

AGENDA

Regular Meeting

Public Service Building 251 A/B

255 Capitol Street NE

Salem, OR 97310

Thursday, May 15, 2025

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

2. Public Comment

Time: 10:10 AM

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

3

3. Consent Agenda

Time: 10:25 AM

A. Repeal of Audit Summary Rule: OAR 581-023-0037

4

B. Elementary and Secondary Education Act (ESEA) Equitable Services Complaint Process Rules

11

C. Early Literacy Success School District Grant Rules Technical Updates

22

D. Audit and Other Financial Appeals: Secure Rural Schools and Community Act Rules

44

E. Transportation Supplemental Plan: Falls City School District

52

F. Transportation Supplemental Plan: Central City School District

59

G. Transportation Supplemental Plan: Eugene 4J

66

4. Adoptions

A. Regional Educator Network Rule Revisions: OAR 581-012-0001 - OAR 581-012-0019

141

Time: 10:30 AM

- Dr. Karen Perez and Mercedes Jones, Educator Advancement Council
B. Funding Administrative Accounting Fixes: OAR 581-014-0004, 174
OAR 581-013-0015, and OAR 581-017-0809
Time: 10:55 AM
Cassie Medina and Brittany Deckard, Office of Education Innovation and Improvement
5. **First Readings**
A. Professional Standards for Education Leaders: OAR 581-022-2410 and 186
581-022-2420
Time: 11:05 AM
Tim Boyd, Sarah Dey, and Cassie Medina, Office of Education Innovation and Improvement
B. K-12 Physical Education Standards (2025) 206
Time: 11:15 AM
Suzanne Hidde and Vanessa Martinez, Office of Teaching, Learning, and Assessment
C. Senate Bill 285 (2023) Implementation: Oregon School Capital Improvement 265
Matching (OSCIM) Rule Updates
Time: 11:40 AM
Leanna Heiman and Michael Elliott, Office of Finance and Information Technology
6. **Break for Lunch**
Time: 12:00 PM
7. **First Readings (continued)**
A. Charter School Contract: The Ivy School 291
Time: 1:00 PM
Christen Kelly, Office of the Director
B. Digital, Electronic, or Web-based Materials and Media: OAR 581-011-0087 362
Written Report Only
C. Technical Fix: Repeal of Accelerated College Credit Instructor Grant Program 370
Criteria: OAR 581-017-0646
Written Report Only
8. **Director's Report**
Time: 1:15 PM
9. **Adjourn**
Time: 1:45 PM

From: [ali hodroge](#)
To: [StateBoard Public Email](#)
Subject: Request for designating or observing Muslim Holidays
Date: Tuesday, April 15, 2025 10:49:16 AM

You don't often get email from ahodroge@gmail.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. ***]

Dear State board, a week ago the State of Washington observed the two Muslim Holidays as State holidays. We would like your respected board to do the same for at least schools and colleges. We don't know how we approach that and what are the steps. We appreciate your guidance on this matter.

Ali Houdroge
Board of Founders
Islamic Center of Portland

Summary

Meeting Date: 5/15/2025

Title: Audit Summary Rule Repeal

Status: First Reading

Presentation: Yes

Key Staff: Kai Turner, Devyn Castillo, Hannah Sullivan

Topic Summary: We have identified that OAR 581-023-0037, the audit summary submission rule, is duplicative and can be retired without compromising the comprehensiveness of the data we currently collect. We are hoping to do this before the end of the fiscal year so the change can go into effect with the new fiscal year.

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?

Annually, the Fiscal Transparency Unit (within OFIT) collects Education Service District (ESD), district, and charter school audit reports six months following the end of the fiscal year (ORS 327.137, est. 1965). Districts and ESDs also submit to ODE expenditure and revenue data as part of this process. The FTU team verifies this data against audited financial statements in the audits that districts submit. The submitted data is what is used:

- By the School Finance Office to reconcile the State School Fund
- For subrecipient monitoring
- To compile Legislature's request for annual budget to actual reports.

Affiliated with ORS 327.137 is a rule requiring an attachment to the audit report that breaks out district revenues and expenditures into more detail than what is presented in the basic financial statements. This requirement is separate from district's submission of expenditure and revenue data to ODE. See below for language:

OAR 581-023-0037 (est. 1978)

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Audit Statement of Revenue and Expenditure Accounts by Fund

1. Following the end of each fiscal year, each school district shall complete or have completed forms provided by the Department of Education for the purpose of summarizing district revenues and expenditures by fund for the fiscal year ending June 30.
2. The data so prepared shall be audited and incorporated as part of the district's financial report.

We have identified that the audit summary is duplicative and can be retired without compromising the comprehensiveness of the data we currently collect.

- The rule was established prior to our ability to collect financial data digitally from districts.
 - This is duplicative information to what districts already submit. The FTU can just as easily use traditional audited financial statements to verify submitted data:
 - Statement of Revenues, Expenditures, and Changes in Fund Balance
 - The Budget to Actual statements
- 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?**

ORS 327.137

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

The item has not come before the Board before.

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

We have done a review of financial reporting requirements in an effort to reduce administrative burden on districts.

- 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

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- ☐ Oregon State Legislature
- ☐ Educational Associations
- ☐ Racial Justice Council
- ☐ Federal Government
- ☐ One or more of Oregon's nine federally recognized tribes: _____
- ☒ Other: Auditors

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?

This rule repeal will reduce burden for districts, ESDs, and auditors, otherwise, we do not see any further equity impacts.

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: _____

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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)?

This rule affects each area.

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?

We have heard from auditors and school districts that the audit report is an extremely time-consuming process with multiple required components. We have heard that the audit report and district submitted data include the components of this report, making districts feel like it is unnecessary. We have yet to hear any push back on the removal of this rule.

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

Our office will be continuing this conversation during 1:1 calls with districts and auditors as well as at Oregon Association of School Business Officials round table meetings.

FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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

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☐ 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.**

This will reduce administrative burden by removing a required attachment to a report for all school districts, ESDs, and charter schools.

- 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?**

This will reduce administrative burden and cost associated with compliance for auditors, which may be small businesses. We do not anticipate any additional changes to administrative burden for state agencies, units of local government, and/or the public.

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. 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?**

We do not anticipate this rule repeal having an impact on students and their families, including those who have been and continue to be systemically marginalized.

- 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?**

This will reduce administrative burden on school district employees by removing a required attachment to a report for all school districts, ESDs, and charter schools.

- 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?**

Other than reduced administrative burden, we do not anticipate any additional short- or long-term consequences on students, families, educators, districts, or Oregon's school systems.

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

Please enter your answer here

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?

N/A

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](#)?

N/A

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.

Removal of OAR 581-023-0037 (language below) reduces a redundant report attachment for school districts, ESDs, and charter schools. This removal aligns with the Department's commitment to reimagining accountability by accomplishing the goal of reducing administrative burden without sacrificing reporting necessary to understand school district financials.

OAR 581-023-0037

Audit Statement of Revenue and Expenditure Accounts by Fund

1. Following the end of each fiscal year, each school district shall complete or have completed forms provided by the Department of Education for the purpose of summarizing district revenues and expenditures by fund for the fiscal year ending June 30.
2. The data so prepared shall be audited and incorporated as part of the district's financial report.

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

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- ☐ 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.

DRAFT ESEA Equitable Services Complaint Process

Proposed OAR Number 581-002-0150

(1) The complaint procedures required by this rule apply to complaints filed with the Oregon Department of Education (ODE) against final decisions of Oregon local education agencies by private schools participating in equitable services under any of the following federal programs:

- (a) Title I, Part A of the Elementary and Secondary Education Act;
- (b) Title I, Part C of the Elementary and Secondary Education Act;
- (c) Title II, Part A of the Elementary and Secondary Education Act;
- (d) Title III, Part A of the Elementary and Secondary Education Act;
- (e) Title IV, Part A of the Elementary and Secondary Education Act;
- (f) Title IV, Part B of the Elementary and Secondary Education Act;
- (g) Title IV, Part F of the Elementary and Secondary Education Act; and
- (h) Stronger Connections Grant authorized under the Bipartisan Safer Communities Act.

(2) Private school officials have the right to file a complaint with the ODE if they feel the local education agency did not:

- (a) Engage in timely and meaningful consultation;
- (b) Give consideration to the views of the private school; and/or
- (c) Make a decision that treats private school students equitably.

(3) The complaint process shall be as follows:

(a) The local educational agency and the private school shall discuss the matter during the process of ESEA equitable service consultation.

(b) Either the local educational agency or private school shall ask the ODE's ESEA Private School Ombuds for help in settling the dispute at the local level.

(c) The local educational agency shall provide the private school with their final decision in writing. If the local educational agency is in disagreement with the private school, they shall include an explanation of their reasons in the final written decision.

(d) If in disagreement with the local educational agency's final decision, the private school may file a formal written complaint with the ODE. The ODE shall resolve the formal written complaint within 45 days of receiving the complaint. Formal written complaints shall include:

(A) A statement that the local education agency has violated a requirement of the Elementary and Secondary Education Act statute or regulations regarding equitable participation;

(B) The facts on which the statement is based, including any evidence such as meeting minutes, forms, communications, etc.;

(C) The specific Elementary and Secondary Education Act statutory or regulatory requirement(s) allegedly violated, which could be:

- (i) Consultation was not meaningful and timely;
- (ii) The private school's views were not given due consideration; and/or

DRAFT ESEA Equitable Services Complaint Process

(iii) Private school students were not treated equitably to public school students; and

(D) The signature of the complainant.

(e) The ODE shall conduct a review of the complaint. If necessary, ODE may conduct an on-site review and request additional documentation. Within 45 days of receiving the complaint, the ODE shall issue a resolution to the complaint in writing. The resolution shall include:

(A) A description of applicable Elementary and Secondary Education Act statutory and regulatory requirements;

(B) A description of the procedural history of the complaint;

(C) Findings of fact supported by citation, including page numbers, to supporting documents under paragraph (viii) of this section;

(D) Analysis and conclusions regarding the requirements;

(E) Corrective actions, if applicable;

(F) A statement of applicable appeal rights;

(G) A statement regarding the ODE's determination about whether the ODE will provide services; and

(H) All documents the ODE relied on in reaching its decision, paginated consecutively.

(4) The local education agency shall disseminate, free of charge, adequate information about these complaint procedures to appropriate private school officials or representatives.

ESEA sections 1117(b)(6)(A) and 8501(c)(6)(A)

34 CFR 299.13 - 299.17

Summary

Meeting Date: 5/15/2025

Title: ESEA Equitable Services Complaint Process

Status: Second Reading/Adoption (no changes)

Presentation: No (Written Report Only/Consent)

Key Staff: Liz Ross, Federal Systems Team Director, Janette Newton, ESEA Private School Ombuds

Topic Summary: Federal statute Elementary and Secondary Education Act (ESEA) requires each state to have a state-level complaint process in place for equitable service programs. A policy has been in place since at least 2016. As per Oregon's Department of Justice (DOJ), for the complaint process to be enforceable by the ODE, it must be a state rule.

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?**

Oregon distributes federal ESEA funds to public schools. For seven of the ten Title programs, ESEA requires that public school districts allocate funds to provide services to private school participants through equitable service programs. Under ESEA, a required state-level position of the Private School Ombuds oversees, directs and monitors equitable service programs. ESEA also requires that a written equitable services complaint process be in place at the state-level to ensure equitable participation of private school participants.

- 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?**

Under ESEA Sections 1117(b)(6)(A) and 8501(c)(6)(A), private schools have the right to file a complaint with the ODE if they feel the district did not engage in timely and meaningful consultation; give consideration to the views of the private school; and/or made a decision that

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treats the private school students equitably. Additionally, 34 CFR Part 299 Subpart F outlines the complaint process that State Educational Agencies (SEA) must adopt for equitable service complaints. The proposed OARs closely follow the statutes and rules set forth in both ESEA and CFR.

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?

In fall 2024 the ODE received their first formal complaint for equitable services. The ODE has had a written policy for resolving formal complaints for equitable services and followed this procedure. However, this policy is not adopted into rule. To be in alignment with ODE practices and complaint processes, we are requesting to put this into rule so that the decisions have more enforcement mechanisms and are consistent with other ODE practices.

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: DOJ

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.

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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?

Non-profit private schools that enroll students in any grade K-12 and districts would be impacted by this rule. The ODE first consulted with the Private School Partnership, a working group consisting of nine private school leaders and five district leaders in November 2024. All feedback from this consultation was either neutral or positive. The ODE then published the Draft OAR in its [monthly private school Newsletter](#) published on January 2, 2025. This newsletter ListServ has more than 900 email addresses that consist of both private school leaders and district leaders. The OARs were also discussed during the January Private School Office Hours on Wednesday, January 8th. All feedback from this consultation was either neutral or positive. Finally, the ODE consulted with more than 30 district leaders from around the state during the Titles IA, IIA, IVA & VB Office Hours on Tuesday, January 7, 2025. All feedback from this consultation was either neutral or positive.

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 (DEL; 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.

N/A

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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)?

Almost all Oregon private schools are located within the Portland Metro Area, Willamette Valley and along the I-5 corridor. There are some private schools located in the eastern part of the state mostly along I-84, I-82 and the Bend area, and some private schools located along the northern coast. There are almost no private schools located in Central and Southeast Oregon. However, districts in these regions were represented when we did our outreach in case a private school opens in the future.

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?

We only received neutral and positive feedback during engagement. No suggestions were given to change the wording or applicability of the draft OARs. This is most likely because an identical complaint process policy has been in place since at least 2016, and a formal complaint was not filed until the fall of 2024.

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

We will not be pursuing additional engagement opportunities.

FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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.**

There is no fiscal impact. There are no additional administrative impacts for districts beyond what has been in place under the complaint procedure policy since 2016. This would only include corrective action to be undertaken by the district if determined in the ODE's written resolution of a complaint. All corrective actions would be aligned to equitable requirements the district is already compelled to follow under ESEA and federal regulations.

- 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?**

There is no fiscal impact. The ODE would need to enforce any corrective actions prescribed in the ODE's written resolution. In rare circumstances, the ODE may institute a bypass of the district and directly provide equitable services to a private school as is allowable under ESEA and federal regulations.

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. 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?**

Federal funds allocated under ESEA are meant to serve students who are facing additional barriers to participating in an academically challenging education, for example students experiencing poverty (Titles I-A, II-A and IV-A), English learners and recent arrivers (Title III-A) and migrant students (Title I-C). Equitable services ensure that these funds reach all eligible students in a district by serving eligible students enrolled in non-profit private schools. Because the same written policy has been in place for several years, it is not likely to create any change.

- 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?**

School district employees work with private schools to determine program eligibility, assess needs, provide services and evaluate services. Because the same written policy has been in place for several years, it is not likely to create any change.

- 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?**

The consequences of the action are to take the current written policy guided by federal law and render it enforceable. There should not be additional cumulative effects.

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

If this OAR is not created, a complaint filed by a private school against a district alleging an inequity in services that results in an ODE corrective action cannot be enforced. This means that the ODE would not be able to mitigate known inequities. This may result in a complaint being appealed to the U.S. Department of Education and eligible students will lose out on services while they wait for the issue to be resolved.

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 language for the complaint process is pulled directly from [Title I-A non-regulatory guidance](#) and [Title VIII non-regulatory guidance](#). Additionally, [34 CFR 299.13 - 299.17](#) outlines what must be included in complaints and ODE's written resolution. Language must include:

- 1) Criteria defining when a private school can file a complaint with the ODE; and
- 2) The complaint process that explains what must occur and when it must occur.

- 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](#)?**

All feedback received through the engagement process was either neutral or positive to the proposed language. The language ensures that the equity espoused in the mission, vision and values is upheld in ESEA equitable service 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.**

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We recommend the adoption of rules.

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

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?

We presented before ORCA on April 3, 2025. We received the following feedback.

Question: What is the follow-up if a district fails to carry out a corrective action? And is there a process to verify that a corrective action has been carried out?

We will also come before ORCA a second time on May 1, 2025 with the explanation in question 4.

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?

An OAR Public Hearing occurred on April 22, 2025. There was not any feedback on our proposed OAR that needed to be addressed.

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

ODE reviewed all necessary statutes and regulations and learned that mechanisms are already in place to enforce corrective actions at the district level. This includes monitoring, placing a district on high-risk status and withholding funding. There were no differences in opinion that were raised throughout this review.

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?

We did not receive any feedback regarding recommended changes to the proposed OAR during the First Reading.

As for the feedback regarding recommended changes from the April ORCA meeting, we did not update the language in the proposed OAR as we determined that the OAR already provided sufficient language to ensure an LEA's compliance with corrective action. There was a concern that in adding additional language to the proposed OAR, it would narrow the ODE's ability to respond effectively and flexibly to all written complaints that it may receive.

Under the current rule, a private school that feels a district is not complying with the corrective action may take one of two actions:

- 1) File another formal complaint with the ODE under the process in proposed rule. This will require the ODE to investigate the complaint and make a written resolution. As required in the written resolution in section (3)(e)(G) of the proposed rule, the ODE must make a statement regarding the ODE's determination about whether the ODE will provide services. If the ODE investigation concludes that the LEA is not complying with the corrective action, the ODE is allowed under the proposed rule to directly provide equitable services to the private school thus ensuring the private school receives federally mandated services.
- 2) File an appeal with the US Department of Education (USED) as per [34 CFR 299.17](#). USED will then have 90 days to investigate and issue a written resolution. USED's written resolution may require the ODE to directly provide equitable services to the private school. In other states, USED has made this determination.

Additionally, the ODE has safeguards and leverage beyond the proposed rule that mitigate LEA non-compliance.

- 1) As the ODE monitors the progress being made by the LEA to comply with the corrective action, the ODE can freeze/hold the district's ESEA funds in part or in whole as allowed under [2 CFR § 200.339](#).
- 2) As part of the ODE's role as a pass-through entity for ESEA federal funds, the ODE is required to conduct monitoring activities to ensure LEA's compliance with equitable

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services requirements during ESEA Consolidated Monitoring. A formal complaint under the proposed rule will result in a higher risk score in the LEA's risk assessment which will identify them as a potential candidate for desk monitoring and/or on-site monitoring. Findings during monitoring must be resolved, and the ODE can freeze/hold the district's ESEA funds in part or in whole until this occurs as allowed under [2 CFR § 200.339](#).

Summary

Meeting Date: 5/15/2025

Title: Early Literacy Success School District Grant Rules Technical Updates

Status: Second Reading/Adoption (no changes)

Presentation: No (Written Report Only/Consent)

Key Staff: Angelica Cruz and Sophie Hilton

Topic Summary: ODE is proposing to change OAR language based on feedback during the jumpstart biennium (2023-2025). Most of these rule changes are technical in nature to provide clarity for grant implementation and administration. These changes will ensure a smooth transition into the next biennium (2025-2027) of grant implementation and administration.

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 Early Literacy Success School District grant is a non-competitive, formula-based grant administered to districts and public charter schools for a total of \$90 million for the 23-25 biennium. There are a total of 248 grantees in Oregon receiving these funds.
- The goals of the grants are to:
 - Increase early literacy outcomes for children from prekindergarten to third grade through research-aligned, culturally responsive, and student-centered literacy practices
 - Reduce early literacy academic disparities for student groups that have historically experienced academic disparities

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?

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Rulemaking Authority: ORS 327.825 - 327.845

- Grants awarded under ORS 327.833 are not competitive, but a school district or public charter school must comply with the requirements prescribed by ORS 327.829 to 327.837 and by rules adopted by the State Board of Education under ORS 327.829 to 327.837.

OAR for The Early Literacy Success School District Grants:

- 581-017-0801 - Early Literacy Grants: Definitions
- 581-017-0808 - Early Literacy Success School District Grants: Grant Administration
- 581-017-0809 - Early Literacy Success School District Grants: Fund Administration
- 581-017-0811 - Early Literacy Success School District Grants: Allowable Uses of Funding

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

In March 2024, the Board adopted permanent OARs 581-017-0801 through 581-017-0811 for the Early Literacy Success Initiative.

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

ODE is proposing to change OAR language based on feedback received and information gleaned from implementation during the “Jumpstart Biennium” (2023- 2025). Most of these rule changes are technical in nature to provide clarity for grant implementation and administration. These changes will ensure a smooth transition into the next biennium (2025-2027) and the rule change to high-dosage tutoring will allow programming to occur over schools breaks and summer months.

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: _____

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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 audience most likely to be affected by these technical updates are the grantees (schools and districts) and ESDs that are supporting the technical assistance of the implementation and administration of grant funds. ODE held multiple engagement sessions with these audiences, to gather feedback that informed the proposed changes. Because Early Literacy is one of the Governor's top priorities, ODE also engaged with an early literacy advisory committee on rules that includes teachers, administrators, and ESD representatives and others connected to literacy efforts.

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 (DEL; 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.

N/A

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)?

As the ODE Literacy Team works with grantees, which include schools, district, and ESD staff from across the state, ODE received feedback representing all geographical regions in 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?

Throughout the past year, grantees and ESD staff provided feedback on the implementation of the grant and their understanding of the upcoming rule changes. They reported lack of clarity and confusion around some of the rule language, including the requirements of extended learning and high-dosage tutoring.

In March 2025, ODE recognized technical fixes needed to be made to the Early Literacy OARs and reengaged the Literacy Rules Advisory Committee that had previously met in the winter of 2023 -2024 to provide input on the creation of the permanent rules, passed by the SBE in March 2024. Through this engagement, there was largely no concerns with the proposed changes, except for the removal of the requirement that tutoring be provided within extended learning programming. In response to this feedback, ODE added an additional OAR change to the definition of high-dosage tutoring to allow it to occur within school breaks, including summer.

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 engaged with the Literacy Rules Advisory Committee and ORCA and will do so again following the First Read of these proposed changes, prior to the Second Read.

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.

Yes, approving these OAR changes will provide clarity for districts and reduce administrative burden by reducing communications back and forth among ODE, ESD liaisons, and grantees.

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?

Yes, approving these OAR changes will enable ODE to provide more effective technical assistance supporting grantees with clear guidelines on implementing the allowable uses of extended learning and high-dosage tutoring, requirements on criteria, and administration of the grant.

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. 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?

As most of these proposed rule changes are technical in nature, there are minimal anticipated direct impacts on students and families. Changes mostly impact grantee administration, implementation, and reporting, and in the aggregate may lead to more time for districts to focus on teaching, learning, and implementing grant activities. The changes to extended learning and high-dosage tutoring would impact students directly by providing and ensuring programming may happen over the summer months.

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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?

As most of these proposed rule changes are technical in nature, there are no anticipated direct impacts on district employees and volunteers. Changes mostly impact grantee administration, implementation, and reporting.

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?

Short term impacts include clarity around grantee requirements, which will ensure smoother implementation of grant funding. This improved understanding may reduce the burden on administrators, teachers, and staff, which will ultimately benefit students by allowing more time to be focused on direct instruction. Additionally, by allowing high-dosage tutoring to be provided over the summer months, this could provide additional focused support to students and ultimately increase student growth and achievement.

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

The anticipated short-and long-term consequences are misalignment with statutory requirements, particularly with the extended learning provision. Without the proposed update to the current definition, grantees will not be able to implement extended learning, as all extended learning programming would need to include high-dosage tutoring, which is required to be 10 weeks long, longer than most Oregon school district summer breaks. If there is no action taken on the rule regarding high-dosage tutoring, this could limit the amount of high-dosage tutoring provided to students.

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?

Summary of Rule changes:

- **581-017-0801** - Changing the term "Economically disadvantaged" to "Students Experiencing Poverty."

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- **581-017-0801** - Refine the definition of Extended Learning to remove the requirement for a "tutoring model" to be used, thus allowing extended learning to be implemented during school breaks without needing to meet all high-dosage tutoring requirements.
- **581-017-0801** - Refine the definition of High-Dosage Tutoring to allow for High-Dosage Tutoring over school breaks and the summer months.
- **581-017-0811**- Clarify language around how districts use criteria for non-core instructional materials to ensure that districts will use the criteria when they purchase new materials or review current materials rather than only when they are *inventorying* materials.
- **581-017-0811**- Update language to correctly state that ODE shall *review* available criteria and resources from national and international organizations instead of *develop* criteria, as the rule currently states.
- **581-017-0809** - Remove match funding Language from OARs. (The 25% match requirement was not explicitly named in statute, and the match rule is no longer needed beyond the 23-25 biennium.)

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](#)?

ODE received feedback and answered any questions for clarification around the above proposed rule changes. Based on feedback, ODE added an additional rule change proposal (expanding the periods of time for when High-Dosage Tutoring can be offered).

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.

Our team recommends the Board adopt the proposed rule updates. By adopting the rule change of updating the definition to Students Experiencing poverty, this will better align with ODE's current definition and reporting system and ultimately support more accurately identifying students' income status and outcomes. The changes to high-dosage tutoring and extended learning will support grantees in implementing these critical programs with evidence-based results of improving student outcomes in literacy. The additional technical changes will ensure grantees understand the requirements of the grant and administer funds effectively. These changes increase clarity around implementation of the grant.

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

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- ☐ 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

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?

After the First Reading to the State Board, ODE presented to ORCA for the Second Read.

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?

During engagement with ORCA, additional feedback from literacy advocates requesting that high-dosage tutoring be allowed to be offered during the school day for the Community Grant program. Such a rule change is outside of the scope of these proposed rule changes, which focus on the school district grants. Additionally, this would impact an open RFP for the next cohort of Community Grant recipients. Therefore, ODE will not be bringing forth such a rule change at this time. However, ODE will be working to determine future possible rule changes and will take this feedback into consideration in the engagement process for any Community Grant program proposed rule changes.

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

There was no additional feedback related to these proposed rule changes.

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?

No changes have been made since the First Reading.

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: _____

Early Literacy is embedded into the same application process and requirements as Integrated Programs and all the above are underlying processes for the grant program. The proposed OAR changes do not change the original processes of the grant program.

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?

Yes, the Early Literacy Success School District Grant program is aligned and integrated into the Integrated Programs application and reporting requirements to reduce administrative impacts on districts. The Literacy team works closely with ESD liaisons to support small and rural school districts.

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

While the Integrated Programs application is differentiated for small and rural districts, the Early Literacy Success School districts grant requirements are not differentiated, largely due to what is named in statute.

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Division 17

STRATEGIC INVESTMENTS

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.

(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 year two of the biennium. Any allocated funds that are not used by a grant recipient by June 30 in year two of the biennium will be returned to the Statewide Education Initiatives Account for distribution in the next biennium.

(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.

Oregon Department of Education

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Division 17

STRATEGIC INVESTMENTS

581-017-0811

Early Literacy Success School District Grants: Allowable Uses of Funding

(1) Allowable uses of the Early Literacy Success School Grant program are described in ORS 327.825 and ORS 327.829. The administrative rules that follow provide additional specificity or clarity and do not expand or replace what is in statute.

(2) Training for tutors to implement effectively the provision of high-dosage tutoring according to ORS 327.825 and ORS 327.829 shall be research-aligned and include the specific knowledge and skills relevant to the literacy concepts, skills, instructional practices of the tutoring program, and needs of students who it is serving, and effectively use data to ensure the methods used are responsive to student need. This may be specific to a particular program, or core set of knowledge, skills or instructional practices all of which must be based on the science of reading and writing.

(a) Grant recipients may use internal or external expertise for high dosage tutoring. At least once every two years the Oregon Department of Education shall develop and/or revisit qualifications for tutors. The qualifications shall be inclusive of the qualified tutors definition in these rules and may include additional qualifications, which shall be used by grant recipients to evaluate eligibility for those internal and external to the district to be a tutor for high-dosage tutoring programs. The Department may decide to make the qualifications different for those tutors internal and for those external to the district.

(b) At least once every two years the Oregon Department of Education shall develop or revisit criteria for high-dosage tutoring programs and extended learning. The criteria shall be used by grant recipients to evaluate eligibility for high-dosage tutoring and extended learning programs to be used for the purposes of this grant.

(c) The Oregon Department of Education shall, at least once every two years, develop or revisit a list of qualified high-dosage tutoring program providers, should grant recipients choose to use external providers. To be included on the list, the provider must meet the qualifications in section (a) and (b) of this rule if providing a program and tutors or just (b) if providing a program only and must include content to be determined by the Department.

(d) The Oregon Department of Education will independently review potential providers at least once every two years by posting a Request for Information for providers to solicit information from interested vendors.

(A) ODE will publish the list no later than January 15th of odd numbered years, beginning in 2025. After the first publication, eligible applicants who use funding to pay for external high dosage tutoring services shall select from the list.

(B) Once a high-dosage tutoring program provider has been approved by the Department and placed on the list, to remain on the list the provider must every two years provide an updated information form provided by the Department.

(3) Grant recipients may use internal or external expertise for professional development and coaching. At least once every two years, the Oregon Department of Education shall develop a list of qualifications for professional development and coaching providers. The list of qualifications shall be used by grant recipients to evaluate eligibility for those internal and external to the district to provide professional development and coaching. The Department may decide to make different qualifications for people who are internal to the district and for those external to the district.

(a) The Oregon Department of Education shall, at least once every two years, develop a list of qualified professional development providers and organizations that provide coaching related to early literacy should grant recipients choose to use external providers. To be included on the list of qualified professional development or coaching providers, the provider must meet the qualifications in section (3) of this rule and include content to be determined by the Department.

(b) The Oregon Department of Education will independently review potential providers at least once every two years post a Request for Information for providers to solicit information from interested vendors.

(A) ODE will publish the list no later than January 15th of odd numbered years, beginning in 2025. After the first publication, eligible applicants who use funding to pay for external professional development and coaching shall select from the list.

(B) Once a professional development or coaching provider has been approved by the Department and placed on the list, to remain on the list the provider must every two years provide an updated information form provided by the Department.

(C) The Department will consult with the Teacher Standards and Practices Commission to ensure the approved providers also satisfy professional development requirements for teachers.

(4) The State Board adoption criteria for Language Arts basal instructional materials and the list of basal instructional materials adopted by the State Board of Education shall be the criteria for core instructional materials meeting the early literacy school grant requirements.

(a) The Oregon Department of Education shall establish research-aligned criteria for districts to use for all materials that are not core instructional materials. Districts shall use this criteria when purchasing and/or reviewing inventorying literacy assessments, tools, supplemental curricula, and digital resources annually.

(b) The Department shall review available criteria and resources from national and international organizations related to: ~~to develop criteria in:~~

(A) Early literacy practices;

(B) Literacy assessment practices and tools, inclusive of both formative and diagnostic practices;

(C) Digital literacy practices, resources, and tools;

(D) Culturally responsive practices in literacy instruction;

(E) Biliteracy or literacy practices in multilingual instructional settings or dual language; and

(F) Supporting students who are experiencing disabilities.

(c) Effective January 1, 2025 funds from this grant used for the adoption and implementation of K-3 core instructional materials may only be used for materials from the State Board of Education adopted list for ELA. If core instructional materials are adopted from the State Board of Education list at the time of application, they meet the criteria for this grant.

