recommending to the Board (for example, the adoption of rules or the approval of a waiver) and how it reflects the Department's commitment to academic excellence, belonging and wellness, and reimagining accountability.**

The International Baccalaureate programs are rigorous and holistic, and students who complete them demonstrate academic excellence. Adopting these rules will increase student access to these programs by removing some of the barriers that students currently face.

During engagement with educators, Health curriculum was most frequently listed as very important, with participants mentioning that students in IB programs can experience increased

## Oregon State Board of Education Docket



stress and noted the importance of content related to [Adi's Act](#). Student wellness will be improved by ensuring that health standards are addressed, and removing some of the barriers to participation in IB programs will also lessen student stress and increase wellbeing. The flexibility built into HB 4137 will mean fewer students are required to choose between an IB program and other school activities, which will increase belonging.

OAR 581-022-2000 Oregon Diploma is an important part of Division 22 and ODE's accountability system for districts. By including the waiver and providing districts with a realistic onramp to balancing the requirements of SB 3 and HB 4137, ODE is helping districts meet the needs of students and the requirements of both important pieces of legislation.

### 22. Please note any additional support the Department is (or will be) providing to ensure successful implementation of this item.

- N/A; this item does not require any additional support.
- Communications plan
- Technical assistance, professional development, and/or coaching
- Direct or differentiated support for small, rural, or remote school districts
- Corrective Action Processes
- Safety measures
- Organizational culture or practice changes (change management)
- Materials and/or supplies
- Guidance and/or supplemental resources
- Other: \_\_\_\_\_

### 23. Has this item changed since the last Board meeting?

- N/A; this item has not previously been before the Board
- No; same as last month
- Yes; please review Appendix A: Second Reading below.

#### APPENDIX A: SECOND READING

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*Appendix A should only be completed if "yes" is selected for question 23. Using plain language, this section should provide a summary of any additional engagements, learnings, or changes that have occurred since the First Reading of this item.*

#### 1. Please describe any additional engagement opportunities your office/team has pursued since the First Reading of this item. Which perspectives were intentionally included?

Please enter your answer here

#### 2. Has your office/team received any additional public comment on this item? If so, who provided that comment and what feedback did they provide?

# Oregon State Board of Education Docket

Please enter your answer here

- 3. Please describe any overall learnings that have occurred since the First Reading of this item. How were differences in opinion accounted for?**

Please enter your answer here

- 4. Please provide a brief summary of the changes your office/team have made to this item since the First Reading. How are these changes responsive to identified needs and/or feedback received through the engagement process?**

Please enter your answer here

## APPENDIX B: GRANT CONSOLIDATION

*Appendix B should only be completed if "yes" is selected for question 12. Using plain language, this section should provide additional detail on how grant rules have been aligned and designed to support districts and meet administrative needs.*

- 1. Please indicate which of the following underlying processes are required for this grant program.**

- Conduct a needs assessment
- Gather and provide additional data
- Submit an application to ODE
- Submit a report to ODE
- Submit a plan to ODE
- Submit a budget to ODE
- Conduct community engagement
- Other: \_\_\_\_\_

- 2. How has your team/office worked to encourage more equitable resource allocation and address administrative impacts, particularly for small or rural school districts? How has this grant been aligned with existing grant programs?**

Please enter your answer here

- 3. How are the grant requirements differentiated for small and rural school districts?**

Please enter your answer here

# DRAFT RULE CHANGES TO 581-02-2000 FOR HB 4137: INTERNATIONAL BACCALAUREATE DIPLOMA

Oregon Department of Education

Chapter 581

Division 22

STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

## **581-022-2000**

### **Diploma Requirements**

(1) Each district school board and public charter school with jurisdiction over high school programs shall award diplomas to all students who fulfill all state requirements as described in sections (2) to (12) of this rule and all local school district requirements as described in district school board policies or all public charter school requirements as described in the policies or charter of the public charter school.

(2) Unit of Credit Requirements for students who were first enrolled in grade 9 during the 2022–2023 school year or first enrolled in grade 9 in any previous school year:

(a) Each student shall earn a minimum of 24 units of credit aligned to the Oregon State Board adopted standards to include:

(A) Language Arts — 4 (shall include the equivalent of one unit in Written Composition);

(B) Mathematics —3 (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);

(C) Science — 3;

(D) Social Sciences — 3 (shall include 0.5 unit of US civics credit in addition to at least 2.5 units of credit aligned to the Oregon State Board adopted standards for U.S. history, world history, geography, economics, and financial literacy);

(E) Health Education — 1;

(F) Physical Education — 1;