(d) Effective January 1, 2025 funds from this grant used for the adoption and implementation of core instructional materials for prekindergarten may only be used for materials that meet criteria to be determined by the Department of Early Learning and Care by Jan 1, 2025.

(5) Rules will be applied by ODE for allowable uses of funding of the Early Literacy Success Initiative beginning July 1, 2025.

Oregon Department of Education

Chapter 581

Division 17

STRATEGIC INVESTMENTS

581-017-0801

Early Literacy Grants: Definitions

The following definitions apply to OAR 581-017-0801 to 581-017-0811:

(1) “ADMw” means the extended weighted average daily membership computed as provided in ORS 327.013(1)(c).

(2) “Coaching” means a structure that supports and develops educators through regular observation of their instruction, using a shared framework.

(3) “Community-Based Organizations” means an organization that is:

(a) established as a nonprofit organization under the laws of this state;

(b) qualifies as an exempt organization under section 501(c)(3) of the Internal Revenue Code, as described in ORS 314.011;

(c) reflective of a community or significant segments of a community it seeks to serve; and

(d) driven by and representative of a community or a significant segment of a community and works to meet community needs and amplify strengths.

(4) “Community Voice” means that members representing the community served by the project, including students, will be involved in co-constructing the project design, implementation, and/or providing strategic guidance in final decision-making.

(5) “Core (also known as ‘basal’) Instructional Materials” means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. A major instructional vehicle may include such instructional materials as a hardbound or a softbound book or books, or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

(6) “Culturally Responsive” means the implicit recognition and incorporation of the cultural knowledge, experience, and ways of being and knowing of students in teaching, learning, and assessment. This includes identifying, valuing, and maintaining a high commitment to students’ cultural assets in instruction and assessment; diverse frames of reference that correspond to multifaceted cultural perspectives/ experiences; and behaviors in the classroom that can differ from White-centered cultural views of what qualifies as achievement or success.

(7) “Developmentally Appropriate” means designing and implementing learning environments to help all children achieve their full potential in literacy through:

(a) building on each child’s strengths;

(b) taking care to not harm any aspect of each child’s physical, cognitive, social, or emotional well-being; and

(c) considering what is known about:

(A) age-related characteristics that can inform what experiences are likely to best promote a student’s learning and development;

(B) what is known about each child as an individual that has implications for how best to adapt learning experiences; and

(C) the social and cultural contexts in which a student lives in order to ensure that learning experiences are meaningful, relevant, and respectful for each child and family.

(8) “Diagnostic” means assessments to identify a student's specific strengths and needs in literacy in order to determine and plan the appropriate level of instruction, pacing and intervention support.

(9) “Direct Administrative Costs” means administrative functions readily allocable to and required for administering the grant program such as oversight, grant expenditure data collection, leadership that does not include direct service to teacher or students, management, and supervision. Direct administrative costs should be a smaller proportion of the overall grant amount in relation to direct service costs.

(10) “Early Learning Hub” means any entity designated by regional partners to coordinate early learning services, as determined by rules adopted by the Early Learning Council.

(11) “Early Literacy Program” means the entirety of the curriculum, assessments, instructional materials, practices, systems, staffing, and structures in place to support comprehensive early literacy across the district.

(12) “Early Literacy Success Plan” means the elements in the application, including but not limited to the responses to the application questions, program review, and inventory, as defined in ORS 327.831.

(13) “Early Literacy Success School Grant” means the program established in ORS 327.829 and may also be referred to as “Early Literacy Success School District Grants”.

(14) For Early Literacy Success School District Grants, established in ORS 327.829, “Eligible Applicant” means a school district or public charter school that serves students in grades prekindergarten/preschool through third grade. This can include districts and public charter schools that serve students in grades prekindergarten/preschool through eighth grade or prekindergarten/preschool through twelfth grade, given the application focuses on specific

grade levels named in ORS 327.825. Per ORS 327.825 and ORS 327.831, virtual public charter schools are not eligible applicants for this grant.

(15) For Tribal Grants, established in ORS 327.843(2)(d), “Eligible Applicant” means:

- (a) Burns Paiute Tribe;
- (b) The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw;
- (c) Confederated Tribes of Cow Creek Band of Umpqua;
- (d) Confederated Tribes of Grand Ronde;
- (e) Confederated Tribes of Siletz;
- (f) Confederated Tribes of Warm Spring Indian Reservation;
- (g) Confederated Tribes of Umatilla Indian Reservation;
- (h) Coquille Tribe; or
- (i) Klamath Tribes.

(16) For Community Grants, established in ORS 327.843, “Evidence-Based” means practices with a proven record of success based on reliable, trustworthy, and valid evidence that when the practices are implemented with fidelity, students can be expected to make adequate gains in early literacy. Instructional practices, activities, strategies, or interventions that are “evidence-based” should not just privilege scientific evidence, but also be driven by evidence stemming from the perspectives of those affected by those practices, activities, strategies, or interventions such as:

- (a) Tribal consultation, recommendations, and experiences of American Indian/ Alaska Native community members or Tribes.
- (b) Community-driven, culturally-responsive/sustaining/specific, non-dominant and non-Western ways of knowing, being, and researching.

(17) “Extended Learning Program” means literacy programming which shall:

- (a) use ~~a research-aligned tutoring model, which is defined for School District Grants as a tutoring model that uses~~ “Research-aligned literacy strategies” as defined in ORS 327.825 and is based on “Science of reading and writing” as defined in ORS 327.825 and meets the criteria established by the Department in OAR 581-017-0811;
- (b) occur outside of the traditional school day, which could include, but is not limited to afterschool and summer; and
- (c) be administered either by a licensed teacher of any subject area or by a qualified tutor, which is defined for School District Grants as a person who has the training necessary to

implement the research-aligned tutoring model effectively or a high-dosage tutoring provider from the Qualified List for High-Dosage Tutoring established in section 20.

(18) “Fidelity” means how closely prescribed procedures are followed and, in the context of schools, the degree to which educators implement programs, assessments, and implementation plans the way they were intended.

(19) “Formative” means a process of collecting and responding to evidence of student learning; the information gained about student learning is used in the course of instruction to respond to and adjust instruction.

(20) For Early Literacy Success School District Grants, established in ORS 327.829, “High-Dosage Tutoring” is additionally defined as tutoring that:

(a) Is provided in addition to regular core instruction;

(b) Is provided during the school year, which may occur during the school day or before/after school, **and may also be provided during school breaks, including summer;**

(c) Uses a research-aligned tutoring model, which is defined for School District Grants as a tutoring model that uses “Research-aligned literacy strategies” as defined in ORS 327.825, is based on the “science of reading and writing” as defined in ORS 327.825, and meets the criteria established by the Department in section OAR 581-017-0811;

(d) Is administered by a qualified tutor which is defined for School District Grants as a person who has the training necessary to implement the research-aligned tutoring model effectively and criteria established by the Department in section OAR 581-017-0811;

(e) Is provided to four or fewer students; and

(f) Integrates reading and writing in a way that is aligned to Oregon’s ELA Content Standards and to students’ reading instructional needs, based on student assessment data and other evidence of student learning.

(21) For Early Literacy Success Community Grants, established in ORS 327.843, “High-Dosage Tutoring” is additionally defined as tutoring that:

(a) is provided outside of the school day;

(b) is provided by a qualified and trained tutor which is defined for Community Grants as a person who has the training necessary to implement the research-aligned tutoring model effectively;

(c) uses a research-aligned tutoring model that employs evidence-based strategies and is administered in a culturally responsive manner and that is combined with the training necessary for tutors to implement the model effectively;

(d) is provided to four or fewer students;

(e) uses materials that are aligned to the program; and

(f) uses student assessment data and other evidence of student learning to inform tutoring sessions and adjust to student needs.

(22) For Tribal Grants, established in ORS 327.843(2)(d), “High-Dosage Tutoring” is additionally defined and determined by each of Oregon’s nine sovereign nations and the work plans developed by each nation.

(23) For Early Literacy Success Community Grants: “Indirect costs” means costs not readily identifiable with the activities of the grant but incurred for the joint benefit of those activities and other activities of the organization.

(24) “Literacy coaches” means a licensed educator who:

(a) has advanced training or certification in “research-aligned literacy strategies” and “the science of reading and writing” as defined in ORS 327.825 that was either:

(A) included as a course(s) in an educator preparation program;

(B) included as a course(s) in a post-graduate degree program in teaching reading or literacy;

(C) provided by ODE or included on the ODE list of professional development providers; or

(D) provided by a school district or ESD;

(b) has a literacy-focused licensure endorsement;

(c) whose primary role and responsibilities include direct support of students and/or educators; and

(d) are additionally defined in OAR 584-210-0170.

(25) “Literacy specialists or interventionists” means a licensed educator who:

(a) has advanced training or certification in “research-aligned literacy strategies” and “the science of reading and writing” as defined in ORS 327.829 that was either:

(A) included as a course(s) in an educator preparation program;

(B) included as a course(s) in a post-graduate degree program in teaching reading or literacy;

(C) provided by ODE or included on the ODE list of professional development providers; or

(D) provided by a school district or ESD;

(b) has a literacy-focused licensure endorsement; and

(c) whose primary role and responsibilities include direct support of students and/or educators.

(26) For Early Literacy Success School District Grants, established in ORS 327.829 , “Outcomes” is defined as literacy achievement as measured by the student growth assessment and other sources of evidence related to literacy achievement.

(27) “Partnership” means a group of organizations, Tribal governments, 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 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.

(28) “Professional Development” means learning that is systemic, job-embedded, and aligned to current research, training, and practices that support educator and student learning.

(29) “Provider of Early Learning Services” means a public or non-profit entity that provides education and learning opportunities for children in grades pre-Kindergarten to third grade through the provision of services that:

(a) supports families, caregivers, and community members to incorporate research-aligned early learning practices outside of the school day; or

(b) a program that directly provides research-aligned early learning services outside of the school day.

(30) “Public Library” means a public agency that provides to all residents of a local government unit free and equal access to library and information services that are suitable for persons of all ages.

(31) “Regular Core Instruction” means instruction in the general education setting as part of every student's regular schedule that is aligned to grade-level standards and inclusive of every student in the classroom.

(32) “Statewide Education Initiatives Account” means the account as established in ORS 327.250.

(33) “Student Growth Assessment” means a process of evidence collection and review, which includes tests (for example, criterion referenced or developmental continuum) alongside other sources of evidence for the purpose of monitoring students’ growth towards proficient reading and writing. Grant recipients shall avoid making determinations about student growth from a single source of evidence/test score.

(34) “Student Groups that have Historically Experienced Disparities” includes:

(a) “Students Experiencing Poverty”~~“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 includes, 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) Students who attend an elementary school that:

(A) Is identified for comprehensive support and improvement or for targeted support and improvement under the federal Every Student Succeeds Act (P.L. 114-95, 129 Stat. 1802) regardless of whether the school is receiving funding; or

(B) Qualifies for assistance under Title I of the federal Elementary and Secondary Education Act of 1965; "whereas qualifying for assistance under Title I" means at least 35% of the school's students are experiencing poverty, or the school receives Title I-A funds as determined by the district.

(h) "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.

(i) "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.

(j) "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.

(k) "Justice involved youth" 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.

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: 3.D.

SUBJECT: Audit and Other Financial Appeals-Secure Rural Schools and Community Act STAFF NAME & OFFICE: In March 2018 there was a change in federal law, which went unnoticed by all stakeholders until April 2022. This change impacted the State School Fund (SSF) and what is considered Local Revenue in the SSF Formula for school years 2017-18, 2018-19, and 2019-20. The current rule allows for a 5-yr review, so SY 2017-18 review will expire on June 30, 2024. As a result we needed a temporary rule to expand the look back period to encompass the change in federal law from 2018 in order for ODE and school districts to assess the potential impact of the unaltered formula on the SSD in their respective districts between 2018-2021. The Department is seeking a permanent rule with the same language except to add a sunset clause in order to ensure that a rule is in place to address this issue to completion. ☒ New Rule ☐ Amend Existing Rule ☐ Repeal Rule	☐ First Reading ☐ Presentation ☐ No Presentation ☒ Action ☐ Temp Rule ☐ Presentation ☒ No Presentation
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BACKGROUND

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

1. History:

- a. In April 2022, the SSF Technical Review Committee (Legislative Revenue Office, DAS Chief Financial Office, Legislative Fiscal Office, OR Dept of Education) discovered changes to the federal statute surrounding Small Rural Schools (SRS) in 2018. This change caused the state SSF formula to be out of alignment with Federal law and subsequently affected the way the state process state school fund payments to school districts between 2018 and 2021.

b. What is the current requirement in rule or statute?

The audit and financial appeals rule (581-001-1011) establishes the process to be used by the Department of Education for addressing the overpayment or underpayment of State School Funds from a closed year to a school district, education service district, public charter school or other program based on information received by the department in an audit or other report. This rule has a “look back” period of 5 years. In application this means that the ability to “look back” to the 2017-2018 year will expire June 30, 2024.

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: 3.D.

As a result we needed a temporary rule to expand the look back period to encompass the change in federal law from 2018 in order for ODE and school districts to assess the potential impact of the unaltered formula on the SSD in their respective districts between 2018-2021.

2. Purpose

The audit and financial appeals rule allows school districts to engage in a process with ODE to evaluate a potential over or under payment of the state school fund. This temporary rule expands the look back period to encompass the change in federal law from 2018 in order for ODE and school districts to assess the potential impact of the unaltered formula on the SSF in their respective districts between 2018-2021.

The Department is seeking a permanent rule with the same language except to add a sunset clause in order to ensure that a rule is in place to address this issue to completion.

a. How long has the rule been in place?

2008 with previous iterations as far back as 1982, the temporary rule expired after being utilized for the appeals process.

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

The temporary rule was passed in order to develop a pathway to have conversations about repayment.

After the rule passed, ODE hosted a meeting with COSA and OASBO for school districts to provide technical assistance. Following that meeting, a letter was sent to each district affected by the underpayment, outlining the specific impact on their district over the three year period. The letter also provided guidance on how to access technical assistance and details the steps for initiating an appeal within 60 calendar days of the letter if the district believes the repayment figure is inaccurate. No appeals were filed.

The board can choose not to adopt the permanent rule. If they choose not to do so then a rule will not be in place to address the issue to completion.

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

This temporary rule went before the RAC in May 2024 and the board in June. ODE engaged with school districts to utilize the rule for the appeals process. The permanent rule went before ORCA in March 2025 and will go again in April.

SUMMARY OF PREVIOUS BOARD ACTION

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

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: 3.D.

The board passed a temporary rule in order to address the expiring “look back” period in the permanent rule. The Board broad a slightly updated permanent rules before the Board as a first reading in March 2025

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

☒ No

POLICY ISSUE OR CONCERNS

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

1. Partners

All 197 school district and 19 ESDs are potentially impacted by the unaltered formula between 2018-2021. A school district came forward as well as their local legislators to request information on this issue and a desire to remedy.

2. Negative/Positive Effects

While the issue is near completion it is not yet resolved. School districts and ESDs could be confused without a permanent rule to look back to until the completion of this repayment.

Note: The original error is a singular occurrence that does not affect the current allocation of funds in the State School Fund. Instead, it pertains to an historical change in the formula, which necessitates correction. It will not disrupt existing school funding. Furthermore, the goal is to rectify potential impacts separately from the regular SSF process, in the forthcoming biennium.

EQUITY IMPACT ANALYSIS

School districts and ESDs could be potentially impacted by the underpayment of funds due to the unaltered formula. Rectifying the underpayment to districts could allow districts to better meet the needs of students in their care.

FISCAL ANALYSIS

ODE has requested funding limitation in the early session bill from the legislature to address underpayments.

EFFECT OF A “YES” OR “NO” VOTE

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: 3.D.

The board can choose not to adopt the permanent rule. If they choose not to do so there will not be a rule on file until the completion of addressing this issue.

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1:

OAR 581-001-XXXX (previously, 581-001-0101), with a similar OAR currently filed as OAR [581-001-0100](#)

Title: Audit and Other Financial Appeals

(1)(a) This rule establishes the process to be used by the Department of Education to address the overpayment or underpayment of State School Fund monies related to changes in federal law under 16 U.S.C. 7112(f).

(b) This rule applies only to school years 2017-18, 2018-19, and 2019-20. For purposes of this rule, a year is considered closed on June 30 in the year two years after the fiscal year began. For example, the fiscal year beginning July 1, 2018, is closed on June 30, 2020.

(c) Other reports received by the department that may be the basis to determine that an overpayment or underpayment has been made include but are not limited to information provided by a district, school or program or information from a department investigation.

(d) The department will only seek to recover payments or will pay an amount under this rule if the department received the audit or report that the overpayment or underpayment is based upon within seven years of the date that the year was closed. For example, for the fiscal year beginning July 1, 2018, the department will only seek to recover or make payments based on audits or reports involving that fiscal year that were received by the department on or before June 30, 2026.

(e) The department will not seek to recover and will not pay amounts under this rule of \$750 or less.

(2) The department shall determine whether there has been an overpayment or underpayment of funds upon receipt of an audit or other report, and whether the department will seek an adjustment of funds based on the audit or report. The department shall consider the following when making its determination:

(a) Applicable statutes, rules and policies;

(b) Information from the audit or report and any recommendations made in the audit or report;

(c) Any other relevant information received by the department relating to the overpayment or underpayment of funds. This may include information from an investigation conducted by the department; and

(d) Prior determinations of the department on overpayment or underpayments of funds that involved the same statutes, rules or policies or similar facts.

(3)(a) The department shall notify in writing the school district or education service district, at a minimum, of the following:

(A) The department's determination including the amount of the overpayment or underpayment;

(B) The basis for the determination; and

(C) The time period in which the overpayment or underpayment occurred.

(b) The department shall include a copy of this rule with the notification.

(4) The school district or education service district may appeal the determination made under section (3) of this rule to the department. The appeal must be received by the department within 60 calendar days of the date of the notice and must:

(a) Be in writing;

(b) State the reasons for the appeal; and

(c) Be signed by the superintendent or other official with authority to make the appeal.

(5) Within 60 calendar days of receiving the appeal, the department shall notify in writing the school district or education service district of the department's decision regarding the appeal.

(6) If the school district or education service district does not appeal the determination; or if the department renders a decision on an appeal that there has been an overpayment or underpayment of funds, the department shall notify in writing the school district or education service district of:

(a) The amount of the overpayment or underpayment;

(b) The time period for correcting the overpayment or underpayment; and

(c) The method for paying or collecting the funds.

(7) The department shall establish the time period for correcting any overpayment using the "Repayment Calculator" established by the School Finance Unit of the department. The department shall make the Repayment Calculator available upon request.

(8) The methods for paying or collecting the funds may include, but are not limited to:

(a) Invoices for payment.

(b) Transferring funds.

(c) In the case of State School Fund payments, adjusting subsequent payments from the State School Fund to the school district, education service district or program.

(d) In the case of other state funds, adjusting subsequent payments from those funds to the school district or education service district.

(9) The school district or education service district may appeal the determination of the repayment period or method of payment made under section (7) of this rule to the department. The appeal must be received by the department within 60 calendar days of the date of the notice and must:

(a) Be in writing;

(b) Establish through auditable, verifiable data that the repayment period or method of payment established in section (6) of this rule creates extreme financial hardship;

(c) Contain a statement that the information is certified as being accurate and complete; and

(d) Be signed by the superintendent or other official with authority to make the appeal.

(10) The school district or education service district may propose in the appeal an alternative time period for repayment of the funds.

(11) Within 60 calendar days of receiving the appeal, the department shall notify in writing the school district or education service district of the department's decision regarding the appeal. The department shall consider the following when making its determination of the time period for repayment of funds:

(a) Applicable statutes, rules and policies;

(b) Information from the audit or report and any recommendations made in the audit or report regarding the repayment period or method of payment;

(c) Any other relevant information received by the department relating to the overpayment or underpayment of funds;

(d) The financial situation of the school district or education service district; and

(e) Prior determinations of the department on overpayment or underpayments of funds that involved the same statutes, rules or policies or similar facts and were made following the process prescribed by this rule.

(12) After the time period for the appeal has expired under section (11) of this rule or after the department has notified the school district or education service district of the department's decision regarding the appeal, the department shall proceed to pay or collect the funds.

(13) A school district or education service district may request in writing at the same time as when the district files an appeal under section (4) or (9) of this rule:

(a) A public meeting with the department. If the department grants the meeting, the department will follow statutes and rules that apply to public meetings.

(b) A mediation with the department relating to the issues that are the subject of the appeal. If the department agrees to the mediation, the mediation will be conducted by a mediator approved by the department and the department will not pay more than half the cost of the mediation.

(14)(a) The Superintendent of Public Instruction delegates to the department the authority to make corrections to distribution from the State School Fund for any year that is closed based on ORS 327.120 and the process established by this rule.

(b) The superintendent shall specify which department staff has the authority to make the determinations required by this rule. The determinations required in this rule may only be made by the superintendent or deputy superintendent.

(15) This rule first applies to the overpayment or underpayment of state funds based on information received by the department in an audit or other report on or after January 1, 2017.

(16) This rule expires on, and shall not have effect after, June 30, 2026.

Statutory and Other Authority: ORS 326.051, ORS 327.125

Statutes and Others Implemented: ORS 326.111, ORS 327.006 - ORS 327.133

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: Supplemental Plan Revision for Falls City SD

SUBJECT: Supplemental Plan Revision for Falls City SD STAFF NAME & OFFICE: Brock Dittus, Pupil Transportation & Fingerprinting This district has submitted a new supplemental plan for board approval. This will change the areas in which transportation will be provided / required for students who live within the statutory minimum for transportation.	☐ Informational Presentation ☒ Written Report
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BACKGROUND

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

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

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

In 1992, many districts submitted supplemental plans for approval from the State Board, and all were adopted. Having an approved supplemental plan does two things:

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

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

A supplemental plan must be approved by the local school board prior to presentation to the State Board for approval. The District Boards approved these supplemental plans at their regular meetings and submitted the plan to ODE for approval thereafter.

The supplemental plan submitted by this school district accounts for attendance boundary changes within the walk distance areas and local hazards acknowledged by school leadership and residents. Proponents and opponents of the submitted plan had the opportunity to be heard at the local level. This plan establishes the first supplemental plan requested by the district.

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: Supplemental Plan Revision for Falls City SD

SUMMARY OF PREVIOUS BOARD ACTION

The State Board has previously approved a supplemental plan for Falls City School District in 1994.

POLICY ISSUE OR CONCERNS

The School District submitted a supplemental plan for State Board approval after the local school board adopted them during sessions open to the public. ODE does not engage with stakeholders regarding these plan revisions separate from the district's public process.

In this case, the district is updating their plan to account for students with special needs who would otherwise face dangerous conditions due to speed and/or volume of vehicle traffic, width and condition of street, lack of shoulders or sidewalks suitable to walking, poor visibility, and dangerous crossings or intersections, among other hazards.

EQUITY IMPACT ANALYSIS

ODE does not conduct a separate analysis of a supplemental plan adopted by a local school board except to verify that the supplemental plan is being submitted for health or safety reasons as required by statute. In this case, the proposed changes will not have any negative impact on any students living in the affected areas, and may support an increased equity for students who might be subject to the listed hazards.

FISCAL ANALYSIS

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

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

ATTACHMENTS

Attachment 1: Falls City SD Supplemental Plan & Local Board Approval

Supplemental Pupil Transportation Plan

Introduction

Most of the students transported in Falls City School District vehicles reside within the 1-1.5 mile boundary deemed "non-reimbursable" pupil transportation by the Oregon State Board of Education. Under OAR 581-023-0040, the District could receive reimbursement if certain conditions exist that create a hazard for students walking to and from school within this boundary. Some of those conditions include: high speed traffic areas, streets poorly lit, lack of safe walking surfaces and sidewalks, lack of shoulders on roadways, dangerous roadway crossings, transportation of special needs students, etc.

Conditions

Within Falls City and within the 1-1.5 mile boundary, several of the roadways are single lane gravel roads and poorly lit, dangerous uncontrolled roadway crossings, roads lacking safe walking surfaces and/or sidewalks, limited shoulder areas, areas with exposure to wildlife, requirement to pass through areas congregated by the unhoused population and extensive presence of timber harvesting vehicles. The risk to any and all students walking to and from school within the non-reimbursable boundary are too high to ignore. A Supplemental Transportation Plan for the Falls City School District could allow the district to receive reimbursement for the students that are currently being transported due to these unsafe conditions. The plan needs to be approved by the School Board and then submitted to the Oregon Board of Education for approval. The following conditions apply:

- N Main St is the only street with sidewalks but lacks a controlled area for crossings and is heavily traveled by logging vehicles during times when students would be walking to school.
- Roads north of N Main St are gravel and narrow (primarily single lane) with the exception of Fair Oaks St, Prospect Ave, Ellis St and Fifth St. None have sidewalks, are heavily traveled and dimly lit during times when students would be walking to school.
- Roads west of Bridge St are primarily single lane poorly lit gravel roads without sidewalks.
- Roads south of S Main St are primarily single lane poorly lit gravel roads without sidewalks.
- All roads in Falls City host a population of deer, skunks, possum, raccoon and other wildlife that present a hazard to students walking to school.

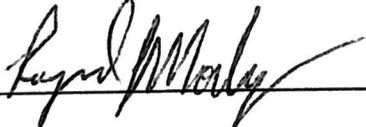
- Logging trucks, timber harvesting and road construction vehicles frequently transit through the heart of Falls City on N Main St, Mitchell St and Bridge St. enroute to surrounding timber harvesting sites. Vehicles often exceed the speed limit, and students are required to cross these roads in uncontrolled/unsafe areas enroute to school.
- In order to avoid the heavily traveled Bridge St bridge, students traverse the Little Luckiamute River on two aged pedestrian bridges that are frequented by our sizable unhoused population placing them at risk.

Solution

The District has already implemented a solution to mitigate the hazardous conditions for the students by offering and providing school bus transportation to any and all students that parents/guardians have requested. There are approximately 94 students who have had transportation requests submitted and about 70 of those students ride one of two buses on a daily basis.

In Closing

The District recognizes that the walking conditions for all Falls City students are potentially hazardous for the reasons mentioned above. The District has mitigated those conditions by making transportation services available to all students. Now the District is requesting that the School Board adopt a Supplemental Transportation Plan to include all of the students of Falls City School District that live within the 1 to 1.5 mile limit for submission to the Oregon State Board of Education for the purpose of enabling the District to be reimbursed for those services.

Submitted by:  Date: 1/27/2025

Approved by:  Date: 1/27/2025

Falls City High School Supplemental Transportation Plan

Whereas all students of Falls City High School living within the 1.5 mile limit currently reside in areas of certain hazardous conditions for walking to and from school.

The health and safety conditions specifically involved are: no shoulders or sidewalks; unsafe and uncontrolled main thoroughfare crossings; roads traveled frequently by timber harvesting and other large vehicles; single lane, low visibility gravel roadways.

In accordance with OAR 581-023-0040, it is therefore resolved that the Board of Directors of Falls City School District #57 shall include this group of students in a supplemental transportation plan for submission to the Oregon State Board of Education.

Estimated number of students: 5 current bus riders

Passed this 25 day of January 2025

Signed: [Signature], Board Chair

Date: 1/27/2025

Falls City Elementary and Middle School Supplemental Transportation Plan

Whereas all students of Falls City Elementary and Middle School living within the 1 mile limit currently reside in areas of certain hazardous conditions for walking to and from school.

The health and safety conditions specifically involved are: no shoulders or sidewalks; unsafe and uncontrolled main thoroughfare crossings; roads traveled frequently by timber harvesting and other large vehicles; single lane, low visibility gravel roadways.

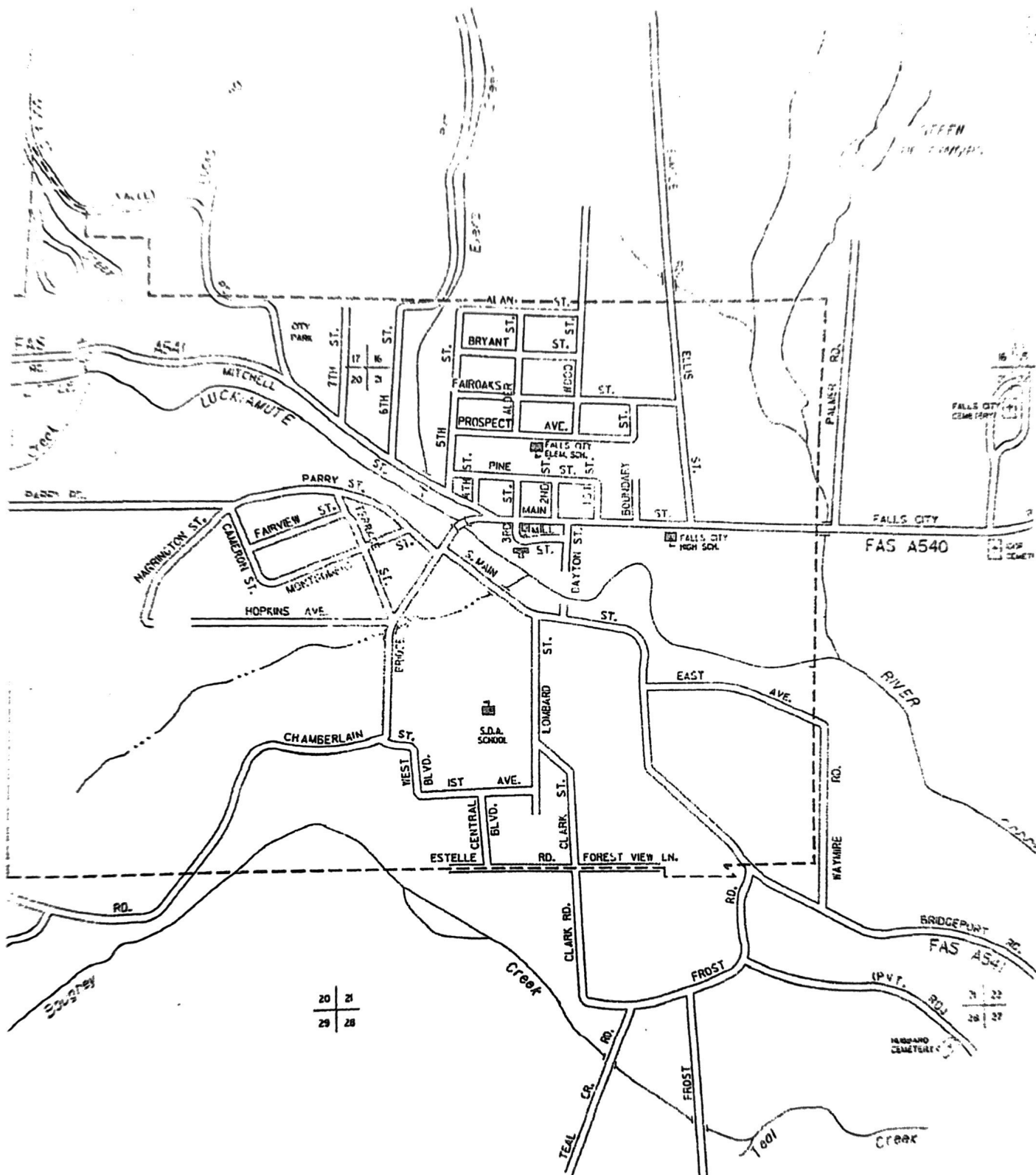
In accordance with OAR 581-023-0040, it is therefore resolved that the Board of Directors of Falls City School District #57 shall include this group of students in a supplemental transportation plan for submission to the Oregon State Board of Education.