(G) Career and Technical Education, The Arts or World Languages — 3 (units shall be earned in any one or a combination). (b) A district school board or public charter school with a three-year high school may submit through the waiver process alternative plans to meet unit requirements;

(b) A district school board or public charter school may increase the number of units required in specific areas, and may increase or decrease the number of elective units; however, the total units of credit required for graduation shall not be less than 24;

(3) Unit of Credit Requirements for students who were first enrolled in grade 9 during the 2023-24 school year or first enrolled in grade 9 in any subsequent school year:

(a) Each student shall earn a minimum of 24 units of credit aligned to the Oregon State Board adopted standards to include:

(A) Language Arts — 4 (shall include the equivalent of one unit in Written Composition);

(B) Mathematics —3 (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);

(C) Science — 3;

(D) Social Sciences — 3 (shall include 0.5 unit of US civics credit in addition to at least 2.5 units of credit aligned to the Oregon State Board adopted standards for U.S. history, world history, geography, and economics);

(E) Health Education — 1;

(F) Physical Education — 1;

(G) Career and Technical Education, The Arts or World Languages — 3 (units shall be earned in any one or a combination).

(H) Personal Financial Education — 0.5;

(I) Higher Education & Career Path Skills — 0.5.

(b) A district school board or public charter school with a three-year high school may submit through the waiver process alternative plans to meet unit requirements;

(c) A district school board or public charter school may increase the number of units required in specific areas, and may increase or decrease the number of elective units; however, the total units of credit required for graduation shall not be less than 24;

(4) A district school board or public charter school must waive any additional district requirements if students are or, were at any time from grade 9-12:

(a) A foster child, a child receiving 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition if the foster care facility is licensed and payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made;

(b) Homeless, a child who lacks a fixed, regular, and adequate nighttime residence; a child who is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative

adequate accommodations; is living in emergency or transitional shelters; or is abandoned in hospitals; a child whose primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; a child who is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; an unaccompanied youth not in physical custody of a parent or guardian;

(c) A runaway, an unmarried child under 18 years of age who, without consent of the parent or other person having legal custody of that child, leaves and stays away from the home or other dwelling place provided for the child by that person;

(d) A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;

(e) A child of a migrant worker, a worker that moved as an migratory agricultural worker or migratory fisher due to economic necessity from one residence to another residence, and from one school district to another; or

(f) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program.

(5) A school district or public charter school must accept any credits earned by students qualified for the additional district credit requirements waiver in another school district or public charter school and must apply them toward the 24 Units of Credit Requirements for the diploma.

(6) A school district or public charter school may grant high school credit for courses taken prior to grade 9 if students taking pre-grade 9 courses are required to meet performance criteria that are equivalent to the performance criteria for students taking the same high school courses.

(7) Course syllabi shall be written for courses in grades 9 through 12 and shall be available to students, staff, parents, the district school board and other interested individuals.

(8) Each student shall demonstrate proficiency in essential skills adopted by the State Board of Education as provided in OAR 581-022-2115.

(9) School districts shall develop a process that provides each student the opportunity to develop an education plan and build an education profile in grades 7 through 12 with adult guidance. The plan and profile shall be reviewed and updated periodically (at least annually) and be supported by a Comprehensive School Counseling Program as defined in OAR 581-022-2060.

(10) Each student shall develop an education plan and build an education profile.

(a) Each student shall develop an education plan that:

(A) Identifies personal and career interests;

(B) Identifies tentative educational and career goals and post high school next steps (i.e. college, workforce, military, apprenticeship, other);

(C) Sets goals to prepare for transitions to next steps identified in section (10)(b);

(D) Designs, monitors and adjusts a course of study that meets the interest and goals of the student as described in subsection (a) (A), (B) and (C) of this section that includes but is not limited to:

- (i) Appropriate coursework and learning experiences;
- (ii) Identified career-related learning experiences; and
- (iii) Identified extended application opportunities.

(b) Through the education profile each student shall:

(A) Monitor progress and achievement toward standards including:

- (i) Content standards;
- (ii) Essential skills;
- (iii) Extended application standard; and
- (iv) Other standards where appropriate (e.g. industry standards).

(B) Document other personal accomplishments determined by the student or school district.

(C) Review progress and achievement in subsection (b)(A) and (B) of this subsection at least annually.

(11) Each student shall build a collection of evidence, or include evidence in existing collections(s), to demonstrate extended application (as defined in OAR 581-022-0102).

(12) Each student shall participate in career-related learning experiences outlined in the education plan (as defined in OAR 581-022-0102).

**(13) The following course requirements apply to the International Baccalaureate program:**

**(a) A student who has completed an International Baccalaureate program shall be considered to have satisfied the requirements of sections (2) and (3) of this rule if the student:**

**(A) satisfies all the requirements as described in the International Baccalaureate Organization's International Baccalaureate Diploma Programme curriculum; or**

**(B) satisfies all the requirements as described in the International Baccalaureate Organization's International Baccalaureate Career-related Programme curriculum.**

**(b) Unless waived in accordance with OAR 581-022-2000(14), a school district or public charter school offering an International Baccalaureate Diploma Programme or an International Baccalaureate Career-related Programme shall ensure students in an International Baccalaureate program complete .5 credit of Personal Finance Education and .5 credit of Higher Education and Career-path Skills as stand-alone courses.**

**(c) A school district or public charter school offering an International Baccalaureate Diploma Programme or an International Baccalaureate Career-related Programme shall develop a**

curriculum plan that ensures students in an International Baccalaureate Program receive inclusive instruction aligned to the adopted standards in Civics and Health. This plan shall be kept on file at the district and be available to ODE upon request.

**(d)** Only for the purpose of satisfying requirements in Section 13 paragraph (a) of this rule, a person who is not an external International Baccalaureate examiner may grade assessments or examinations for either program.

**(e)** A school district or public charter school may establish requirements that are in addition to the requirements prescribed by Section 13 paragraph (a) of this rule. When establishing requirements, a school district or public charter school shall attempt not to establish requirements that may discourage student access to or participation in the International Baccalaureate program.

**(14)** A district or public charter school may request a waiver of the credit requirements described in sections (3)(a)(H) and (3)(a)(I) of this rule on behalf of a student participating in an International Baccalaureate Program who entered high school between July 1, 2024 and July 1, 2027, in accordance with the following requirements:

**(A)** To receive a waiver under this section, the district or public charter school must demonstrate to the satisfaction of the Oregon Department of Education that the student was unable to access courses necessary for the student to satisfy the credit requirements due to a lack of reasonable opportunities to take the course.

**(B)** For a waiver to be considered by the Oregon Department of Education, it must include:

**(i)** An explanation of why the student did not have a reasonable opportunity to access the required courses;

**(ii)** An explanation of how the district or public charter school ensured the student received access to personal finance, higher education, and career path content through means other than the required courses;

**(iii)** The district or public charter school's corrective action plan to make the required courses more accessible for students participating in an International Baccalaureate Program; and

**(iv)** Local school board approval of the application and the date of such approval.

**(C)** Waivers may be approved at the Oregon Department of Education's discretion. Denied waivers may be appealed to the State Board of Education.

**(D)** Section (13) paragraph (f) of this rule shall sunset effective July 1, 2030.

**(1415)** Notwithstanding sections (1) to (12) of this rule, each district school board or public charter school governing board with jurisdiction over high school programs shall award a modified diploma to those students who have demonstrated the inability to meet the full set of academic content standards

even with reasonable modifications and accommodations and who fulfill all requirements as described in OAR 581-022-2010.

**(1516)** Notwithstanding sections (1) to (12) of this rule, each district school board or public charter school governing board with jurisdiction over high school programs shall award an extended diploma to those students who have demonstrated the inability to meet the full set of academic content standards even with reasonable modifications and accommodations and who fulfill all requirements as described in OAR 581-022-2015.

**(1617)** Notwithstanding sections (1) to (12) of this rule and as provided in OAR 581-022-2020, schools districts and public charter schools shall make a certificate of attendance available to students as an alternative for students who do not obtain the regular diploma, modified diploma or extended diploma.

**(1718)** Attendance Requirements:

(a) Twelve school years shall be required beginning with grade 1, except when the school district adopts policies providing for early or delayed completion of all state and school district credit and performance requirements;

(b) Notwithstanding subsection (a) of this section, a student may satisfy the requirements of sections (2)(6) of this rule in less than four years. If the school district or public charter school has the consent of the student's parent or guardian, a school district or public charter school shall award a diploma to a student upon request from the student, if the student satisfies the requirements for the diploma that apply to the student based on the date of graduation of the student or the school year when the student first enrolled in grade 9, as applicable.

(c) If a school district or public charter school has the consent of a student's parent or guardian, the school district or public charter school may advance the student to the next grade level if the student has satisfied the requirements for the student's current grade level.

(d) The requirement for obtaining the consent of a student's parent or guardian under subsections (b) and (c) of this section does not apply to a student who is:

(A) Emancipated pursuant to ORS 419B.550 to 419B.558; or

(B) 18 years of age or older.