Estimated number of students: 65 current bus riders

Passed this 21st day of January 2025

Signed , Board Chair

Date: 1/27/2025



FALLS CITY

POLK COUNTY, OREGON

POPULATION 804

T. 8 S. R. 6 W. W.M.

LEGEND

58

PREPARED BY THE
OREGON DEPARTMENT OF TRANSPORTATION
IN COOPERATION WITH THE

CENTRAL SCHOOL DISTRICT 13J



James Mike Cook, Transportation Manager
520 Hoffman Rd
Independence, Oregon 97351

503-606-2309 (Office)
www.central.k12.or.us

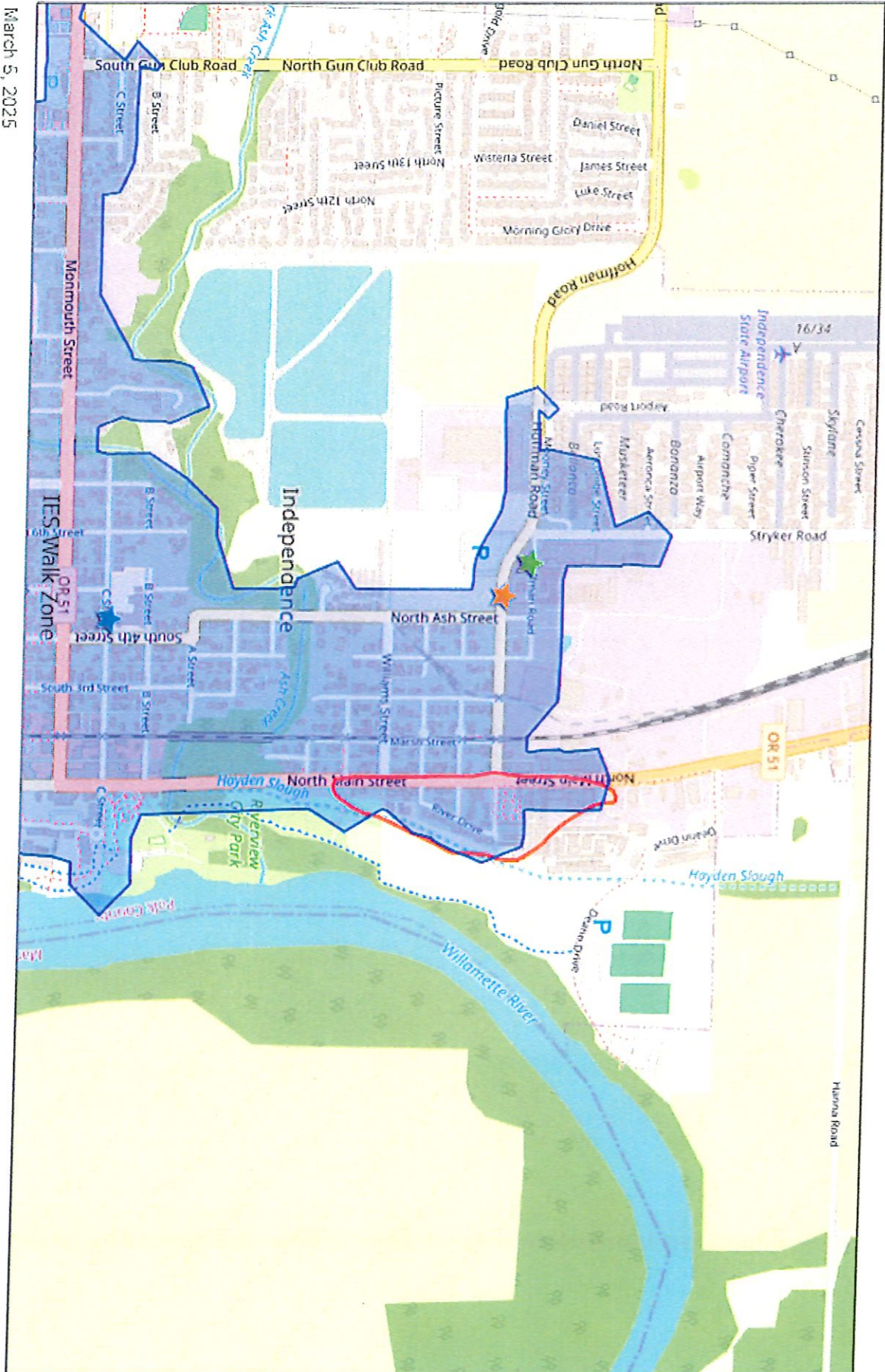
Supplemental Transportation Plan

This plan discloses areas of concern for student safety within the statutorily established walk distance from schools per the state distinction. The established walk distance is one mile for students in grades K-5 and 1.5 miles for students in grades 6–12. Per state law, transportation may be provided by the school district.

The specific health and safety conditions that merit providing transportation to these students are clearly stated, along with the current number of students in each area. A map is attached to show the areas for each site for which transportation is provided.

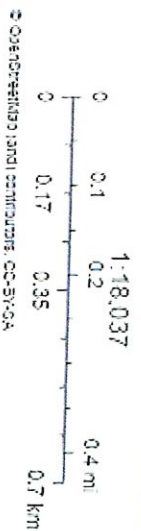
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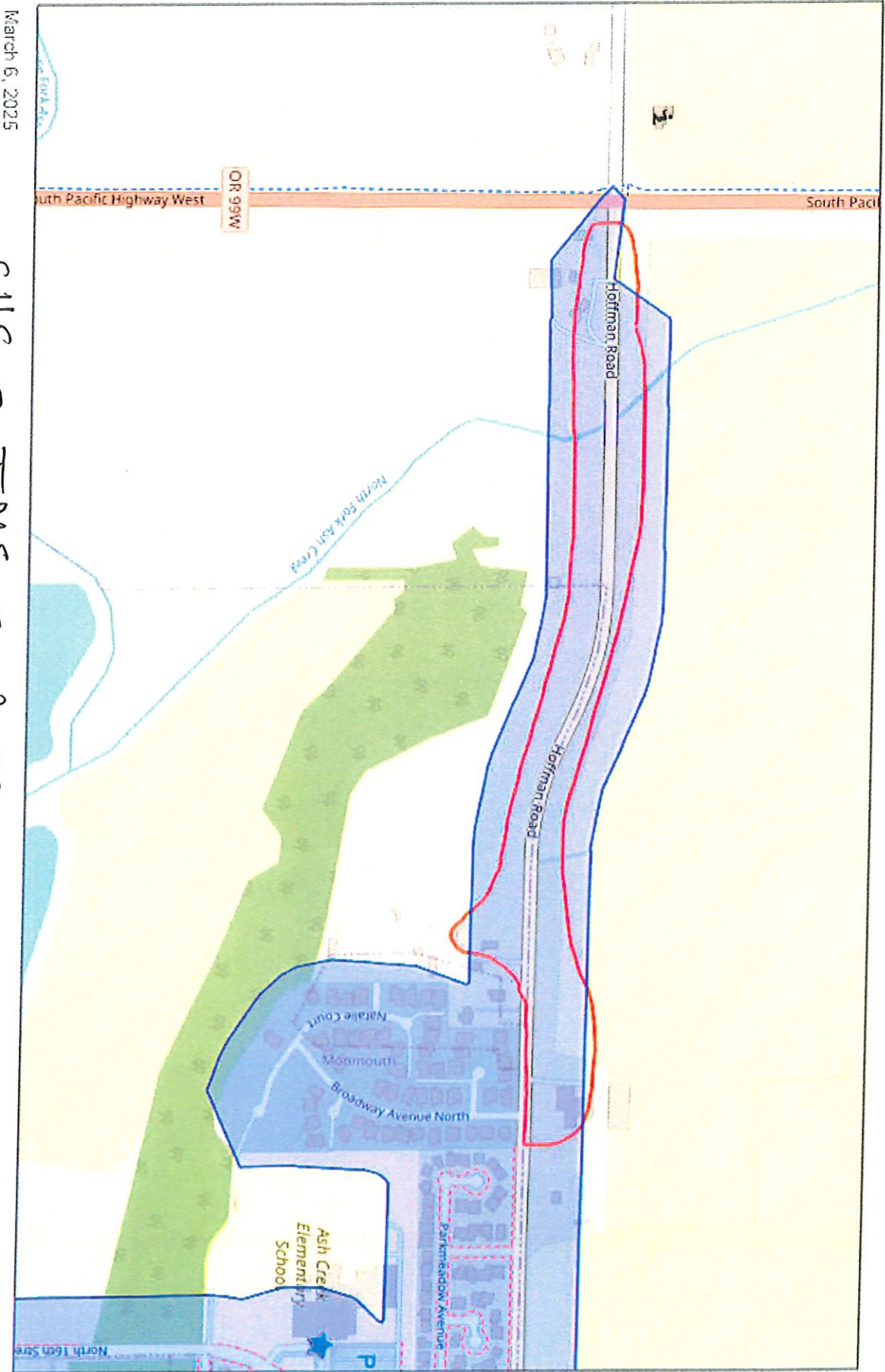
- **Special Education Plans:** Section 504, Special Education students with Individual Education plans (IEPs) and Teen Parents specifying transportation currently living within the statutorily established walk distance, per the state distinction, from any school within the district. - Estimated number of students: 60
- **Independence Elementary:** Students who reside within the statutorily established walking distance from schools with specific, identified health or safety conditions for students walking to school; students cannot safely cross North Main St. (Highway 51) North of Riverview Park due to no controlled crossings. - Estimated number of students: 25
- **Ash Creek Elementary** Students who reside within the statutorily established walking distance from schools with specific, identified health or safety conditions for students walking to school; the students cannot safely walk down Hoffman Road west of Hoffman Estates due to no sidewalks. - Estimated number of students 1
- **Talmadge Middle School** Students who reside within the statutorily established walking distance from schools with specific, identified health or safety conditions for students walking to school; the students cannot safely walk down Hoffman Road west of Hoffman Estates due to no sidewalks. - Estimated number of students 0
- **Central High School** Students who reside within the statutorily established walking distance from schools with specific, identified health or safety conditions for students walking to school; the students cannot safely walk down Hoffman Road west of Hoffman Estates due to no sidewalks. - Estimated number of students 2



March 5, 2025

IES





CHS & TMS & ACES

March 6, 2025

0 0.05 0.1 0.15 0.2 mi
0 0.07 0.15 0.3 km
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**MOTIONS TO ADOPT A REVISED SUPPLEMENTAL TRANSPORTATION PLAN
FOR CENTRAL SCHOOL DISTRICT 13J**

Under ORS 327.033 & 327.043 a district may request approval of a Supplemental Plan to account for transportation within the statutorily established walk distances from schools when health or safety conditions would merit. A district may also request a waiver from the responsibility to provide transportation if they provide a sufficient plan to the State Board of Education; this includes alternative (active and transit) transportation under 2023's House Bill 3014.

In 1992 the Board of Directors of the Central School District 13J adopted supplemental plans for transportation at the district. The revised plan describes the number of students identified for each of the affected schools and the reason for providing transportation to these students. A map is provided showing the areas for which that transportation is provided at each of the affected sites.

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WHEREAS, all students qualifying under PL 93—112, Section 504, Special Education students with Individual Education Plans (IEPs) and Teen Parents specifying transportation currently living within the 1 or 1 ½ mile limit of all schools of the district.

Estimated number of students: 60

WHEREAS, all students of Independence Elementary area living within 1 mile limit currently reside in the area of Hazardous conditions for walking to school; the student cannot safely cross HWY 51.

Estimated number of students: 25

WHEREAS, all students of Ash Creek Elementary area living within 1 mile limit currently reside in the area of Hazardous conditions for walking to school; the students cannot safely walk down Hoffman road due to no sidewalks and a busy road.

Estimated number of students 1

WHEREAS, all students of Talmadge Middle School area living within the 1 ½ mile limit currently reside in the area of Hazardous conditions for walking to school; the students cannot walk down Hoffman road due to no sidewalks and a busy road.

Estimated number of students 0

WHEREAS, all students of Central High School area living within the 1 ½ mile limit currently reside in the area of Hazardous conditions for walking to school; the students cannot walk down Hoffman road due to no sidewalks and a busy road.

Estimated number of students 2

SUGGESTED ACTION: Approve the Revised Supplemental Transportation Plan as submitted.

SUGGESTED MOTION: I move to approve the Revised Supplemental Transportation Plan as submitted.

RESOLUTION 2025-01

RESOLUTION ADOPTING A REVISED SUPPLEMENTAL TRANSPORTATION
PLAN FOR CENTRAL SCHOOL DISTRICT 13J

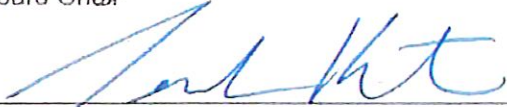
WHEREAS, Under ORS 327.033 & 327.043 a district may request approval of a Supplemental Transportation Plan to account for transportation of students who reside within the statutorily established walk distances from schools when health or safety conditions would merit.

WHEREAS, The Central School District 13J Transportation department has reviewed and updated the existing supplemental transportation plan which identifies specific health and safety concerns that merit providing transportation to students within our schools who reside in the affected areas.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Central School District #13J shall submit the supplemental transportation plan, as presented, to the Oregon State Board of Education for consideration to provide transportation for students residing within the identified areas.

Dated at Independence, Oregon, this 7th day of APRIL, 2025



Byron Shinkle,
Board Chair

Jennifer R. Kubista, EdD
Superintendent

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: Supplemental Plan Revision for Central SD

SUBJECT: Supplemental Plan Revision for Central SD STAFF NAME & OFFICE: Brock Dittus, Pupil Transportation & Fingerprinting This district has submitted a new supplemental plan for board approval. This will change the areas in which transportation will be provided / required for students who live within the statutory minimum for transportation.	☐ Informational Presentation ☒ Written Report
---	---

BACKGROUND

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

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

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

In 1992, many districts submitted supplemental plans for approval from the State Board, and all were adopted. Having an approved supplemental plan does two things:

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

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

A supplemental plan must be approved by the local school board prior to presentation to the State Board for approval. The District Boards approved these supplemental plans at their regular meetings and submitted the plan to ODE for approval thereafter.

The supplemental plan submitted by this school district accounts for attendance boundary changes within the walk distance areas and local hazards acknowledged by school leadership and residents. Proponents and opponents of the submitted plan had the opportunity to be heard at the local level. This plan establishes the first supplemental plan requested by the district.

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: Supplemental Plan Revision for Central SD

SUMMARY OF PREVIOUS BOARD ACTION

The State Board has previously approved a supplemental plan for Central School District in 1992.

POLICY ISSUE OR CONCERNS

The School District submitted a supplemental plan for State Board approval after the local school board adopted them during sessions open to the public. ODE does not engage with stakeholders regarding these plan revisions separate from the district's public process.

In this case, the district is updating their plan to account for students with special needs who would otherwise face dangerous conditions due to speed and/or volume of vehicle traffic, width and condition of street, lack of shoulders or sidewalks suitable to walking, poor visibility, and dangerous crossings or intersections, among other hazards.

EQUITY IMPACT ANALYSIS

ODE does not conduct a separate analysis of a supplemental plan adopted by a local school board except to verify that the supplemental plan is being submitted for health or safety reasons as required by statute. In this case, the proposed changes will not have any negative impact on any students living in the affected areas, and may support an increased equity for students who might be subject to the listed hazards.

FISCAL ANALYSIS

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

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

ATTACHMENTS

Attachment 1: Central SD Supplemental Plan & Local Board Approval



Eugene School District 4J

Supplemental Plan

March 2025

Supplemental Plan prepared by:

Arthur Hart, Transportation Director

Jason Wolf, Business Info Systems Analyst

Sarah Mazze, Safe Routes to School Coordinator

Brad Albee, Safe Routes to School Coordinator

EVALUATION OF WALKING AREAS & PROPOSED SUPPLEMENTAL PLAN

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Introduction

In accordance with state law, the district is required to provide transportation for elementary students who reside more than one mile from school and for secondary school students who reside more than 1.5 miles from school, also known as the “walk zone.” A district is also required to provide transportation for any student within the walk zone where specific health and safety concerns justify providing transportation.¹

Eugene School District 4J has an Oregon Department of Education approved waiver affecting the transport of high school students who live outside the prescribed walking distance. The waiver requires that Eugene School District 4J provides qualified high school students transport when they reside more than 1.5 miles from an LTD bus stop, and in circumstances where safety may be an issue. Such safety issues would be noted in the supplemental plan.

The state reimburses 70% of the approved cost for 4J transportation. The funding rules require that districts provide a Supplemental Plan to be approved by the State Board of Education in order to receive this reimbursement for students who live closer than the prescribed distances to the school. (See Appendix A for text of OAR 581-023-0040) With the passage of HB 3014 in 2023, Oregon school districts may now be reimbursed for the use of “alternate transportation” for getting students to school if included in a Supplemental Plan and with documentation that the reimbursement requested is equal to or less than the previously allowable costs (Sections 1 of ORS 327.003 and Section 2 of ORS 327.043).

Eugene School District 4J (4J)’s most recent Supplemental Plan was approved by the state in 1992. Since the inception of the 1992 Supplemental Plan, school boundaries have changed and busing due to hazards have increased in some locations and decreased in others. In addition, in some locations, 4J is choosing to use crossing guards rather than busing students in the walk zone because of the challenges of bus driver shortages and for the benefits accrued through cost savings

¹ OAR 327.006 Definitions for State School Fund distributions. As used in ORS 327.006 to 327.133, 327.348 and 327.731: (C) Any student required to be transported for health or safety reasons, according to supplemental plans from districts that have been approved by the state board identifying students who are required to be transported for health or safety reasons, including special education; <https://content.govdelivery.com/accounts/ORED/bulletins/2ef295e#:~:text=ORS%20327.043%20When%20district%20required,than%201.5%20miles%20from%20school>.

House Bill 3014: Directs State Board of Education to adopt rules that allow for reimbursement of school district expenses incurred in lieu of transporting students. Prohibits reimbursements that are greater than amount school district would have received if school district had provided transportation. Declares emergency, effective July 1, 2023.

[House Bill 3014](#)

and the emotional benefit that interacting with the caring adults that are the crossing guards will provide for students served by the supplemental plan and other students using those crosswalks. The cost differential for using crossing guards in specific locations is included in the pages that follow in the description of the hazards at those schools.

Based on the hazards described in this document, approximately 727 students will be eligible for district-provided transportation within the walk boundaries due to hazards. The plan does not include sites that house schools that currently do not have transportation boundaries, such as charter and choice schools.

With the goal of addressing equity issues around transportation and attendance, this plan also provides for a pilot providing temporary (up to three months of) Supplemental Busing on a case by case basis, with Director approval. Such busing would provide a means for students to get to school while the district provides support for resolution of circumstances that challenge students' ability to get to and from school by other means. Equity triggers include race, poverty, language barriers/new arrivals, student or family medical problems and general education director placement. At the end of the pilot, the district will review how many students participated and how the process went.

Methodology

A point system, based upon a format used by other districts throughout the state, was developed to allow objective decision making on roadways throughout our district. This system assigns points to the following hazard criteria as outlined below:

1. SAFETY WALKING ALONG ROAD:

This is the area usable for students to walk on for the road in question. The assumption is that scoring for one side of the street only means that there is no facility or usable space on the other side of the street. If the scoring is for a shoulder, that means there is no sidewalk.

- Raised Sidewalk both sides of street - 0 Points
- Raised sidewalk on one side of street - 1 Point
- Street level sidewalk separated from street with planter strip or parking on both sides of street - 2 Points
- Street level sidewalk separated from street with planter strip or parking on one side of street - 3 Points
- In-street, separated facility on both sides of street - 4 Points
- In-street, separated facility on one side of street - 5 Points
- Shoulder greater than three feet on both sides of street- 6 Points
- Shoulder greater than three feet on one side - 7 Points
- Shoulder 1-3 feet wide on both sides of street - 8 Points
- Shoulder 1-3 feet wide on one side of street - 9 Points
- Shoulder restricted by vegetation, ditches and/or culverts, with no available walk space distance walked shorter than 200 feet - 10 Points
- Shoulder restricted by vegetation, ditches and/or culverts, with no available walk space distance walked greater than 200 feet - 15 Points

2. CROSSING SAFETY

It is important that street crossings are *appropriate and effective* given the street classification. Enhanced crossings include striping, traffic signals, rectangular rapid flashing beacons (RRFB), pedestrian islands, etc. and are contingent on the street classification, volume of traffic and road speed. For example, a major arterial could have a traffic light and striping or it could have a RRFB, island and striping. It would be appropriate for a collector to have striping alone, or striping and a pedestrian island.

- Enhanced crossings every intersection - 0 Points

- Enhanced crossings every eighth of a mile - 1 Points
- Enhanced crossings every quarter of a mile - 4 Points
- Enhanced crossings further than every quarter mile - 5 Points
- *** Arterials receive twice as many points as other road classifications - Double the Points**
- *** Remove 3 points for elementary and 5 for middle if there is a traffic signal controlled crossing on the street in question. Exceptions will be where the number of vehicular turning movements through the school crosswalk exceeds 300 per hour while pedestrians are going to or from school, or when there are 4 or more lanes of traffic.**

3. LCOG CRASH DATA:

The [LCOG Crash Map](#) is reviewed for bicycle or pedestrian crash history within the street segment under review. A single crash could be an indication of a random act, whereas multiple crashes indicates a more systemic problem in that location.

- One crash receives - 1 Point
- Two crashes receives - 3 Points
- Three crashes receives - 7 Points
- Four or more crashes receives - 10 Points

4. SPEED LIMIT:

Using Google Maps or a site visit, posted speed is documented for the segment under review. School zones are not accounted for here, as they are variably adhered to, particularly depending on the type of signage, whether or not they have lights and the speed differential between the school zone and the posted speed limit for the remainder of the street.

- 20 mph - 0 Points
- 25 mph - 1 Point
- 30 mph - 3 Points
- 35 mph - 5 Points
- 40 and greater mph - 7 Points

5. TYPE OF STREET:

Street classifications are found [in this map](#) (also in Appendix B of this report), produced by the City of Eugene. Points vary from 0 to 7. See Appendix B for the road classification map.

Street Classification:

- Major Arterial - 7 Points
- Minor Arterial - 5 Points
- Major Collector- 3 Points
- Neighborhood Collector - 2 Points
- Local - 0 Points

6. ROAD WIDTH, LANES AND PARKING:

Road width is measured as the paved roadway, including bike lanes, shoulders and parking. The number of lanes include travel and continuous dedicated turn lanes in all directions. Bike lanes, cycle tracks and other active transportation facilities are not included in the number of lanes. Points will be awarded as follows:

- Roads without lane markers - 0 Points
- Two lane - 1 Point
- Three lanes - 2 Points
- Four lanes - 3 Points
- Five or more lanes - 4 Points
- *** Add two additional points for width greater than 45 feet.**
- *** On street parking earns one point total for parking on one or both sides of the road, as this impedes visibility.**

7. LIGHTING:

Lack of lighting, or darkness, is a key factor in many severe crashes.

- Streets that lack lighting at intersections or on curves - 3 Points

8. DELAYED EMERGENCY RESPONSE:

Emergency services are likely to arrive at the scene of a crash later in hard to reach areas, potentially impacting outcomes for students involved in a crash. If the score is close, this could be confirmed with police dispatch.

- Harder to reach area with slow response time (according to police dispatch, there are slower response times in SE hills - up Willamette or Donald - Ex: Nectar Way) - 3 Points

9. OTHER CONDITIONS:

The points vary from 1 to 10 with 10 indicating a high risk. This includes specific identifiable items not covered elsewhere on the evaluation, with each item earning one point. For example:

- Lack of school zone or school crossing signs
- Terrain features that impact visibility, like hills and curves
- Unmarked crosswalks across arterials in the walk area
- Secluded or isolated areas
- Heavy commercial traffic in the area
- Non-perpendicular intersections
- Steep grades
- Crossing a waterway
- Crossing train tracks
- Other

Hazard Formula

The hazard threshold is established by adding the median from the hazard criteria, (above) numbers 1 thru 7, to get a score of 27 points, which is used for elementary students to establish a hazard area. For middle and high school students, the hazard threshold is 32 points. (An additional 5 points is allowed for middle and high school students.)

Points from evaluation criteria 8 and 9 are not part of establishing the base for the hazard threshold, as they are more rare, one-off conditions.

See Appendix D for a copy of the worksheet used for the walk zone evaluations or click this [link](#) to the Supplemental Busing Evaluation Spreadsheet.

Future Support for Approved Supplemental Plan

The Transportation department recognizes that changes as large as those in this proposal require a significant amount of support following implementation. To support this Supplemental Plan, the Transportation department, in partnership with the 4J Safe Routes to School program, will provide the following for areas losing Supplemental Busing:

1. A letter to send home encouraging families in the Walk Zone to try active transportation like walking or biking and that includes general recommendations on route selection for active transportation and that shares specific local information like locations of marked crossings.
2. Continued communication with the City of Eugene and Lane County to share our priorities for improvements to the Walk Zones surrounding schools. 4J Safe Routes to School has developed a prioritized list of infrastructure needs focused on both the areas where students currently walk and areas that are deemed hazardous. ([Link](#) to Safe Routes to School Infrastructure Prioritization tool.)
3. Work with schools to ensure proper training and attire for Crossing Guards and to ensure conformity with the standards outlined in the Oregon Department of Education's Traffic Patrol Manual for Schools, [linked here](#).
4. Work with schools to support the Safe Routes to School Program efforts. The goals of the Safe Routes to School program are to promote and facilitate the use of active and shared transportation for the school commute; encourage a healthy and active lifestyle at an early age; facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption and air pollution surrounding schools. This includes support of Walk & Roll to School Days in October and May; Pedestrian and Bicycle Safety Education classes; Learn to Ride a Bike programming; and other related efforts that fall within the 6 "E's" (Engineering, Equity, Engagement, Encouragement, Education and Evaluation.)

List of All 4J Schools with Location and Enrollment

Elementary Schools

Adams Elementary School

Adams Elementary School is located at 950 W. 22nd Avenue in Eugene, Oregon serving students grades K-5. The student population is approximately 390 students.

Awbrey Park Elementary School

Awbrey Park Elementary School is located at 158 Spring Creek Drive in Eugene, Oregon serving students grades K-5. The student population is approximately 419 students.

Buena Vista Spanish Immersion Elementary School

Buena Vista Spanish Immersion Elementary School is located at 1500 Queens Way in Eugene, Oregon serving students grades K-5. The student population is approximately 421 students.

Camas Ridge Elementary School

Camas Ridge Elementary School is located at 1150 E. 29th Avenue in Eugene, Oregon serving students grades K-5. The student population is approximately 255 students.

Cesar E. Chavez Elementary School

Cesar E. Chavez Elementary School is located at 1510 W. 14th Avenue in Eugene, Oregon serving students grades K-5. The student population is approximately 368 students.

Charlemagne French Immersion Elementary School

Charlemagne French Immersion Elementary School is located at 3875 Kincaid Street in Eugene, Oregon serving students grades K-5. The student population is approximately 302 students.

Chinese Language Immersion Program

Chinese Language Immersion Program is located at 2200 Bailey Hill Road in Eugene, Oregon serving students grades K-5. This is a new program and student enrollment is 110.

Edgewood Community Elementary School

Edgewood Community Elementary School is located at 577 E. 46th Avenue in Eugene, Oregon serving students grades K-5. The student population is approximately 429 students.

Edison Elementary School

Edison Elementary School is located at 1328 E. 22nd Avenue in Eugene, Oregon serving students grades K-5. The student population is approximately 332 students.

Family School (Elementary)

Family School Elementary is located at 1155 Crest Drive in Eugene, Oregon serving students grades K-5. The student population is approximately 112 students.

Gilham Elementary School

Gilham Elementary School is located at 3307 Honeywood Street in Eugene, Oregon serving students grades K-5. The student population is approximately 591 students.

Holt Elementary School

Bertha Holt Elementary School is located at 770 Calvin Street in Eugene, Oregon serving students grades K-5. The student population is approximately 488 students.

Howard Elementary Technology Immersion School

Howard Elementary Technology Immersion School is located at 700 Howard Avenue in Eugene, Oregon serving students grades K-5. The student population is approximately 502 students.

McCornack Elementary School

McCornack Elementary School is located at 1968 Brittany Street in Eugene, Oregon serving students grades K-5. The student population is approximately 313 students.

River Road/El Camino del Rio Elementary School

River Road/El Camino del Rio Elementary School is located at 120 W. Hilliard Lane in Eugene, Oregon serving students grades K-5. The student population is approximately 436 students.

Spring Creek Elementary School

Spring Creek Elementary School is located at 560 Irvington Drive in Eugene, Oregon serving students grades K-5. The student population is approximately 254 students.

Twin Oaks Elementary School

Twin Oaks Elementary School is located at 85916 Bailey Hill Road in Eugene, Oregon serving students grades K-5. The student population is approximately 216 students.

Willagillespie Elementary School

Willagillespie Elementary School is located at 1125 Willagillespie Road in Eugene, Oregon serving students grades K-5. The student population is approximately 418 students.

Yujin Gakuen Japanese Immersion Elementary School

Yujin Gakuen Japanese Immersion Elementary School is located at 850 Howard Avenue in Eugene, Oregon (as of 2023-24) serving students grades K-5. The student population is approximately 214 students.

Fox Hollow Instructional Center

Fox Hollow Instructional Center is located at 5055 Mahalo Drive in Eugene, Oregon serving students grades K-12. The student population is approximately 0 students.

Middle Schools

Arts & Technology Academy

Arts & Technology Academy is located at 1650 W. 22nd Avenue in Eugene, Oregon serving students grades 6-8. The student population is approximately 372 students.

Cal Young Middle School

Cal Young Middle School is located at 2555 Gilham Road in Eugene, Oregon serving students grades 6-8. The student population is approximately 493 students.

Kelly Middle School

Kelly Middle School is located at 850 Howard Road Avenue in Eugene, Oregon serving students grades 6-8. The student population is approximately 430 students.

Kennedy Middle School

Kennedy Middle School is located at 2200 Bailey Hill Road in Eugene, Oregon serving students grades 6-8. The student population is approximately 355 students.

Madison Middle School

Madison Middle School is located at 875 Wilkes Drive in Eugene, Oregon serving students grades 6-8. The student population is approximately 413 students.

Monroe Middle School

Monroe Middle School is located at 2800 Bailey Lane in Eugene, Oregon serving students grades 6-8. The student population is approximately 522 students.