(e) The district school board may adopt policies for alternative learning experiences, such as credit by examination and credit for off-campus experiences;

(f) With any modification of the attendance requirements for graduation, school district and public charter school staff shall consider age and maturity of students, access to alternative learning experiences, performance levels, school district or public charter school guidelines and the wishes of parents and guardians.

**(1819)** A school district or public charter school shall ensure that students have access to the appropriate resources to achieve a diploma at each high school in the school district or at the public charter school.



# HB 4137: International Baccalaureate and the Oregon Diploma

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# HB 4137 Bill Implementation: Context



Oregon Department of Education

Directs the State Board of Education **to adopt rules** by which a student who has satisfied the requirements of either the IB Diploma Programme or the IB Career-related Programme will also be considered to have satisfied the requirements for an Oregon Diploma.

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# Background


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# HB 4137 Background: International Baccalaureate (IB) Programs

The International Baccalaureate Programs described in HB 4137

- include the International Baccalaureate Diploma Programme and the International Baccalaureate Career-related Programme
- provide high-quality, well-rounded education to students in grades 11-12
- focus on a holistic curriculum of deep and complex learning provided over two years.
- can be articulated for credit at most colleges and universities, either as<sup>218</sup> individual courses or as a package of courses

 IB Diploma Program (18)

 IB Career-Related Program (5)

**In 2024, about 2% of Oregon's high school graduates completed the requirements for an IB Program**



**International Baccalaureate Programs in Oregon**

# HB 4137: Background

## Challenges for students and schools

- IB requirements are taken over two years, grades 11-12, and divided into broad, holistic categories
- Oregon Diploma requirements are spaced over four years with clear subject delineations
- Classes from IB can be difficult to map onto Oregon Diploma requirements
- Including opportunities for students to meet both IB Program and Oregon Diploma requirements can be challenging for schools to accommodate in their high school schedule.

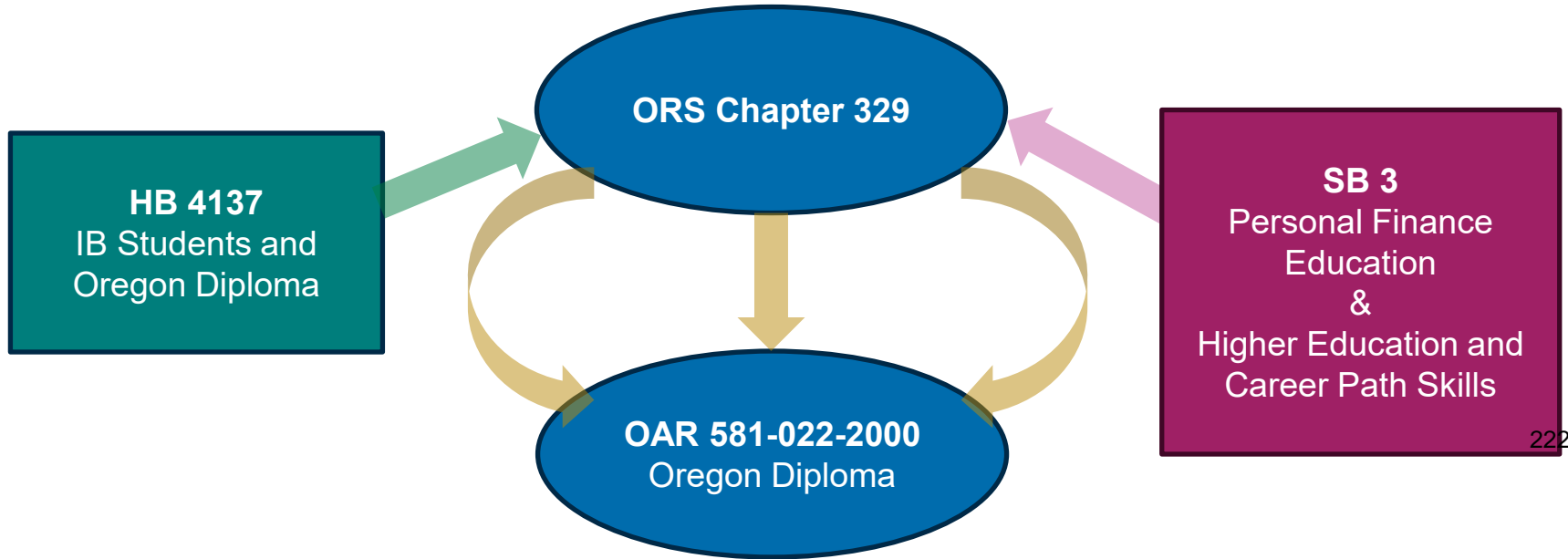
# HB 4137: Background

## Why IB?

- Other college credit opportunities (Advanced Placement, Dual Credit) do not offer holistic, multi-year programs but individual courses that are easier to align to Oregon Diploma courses
- Some IB Courses take two years to complete
- Difficult to align with Oregon Diploma courses

*Example: **Sports, exercise and health science** incorporates the disciplines of anatomy and physiology, biomechanics, psychology and nutrition, which are studied in the context of sport, exercise and health.*

# Intersection of SB 3 and HB 4137



# Senate Bill 3: Adopt Content Standards & Diploma Requirements



Oregon Department of Education

Directs the State Board of Education to **adopt content standards for:**

- **0.5 credits of higher education and career path skills, and**
- **0.5 credits of personal financial education**

as part of the 24 credit requirements for a high school diploma.

*\*Districts must ensure that students who will be awarded high school diplomas on or after January 1, 2027, are able to satisfy these credit requirements.*

# Honoring the intent of **both** SB 3 and HB 4137

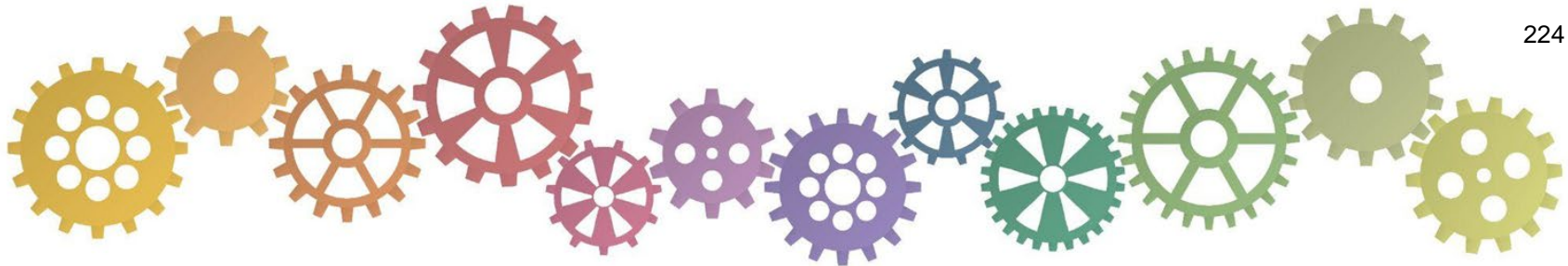
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## HB 4137

International Baccalaureate  
and Oregon Diploma

## SB 3

Personal Finance Education  
Higher Education and Career Path  
Skills





# Engagement

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# International Baccalaureate Diploma: Engagement Strategy

Series of Advisory Engagements with current IB Administrators, Teachers, and Coordinators

- Survey
- Aug 27 and 28th
- Sept 19

Engagement Series for a wide, general audience

- Sessions held on October 2, 3, 4

ORCA

- First read September 5

**Deepened understanding of intersections of SB 3 and HB 4137**

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# International Baccalaureate Diploma: Additional Engagements

## Additional ORCA First read

- November 7
- Second read planned for early January

## Additional engagement with current IB Administrators, Teachers, and Coordinators

- November 14
  - Purpose: to share changes to draft rules based on intersections with SB 3 implementation

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ODE continues to engage with partners and will bring any additional learnings to the Board at the second reading of these rules.

# Engagement Findings

IB Diploma Programme and the IB Career-Related Programme are holistic curriculums that include in-depth, rigorous content across broad subject matters. Completing a program is an accomplishment that should be honored.

Students in IB programs often need to satisfy some Oregon Diploma requirements outside of the regular school day, at their own expense, or to give up important electives.

US Civics content is important for students to know.

Health content is important for student wellbeing.

If too many credit requirements are added, it will be a barrier to participation.

Requiring both the requirements for the Oregon Diploma and an<sup>228</sup> IB Program is a barrier to participation in the program, especially for underserved groups.

Personal Finance Education is important for students to know.



# Proposed Rules

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# Recommendation 1: SB 3 Alignment

Districts offering an International Baccalaureate Diploma Programme or an International Baccalaureate Career-related Programme will ensure IB students complete:

- .5 credit of Personal Finance Education, and
- .5 credit of Higher Education and Career Path Skills

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*\* this credit must be earned by taking as stand-alone courses*

## Recommendation 2:

Time-limited, case-by-case student waivers for PFE & HECPS.

A district may request a waiver:

- on behalf of a student actively pursuing an IB Diploma Program or an IB Career-Related Program
- for .5 credit of Personal Finance Education, and .5 credit of Higher Education and Career Path Skills courses,
- if the student has not had a reasonable opportunity to take the course during their high school years.