Roosevelt Middle School

Roosevelt Middle School is located at 500 E. 24th Avenue in Eugene, Oregon serving students grades 6-8. The student population is approximately 550 students.

Spencer Butte Middle School

Spencer Butte Middle School is located at 500 E. 43rd Avenue in Eugene, Oregon serving students grades 6-8. The student population is approximately 337 students.

High Schools

Churchill High School

Churchill High School is located at 1850 Bailey Hill Road in Eugene, Oregon serving students grades 9-12. The student population is approximately 1043 students.

Eugene Education Options Program

Eugene Education Options is located at 200 N Monroe Street in Eugene, Oregon serving students grades 9-12. The student population is approximately 65 students.

North Eugene High School

North Eugene High School is located at 200 Silver Lane in Eugene, Oregon serving students grades 9-12. The student population is approximately 1094 students.

Sheldon High School

Sheldon High School is located at 2455 Willakenzie Road in Eugene, Oregon serving students grades 9-12. The student population is approximately 1441 students.

South Eugene High School

South Eugene High School is located at 400 E. 19th Avenue in Eugene, Oregon serving students grades 9-12. The student population is approximately 1503 students.

Descriptions and Maps of Hazards

Adams Elementary

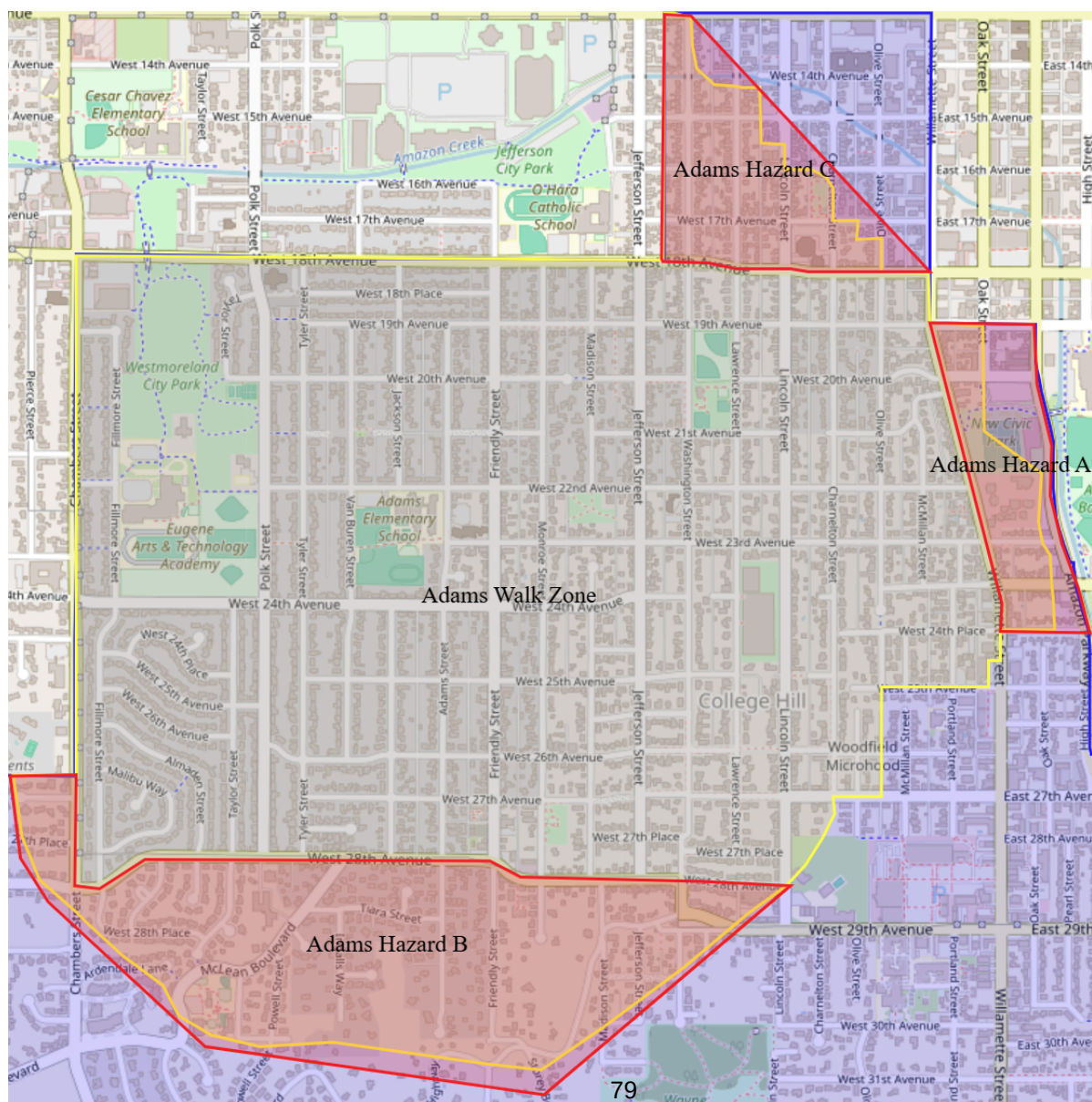
Total Enrollment: 390

Approx. Number of Students Affected: 60

Hazard A: Willamette Street between 19th-25th Avenues - arterial, crash history, difficult crossing.

Hazard B: W 28th/29th Avenue between Chambers Street and Lincoln Street (with the exception of Friendly Street to Jefferson Street) - arterial, crash history, crossing safety.

Hazard C: 18th Avenue between Willamette Street and Jefferson Street - arterial, crash history, crossing safety.



Awbrey Park Elementary

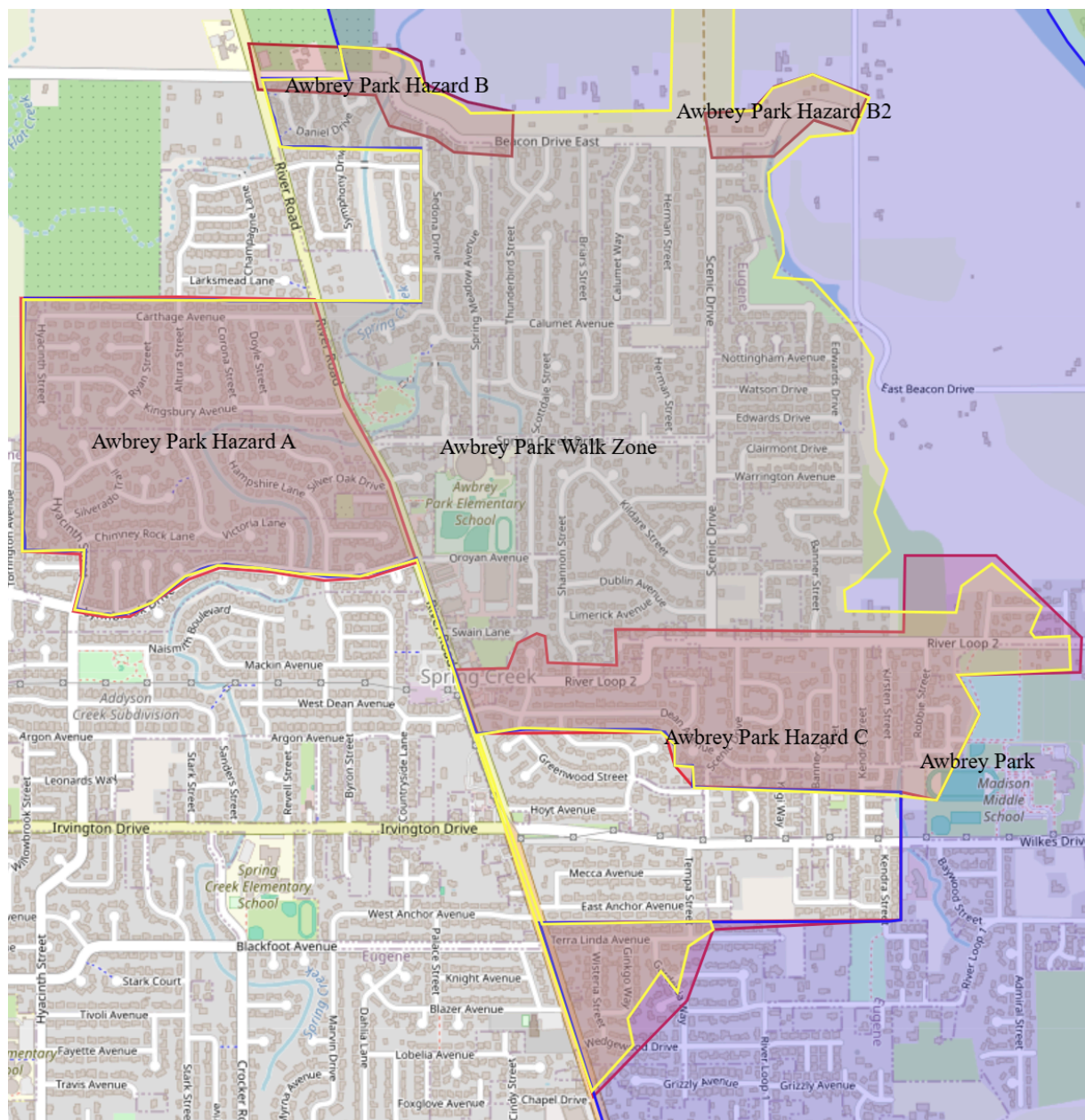
Total Enrollment: 419

Approx. Number of Students Affected: 91

Hazard A: River Road between Beacon Drive and Blackfoot Avenue - major arterial, crash history, difficult crossing

Hazard B: Beacon Drive between River Road & Futura and between Scenic to River Loop 1 - high posted speed, poor sight lines with no available walking or biking space

Hazard C: River Lp #2 - high posted speed, limited walking or biking space



Cesar Chavez Elementary

Total Enrollment: 368

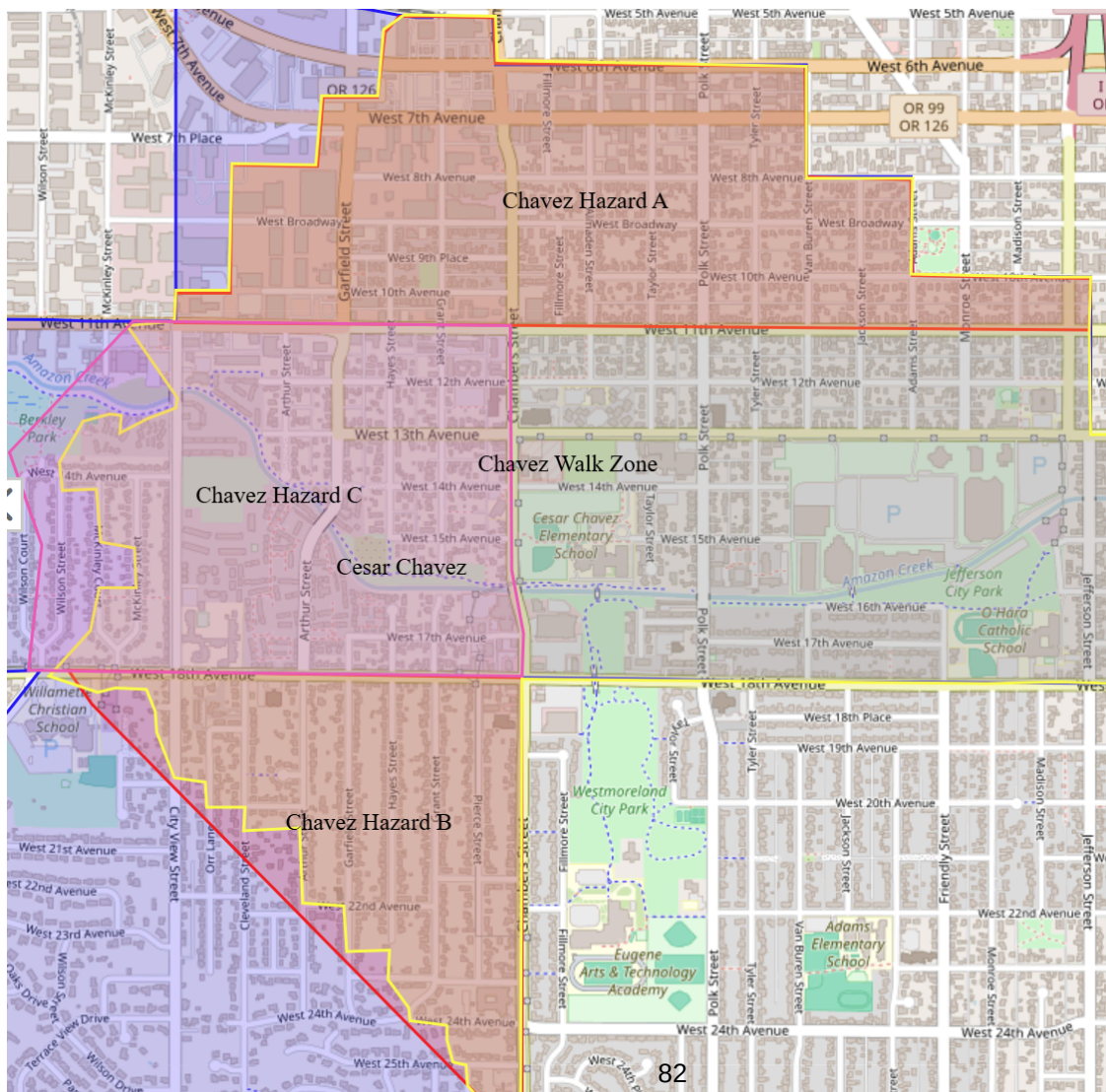
Approx. Number of Students Affected: 156

Hazard A: 11th Avenue - arterial, difficult crossing, crash history; 7th Avenue - arterial, difficult crossing, crash history; 6th Avenue - arterial, difficult crossing, crash history

Hazard B: 18th Avenue between Chambers Street and Hawkins - arterial, difficult crossing, crash history; Chambers between 18th and 25th - arterial, difficult crossing, multiple lanes, crash history

Hazard C*: Chambers Street between 11th and 18th Avenues - arterial, difficult crossing, multiple lanes, crash history.

*Use a crossing guard for this location rather than a bus. The projected annual cost for busing for this hazard is \$8,392. The cost for 1 hour of crossing guard time/day is projected to be \$4,944.



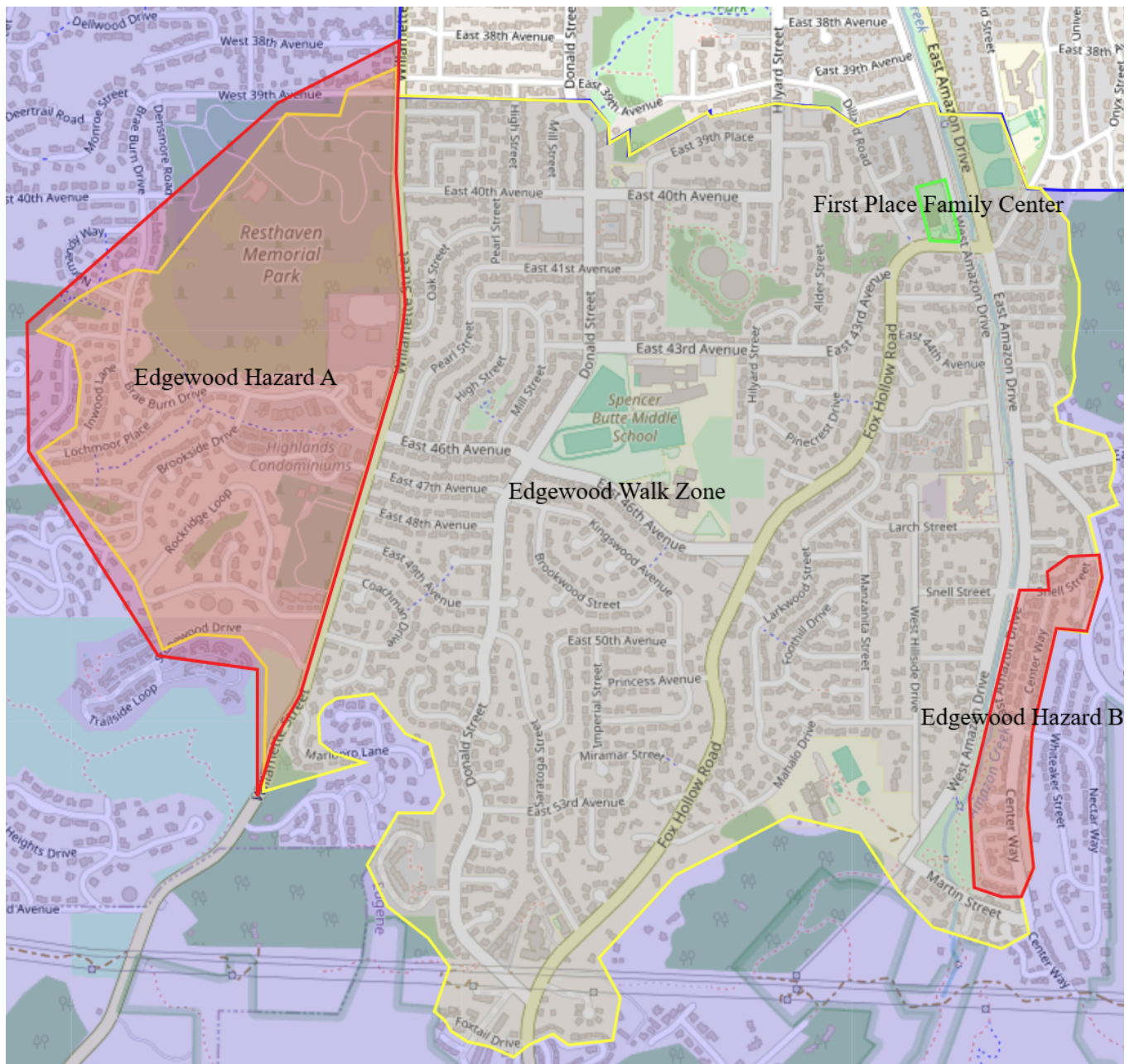
Edgewood Elementary

Total Enrollment: 429

Approx. Number of Students Affected: 32

Hazard A: Willamette Street between 37th Avenue & Spencers Crest - difficult crossing, high posted speed limit, crash history

Hazard B: Snell Street between East and West Amazon- narrow roadway, narrow verge, and an open/not-railed water crossing.



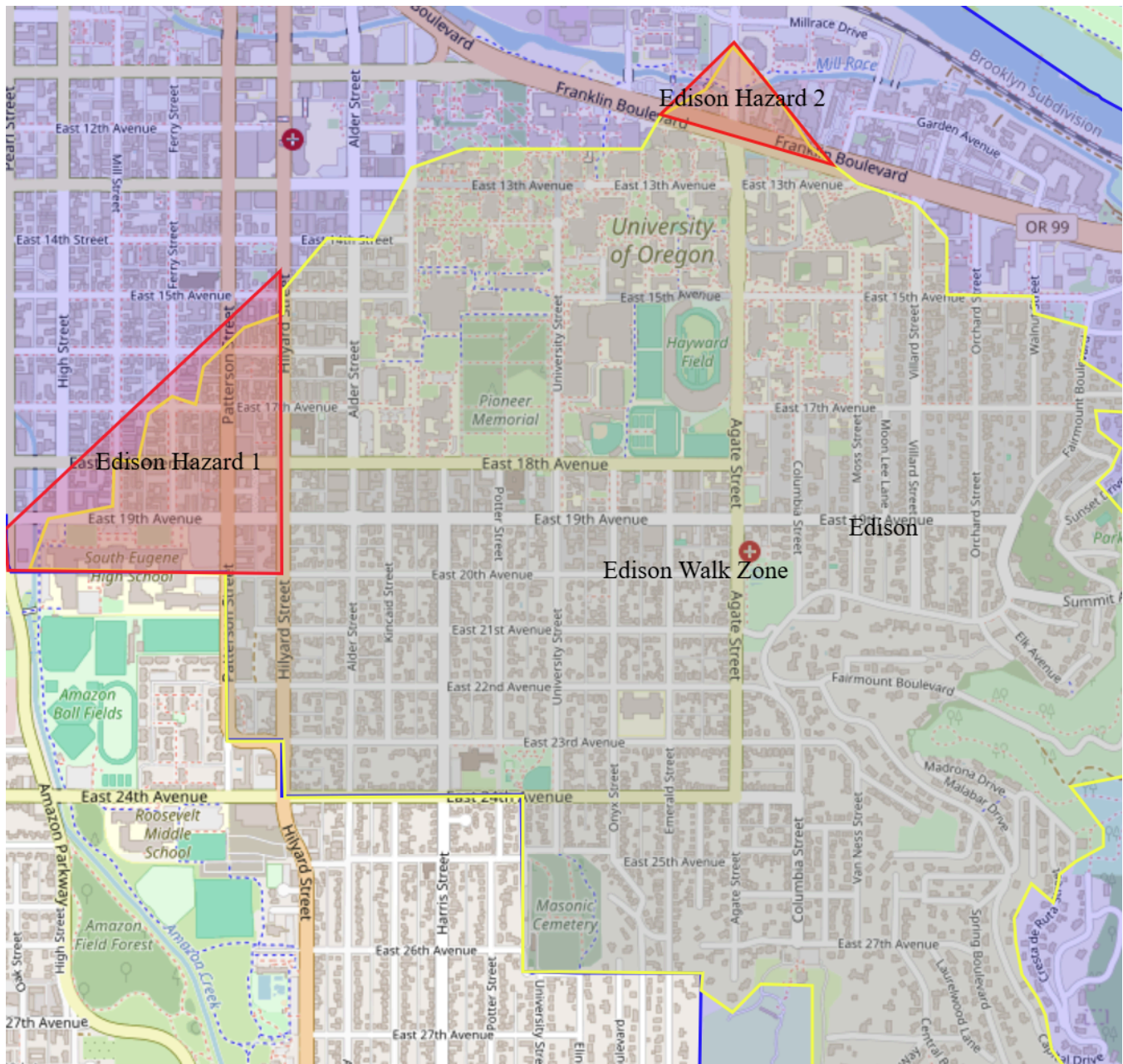
Edison Elementary

Total Enrollment: 332

Approx. Number of Students Affected: 13

Hazard A: Hilyard Street between 15th & 20th Avenue - arterial, difficult crossing, crash history

Hazard B: Franklin Boulevard between 11th Avenue and Agate Street - arterial, difficult crossing, crash history

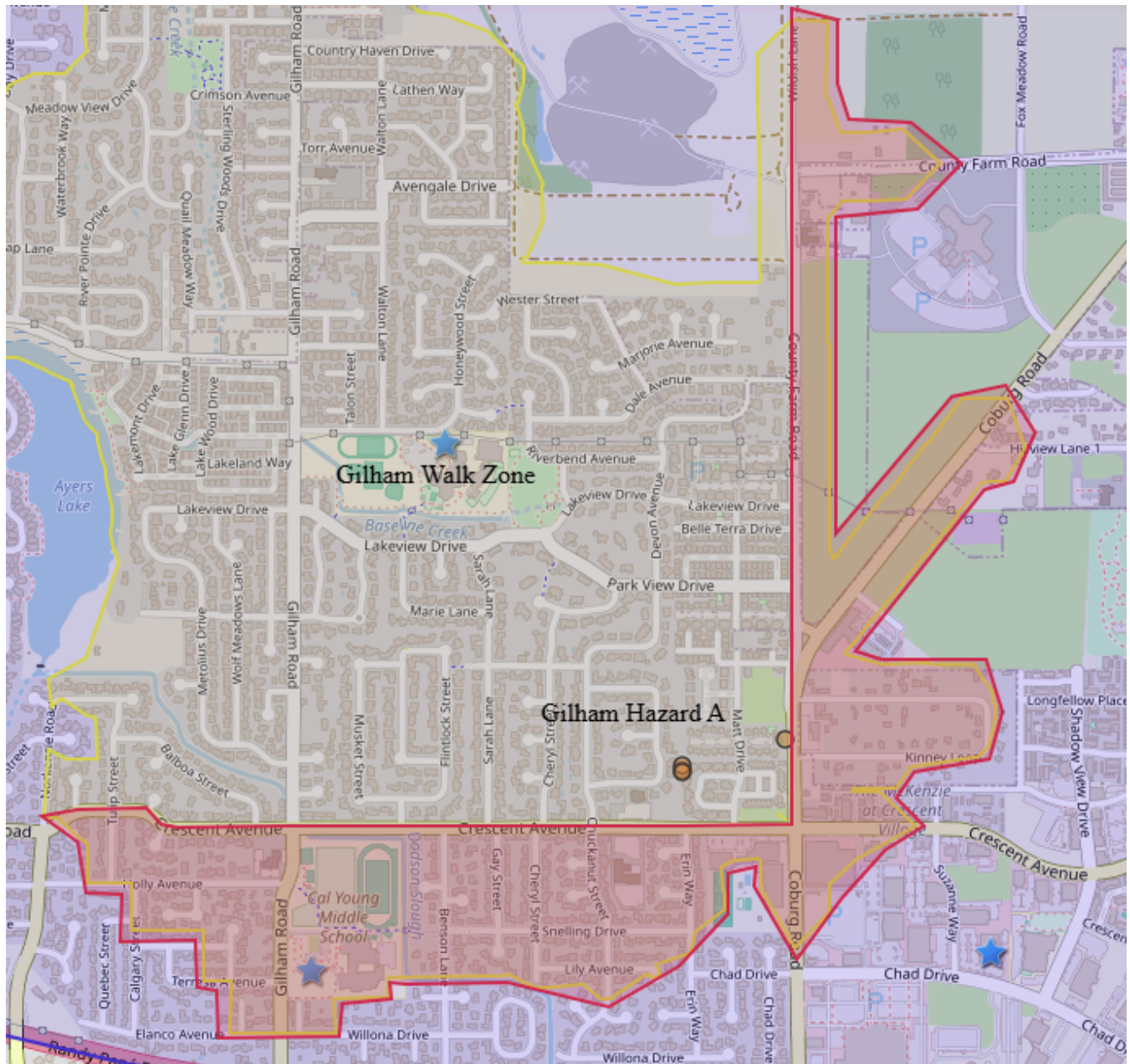


Gilham Elementary

Total Enrollment: 591

Approx. Number of Students Affected: 42

Hazard A: Crescent Avenue between Norkenzie Road & Coburg Road - arterial, crash history, difficult crossing; Coburg Road - major arterial, difficult crossing, multiple lanes



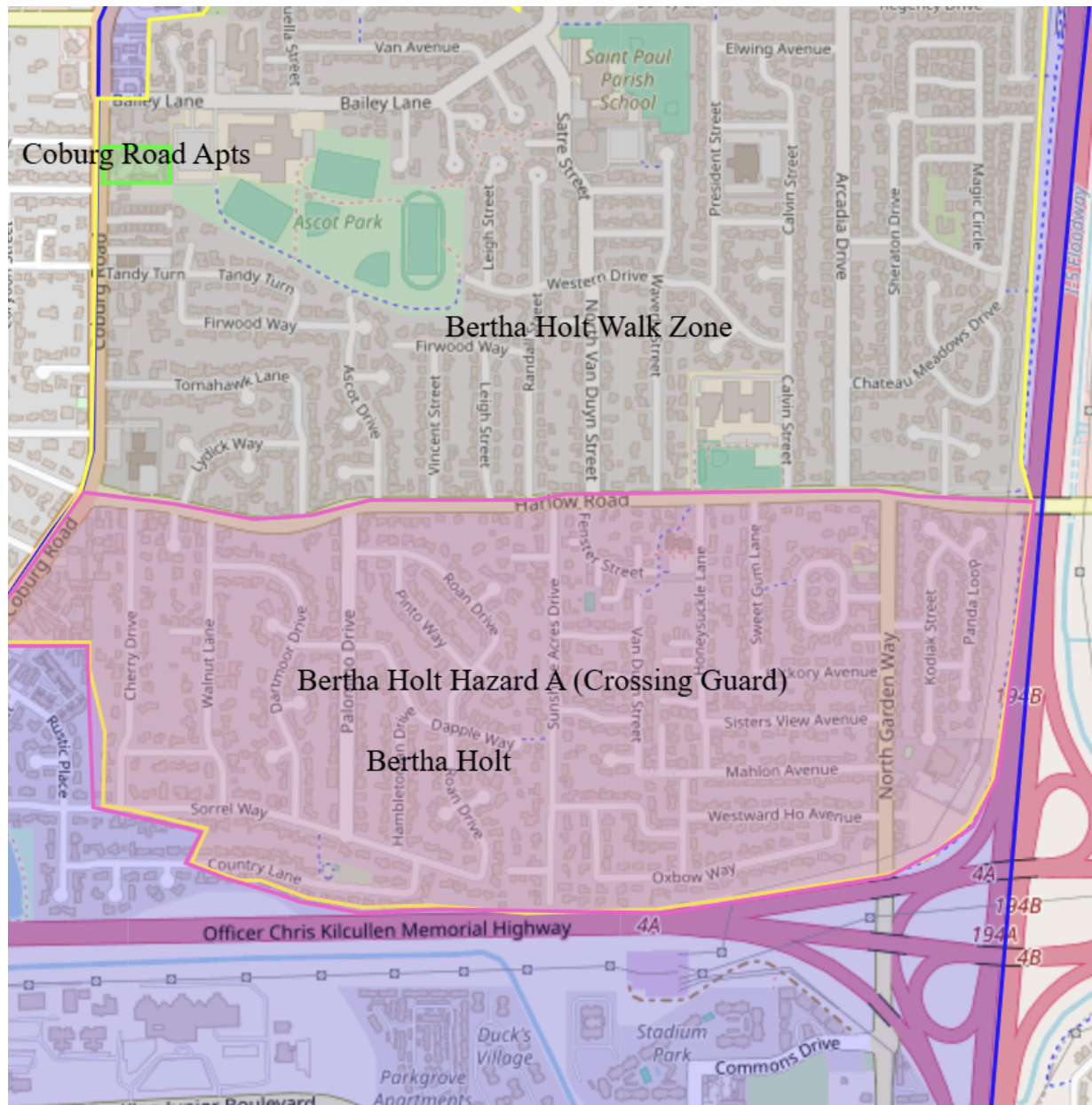
Holt Elementary

Total Enrollment: 488

Approx. Number of Students Affected: 87

Hazard A*: Harlow Road - arterial, high posted speed, crash history

*Use a crossing guard at Harlow and the light between Honeysuckle Lane and Sweet Gum Lane for this location rather than a bus. The projected annual cost for busing for this hazard is \$8,392. The cost for 1 hour of crossing guard time/day is projected to be \$4,944.