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# Waiver Timeline

District Waiver Available		IB Student Waiver Available			No Waiver Available
2025-26 SY	Class of 2027	Class of 2028	Class of 2029	Class of 2030	2030-31
<p>Most districts <b>begin offering</b></p> <p><b>Personal Finance Education and Higher Education and Career Path Skills</b></p> <p>required for diploma, district waiver available.</p>	<p><b>Personal Finance Education and Higher Education and Career Path Skills</b></p> <p>required for diploma, district waiver available.</p>	<p><b>Personal Finance Education and Higher Education and Career Path Skills</b></p> <p>required for diploma, IB student waiver available.</p>	<p><b>Personal Finance Education and Higher Education and Career Path Skills</b></p> <p>required for diploma, <b>no waivers available.</b></p>	<p><b>Personal Finance Education and Higher Education and Career Path Skills</b></p> <p>required for diploma, <b>no waivers available.</b></p>	<p><b>Personal Finance Education and Higher Education and Career Path Skills</b></p> <p>required for diploma, <b>no waivers available.</b></p>
Freshman	Sophomore	Junior	Senior		
	Freshman	Sophomore	Junior	Senior	

# Equity Impact:

Adding time-limited, case-by-case student waivers (until 2030) for SB 3 requirements, **removes barriers** for students who want to graduate with the IB Diploma and who are unable to access SB 3 courses during their 9th-10th grade years, before beginning the IB program in 11th-12th grade years.

The waiver also aligns with the legislature's charge in HB 4137, section (1)(d)(C), to “attempt not to discourage participation” in IB programs, while<sup>233</sup> still honoring the requirements of SB 3.

## Recommendation 3: Instruction in Health and Civics



Oregon Department of Education

### **Engagement Feedback:**

- Students actively pursuing an IB Diploma Program or an IB Career-Related Program are receiving a holistic, well-rounded education, and that should be honored.
- Content aligned to the Health and Civics standards is an essential part of the Oregon Diploma and should not be missed.

# Instruction in Health and Civics

Districts offering an International Baccalaureate Diploma Programme or an International Baccalaureate Career-related Programme will develop a curriculum plan that ensures students in an International Baccalaureate Program receive instruction aligned to the adopted standards in Civics and Health, either in stand-alone classes or integrated into the International Baccalaureate curriculum.

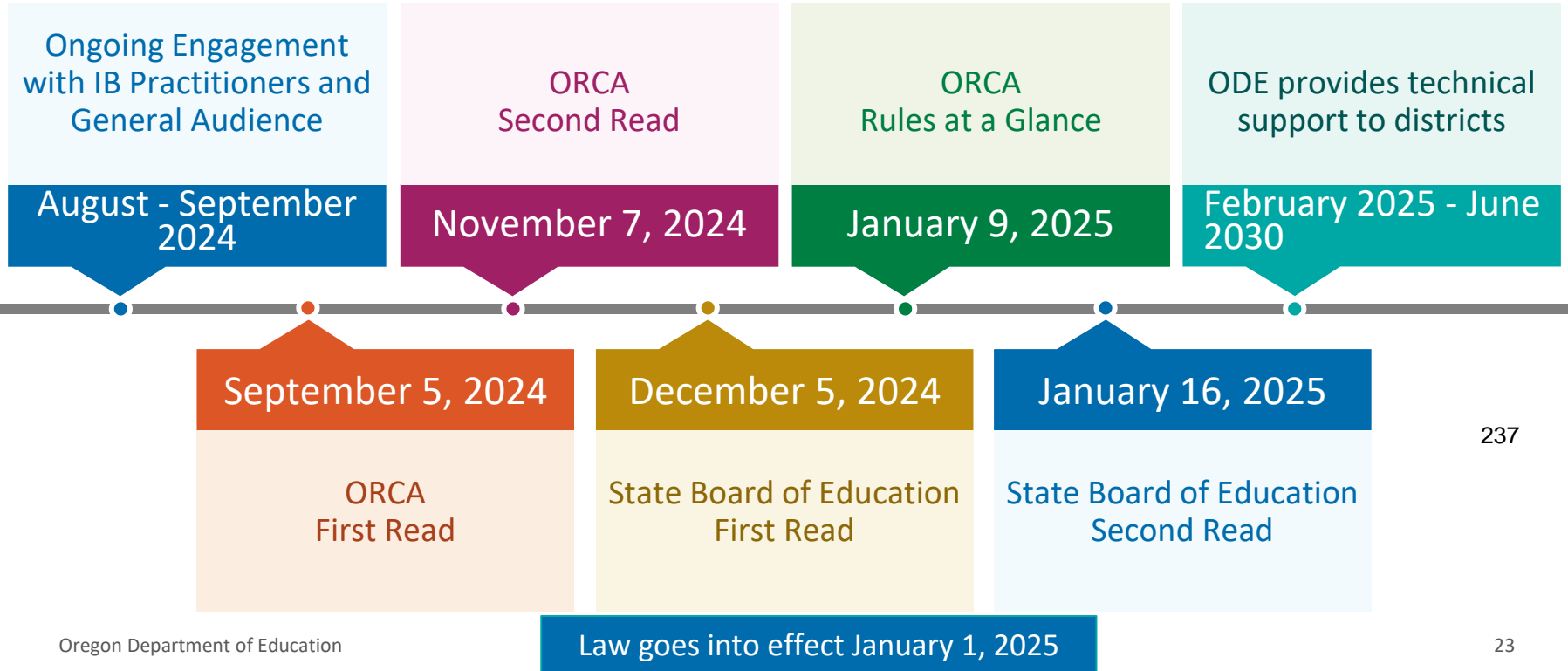
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*\*this plan should be on file with the district and available to ODE by request*



# Next Steps

# HB 4137: International Baccalaureate Diploma Rulemaking Timeline





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Kristidel McGregor (she/her)  
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[kristidel.mcgregor@ode.oregon.gov](mailto:kristidel.mcgregor@ode.oregon.gov)

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# Thank you!

Sept. 9, 2024

State Superintendent of Public Instruction  
Oregon Department of Education

Re: Substitution Request for  
Amplify CKLA 2nd Edition Universal digital experience > Amplify CKLA 2nd Edition CCSS  
digital experience

Dear Sir or Madam:

Amplify Core Knowledge Language Arts (CKLA) for grades K-5, 2nd Edition, was reviewed and approved for adoption by the Oregon Department of Education in 2021 and is currently on contract through June of 2028. As part of the program, districts received access to the Universal version of the Amplify CKLA digital experience. Oregon districts have expressed interest in a Common Core State Standard (CCSS) version of the CKLA digital experience. In response to this request from Oregon educators, Amplify is pleased to officially submit a substitution request for the Amplify CKLA 2nd edition CCSS digital experience. Please find details for the adopted and substitution titles to follow:

Category	Title	Author	Copyright	Publication Date
<b>Adopted Title</b>				
Category 1: English Language Arts & Literacy Grades K-2	CKLA 2nd Edition, K-2, Student & Teacher Digital Interactive Licenses (UVL)	Amplify/Core Knowledge Foundation	2020	4/1/2019
Category 2: English Language Arts & Literacy Grades 3-5	CKLA 2nd Edition, 3-5, Student & Teacher Digital Interactive Licenses (UVL)	Amplify/Core Knowledge Foundation	2020	4/1/2019
<b>Substitution Title</b>				
Category 1: English Language Arts & Literacy Grades K-2	CKLA 2nd Edition, K-2, Student & Teacher Digital Interactive Licenses (CC)	Amplify/Core Knowledge Foundation	2020	4/1/2019

Category 2: English Language Arts & Literacy Grades 3-5	CKLA 2nd Edition, 3-5, Student & Teacher Digital Interactive Licenses (CC)	Amplify/Core Knowledge Foundation	2020	4/1/2019
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Please note that if approved for substitution, Amplify CKLA 2nd edition CCSS digital experience, will be supplied to Oregon schools at the contract price of the originally adopted title, Amplify CKLA 2nd edition UVL digital experience,.

Amplify CKLA 2nd edition CCSS digital experience can be reviewed via the links and credentials listed below :

**Website:** [learning.amplify.com](https://learning.amplify.com)

**Teacher Login:** t1.cklaor@tryamplify.net

**Student Login:** s1.cklaor@tryamplify.net

**Password:** AmplifyNumber1

The Amplify CKLA digital experience site offers robust, slides-based lessons that enhance instruction while saving time for teachers. It provides teachers with ready-to-use and customizable lesson presentation slides, complete with all the prompts from the print Teacher Guide embedded in the teacher's view.

Since 2021, Amplify developed a Common Core State Standards (CCSS) version of the digital experience that features CCSS standards at the lesson level and within the Teacher Guide PDFs. Furthermore, the CCSS version of the CKLA digital experience includes several planning documents, such as the CCSS versions of the Teacher Planners, Writing and Speaking Rubrics, and Alignment Charts that are not available in the currently listed version of the digital experience.

Thank you for your consideration of Amplify's substitution request. We look forward to any questions you may have and the outcome of your review.