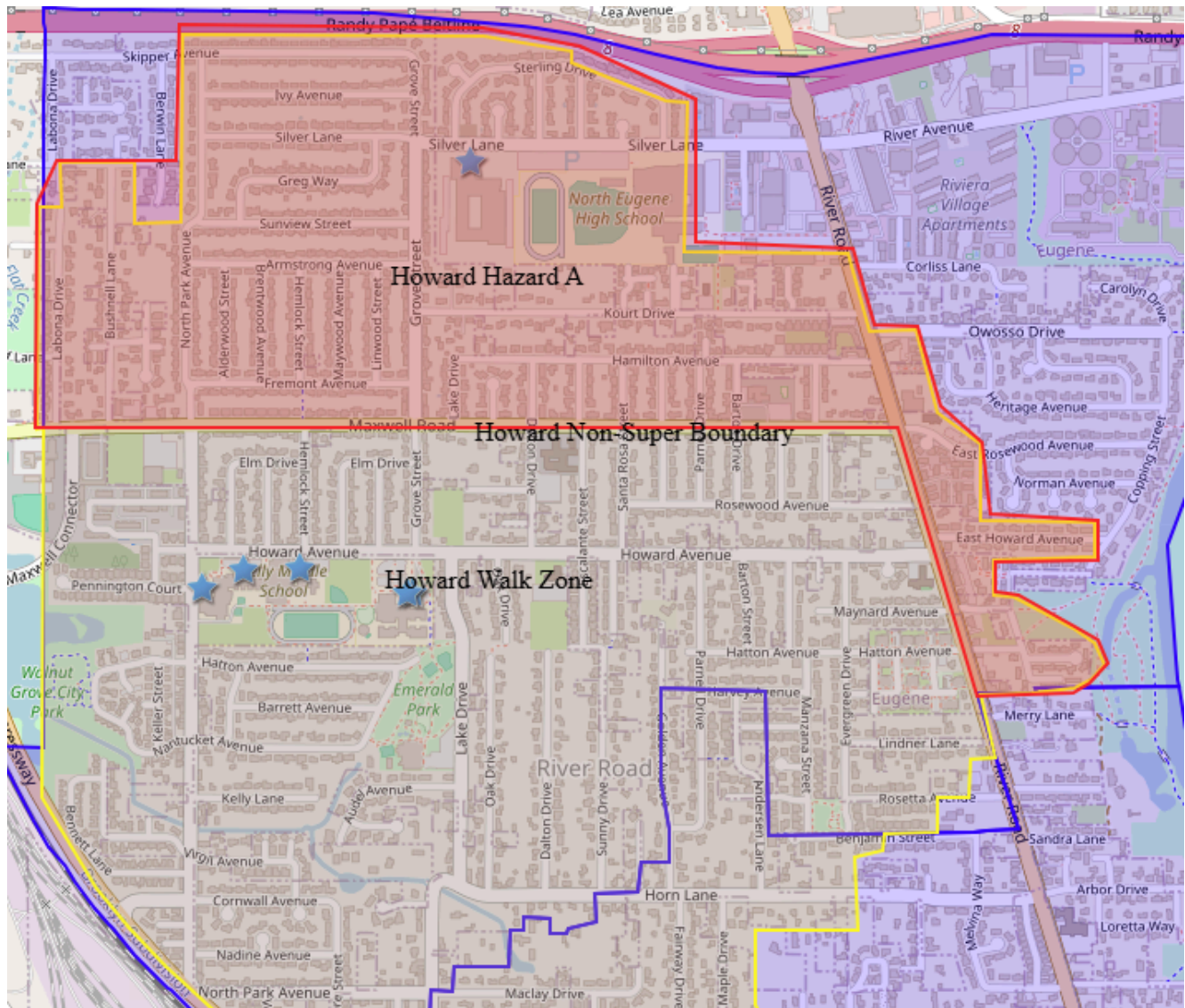


Howard Elementary

Total Enrollment: 502

Approx. Number of Students Affected: 127

Hazard A: River Road - major arterial, high posted speed, crash history, difficult crossing;
Maxwell Road - arterial, high posted speed, crash history

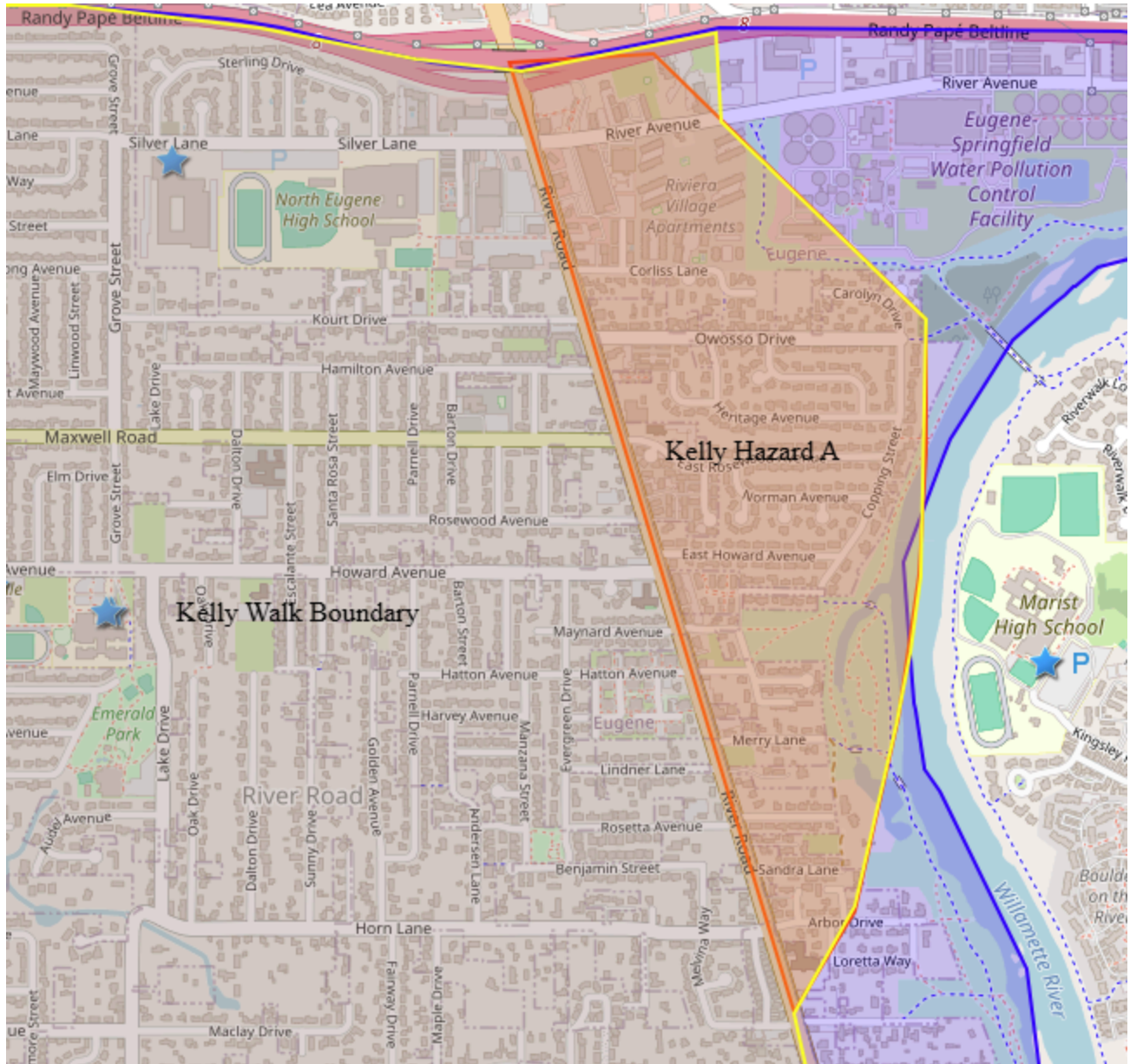


Kelly Middle School

Total Enrollment: 430

Approx. Number of Students Affected: 35

Hazard A: River Road - major arterial, high posted speed, crash history, difficult crossing

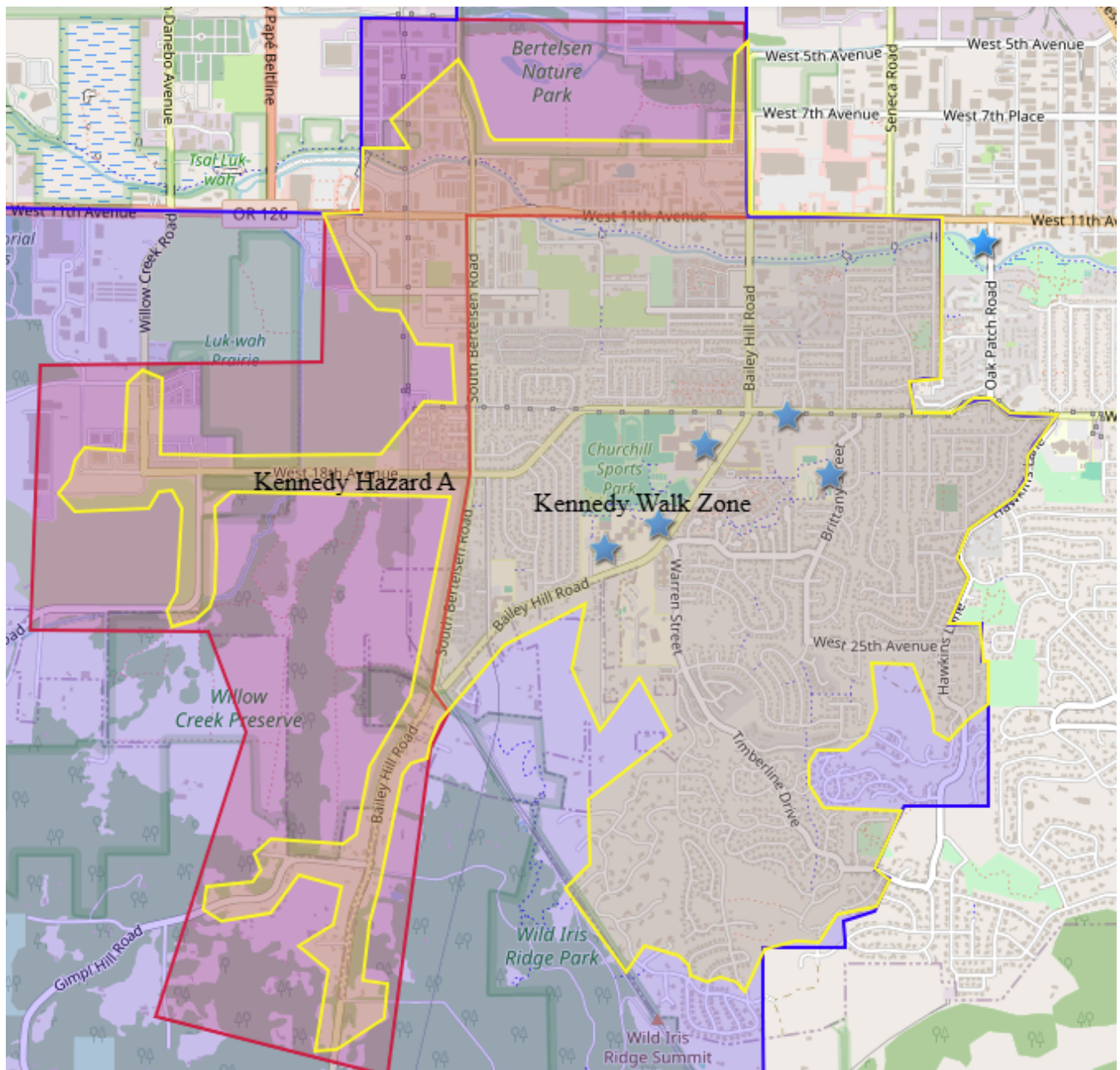


Kennedy Middle School

Total Enrollment: 355

Approx. Number of Students Affected: 20

Hazard A: Bertelsen Rd. between Bailey Hill & 18th - arterial, high posted speed, no walking or biking space, difficult crossing; Bailey Hill Road between Bertelsen Rd. and Klouts - arterial, high posted speed, little walking or biking space, difficult crossing; West 11th Avenue - major arterial, multiple lanes, crash history



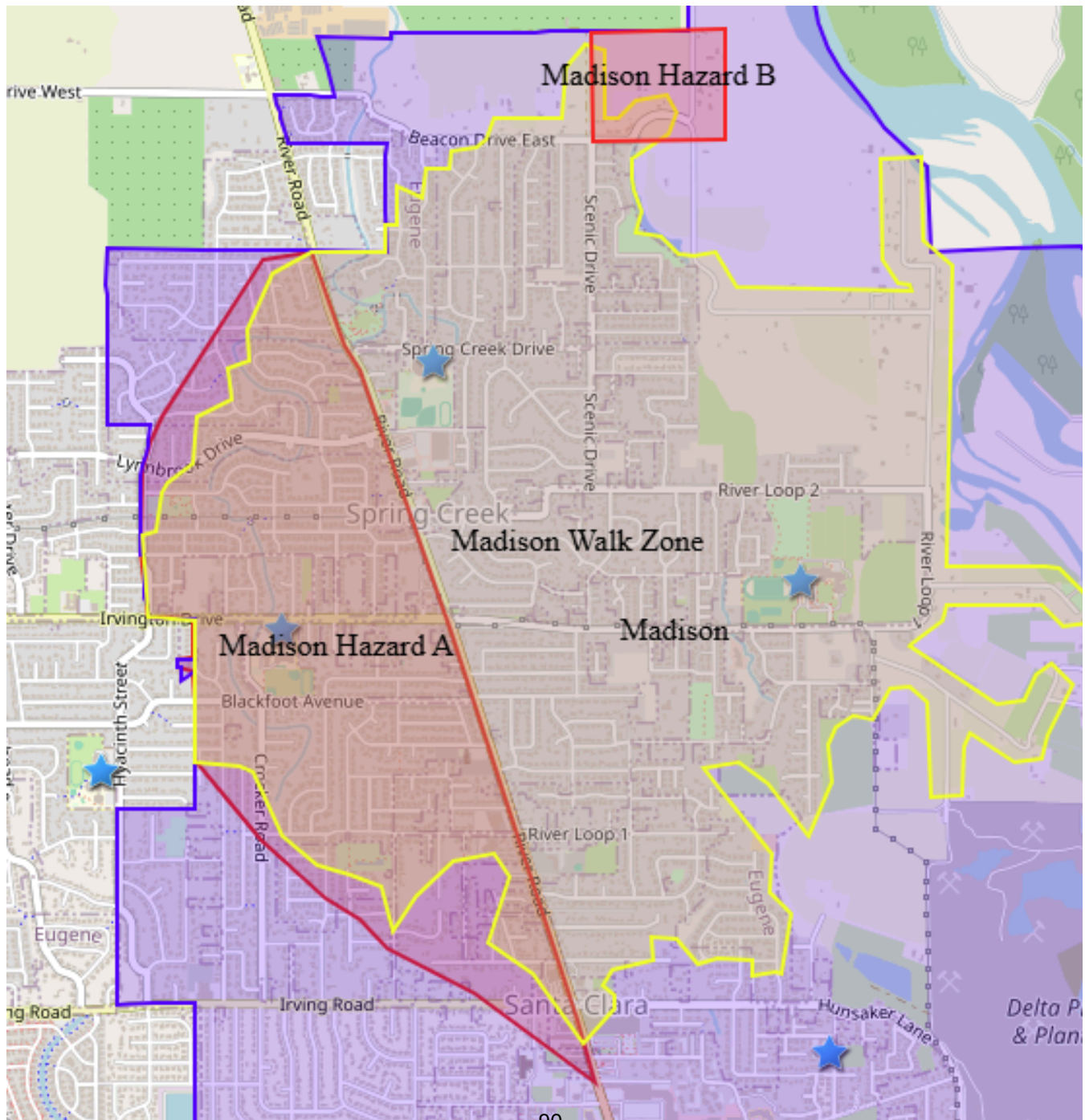
Madison Middle School

Total Enrollment: 413

Approx. Number of Students Affected: 76

Hazard A: River Road - major arterial, high posted speed, crash history, difficult crossing
Irving Road - crash history, difficult crossing, high speed

Hazard B: Beacon, east of Scenic - no walking space, blind curve, no lighting, high posted speed



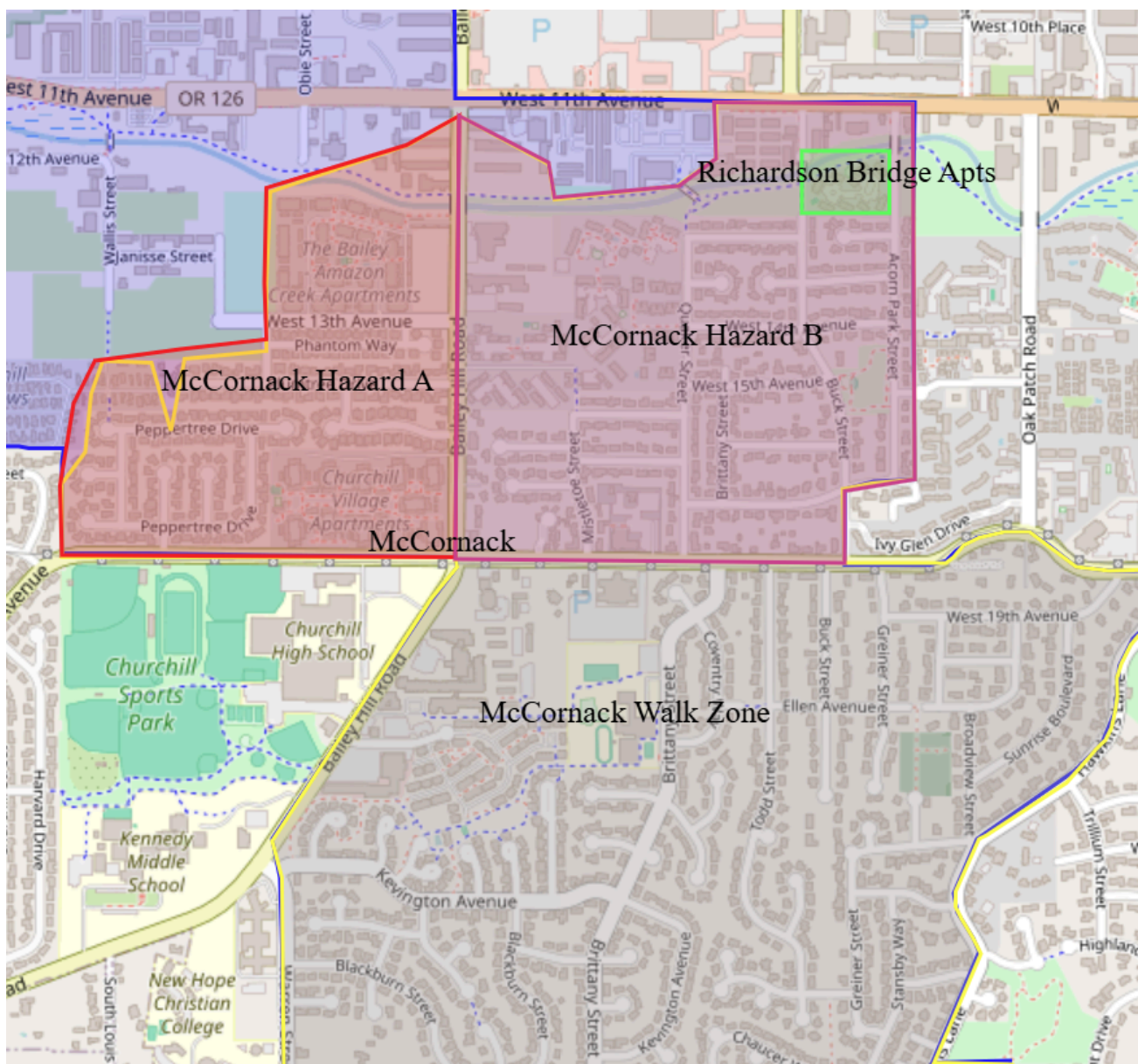
McCornack Elementary

Total Enrollment: 313

Approx. Number of Students Affected: 146

Hazard A: Bailey Hill Road – north of 18th - arterial, high posted speed, crash history, difficult crossing

Hazard B*: West 18th Avenue between Bailey Hill Road and Buck Street - arterial, crash history, difficult crossing *Use a crossing guard at 18th and Brittany for this location rather than bus. The projected annual cost for busing is \$6,731. The cost for 1.25 hours of crossing guard time/day is projected to be \$6,180.

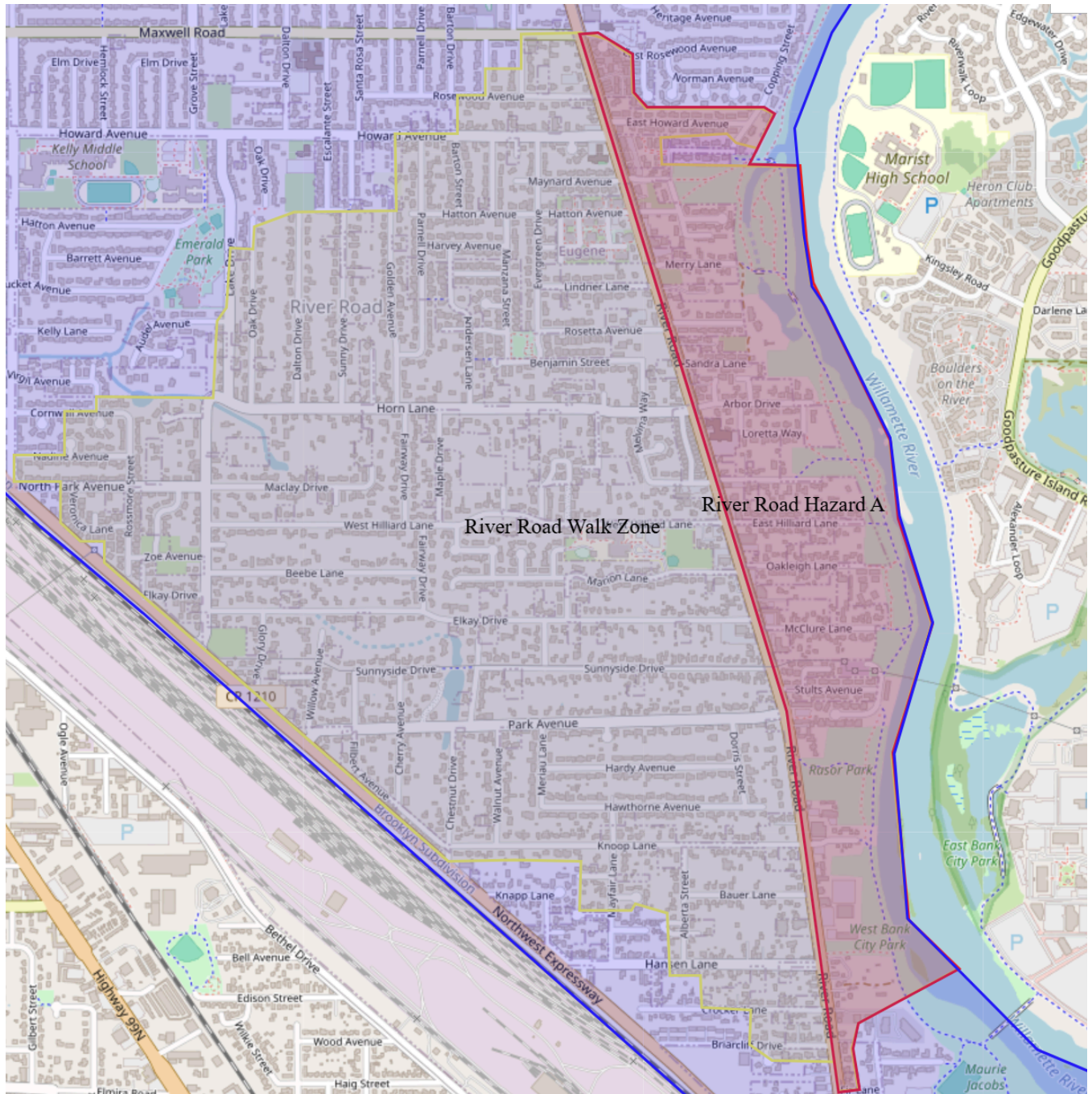


River Road Elementary

Total Enrollment: 436

Approx. Number of Students Affected: 24

Hazard A: River Road - major arterial, high posted speed, crash history, difficult crossing



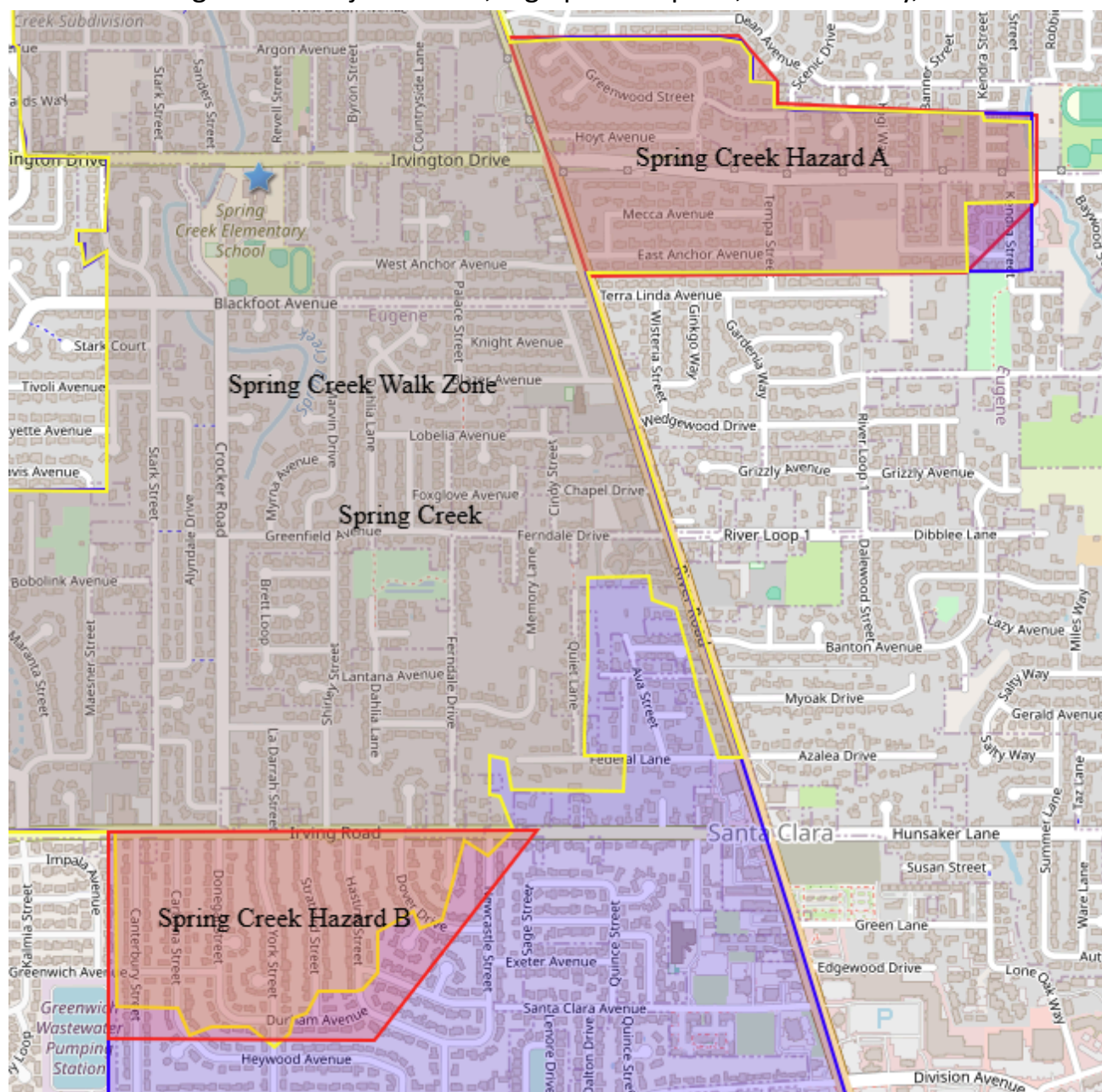
Spring Creek Elementary

Total Enrollment: 254

Approx. Number of Students Affected: 51

Hazard A: River Road - major arterial, high posted speed, crash history, difficult crossing

Hazard B: Irving Road – major arterial, high posted speed, crash history, difficult crossing



Spencer Butte

Total Enrollment: 351

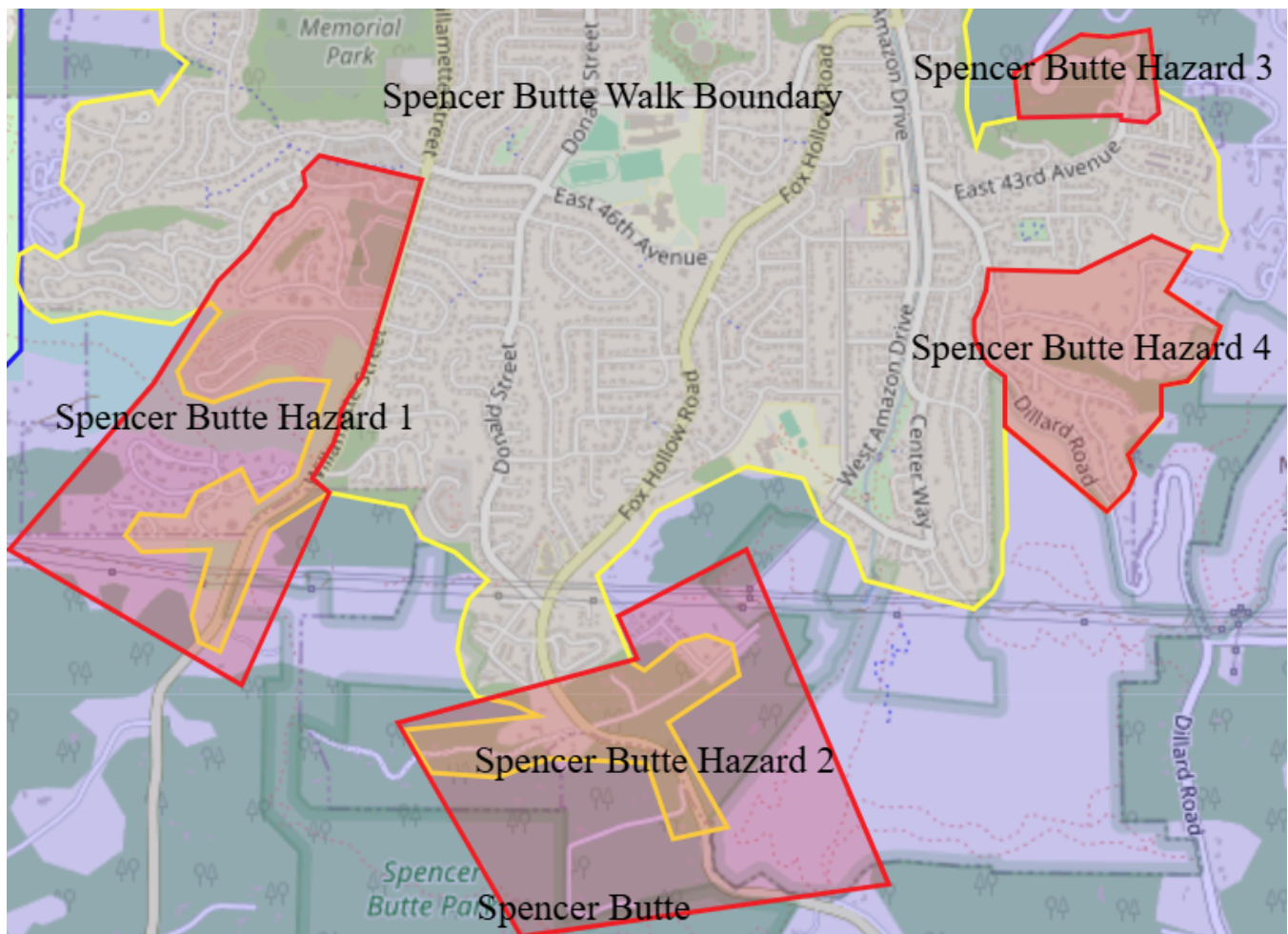
Approx. Number of Students Affected: 20

Hazard 1: Willamette Southwest of 46th to past 52nd - high crash history, high posted speed limit, arterial, difficult crossing to sidewalk