Sincerely,

Melissa Ulan  
Executive Vice President, Literacy  
Amplify Education

<p><b>SUBJECT:</b> Substitution Requests for Instructional Materials (Amplify), OAR 581-011-0086</p> <p><b>STAFF NAME &amp; OFFICE:</b></p> <p>The publisher Amplify has requested substitution for the current edition of <i>Core Knowledge Language Arts (CKLA)</i>, which was adopted by the State Board of Education in 2021. Substituted materials will be supplied to Oregon schools at the contract price of the originally adopted edition unless the price for the substituted version's price is lower than the 2020 contract price. The updated materials have been reviewed by OTLA's Language Arts Education Specialist, Tina Roberts, who has confirmed the change to be an appropriate update.</p> <p><input type="checkbox"/> New Rule  <input type="checkbox"/> Amend Existing Rule  <input type="checkbox"/> Repeal Rule</p>	<p><input checked="" type="checkbox"/> <b>First Reading</b></p> <p><input type="checkbox"/> Presentation  <input type="checkbox"/> No Presentation</p> <p><input type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> Temp Rule  <input type="checkbox"/> Presentation  <input checked="" type="checkbox"/> No Presentation</p>
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**BACKGROUND**

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The State Board of Education adopted the universal version of Amplify's *Core Knowledge Language Arts (CKLA)* as a recommended instructional resource for English Language Arts in October 2021. Since 2021, Amplify developed a Common Core State Standards (CCSS) version of their digital materials that features CCSS ELA standards at the lesson level and within the Teacher Guides. According to the publisher, districts around Oregon have expressed interest in having access to this CCSS version of the CKLA digital experience. The CCSS version meets the ELA adoption criteria set by the State Board of Education in 2020. Updates include differences in standards coding, as well as the inclusion of several planning documents, such as the CCSS versions of the Teacher Planners, Writing and Speaking Rubrics, and Alignment Charts that are not available in the currently listed version of the digital experience.

Tina Roberts, ODE's Language Arts Education Specialist, has completed a review of the materials to confirm that they are an appropriate update. Districts would now be able to purchase the updated version of *Core Knowledge Language Arts* for a contract price through Northwest Textbook Depository without conducting a formal independent adoption.

The State Board of Education has the discretion to approve the substitution for *Core Knowledge Language Arts* or decline Amplify's request to substitute the materials from the universal edition to the CCSS edition. We are recommending that the State Board of Education approve adding the new edition of *Core Knowledge Language Arts* to the list of recommended ELA instructional materials. If approved, both editions of the materials (the universal version and the CCSS edition) would be available for districts.

**SUMMARY OF PREVIOUS BOARD ACTION**

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The Board has approved similar substitution requests under OAR [581-011-0086](#), including a substitution request for English Language Proficiency materials in Spring of 2024, and for English Language Arts instructional materials in September of 2023.

### **HAS THE RULE CHANGED SINCE LAST BOARD MEETING?**

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

### **POLICY ISSUE OR CONCERNS**

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This approval will allow districts to purchase the CCSS edition of *Core Knowledge Language Arts* for a stable contract price, guaranteed through January 2028, without conducting a formal independent adoption. Independent adoptions require districts to invest resources (time, labor, funds) in order to purchase and implement the materials. Since ODE has already reviewed the materials and confirmed they are aligned to current ELA standards in Oregon, districts who choose to use *Core Knowledge Language Arts* will be positively impacted. The update to the ELA adopted materials list will allow access to updated materials while maintaining the current contract price. ODE has considered unintended consequences, and ODE does not have reservations about the approval of this addition to the ELA Instructional Materials list.

### **EQUITY IMPACT ANALYSIS**

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Districts who serve historically underserved populations will now have access to the CCSS edition of *Core Knowledge Language Arts* for the same price as the currently recommended edition. Approving this substitution request will help to ensure that Oregon students in districts that use Amplify get equitable access to materials.

### **FISCAL ANALYSIS**

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The proposed update to *Core Knowledge Language Arts* is fiscally beneficial to districts. Allowing the material to be officially updated gives districts the opportunity to purchase the CCSS edition for the same contract price of the universal edition. This will ultimately lead to cost savings for districts that want to use the CCSS edition.

### **EFFECT OF A “YES” OR “NO” VOTE**

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A “YES” vote would allow ODE to substitute the Common Core State Standards version of *CKLA* on the ELA instructional materials list for the remainder of the contract period (through January 2028).

A “NO” vote would deny the publisher’s request to substitute the Common Core State Standards version of *CKLA* on the adopted ELA instructional materials list.

**STAFF RECOMMENDATION**

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

**ATTACHMENTS**

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Attachment 1: Amplify Substitution Request