Hazard 2: Fox Hollow past Woodleaf to Owl/West Amazon - no walking space, curves limit visibility, no lighting, difficult crossing

Hazard 3: Dillard Road just south of Snell - no walking space, difficult crossing, dangerous intersection at Dillard/Old Dillard, high posted speeds, no lighting

Hazard 4: North Shasta Loop (off East 43rd to Shasta View) - no walking space, difficult crossing, curves, road floods, no lighting

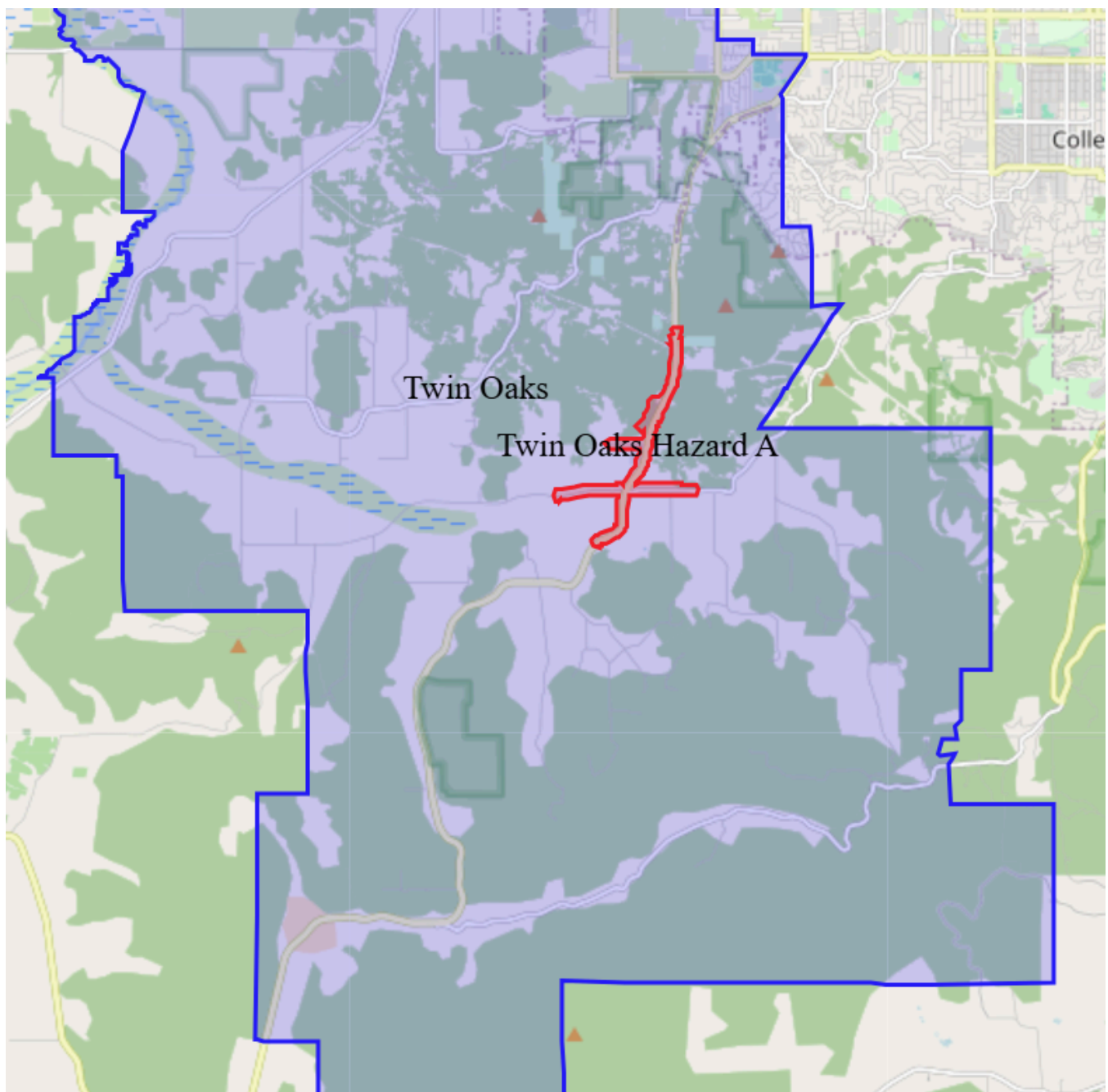


Twin Oaks Elementary

Total Enrollment: 216

Approx. Number of Students Affected: 2

Hazard A: Bailey Hill Road - difficult crossing, high speed, no safe walking/biking space;
Spencer Creek Road/Lorane Highway - difficult crossing, high speed, no safe walking/biking space



Attendance Informed Equity Transportation Program

In order to support equitable outcomes for all students, 4J is proposing to establish transportation eligibility for elementary students living in certain low-income housing complexes based on attendance concerns. The rationale for this proposal is that there is an identifiable link between attendance rates and academic outcomes, and consistent access is an issue for certain housing complexes. Transportation eligibility would remove an access barrier and support higher attendance.

Methodology

Three criteria points were established to ensure even application across the district.

- A qualifying low-income housing complex will have 10 or more units, and will be identified either as housing for qualifying low-income Lane County residents by a low-income housing agency recognized by Lane County or as an emergency shelter for families experiencing homelessness in Lane County.
- A qualifying low-income housing complex will be located more than 0.7 miles from the elementary school for the school board specified attendance area.
- A qualifying low-income housing complex will have fewer than 70% of the students residing at that complex attending 90% or more school days at the elementary school for the school board specified attendance area. (As measured for the first semester of the 2024-2025 school year.)

Descriptions and Maps of Attendance Informed Equity Transport

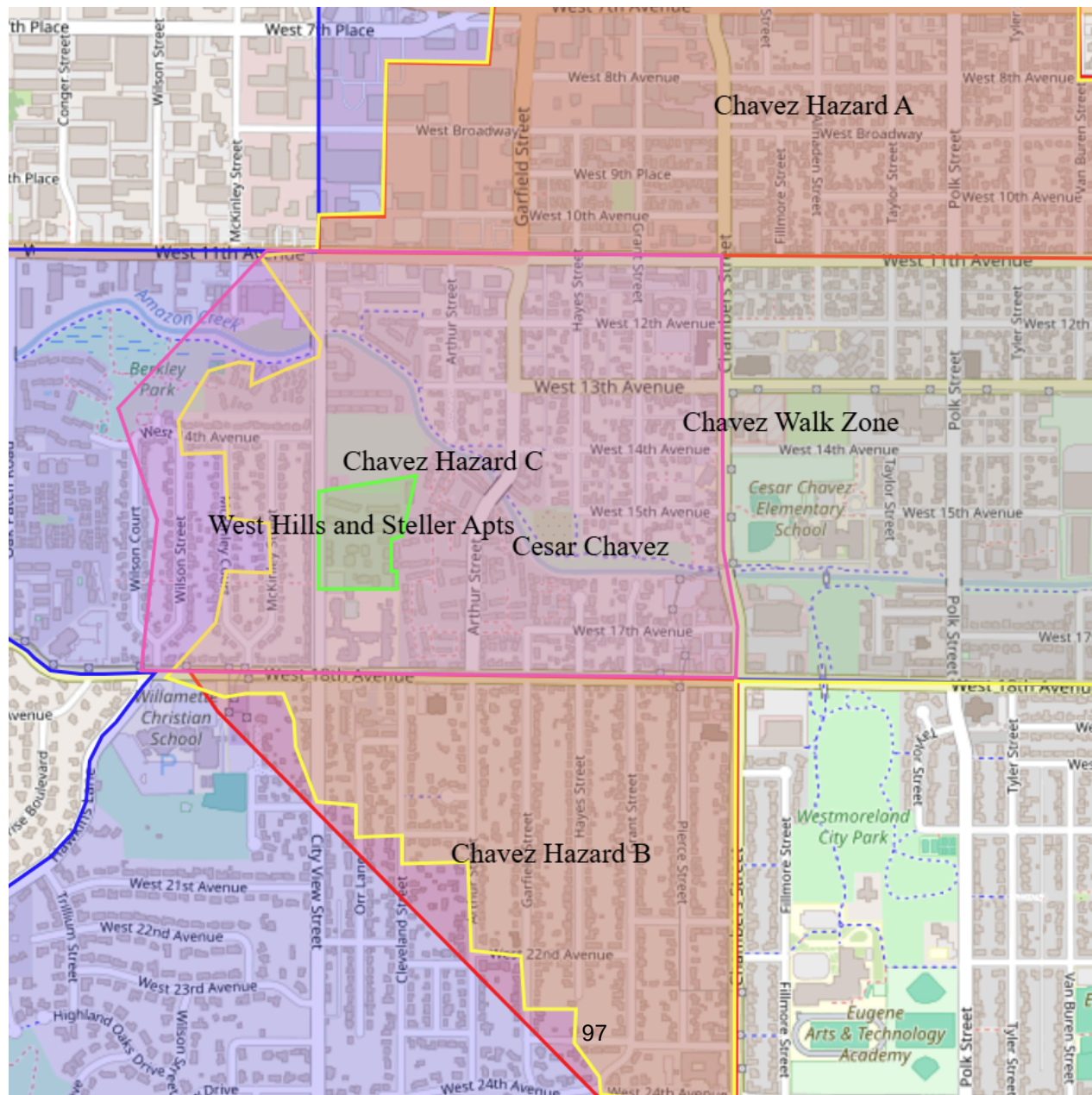
Cesar Chavez Elementary

Total Enrollment- 368

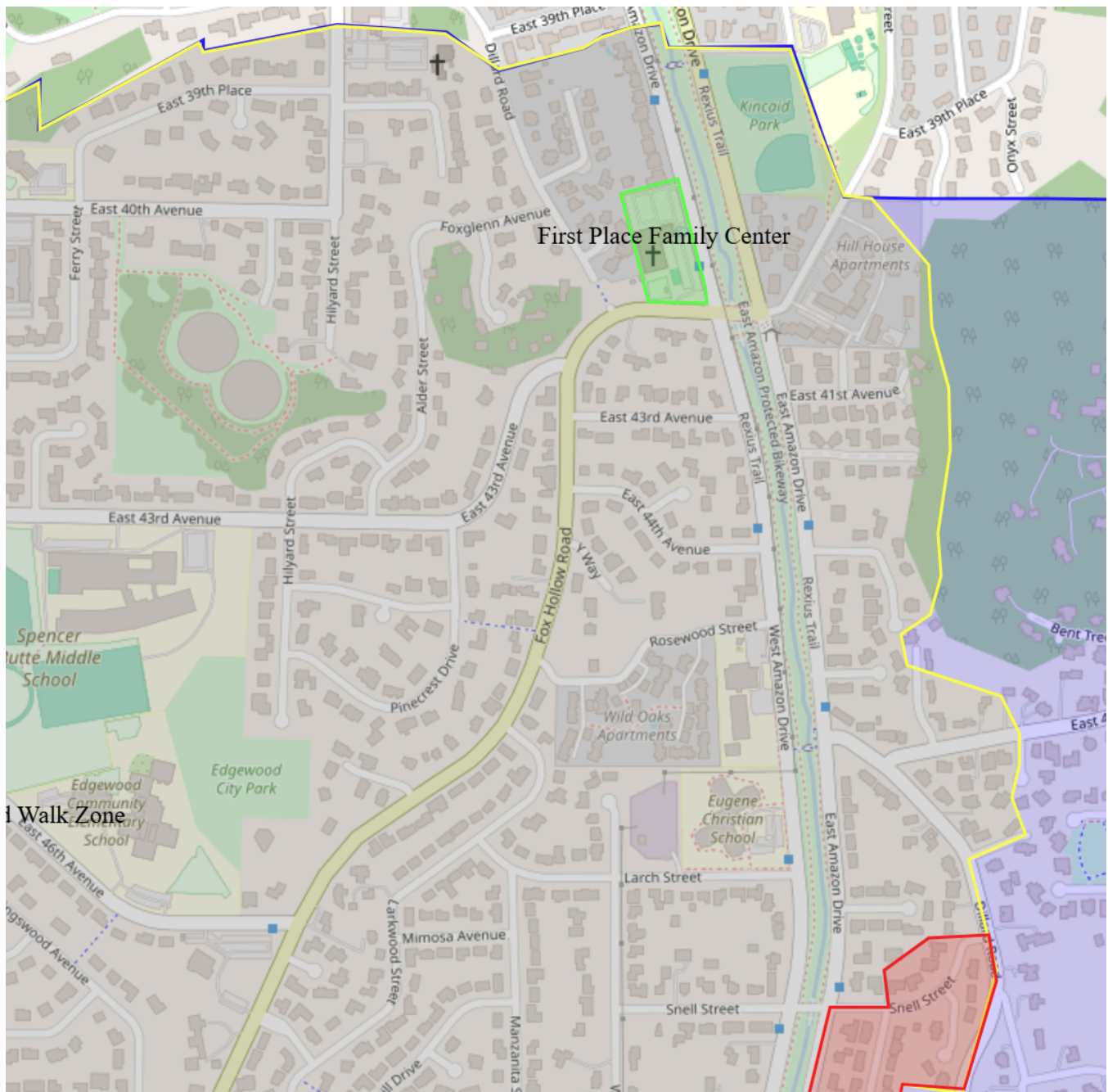
Housing Complex- West Hills and Steller Apts. (1459-1563 City View St)

67% of students at or above 90% attendance

Approx. Number of Students Affected- 21



Approx. Number of Students Affected- 4



Holt Elementary

Total Enrollment- 488

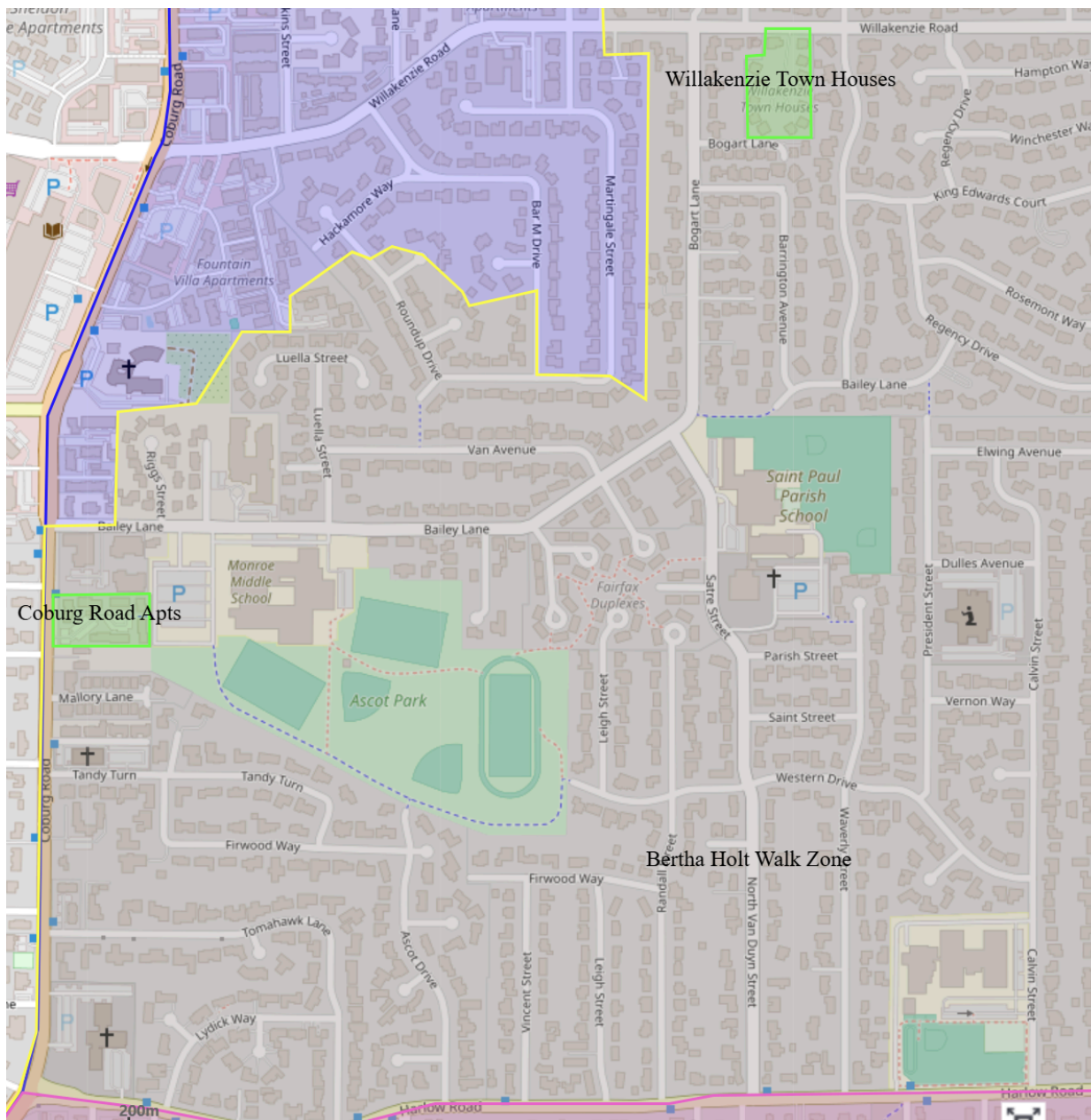
Housing Complex- Coburg Road Apts (1121-1139 Coburg Rd)

60% of students at or above 90% attendance

Housing Complex- Willakenzie Town Houses (3202-3248 Willakenzie Rd)

62% of students at or above 90% attendance

Approx. Number of Students Affected- 18



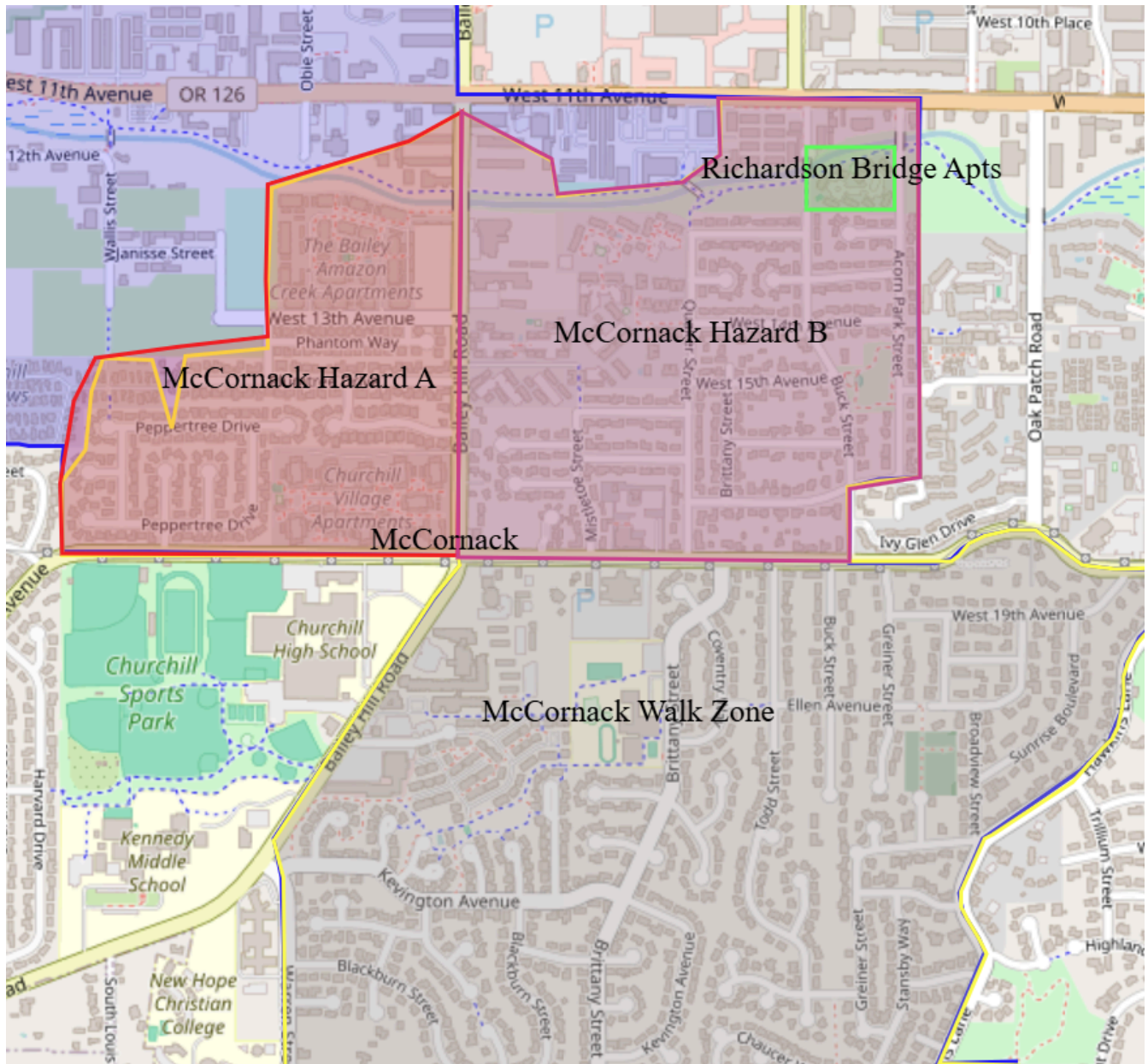
McCornack Elementary

Total Enrollment- 313

Housing Complex- Richardson Bridge Apts. (1202-1238 Acorn Park St)

36% of students at or above 90% attendance

Approx. Number of Students Affected- 11



Equity Informed Temporary Transport Program

4J will continue to pilot an Equity Informed Temporary Transport Program for the school years 2025/26 and 2026/27. During this time 4J will document program use, and evaluate its efficacy regarding attendance and successful transitions away from temporary district provided transportation.

Rational- At times transportation based attendance barriers are identified that otherwise would not normally qualify a student for district provided transportation. When these barriers are identifiable as an equity concern, this program seeks to remove this barrier by providing district transport for up to three months while long-term solutions are sought.

Process and expectations

- Each equity informed transportation plan will be established and evaluated on a case-by-case basis. A serious attendance concern coupled with an equity issue that negatively impacts accessing the educational facility must be demonstrated to utilize this program.
 - Equity considerations may include, but not be limited to: poverty, hate and bias, language barriers/new arrivals, student or family medical problems, and general education director equity informed placements.
- Each equity informed transportation plan will outline a path to resolve the circumstances that challenges the students' ability to get to and from school by other means. District support team and the family will work together to develop and execute this plan.
 - The District support team may include Building administration, Office of Family Support, Safe Routes to School, Transportation, Student Services (SSD), Equity In Academic Advancement Managers, Office of School Choice, and School Safety and Emergency Management.
- All equity informed transportation plans, must be reviewed by, and have the approval of both an Educational Director, and the Director of Transportation. Directors will evaluate equity informed transportation plan proposals in keeping with district values outlined in Board Policies and utilizing the district Equity Decision Making Tool.

Safety Informed Temporary Transport Program

4J will add certain safety concerns to the Temporary Transport Program pilot. As with the Equity Informed Transport Program, 4J will document program use and evaluate the efficacy of the program related to attendance and a transition away from district-provided transportation.

Rational - In some cases, students face hazards that temporarily make their route to school either impassible or require a detour that lengthens their route beyond the Walk Zone designations (1 mile for elementary, 1.5 miles for secondary). This program seeks to provide transportation for the duration of the hazard in order to maintain attendance.

Process and Expectations

- Each safety informed temporary transportation plan will be evaluated on a case by case basis annually and as-needed. Cases will be assessed by the Directors of Safety and Transportation and could be related to any of the factors listed below that eliminate safe transportation corridors or that lengthen the route beyond the walk zone:
 - Temporary environmental hazards;
 - Major construction projects;
 - Violent crime;
 - Legal residence of a sex offender;
 - Known location of drug dealing or production;
 - Public drug use and intoxication;
 - Otherwise unsafe environs as determined by the Directors of Safety and of Transportation.
- Each safety informed transportation plan will set a timeline for district-provided transportation based on those circumstances that challenges the students' ability to get to and from school by other means. District support team will collaborate to develop and execute this plan.
- The District support team may include Building administration, Office of Family Support, Safe Routes to School, Transportation, Student Services (SSD), Office of School Choice, and School Safety and Emergency Management.
- All safety informed temporary transportation plans must be reviewed by and have the approval of both the Director of Safety and the Director of Transportation in keeping with district values outlined in Board Policies.

Appendix A- General Transportation Guidelines

Eugene School District 4J

Code:EEA

Adopted: 7/02/73

Revised/Readopted: 7/01/92; 6/01/94; 12/11/02; 6/16/10; 8/15/18; 3/04/20

Orig. Code: EEA; 5640.1; 5640.3

Student Transportation Services

School transportation services will be provided for students to and from school and for transporting students to and from curricular and extracurricular activities sponsored by the district, for transporting from one school or facility to another, and for approved school-sponsored field trips that are extensions of classroom learning experiences. Transportation will be provided for homeless students to and from the student's school of origin¹ as required by the No Child Left Behind Act of 2001 (NCLBA). These services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the Board.

Elementary students (grades K-5) who live more than one mile from school will be transported. Secondary students (grades 6-12) who live more than one and one-half miles from school will be transported. Mileage exceptions for health, safety or disability will be made in accordance with the district's approved supplemental plan.

Students living within specified attendance boundaries shall receive transportation services to their respective schools. In addition, students, including those receiving special education, may be eligible for transportation for health or safety reasons.

Miles from school will be determined by the transportation supervisor in accordance with OAR 581-023-0040 (1) (c).

The district may use Type 10 School Activity Vehicles to transport students from home to school, school to home and from district-sponsored activities.

The district may also provide transportation using federal funds² or through cooperative agreements with local victims assistance units for a student to attend a safe district school³ out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous.

¹ School of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled.

²Federal funds means funds available through Title IV, Part A, and Title V, Part A.

³ If there is not another school in the district to which students can transfer, districts are encouraged, but not required, to explore other appropriate options, i.e., an agreement with a neighboring district.

Student Transportation Services - EEA

If there are no other schools within the district a student may transfer to, the district may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

Students attending any private, parochial or public charter school under the compulsory school attendance laws will, where the private, parochial or public charter school is along or near the bus route, be provided equally the riding privileges given to public school students.

Preschool students with disabilities who have transportation as a related service and children from birth to age three who are enrolled in an eligible program shall be provided home to school transportation.

A seat that fully supports each person and meets the minimum standards and specifications of law will be provided at all times. A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Oregon Department of Transportation under ORS 815.055. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until he/she is four feet nine inches tall or age eight and the adult belt properly fits.⁴ A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under ORS 815.055. In accordance with ORS 811.210 and 811.215 vehicles in excess of 10,000 pounds used for student transportation are exempt from statutory requirements unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

School buses carrying students will be considered extensions of the school experience. All students using school transportation will abide by the code of conduct posted in each school bus or school activity vehicle. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the school bus driver to the supervisor. The transportation supervisor will, as soon as possible, inform the appropriate principal of such occurrence. Violators may be denied use of transportation for a period of time as deemed proper by the principal and transportation supervisor.

The principal or designee shall ensure transportation officials and drivers receive notification of students having special medical or behavioral protocols identified in student records.

Appropriate training related to specific protocols, including confidentiality requirements, will be provided to drivers.

The school bus driver will be responsible for the school bus at all times from departure until return. The driver will not participate in any activities that might impair his/her driving abilities.

⁴ "Proper fit" means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

The district will comply with all state and federal laws and regulations pertaining to school bus transportation

Transportation Between Schools and Day-Care Facilities The district seeks to assist parents, whenever possible, in providing safe, responsible day care for their school-aged children during non-school-working hours. The district will only provide transportation to daycare facilities with the school attendance boundaries and outside the one-mile walking boundary. The district may make exceptions for hazardous walk areas.

The superintendent is responsible for establishing criteria and procedures to implement this policy.

END OF POLICY

Legal Reference(s):

<u>ORS 327.006</u>	<u>ORS 815 .055</u>	<u>OAR 581-053-0031</u>
<u>ORS 327.033</u>	<u>ORS 815 .080</u>	<u>OAR 581-053-0040</u>
<u>ORS 327.043</u>	<u>ORS 820 .100 to-820.190</u>	<u>OAR 581-053-0053</u>
<u>ORS 332.405</u>		<u>OAR 581-053-0060</u>
<u>ORS 332.415</u>	<u>OAR 581-021-0050 to-0075</u>	<u>OAR 581-053-0070</u>
<u>ORS 339.240 to-339.250</u>	<u>OAR 581-022-1530</u>	<u>OAR 581-053-0210</u>
<u>ORS 343.155 to-343.246</u>	<u>OAR 581-023-0040</u>	<u>OAR 581-053-0220</u>
<u>ORS 343 .533</u>	<u>OAR 581-053-0002</u>	<u>OAR 581-053-0230</u>
<u>ORS 343 .155 to-343.243</u>	<u>OAR 581-053-0003</u>	<u>OAR 581-053-0240</u>
<u>ORS 811 .210</u>	<u>OAR 581-053-0004</u>	<u>OAR 735-102-0010</u>
<u>ORS 811 .215</u>	<u>OAR 581-053-0010</u>	

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6315, 7912.

Elementary and Secondary Education Act (ESEA) Flexibility Waiver, July 18, 2012.

McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2005).

Cross Reference(s):

EEAC - School Bus Safety Program

EEACC - Student Conduct on School Buses

Student Transportation Services - EEA

Appendix B- 581-023-0040 Approved Transportation Costs

581-023-0040

Approved Transportation Costs for Payments from the State School Fund

(1) Definitions for the purpose of this rule:

(a) “Elementary School Student” means, notwithstanding any other OAR or statute, pupils attending a school offering only an elementary curriculum, any combination of grades K through 8;

(b) “Secondary School Student” means, notwithstanding any other OAR or statute, pupils attending a school offering any secondary curriculum for grades 9, 10, 11, or 12. Additionally, all students attending a school designated by the local school board through board action as a junior high school or middle school may be considered secondary students;

(c) “Local School Board” means, notwithstanding any other OAR or statute, the local school board for the district in which the student’s legal residence is physically located. Local school boards are not required to provide transportation for students who have requested and received approval to attend a school other than that designated by the local school board for students living in their specified attendance area;

(d) “Manufacturer’s Rated Capacity” means the number of students to be used in the calculations specified in paragraph (5)(n)(B) of this rule and described below:

(A) Buses transporting only elementary students will have a passenger capacity as stated on the manufacturer’s identification plate;

(B) Buses transporting only high school students, grades 9 through 12 will have a passenger capacity based on two students for each 39 inch bus seat;

(C) Buses transporting mixed groups from grades K–12 (in any combination) or groups of only junior high or middle school students will have a passenger capacity based on 2.5 students for each 39-inch bus seat.

“EXAMPLE: A bus with a manufacturer’s passenger capacity stated on the identification plate of 72 would have the following ratings: elementary — 72, high school only — 48, mixed groups — 60, middle school and junior high school — 60.”

(e) “Mile(s) from School” means the distance a student lives from school, measured from the closest, reasonable, and prudent point between the school property identified by the local board for that pupil’s attendance and the property where the pupil lives. The distance will be measured over the shortest practicable route on maintained public roadways or over existing pedestrian facilities or pedestrian facilities capable of meeting the requirements listed in ORS 332.405(4);

(f) “Patron” means any individual, organization, or entity that is able to use student transportation services except for charter schools (as defined in ORS 338) or a public agency (described in ORS 339.133(4), ORS 327.527, ORS 327.540 or ORS 327.390) if the school or agency reimburses school districts up to one hundred percent (100%) of incurred transportation costs pursuant to ORS 338.145, 339.133(4), ORS 327.527, ORS 327.540 or 327.390.

(g) “Supplemental Plan” means a plan adopted by local school board resolution identifying groups or categories of students who live within the 1 and 1.5 mile limitations and require transportation based on health or safety reasons, including special education. Supplemental plan approvals may be ordered by the State Board of Education or its designated representatives. The State Board shall have the right of final review of any actions regarding supplemental plans. Appeals will be directed to the State Board for final consideration. The Plan must include the following:

(A) The approximate number of students to be transported based on the plan;

(B) The health or safety reasons cited for providing transportation;

(C) The local board resolution specifying the supplemental plan as submitted; and

(D) Any additional information or documentation supporting the supplemental plan deemed appropriate locally.

(h) “Alternative Transportation,” and “Active Transportation costs” have the definitions given in ORS 327.033.

(i) “Suitable and sufficient” means transportation that is appropriate for a particular student or group of students based on:

(A) The age of the student;

(B) The physical or mental capabilities of the student;

(C) The distance the student is to be transported; and

(D) The safety of the student to be transported.

(2) Approved transportation costs shall include those costs incurred in transporting pupils to and from instructional programs during the regularly scheduled school term within the limitations specified by ORS 327.006 and 327.033. Approved transportation costs may include costs incurred in transporting students participating in extended school year programs eligible for funding from the State School Fund.

(3) Approved transportation costs shall include those district expenditures associated with:

(a) Home-to-school transportation of elementary school pupils who live at least one mile from school;

(b) Home-to-school transportation of secondary school pupils who live at least one and one-half miles from school;

(c) Transportation of pupils between educational facilities either within or across district boundaries, if the facilities are used as part of the regularly-scheduled instructional program approved by the Board;

(d) Transportation of pupils for in-state field trips when such represents an extension of classroom activities for instructional purposes, and shall include out-of-state destinations within 100 miles of the Oregon border;

(e) Transportation of pupils home to school for whom a supplemental plan has been approved by the State Board of Education in addressing safety, health, and special education needs;

(f) Transportation of preschool children in Early Childhood Special Education Services having an Individual Family Service Plan requiring transportation and preschool children receiving Early Intervention Services under the authority of ORS 343.533.

(g) School to home transportation following extended school day instructional programs for:

(A) Elementary school pupils who live at least one mile from school;

(B) Secondary school pupils who live at least one and one-half miles from school.

(h) For the 2020-21 school year, maintaining an adequate level of pupil transportation services while school districts are administering Comprehensive Distance Learning in response to the COVID-19 pandemic.

(4) Approved Alternative Transportation costs:

(a) Include those district expenditures associated with:

(A) The facilitation of Active Transportation for human-powered forms of travel, including walking or bicycling, between home and school for students who live less than three miles from school. These costs may include:

(i) A pedestrian or bicycle group;

(ii) A crossing guard; or

(iii) Staff time required for coordinating active transportation options.

(B) The facilitation of Public Transportation between home and school for secondary school students. This may include staff time required for coordinating public transportation options.

(b) Require that new positions or extra duty opportunities created as a result of the implementation of Alternative Transportation will be direct employees of the school district.

(c) Do not include costs for transportation that is subcontracted by a school district to a private transportation provider.

(5) Approved transportation costs shall exclude those district expenditures associated with transportation for the following unless the school program is required under provisions of the Individuals with Disabilities Education Act, ORS 343.533 or 339.010 through 339.090 and 339.250:

(a) Pupils living within the limits prescribed in ORS 327.006(2) for whom no supplemental plan has been approved by the State Board;

(b) Activity trips other than for instructional purposes;

(c) Athletic trips;

(d) School lunch purposes;

(e) Summer school;

(f) Adult education;

- (g) Evening school;
 - (h) Preschool and/or nursery school;
 - (i) Board and room in lieu of transportation associated with field trips;
 - (j) Transportation facility and staff costs other than those directly related to approved pupil transportation activities.
- (6) The computation shall be made as follows:
- (a) Pupil Transportation Salaries;
 - (b) Pupil Transportation Supplies, Equipment, Repairs, and Maintenance;
 - (c) All contracted Transportation;
 - (d) Travel of Pupil Transportation Personnel;
 - (e) Employee Benefits on Pupil Transportation Salaries;
 - (f) Pupil Transportation Insurance;
 - (g) Payments in Lieu of Transportation;
 - (h) Other Expenses of Pupil Transportation;
 - (i) Payments to Other Districts for Pupil Transportation;
 - (j) Leases and Rentals;
 - (k) Depreciation:
 - (A) Depreciation of Garage, but this shall not include land;
 - (B) Depreciation of Buses that are used at least 50% for reimbursable mileage.
 - (C) Shall include the costs to the district to retrofit, repower, or to replace as defined in ORS 468A.795, school buses for the purpose of reducing or eliminating diesel engine emissions. These costs:
 - (i) Shall not include the costs paid with moneys received from the state by a school district from the Clean Diesel Engine Fund that are described in 468A.801 (2)(a); and
 - (ii) Shall include costs to paid with moneys received from the state as allowed by the Environmental Mitigation Trust Agreement as defined in ORS 468A.801 (2)(c).
 - (l) Total of subsections (5)(a) through (k) of this rule;
 - (m) Deduct (if cost is included in detail above):
 - (A) Payments Received from Other Districts and from Patrons for reimbursable transportation;
 - (B) Non-reimbursable Transportation Costs;

(i) For 2021 – 22:

(I) Number of miles at \$2.86 Per mile for all school buses and school activity vehicles having a manufacturers designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.43 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(ii) For 2022 – 23:

(I) Number of miles at \$2.96 Per mile for all school buses and school activity vehicles having a manufacturers designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.49 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(iii) For 2023 – 24:

(I) Number of miles at \$3.18 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.60 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(iv) For 2024 – 25:

(I) Number of miles at \$3.29 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.65 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(v)(I) Those local school board certified marginal costs attributable to services provided to students who are not eligible for home-to-school transportation under section 3, calculated and documented as follows: Documentation maintained by local district shall include: bus and route identification, school(s) being served, number of eligible students on board, number of ineligible students on board;

(II) Calculation of marginal costs shall be as follows: District Cost Per Mile of bus operation divided by the total number of students transported on each bus to derive an average cost per student. The cost per student multiplied by the number of ineligible students and the number of miles transported provides the amount for deduction. Example: Cost per student = district cost per bus mile - number of students on bus; Total Deduction = cost per student x ineligible students x number of miles transported.

(III) No deduction will be made for transportation inside prescribed limits if the local board certifies student demographics would require student bus rides to or from school of more than one hour if the bus is routed in a manner making it accessible to the number of eligible students living outside the prescribed mileage limit equal to 130 percent of the bus manufacturer's rated capacity; or

(IV) The local school board certifies that buses are routed in a manner to serve at least the number of eligible students living outside the prescribed mileage limits equal to 130 percent of the bus manufacturer's rated passenger capacity; and

(V) In either of the aforementioned situations, no additional costs have been incurred by the district for the identified service.

(C) State and Federal Receipts for Transportation, except those apportioned under ORS 327.006 or third party Medicaid payments for transportation, if used to support expenditures in subsections (5)(a) through (l) of this rule;

(D) Rental or Lease Payments from Private Contractors;

(E) The percentage of transportation facility depreciation commensurate with the percentage of the total district fleet value based upon purchase price (see subsection (6)(k) of this rule) represented by non-pupil transportation equipment. Examples of nonpupil transportation equipment would include the following: lawnmowers, tractors, backhoes, trucks, pickups, cars, trailers, snow blowers, etc.

(n) Total Deductions ((5)(m)(A)+(m)(B)+(m)(C)+(m)(D)+ (m)(E));

(o) Approved Cost ((5)(l) minus (5)(n)).

(7) In the above computation, the following definitions apply:

(a) Pupil Transportation Salaries. Salaries and wages paid school bus drivers, assistants to driver, and that portion of salaries paid mechanics and other bus maintenance employees, supervisors of transportation, secretarial and clerical assistants, and persons assigned transportation oversight and coordination responsibilities attributable to the transportation program and documented through position descriptions and payroll records. No school district General Administration salaries may be included in this area;

(b) Pupil Transportation Supplies, Equipment, Repairs, and Maintenance. Costs of fuel, oil, lubricants, tires, tire repair, batteries, vehicle diagnosis and repair equipment identified as capital expenditures in the "Program Budget Manual," vehicle repair parts and supplies, repair of vehicles by other than the school district, garage maintenance and operation, and garage equipment repair and maintenance;

(c) All Contracted Transportation. Payments to parents and independent public or private contractors for transporting pupils from home to school, between educational facilities and for non-reimbursable activities enumerated in paragraph (6)(l)(B) of this rule; and fares to public carriers for transporting pupils from home to school and between educational facilities:

(A) If a district retains ownership of buses and garages and contracts for the operation of the transportation system with provision in the contract for lease or rental of the buses and garages, the contracted transportation cost shown should reflect the gross bid including the lease or rental payment. The lease or rental payment shall be deducted in the computation as reported in paragraph (5)(n)(D) of this rule;

(B) If the district retains ownership of buses and garages and participates in a transportation cooperative or consortium through an intergovernmental agreement, depreciation apportionment provided under ORS 327.033 will be disbursed directly to the district. No depreciation component is approved for cooperative-owned buses or garages.

(d) Travel of Pupil Transportation Personnel. Meals, lodging, mileage, per diem and other travel expenses of pupil transportation personnel, and private car mileage if paid to bus drivers for travel to and from the point where

school bus is parked if other than the central garage. The same travel expenses plus tuition or registration are included for attendance at Department of Education sponsored or presented pupil transportation training programs and seminars;

(e) Employee Benefits on Pupil Transportation Salaries. The district's contributions for employee benefits including social security and retirement, employee health insurance, workers' compensation, and unemployment insurance;

(f) Pupil Transportation Insurance. Payments for public liability and property damage, medical care, collision, fire and theft, and insurance on garages and shops;

(g) Payments in Lieu of Transportation. Payments for pupils' board and room in lieu of transportation, consistent with ORS 332.405(2);

(h) Other Expenses of Pupil Transportation. District-paid fees for school bus drivers' physical examinations; interest on bus or garage contracts payable including lease-purchase agreements if capitalized (see subsection (6)(k) of this rule);

(i) Payments to Other In-State or Out-of-State Districts for Transportation. Payments to other districts for approved pupil transportation costs;

(j) Leases and Rentals. Rental or lease payments for the use of land or buildings used for approved pupil transportation. Rental or lease payments for buses operated by district personnel for approved pupil transportation.

"NOTE: Only those leases which do not contain an option to purchase or application of rentals to purchase should be included in subsection (5)(j) of this rule. See subsection (6)(k) of this rule as to the proper treatment of other lease-purchase agreements."

(k) Depreciation. For purposes of computing depreciation, capitalized cost is defined to include the unit cost of the asset, exclusive of interest, for such assets purchased outright, by conventional contract, or by lease-purchase agreement if such agreement contains any provision to acquire ownership at the end of the agreement by application of a portion of the rentals paid or a terminal payment. The computation of the capitalized cost and the depreciation shall be according to the following:

(A) Portions of Garages and Other Buildings Used for Approved Pupil Transportation:

(i) Outright purchase (including purchase by conventional contract). For each outright purchase or purchase by conventional contract, each district shall report to the Oregon Department of Education, on the forms provided, the unit cost of the garage or other building purchased and the dollar amount of interest payments associated with such purchase. The purchase of land shall not be included in the Garage Depreciation. The capitalized value shall represent the unit cost, exclusive of interest. Depreciation shall be computed at an annual rate of four percent;

(ii) Lease-purchase agreements. For each lease-purchase agreement, the district shall report to the Oregon Department of Education, on the forms provided, the dollar amount of the agreement, the interest payments contained in the agreement, and the schedule of such interest payments contained in the agreement. Land shall not be included in the lease purchase agreement for the purpose of reimbursement. Subsequent to July 1, 1975, the capitalized value shall represent the lease-purchase price less any interest payments contained in the agreement. Depreciation shall be computed at an annual rate of four percent.

(B) Buses and Other Vehicles Used for Approved Pupil Transportation:

(i) Outright purchase (including purchase by conventional contract). For each outright purchase or purchase by conventional contract, each district shall report to the Oregon Department of Education, on the forms provided, the unit cost of the vehicle(s) purchased and the dollar amount of interest payments associated with such purchase. The capitalized value shall represent the unit cost, exclusive of interest. Depreciation shall be computed at an annual rate of ten percent;

(ii) Lease-purchase agreements. For each lease-purchase agreement, the district shall report to the Oregon Department of Education, on the forms provided, the dollar amount of the agreement, any applicable trade-in value, the dollar amounts of interest payments contained in the agreement, and the schedule of such interest payments contained in the agreement. The capitalized value of the vehicles shall represent the lease-purchase price including the trade-in allowance less interest payments contained in the agreement. Depreciation shall be computed at an annual rate of ten percent;

(iii) Lease agreements. If the district is leasing its buses under a lease agreement, the district shall report the annual lease cost. A lease agreement as used in this paragraph means an agreement whereby the lessor retains title to the buses being leased to the lessee school district and the title to the buses is never received by the lessee. Under such a lease agreement, the use of the buses by the lessee is limited by the term of the lease. If there is an auxiliary agreement either written or oral whereby at the end of the lease term, the title of the buses shall pass to the lessee school district, the agreement is not a lease agreement as described in this paragraph but is a lease-purchase agreement as outlined in subparagraph (ii) of this paragraph. The lease payment made by a school district obtaining the use of buses pursuant to a lease as defined in this paragraph shall be used in the computation of the reimbursement in place of the depreciation set forth in subparagraphs (i) and (ii) of this paragraph.

(C) Deductions:

(i) Payments Received from Other Districts and from Patrons. Money received from other school districts, parents, guardians, or students for transportation if paid in support of expenditures listed in subsections (5)(a) through (l) of this rule;

(ii) Nonreimbursable Transportation Costs. Actual bus mileage of excludable trips shall include the actual mileage in district owned or contracted buses for transportation for activity trips, athletic trips, school lunch purposes, summer school, adult education, evening school, nursery school, and any other nonreimbursable purposes. Such mileage shall be deducted at the rate indicated in subsection (5)(m)(B) of this rule. The rate of deduction may be reviewed periodically by the State Board of Education and adjusted accordingly;

(iii) State and Federal Receipts for Transportation. All state and federal receipts for transportation expenditures, exclusive of funds apportioned under ORS 327.006 and 327.033, that have been included in subsection (5)(a) through (l) of this rule;

(iv) Rental or Lease Payments from Private Contractors. Payments received from private contractors for the use of district owned buses and garages in the operation of the pupil transportation system by the private contractor. This item must be shown as Revenue Code 1930 in the school district audit and the gross payments to the contractor must be included in subsection (5)(c) of this rule.

(8) Each district shall maintain a record, by purpose, of total pupil transportation miles and shall submit a report of such to the Oregon Department of Education on the form provided. The accuracy of such records shall be certified by the district clerk.

(9) If an education service district offers a special service under the provisions of section (4) of ORS 334.175, including home-to-school transportation that would qualify for reimbursement under the provisions of ORS 327.006 if provided by a local school district, the following procedure in crediting the transportation expenditure to the local district may be employed:

(a) The education service district shall compute approved home-to-school transportation costs as provided in section (4) of this rule;

(b) The approved costs so determined shall be billed to and paid by each of the local school districts. The expenditure shall be accounted for by the local district as a transportation expenditure paid to another education agency;

(c) The audited district expenditure shall be recognized by the State Superintendent of Public Instruction in computing the local district's entitlement under ORS 327.006;

(d) If the education service district reimburses the local district the difference between that portion billed and that paid under ORS 327.006, such reimbursement — if derived from property tax sources by education service district resolution — shall not be deducted by the state in determining the local district's approved costs. The local district shall account for the education service district reimbursement as other general receipts are accounted for from the education service district.

(10) For purposes of computing board and room entitlement for a district operating a dormitory under provisions of ORS 327.006, the state assumes responsibility for its proportionate share of costs associated with the provision of food, facilities, staff, operation, and maintenance necessary to provide students with safe and healthy living conditions. The state does not assume responsibility for costs associated with recreation or entertainment of students. The approved cost against which the computation is made for state liability shall not exceed the limit stated in ORS 332.405. In addition, the state will assume its proportionate share of the cost of field trips as defined in subsection (3)(c) of this rule.

(11) The computation of approved expenditures for board and room entitlement shall be made as follows:

(a) Salaries;

(b) Operation:

(A) Utilities;

(B) Supplies;

(C) Other Operational Costs.

(c) Maintenance:

(A) Upkeep;

(B) Replacement.

(d) Fixed Charges:

(A) Employee Benefits;

(B) Other Fixed Charges.

(e) Food;

(f) Operation of Buses and Other Vehicles — Supplies, Repairs and Maintenance;

(g) Depreciation:

(A) Dormitory;

(B) Buses and Other Vehicles.

(h) Total Expenditures (Sum of subsections (10)(a) through (g) of this rule));

(i) Deductions (subtract if cost is included in cost above):

(A) Payments Received from Other Districts and from Patrons;

(B) Nonreimbursable Transportation Costs as indicated in subsection (5)(m)(B) of this rule;

(C) State and Federal Receipts for Transportation, except those apportioned under ORS 327.006, 327.033, or third party Medicaid payments, if used to support expenditures in subsections (10)(a) through (g) of this rule;

(D) Federal School Lunch, Breakfast, and Milk Reimbursements;

(E) Sales of Food.

(j) Total Deductions (sum (10)(i)(A) + (i)(B) + (i)(C) + (i)(D) + (i)(E));

(k) Approved Cost ((10)(h) minus (10)(j) of this rule).

(12) The items included in the board and room entitlement computation are defined as follows:

(a) Salaries. Salaries and wages paid dormitory personnel, including the dormitory manager, cooks, custodians, and other personnel directly concerned with operation of the dormitory, and that portion of salaries paid secretarial and clerical assistants and other personnel attributable to the dormitory program;

(b) Operation:

(A) Utilities. Heat for buildings, water and sewage, electricity, telephone, and other utilities necessary for the operation of the dormitory;

(B) Supplies. Custodial supplies, supplies for care of grounds, linens, and other supplies necessary for the operation of the dormitory including food services. Purchase of food is included in subsection (11)(e) of this rule;

(C) Other Operational Costs. Contracted custodial services, window washing, laundry or linen services, etc., necessary for the operation of the dormitory.

(c) Maintenance:

(A) Upkeep. Expenditures associated with maintaining the existing dormitory facilities in a safe, healthy, and efficient condition, including supplies and materials for upkeep of dormitory grounds and the dormitory building. Costs associated with maintenance of recreational or entertainment facilities are excluded;

(B) Replacement of Equipment. Expenditures associated with replacing equipment necessary to the safe, healthy, and efficient operation of the dormitory. Replacement of equipment used for recreational or entertainment purposes are excluded.

(d) Fixed Charges:

(A) Employee Benefits. Expenditures for dormitory employees' benefits including social security and retirement, employee health insurance, workers' compensation, and unemployment insurance;

(B) Other Fixed Charges. Expenditures for property insurance, liability insurance, rental of land and buildings for purposes associated with operation of the dormitory, and other fixed charges directly attributable to operation of the dormitory.

(e) Food. Expenditures for food necessary for the operation of the dormitory;

(f) Operation of Buses and Other Vehicles — Supplies, Repairs, and Maintenance. Expenditures for fuel, oil, lubricants, tires, tire repair, batteries, vehicle repair parts and supplies, repair of vehicles by other than the school district, garage maintenance and operation, and garage equipment repair and maintenance necessary for the operation of buses utilized for purposes stated in section (3) of this rule and of other vehicles necessary for the operation of the dormitory;

(g) Depreciation:

(A) Dormitory. For purposes of computing dormitory depreciation, capitalized cost is defined as the unit cost of the asset (including the cost of original equipment), exclusive of interest, plus the cost of substantial improvements or remodeling. The purchase of land shall not be included. Costs associated with providing recreational or entertainment facilities are not included. Depreciation shall be computed at an annual rate of four percent;

(B) Buses and Other Vehicles. Depreciation for buses used for approved pupil transportation and that portion of other vehicles necessary for operation of the dormitory shall be computed in accordance with the formula and definition stated in paragraph (6)(k)(B) of this rule.

(h) Total. Sum of subsections (10)(a) through (g) of this rule;

(i) Deductions:

(A) Payments Received from Other Districts and from Patrons. Money received from other school districts, parents, guardians, or students for transportation or room and board if paid in support of expenditures listed in subsections (10)(a) through (f) of this rule;

(B) Nonreimbursable Transportation Costs. Costs for nonreimbursable transportation according to the formula and definition stated in paragraph (6)(l)(B) of this rule;

(C) State and Federal Receipts for Transportation. All state and federal receipts for transportation or room and board expenditures exclusive of funds apportioned under ORS 327.006 that have been included in subsections (10)(a) through (f) of this rule;

(D) Federal School Lunch, Breakfast, and Milk Reimbursements. All federal receipts for school lunch, breakfast, and milk expenditures that have been included in subsections (10)(a) through (f) of this rule;

(E) Sales of Food. Money received from teachers, students, or other individuals from food sales for which the expenditures are included in subsections (10)(a) through (f) of this rule.

(13) Beginning with the 2024-25 school year, school districts may request a waiver and/or supplemental plan to include Alternative Transportation as a reimbursable expense under their Transportation Grant. In order to include Alternative Transportation costs as a reimbursable expense, school districts must:

(a) Submit a proposed or revised supplemental plan and/or waiver for their district that includes explanations of the alternative transportation methods to be used.

(b) Demonstrate that the inclusion of Alternative Transportation will result in Transportation Grant expenses that are equal to or less than planned expenses without Alternative Transportation, or demonstrate that costs exceeding this amount will be paid from a source other than the transportation grant from the State School Fund.

(c) Document the local community engagement that was conducted to develop the plan for Alternative Transportation.

(d) For Alternative Transportation plans that include Public Transportation, districts must demonstrate that:

(A) No other transportation options, including Active Transportation options, are suitable and sufficient;

(B) They have made a good faith effort to recruit, hire, train, retain and pay transportation positions at competitive wages consistent with collective bargaining agreements and were unable to hire a sufficient workforce to ensure reliable service by a school bus and timely transport of students to and from school.

(e) School districts shall resubmit their supplemental plans and/or waivers for the inclusion of Alternative Transportation to be reauthorized by the State Board of Education every two years.

(f) Notwithstanding subsections (13)(a-e) of this section, a school district that, prior to the effective date of July 1, 2024, had been receiving reimbursement for costs incurred in providing transit passes under a supplemental plan or a waiver shall continue to receive reimbursement under the terms and conditions the school district was receiving reimbursement prior to the effective date of July 1, 2024 unless the State Board of Education and the school district agree otherwise.

(14) Approved Alternative Transportation costs shall include costs identified in or aligned with the plan presented in their request for a waiver and/or supplemental plan that has been approved by the State Board of Education.

(a) The Department may reimburse estimated Alternative Transportation costs during the school year the costs are incurred based on estimates provided by the school district, and then reconcile to actual costs the following school year.

(b) The Department shall not reimburse Alternative Transportation costs that exceed 5% of the school district's total Transportation Grant for the concurrent school year.

(15) Such items of expenditure as may be questionable in applying the policy stated in this administrative rule shall be resolved by the State Superintendent of Public Instruction and such determination shall be final.

(16) Apportionment of the State School Fund for 2001–02 and subsequent years.

Statutory/Other Authority: ORS 327.013 & ORS 820.100 - 820.120

Statutes/Other Implemented: ORS 327.013 & ORS 820.100 - 820.120

History:

[ODE 4-2024, amend filed 02/16/2024, effective 02/16/2024](#)

[ODE 51-2022, amend filed 10/26/2022, effective 10/26/2022](#)

[ODE 4-2021, amend filed 01/28/2021, effective 01/28/2021](#)

[ODE 38-2020, temporary amend filed 09/18/2020, effective 09/18/2020 through 03/16/2021](#)

[ODE 2-2020, amend filed 02/27/2020, effective 02/28/2020](#)

[ODE 4-2018, amend filed 02/21/2018, effective 02/21/2018](#)

ODE 46-2016, f. & cert. ef. 11-1-16

ODE 4-2016, f. & cert. ef. 2-5-16

ODE 39-2014, f. & cert. ef. 9-3-14

ODE 22-2011, f. & cert. ef. 12-15-11

ODE 6-2010, f. & cert. ef. 4-26-10

ODE 8-2008, f. & cert. ef. 3-21-08

ODE 10-2006, f. & cert. ef. 2-21-06

ODE 9-2003, f. & cert. ef. 6-13-03

ODE 25-2001, f. & cert. ef. 11-7-01

ODE 9-2000, f. & cert. ef. 4-5-00

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

EB 21-1993, f. & cert. ef. 6-2-93

EB 3-1992, f. & cert. ef. 2-21-92

EB 42-1988, f. & cert. ef. 11-15-88

EB 32-1987, f. & ef. 12-10-87

EB 4-1987, f. & ef. 2-20-87

1EB 5-1986, f. 1-30-86, ef. 2-1-86

1EB 1-1985, f. 1-4-85, ef. 1-7-85

1EB 17-1983, f. 11-23-83, ef. 11-25-83

1EB 15-1982, f. 8-4-82, ef. 8-5-82

1EB 4-1982, f. & ef. 2-10-82

1EB 6-1981, f. 3-2-81, ef. 3-3-81

1EB 10-1980, f. & ef. 5-5-80

1EB 4-1978, f. 1-27-78, ef. 1-27-78

1EB 233, f. 6-11-76, ef. 6-18-76

1EB 220, f. 2-17-76, ef. 3-15-76

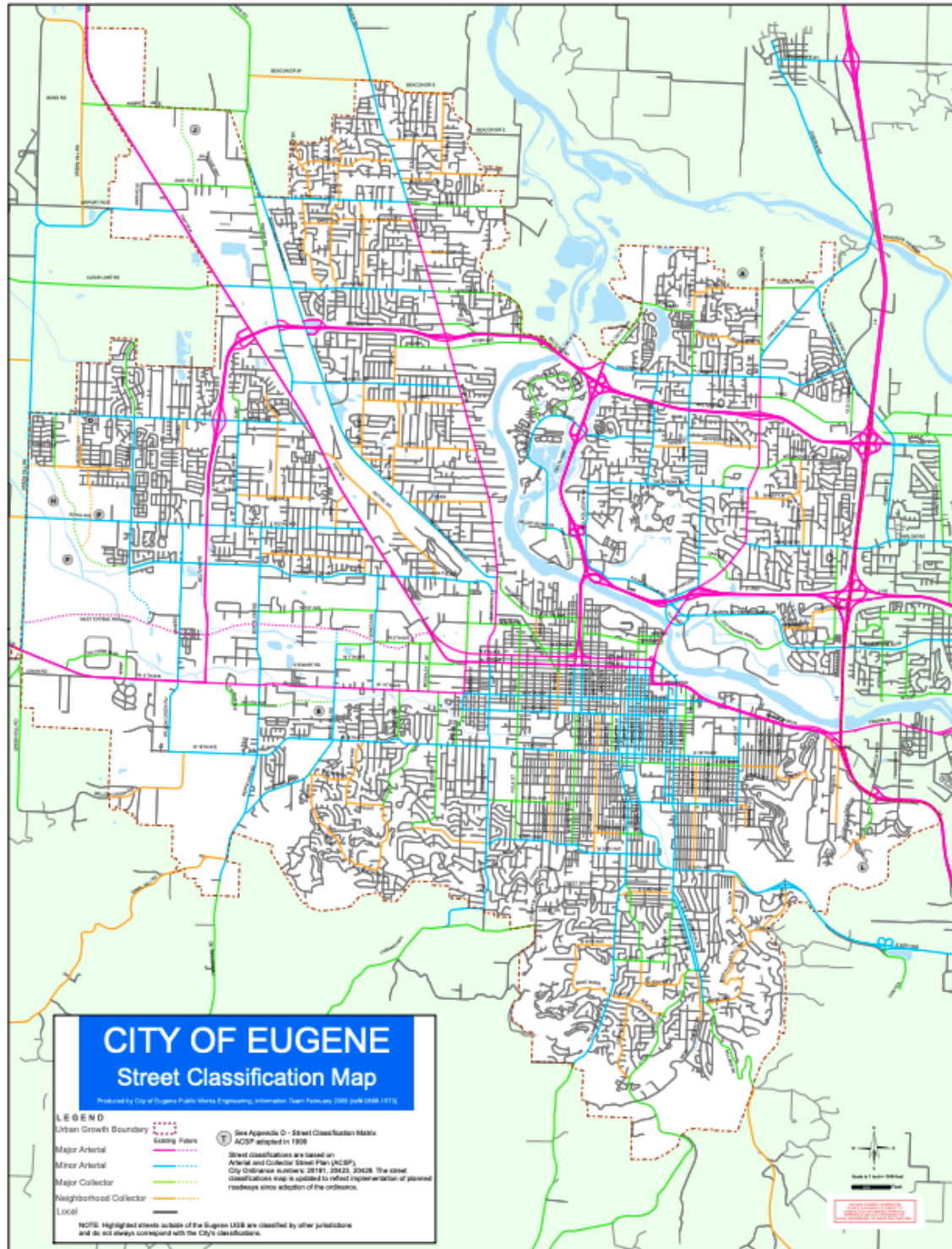
1EB 209, f. 12-5-75, ef. 1-16-76

1EB 181, f. 1-17-75, ef. 7-1-75

1EB 177, f. 10-2-74

Appendix C- Road Classification Map

Link: [City of Eugene: Road Classification Map](#)



Appendix D-2025 Supplemental Hazard Busing Evaluation

School	Region	Location of Hazard	Total Score	HAZARD?	HAZ Notes	Hazard for Elem	Hazard for Midd	Street Safety	Crossing Safety	LCOG Crash Data	Speed Limit	Type of Street	Slow Emergency Response	Lane Width	Lighting	Other Conditions	Reason for Other Condition Points	Additional Notes
Adams	Churchill	Willamette St. between 19th & 25th	27	Yes	CURRENTLY A HAZARD (E of Will)	HAZARD	FALSE	0	7	10	1	5	0	2	0	2	Non-perpendicular intersections, heavy commercial use on Willamette	3 points removed for lights at 24th and 25th
Adams	Churchill	W 28th Ave - Chambers to Lincoln (Lorane for the curve)	29	Yes	Currently a HAZARD (S of 28th)	HAZARD	FALSE	0	10	10	1	5	0	2	0	1	Non-perpendicular intersections. Would like to see crossing at Adams, Taylor	
Adams	Churchill	W 28th Ave - Friendly to Jefferson	26	No	REMOVE PORTION OF ABOVE HAZARD	FALSE	FALSE	0	7	10	1	5	0	2	0	1	Non-perpendicular intersections. Would like to see crossing at Adams, Taylor	
Adams		18th- Willamette to Jefferson	28	Yes		HAZARD	FALSE	0	8	10	3	5	0	2	0	0		
Adams		Chambers (25th -27th)	26	No		FALSE	FALSE	0	10	3	5	5	0	2	0	1	Hill leads to increased	No crashes
ATA	Churchill	18th - Lincoln to Buck	27	No	Not CURRENTLY A HAZARD, (N of 18th)	HAZARD	FALSE	0	5	10	3	5	0	2	0	2	High traffic volume, heavy commercial use	
ATA	Churchill	7th - Chambers to Van Buren	32	Yes	NEW HAZ	HAZARD	HAZARD	0	5	10	3	7	0	5	0	2	Part of Hwy system, high traffic volume	
ATA	Churchill	6th - Tyler to Taylor	32	Yes	NEW HAZ	HAZARD	HAZARD	0	5	10	3	7	0	5	0	2	Part of Hwy system, high traffic volume	
ATA	Churchill	Chambers south of Lorane, Lorane west of Chambers, Crest adjacent to Lorane	33	Yes	NEW HAZ	HAZARD	HAZARD	15	5	0	5	0	3	1	3	1	Curves	Scored with lowest value for each of the three roads (Ex: Chambers is local road, Lorane is minor arterial and Crest is major collector)
Awbrey Park	North	Spring Creek Dr.	17	No	Not currently a HAZ	FALSE	FALSE	8	5	0	0	2	0	1	0	1	Long, straight stretch with no breaks encourages speeding	
Awbrey Park	North	River Rd - Blackfoot Ave- Beacon Dr W	35	Yes	Currently a HAZ (W of Riv Rd)	HAZARD	HAZARD	0	7	10	7	7	0	4	0	0		
Awbrey Park	North	Beacon Dr - River Road to Futura	34	Yes	Currently a HAZ (N of Beacon)	HAZARD	HAZARD	15	5	0	5	2	0	1	3	3	Curves/terrain, secluded, Other: comes off a high speed road	
Awbrey Park	North	Beacon Dr - Futura to Scenic	26	No	No longer a HAZ	FALSE	FALSE	9	5	1	5	2	0	1	0	3	Curves/terrain, secluded, Other:	
Awbrey Park/Madison	North	Beacon Dr - Scenic to South of Hileman	37	Yes	Currently a HAZ (E of Scenic)	HAZARD	HAZARD	15	5	0	7	2	0	1	3	4	Curves/terrain, secluded, Other: comes off a high speed road, and zero visibility	
Awbrey Park	North	Beacon Dr - South of Hileman to Riv Lp 1	30	Yes	Currently a HAZ (N of Beacon)	HAZARD	FALSE	10	5	0	7	2	0	1	3	2	secluded, Other: comes off a high speed road,	
Awbrey Park	North	River Lp #2	28	Yes	Currently a HAZ (S of Riv Lp 2)	HAZARD	FALSE	10	5	0	5	2	0	1	3	2	Secluded, Other: long, straight road with no interruption encourages speeding	No lighting at Banner, Kendall, Kirsten

School	Region	Location of Hazard	Total Score	HAZARD?	HAZ Notes	Hazard for Elem	Hazard for Midd	Street Safety	Crossing Safety	LCOG Crash Data	Speed Limit	Type of Street	Slow Emergency Response	Lane Width	Lighting	Other Conditions	Reason for Other Condition Points	Additional Notes
Camas	South	30th	25	No		FALSE	FALSE	0	2	10	5	5	0	3	0	0		
Camas Ridge	South	24th between Amazon Pkwy and Hilyard St	20	No	No longer a HAZ	FALSE	FALSE	0	1	10	3	5	0	1	0	0		
Camas Ridge, Edgewood	South	East Amazon Dr	20	No	No longer a HAZ	FALSE	FALSE	0	10	0	3	5	0	1	0	1	Unmarked crosswalks across minor arterials in the walk area	Sidewalk on one side with bark walking path on other
Camas Ridge, Edgewood	South	West Amazon Dr	19	No	No longer a HAZ	FALSE	FALSE	0	8	0	3	5	0	2	0	1	Unmarked crosswalks across minor arterials in the walk area	
Camas Ridge, Roosevelt	South	Hilyard St between 28th and 33rd	24	No	No longer a HAZ	FALSE	FALSE	0	4	10	1	5	0	3	0	1	Unmarked crosswalks across minor arterials in the walk area	3 points removed for traffic light. COE is working to reduce speed limit
Chavez	Churchill	Polk - 6th to 18th	23			FALSE	FALSE	0	5	10	3	3	0	2	0	0		
Chavez	Churchill	W 11th Ave between City View and Jefferson St	28	Yes	Currently a HAZ (N of 11th)	HAZARD	FALSE	0	7	10	3	5	0	2	0	1	Unmarked crosswalks across minor arterials in the walk area	
Chavez	Churchill	W 13th Ave - Arthur to Madison	26	No	Not currently a HAZ	FALSE	FALSE	0	7	10	3	5	0	1	0	0		
Chavez	Churchill	7th - Chambers to Van Buren	34	Yes	Currently a HAZ (N of 7th)	HAZARD	HAZARD	0	7	10	3	7	0	5	0	2	Part of Hwy system, high traffic volume	
Chavez	Churchill	6th - Tyler to Taylor	34	Yes	Currently a HAZ (N of 7th)	HAZARD	HAZARD	0	7	10	3	7	0	5	0	2	Part of Hwy system, high traffic volume	
Chavez	Churchill	18th - Chambers to Hawkins	30	Yes	NEW HAZ	HAZARD	FALSE	0	8	10	3	5	0	2	0	2	High traffic volume, heavy commercial use at Chambers	
Chavez, ATA	Churchill	Chambers St - 18th-11th	27	Yes	Currently a Hazard	HAZARD	FALSE	0	5	10	3	5	0	2	0	2	Unmarked crosswalks across minor arterials in the walk area, personal safety issues on the Fern Ridge/Chambers pedestrian underpass	3points removed from crossing score because of traffic signal in front of school. Crossings are a little closer than every quarter mile and it's an arterial = 8 pts, with 3 points off for the traffic signal controlled crossing in front of school
Chavez, ATA	Churchill	Chambers St - 18th-25th	29	Yes	No Longer a HAZ (W of Chambers)	HAZARD	FALSE	0	7	7	3	5	0	6	0	1	Unmarked crosswalks across minor arterials in the walk area	3points removed from crossing score because of traffic signal controlled crossings

School	Region	Location of Hazard	Total Score	HAZARD?	HAZ Notes	Hazard for Elem	Hazard for Midd	Street Safety	Crossing Safety	LCOG Crash Data	Speed Limit	Type of Street	Slow Emergency Response	Lane Width	Lighting	Other Conditions	Reason for Other Condition Points	Additional Notes
Edgewood	South	Willamette St - 37th to Spencer's Crest	31	Yes	NEW HAZ	HAZARD	FALSE	1	7	7	7	5	0	1	3	0		Crash data is accounting for 2 blocks in either direction, assuming that students will cross at the light
Edgewood	South	Fox Hollow crossing safety	15	No	Not currently a HAZ	FALSE	FALSE	1	5	1	1	3	0	1	0	3	Curves, high speed because of hill, shoulder used by bikes so not very useable for walking	Speed limit just lowered to 25
Edgewood / Camas Ridge	South	East Amazon Dr	20	No	No Longer a HAZ	FALSE	FALSE	0	10	0	3	5	0	1	0	1	Unmarked crosswalks across minor arterials in the walk area	Sidewalk on one side with bark walking path on other
Edgewood / Camas Ridge	South	West Amazon Dr	19	No	No Longer a HAZ	FALSE	FALSE	0	8	0	3	5	0	2	0	1	Unmarked crosswalks across minor arterials in the walk area	
Edgewood	South	Snell crossing of E/W Amazon	27	No	No Longer a HAZ	HAZARD	FALSE	10	5	0	0	0	0	0	0	12	Crosses open waterway with insufficient protection	
Spencer Butte	South	Willamette Southwest of 46th to past 52nd	41	No		HAZARD	HAZARD	1	10	10	7	5	3	1	3	1	curves and hills	
Spencer Butte	South	Fox Hollow past Woodleaf to Owl/West Amazon	33	No		HAZARD	HAZARD	15	5	1	1	3	3	1	3	1	curves and hills	
Spencer Butte	South	Dillard Road just south of Snell	36	No		HAZARD	HAZARD	15	5	0	5	3	3	1	3	1	curves and hills	Not many intersections, but Old Dillard/Dillard intersection is dangerous
Spencer Butte	South	North Shasta Loop (off of East 43rd to the north to Shasta View)	32	No		HAZARD	HAZARD	15	5	0	1	2	3	0	3	3	Steep grade, curves, roadway floods and there are no sidewalks to escape to	
Edison, Roosevelt	South	Hilyard st (15th-20th)	28	Yes	Currently a HAZ (W of Hilyard)	HAZARD	FALSE	0	8	10	1	5	0	2	0	2	Unmarked crosswalks across minor arterials in the walk area	COE is working on reducing speed limit. Not removing points for traffic lights because of high number of turning motions
Edison, Roosevelt	South	Hilyard st (20th-23nd)	20	No	No Longer a HAZ	FALSE	FALSE	0	10	0	1	5	0	2	0	2	Unmarked crosswalks across minor arterials in the walk area	
Edison	South	Franklin Blvd - 11th-Agate	33	Yes	New HAZ	HAZARD	HAZARD	0	2	10	5	7	0	6	0	3	Very high volume of all modes of traffic, part of highway system, bus line down middle of road	

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Gilham	Sheldon	Gilham Rd Creekside Way-Ayres Rd	25	No	No Longer a HAZ	FALSE	FALSE	10	5	1	3	2	0	1	3	0		
Gilham	Sheldon	Ayers and Gilham intersection, crossing Ayers	17	No		FALSE	FALSE	1	5	1	3	3	0	1	3	0		
Gilham, Cal Young	Sheldon	Green Acres Rd - (N Delta Rd to Norkenzie Rd)	30	No	NOT IN WALK ZONE, HAZ not needed	HAZARD	FALSE	0	7	10	5	5	0	2	0	1	Unmarked crosswalks across minor arterials in the walk area	This will be lowered soon, hopefully.
Gilham, Cal Young	Sheldon	Crescent Ave (Norkenzie to Coburg)	27	Yes	Currently a HAZ (S of Crescent)	HAZARD	FALSE	0	8	10	1	5	0	2	0	1	Unmarked crosswalks across minor arterials in the walk area	
Gilham, Cal Young	Sheldon	Coburg Rd - Beltline and north	31	Yes	Currently a HAZ (E of Coburg)	HAZARD	FALSE	0	10	1	5	7	0	6	0	2	Unmarked crosswalks across minor arterials in the walk area, bend in the road	Not dropping score because of traffic lights because of high # of turning motions.
Gilham	Sheldon	County Farm - Coburg to Wildish/County Farm	27	Yes		HAZARD	FALSE	8	5	0	5	3	0	1	3	2	Uninterrupted straightaway leads to higher speeds, industrial use (Wildish)	Could have 10 points for Street Safety for sections just north and south of Dale because of ditches on sides of road
Holt, Monroe	Sheldon	Arcadia	19	No	Not currently a HAZ	FALSE	FALSE	10	5	1	0	0	0	0	3	0		
Holt, Monroe	Sheldon	Harlow	28	Yes	New HAZ	HAZARD	FALSE	0	5	10	5	5	0	2	0	1	Unmarked crosswalks across minor arterials in the walk area	3 points off crossing safety because of traffic light in front of school
Holt, Monroe	Sheldon	Willakenzie between Coburg and curve in Willakenzie	22	No	New HAZ	FALSE	FALSE	0	5	10	1	3	0	2	0	1	Very high volume	
Howard, Kelly, YG	North	Howard Ave	25	No	Not currently a HAZ	FALSE	FALSE	8	5	7	1	2	0	1	0	1	Cars, trash cans and other obstacles on shoulder of road	
Howard, River Road, Kelly	North	Horn at Maclay to River Road	20	No	Not currently a HAZ	FALSE	FALSE	9	5	0	1	2	0	1	0	2	Long straight stretch, trash cans on shoulder	Around the curve, the inside shoulder often disappears under debris.
Howard, River Road, Kelly	North	Northpark from Cornwall to NW Expressway	22	No	Not currently a HAZ	FALSE	FALSE	9	5	1	1	2	0	1	0	3	Long straight stretch, trash cans on shoulder, comes off NW Expressway	Stretches where shoulder disappears.
Howard, YG	North	Maxwell Rd	30	Yes	Currently a HAZ (N of Maxwell)	HAZARD	FALSE	0	7	10	5	5	0	2	0	1	Long straight stretches encourage speeding	
Howard	North	River Road	37	Yes	Currently a HAZ	HAZARD	HAZARD	0	7	10	5	7	0	4	3	1	Long, straight stretches encourage speeding	
Kelly	North	Maxwell Rd	28	No		HAZARD	FALSE	0	5	10	5	5	0	2	0	1	Long straight stretches encourage speeding	
Kelly	North	River Road	35	Yes	Currently a HAZ	HAZARD	HAZARD	0	5	10	5	7	0	4	3	1	Long, straight stretches encourage speeding	

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Kelly, River Road, Howard	North	Horn at curve between Rosy to Oak	25	No		FALSE	FALSE	10	5	0	1	2	0	1	3	3	Curves, long straight stretches encourage speeding, shrubs on southeast side of curve and northwest side of Horn/Lake intersection significantly impact visibility	
Kennedy	Churchill	Bertleson - Bailey Hill to 18th	34	Yes		HAZARD	HAZARD	10	10	1	7	5	0	1	0	0		
Kennedy	Churchill	Bertleson - 18th to 11th.	38	No		HAZARD	HAZARD	8	10	3	7	5	0	2	3	0		No lighting at Churchill Meadows
Kennedy	Churchill	Bailey Hill - Bertleson to Kennedy	23	No		FALSE	FALSE	1	10	0	3	5	0	1	3	0		
Kennedy, Twin Oaks	Churchill	Bailey Hill- Bertleson to Klouts	33	Yes		HAZARD	HAZARD	6	10	1	7	5	0	1	3	0		
Kennedy	Churchill	W 11th Ave - Bailey to Beltline	33	Yes	x	HAZARD	HAZARD	0	3	10	5	7	0	6	0	2	High traffic volume, heavy commercial use	
Kennedy	Churchill	Warren - Summit Terrace north to northern part of Timberline Dr	17	No		FALSE	FALSE	10	0	0	0	2	0	0	3	2	Curves/terrain, steep grade	
Kennedy	Churchill	W 18th Ave - Bertleson to Bailey Hill	29	No		HAZARD	FALSE	0	10	7	3	5	0	4	0	0		
Kennedy	Churchill	W 18th Ave - Bailey Hill to Buck Street	27	No		HAZARD	FALSE	0	5	10	3	5	0	4	0	0		Crossing at light at Brittany brings down crossing score
Kennedy	Churchill	Buck and 17th	16	No		FALSE	FALSE	9	5	1	0	0	0	0	0	1	Offset intersection	Crash at Buck and 14th
Madison	North	River Rd - Irvington to past Lynnbrook	34	Yes		HAZARD	HAZARD	0	5	10	7	7	0	4	0	1		
Madison	North	River Lp #1 - River Road to Alameda (south)	28	No		HAZARD	FALSE	9	5	1	5	2	0	1	3	2	Curves/terrain, secluded	
Madison	North	River Loop 1/Wilkes Alameda to Beacon (North/east)	28	No		HAZARD	FALSE	10	5	0	7	0	0	1	3	2	Long straight stretches encourage speeding; curves/terrain	
Madison	North	Wilkes between Madison and River Road	29	No		HAZARD	FALSE	4	5	10	5	3	0	1	0	1	Long straight stretch with no stop signs or signals encourage speeding	
Madison	North	Hunsaker	29	No		HAZARD	FALSE	8	5	7	1	3	0	1	0	4	Heavy Commercial, Delinators keep getting hit indicating crash risk, Coming off highway at high speeds, obstacles in shoulder	
Madison	North	Beacon east of Scenic	32	No		HAZARD	HAZARD	15	5	0	5	0	0	1	3	3	Blind curve, speed limit increases just past walk zone, country road feel encourages speeding	

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McCornack	Churchill	Bailey Hill Rd north of 18th	32	Yes		HAZARD	HAZARD	0	10	10	5	5	0	2	0	0		Not taking off points because of lots of turning motions at 18th and Bailey Hill - it's a high crash intersection.
McCornack	Churchill	W 18th Ave - Josh St to City View	32	YES		HAZARD	HAZARD	0	10	10	3	5	0	4	0	0		
Monroe	Sheldon	Coburg Rd - south of Beltline	30	No		HAZARD	FALSE	0	2	10	5	7	0	6	0	0		
Monroe	Sheldon	Harlow	26	No		FALSE	FALSE	0	3	10	5	5	0	2	0	1	Unmarked crosswalks across minor arterials in the walk area	3 points off crossing safety because of traffic light in front of school
Monroe	Sheldon	Oakway Rd	31	No		HAZARD	FALSE	0	7	7	5	5	0	5	0	2	Non-perpendicular intersections, lots of commercial activity near Coburg	
Monroe, Gilham	Sheldon	Gilham Rd south of Beltline	25	No		FALSE	FALSE	0	8	1	5	5	0	2	3	1	Unmarked crosswalks across minor arterials in the walk area	Generally good lighting, but none at Sally
Monroe, Gilham	Sheldon	Gilham Rd north of Beltline to Crescent	25	No		FALSE	FALSE	0	8	1	5	5	0	2	3	1	Unmarked crosswalks across minor arterials in the walk area	Lighting could be poor at striped crossing in front of school
Monroe, Holt	Sheldon	Willakenzie Rd - east of	25	No		FALSE	FALSE	0	5	10	3	3	0	4	0	0		
River Road/El Camino	North	River Road	37	Yes		HAZARD	HAZARD	0	7	10	5	7	0	4	3	1	Long, straight stretches encourage speeding	
Roosevelt	South	Amazon Parkway	24	No		FALSE	FALSE	0	10	3	5	5	0	1	0	0		
Sheldon	Sheldon	Beltline Rd from Game Farm Rd to Gateway Dr	33			HAZARD	HAZARD	0	5	10	7	5	0	4	0	2	Significant traffic due to shopping mall and freeway exit. Significant speeds due to freeway exit.	
Spring Creek, Madison	North	Irving	34	Yes		HAZARD	HAZARD	0	10	10	5	5	0	2	0	2	Long straight stretch with no stop signs or signals encourage speeding, comes off NW Expressway with people travelling high speeds	Not removing points because there's only 1 light.
Spring Creek, Madison	North	River Road	37	Yes	Current hazard as well	HAZARD	HAZARD	0	7	10	5	7	0	4	3	1	Long, straight stretches encourage speeding	
Spring Creek, Madison	North	Irvington	25	No		FALSE	FALSE	0	10	3	5	5	0	1	0	1	Long, straight stretches encourage speeding	

School	Region	Location of Hazard	Total Score	HAZARD?	HAZ Notes	Hazard for Elem	Hazard for Midd	Street Safety	Crossing Safety	LCOG Crash Data	Speed Limit	Type of Street	Slow Emergency Response	Lane Width	Lighting	Other Conditions	Reason for Other Condition Points	Additional Notes
Twin Oaks	Churchill	Spencer Creek Rd/Lorane Hwy	35	Yes	currently a HAZ	HAZARD	HAZARD	8	5	3	7	3	3	1	3	2	It's a highway. Rural, very high speed road.	
Twin Oaks	Churchill	Bailey Hill Rd	32	Yes	currently a HAZ	HAZARD	HAZARD	8	5	0	7	3	3	1	3	2	Very high speed, little expectation of people walking or biking	
Willag	Sheldon	Willagillespie	24	No		FALSE	FALSE	0	2	10	5	5	0	2	0	0		
Cal Young	Sheldon	Norkenzie from Green Acres to Beltline	30	No		HAZARD	FALSE	0	10	7	5	5	0	2	0	1	Unmarked crosswalks across minor arterials in the walk area	
Cal Young	Sheldon	Cal Young from Norkenzie to Debrick	17	No		FALSE	FALSE	0	5	0	5	5	0	2	0	0		
Willagillespie	Sheldon	Cal Young from Willagillespie to Norkenzie	19	No		FALSE	FALSE	0	7	0	5	5	0	2	0	0		
Willagillespie	Sheldon	Goodpasture from Delta Highway to Norkenzie	25	No		FALSE	FALSE	1	10	0	5	5	0	1	3	0		

**MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF DIRECTORS
SCHOOL DISTRICT 4J, LANE COUNTY, OREGON**

Date: April 16, 2025

The Board of Directors (BOD) of School District No. 4J, Lane County, Oregon, held a regular board meeting at 6:00 p.m. in-person at the Education Center, 200 North Monroe Street in Eugene, Oregon, via live-stream and broadcast on KRVM. Notice of the meeting was emailed to the media and posted on the 4J website on April 11, 2025.

ROLL CALL

BOARD MEMBERS PRESENT:

Jenny Jonak, Chair
Tom Di Liberto, Vice Chair
Maya Rabasa
Ericka Thessen
Judy Newman
Morgan Munro
Rick Hamilton

BOARD MEMBERS ABSENT:

None

STAFF:

Colt Gill, Interim Superintendent
Carmen Xiomara Urbina, Chief of Staff
Christine Nesbit, General Counsel
Lisa Fjordbeck, Operations Coordinator for the Superintendent's Office
Brooke Wagner, Assistant Superintendent for Administrative Services
Jennifer Bills, Director of School Safety and Emergency Management
Larry Williams, Assistant Superintendent of Instruction
Mary Poppen, Willagillespie Elementary School Music Teacher and Choir Director
Cynthia Calletano, Executive Assistant to the Chief of Staff
Debbie McKim, Executive Assistant to the Interim Superintendent and Board

STUDENT REPRESENTATIVES:

Sheridan Schilling, Churchill High School
Carmen Gonzalez Valle, Sheldon High School
Cora Ludwig, South Eugene High School
Deeya Patel, South Eugene High School
Katheryn Hehman, International High School (IHS) at South Eugene High School
Gabi Klarr, International High School (IHS) at Sheldon High School

Lane Lowd, Eugene Online Academy (EOA) (online)
Autumn Thessen, Early College and Career Options (ECCO) (online)

EMPLOYEE GROUPS:

Lisa Jenkins-Easton, Oregon School Employees Association (OSEA)
Liz Johnson, Eugene Education Association (EEA)

OTHER GUESTS:

None

MEDIA:

KRVM
Register Guard

I. CALL TO ORDER, ROLL CALL, AND LAND ACKNOWLEDGMENT

Chair Jonak called the regular board meeting to order at 6:00 p.m. She said the names of the Board members present and read a land acknowledgment statement.

II. AGENDA APPROVAL

Chair Jonak requested to move the Willagillespie Elementary School Choir performance to follow the agenda approval. The agenda was approved as amended.

III. WILLAGILLESPIE ELEMENTARY SCHOOL CHOIR PERFORMANCE

Willagillespie Elementary School Music Teacher and Choir Director Mary Poppen conducted a series of songs featuring Willagillespie choir students.

IV. INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

Interim Superintendent Colt Gill acknowledged that Eugene School District 4J is experiencing a difficult budget season. He said the district must reduce spending to come in closer alignment with revenue sources. This year the district is spending roughly \$29 million more than the district will receive in revenue in order to operate. The district's reserves cannot maintain that level of expenditure into the future. He said reducing spending impacts students and staff, even when trying to avoid it to the greatest extent possible. Interim Superintendent Gill explained that the budget process is a dynamic one, guided by a 14-member Budget Committee. The budget will ultimately be adopted by the Board of Directors (BOD) on May 21, 2025. The district is providing an online weekly budget update every Friday at 4j.lane.edu/budget.

V. RECEIVE REPORTS FROM HIGH SCHOOL STUDENT REPRESENTATIVES

Lane Lowd, EOA, reported that students are undergoing midterms and working toward ending the school year. He said EOA is steadily becoming more integrated with the BOD.

Cora Ludwig and Deeya Patel, South Eugene High School, announced the following upcoming events: South's Got Talent happening on May 21, Prom on April 19, and Spring Fest on April 24, 2025. They mentioned that spring sports are well underway.

Autumn Thessen, ECCO, welcomed the new 4J superintendent, Dr. Miriam Mickelson. She said that ECCO appreciated the student chats and requested participation in future chats. She announced that Prom is happening on May 17, 2025.

Sheridan Schilling, Churchill High School, spoke on the topic of the new 4J superintendent. She reported that students have expressed wanting a superintendent they can see and interact with, one who represents their best interests, and a superintendent who will be in the district for the long term. Ms. Schilling thanked Interim Superintendent Gill for his leadership. She raised concern about district budget cuts. For example, Churchill National Honor Society may not be a possibility next year due to staffing shortages. She brought attention to the relatively high number of 4J administrative level positions compared with other Oregon school districts.

Carmen Gonzalez Valle, Sheldon High School, reported on the progress of the Native garden, varsity choir qualifying for State, flag football, tennis, and track and field. She said students are currently organizing the PRIDE Festival and Pink Prom. She announced that Sheldon Prom is happening on May 10, 2025.

Katheryn Hehman and Gabi Klarr, IHS, explained that C days tend to be an inefficient use of class time and are seen as a wasted day by students and staff. They encouraged the BOD to review it further. Regarding weekly grade reports, students are reporting that the grades are often inaccurate and do not provide a complete view, resulting in damage to student welfare and mental health. They urged the BOD to remove the policy. They announced that the IHS Annual Celebration is happening on May 19, 2025.

VI. ITEMS RAISED BY THE AUDIENCE

Eileen Thomas, 4J Literacy Intervention Specialist, advocated for preserving positions at district elementary schools. She said the Walk to Read program ensures strong Tier 1 teaching and targeted support and enrichment for students. She has trained 26 teachers, 2 coaches, and 18 educational assistants (EAs). She advocated for preserving EAs specifically, stating that eliminating them would negatively affect over 900 first graders. She said the long-term cost would far outweigh the short-term savings, as students behind in reading in the first grade have a 70% chance of still being behind in the fourth grade.

Angie Gee, 4J employee, voiced opposition to eliminating Family Resource Coordinator positions. She explained that the programs offered have proven to be successful. She described the type of advocacy being provided for families and students, such as assistance meeting basic needs. She said if the positions were to be removed from the schools, she does not believe that families would go to a central location for resources.

Valerie Blood, 4J parent, commented in opposition to eliminating district positions, stating that during an average school day her elementary aged child receives support from four EAs, three teachers, one healthcare provider, one secretary, one custodian, and one

food services coordinator. She said that moving employees from one school to another is not a good way to retain employees. She cited potential cuts to nutrition services, stating that hungry students will require behavioral support. She urged examining the salaries of the executive leadership team and prioritizing positions within school buildings.

Caleb Kostechka, 4J parent and former 4J educator, advocated for a districtwide ban on cellphone use throughout the entire school day. He described how cellphones have shifted from being a minor distraction to one of the biggest obstacles to teaching, learning, and student wellbeing. He said cellphones fuel bullying, spread rumors, and are used to coordinate fights. He said a ban would be a way to give students back their focus, their friendships, and their mental space. Mr. Kostechka said districts across Oregon are already making the shift and encouraged the BOD to consider implementing a policy.

Max Irving, 4J educator and Unified Coordinator, advocated for more support for Unified programming. He stated that when Unified is framed solely as a special education initiative, it unintentionally reinforces the divisions the program is designed to break down. He said Unified belongs within athletics, student leadership, and in the heart of school culture. He urged districtwide support, such as consistent district-level stipends for coordinators, coaching pay for events that take place outside of the regular school day, funding for a Unified Coordinator, access to student investment accounts, and reinstatement of the physical education (PE) specialist position.

Nancy Nelson (online), 4J parent, shared concerns about the school lottery, specifically as it relates to International High School admission. She provided a personal story for context before requesting that the BOD consider modification of the IHS lottery to better support families, address inequities, and prioritize access for IHS students who are interested in earning the IB diploma.

Roscoe Caron (online), Community Alliance for Public Education (CAPE) representative, spoke on the topic of testing in education. He provided relevant background information. Mr. Caron challenged the effectiveness of the testing and data centered system, questioning whether it negatively impacts children's emotional health, teacher job satisfaction, and narrows the breadth of the curriculum. He proposed that members of the BOD publicly take the eighth-grade math and science tests and the eleventh-grade language arts test. He pointed out that over 100 tests are required of 4J students.

Rio Annsa, 4J parent, commented in opposition to eliminating district positions. She said 261 signatures were gathered at Chavez Elementary School in opposition to the proposed decision. She said the proposal to combine the work of Family Resource Coordinators into a centralized location does not address the day-to-day on-site support for families lacking food, clothing, and shelter. She said a central office is incapable of providing that

level of relationship-based service. She urged reassessing the proposal and to preserve Family Resource Coordination positions within school buildings.

Karen Bowe, 4J parent, spoke about the existing homework policy which was implemented during the pandemic. Ms. Bowe said that the policy removes all decision-making from teachers regarding how to handle late work. She said there are multiple issues at play with the question of late work, including equity and workflow issues. She suggested that the homework policy be reexamined.

VII. COMMENTS BY EMPLOYEE GROUPS

Liz Johnson, Eugene Education Association (EEA) 4J Inclusion Advisor, spoke about inclusion in the educational system. She said progress has been made toward meaningful inclusion, including strengthening special education (SPED) services, adding behavioral support staff, providing instructional coaches, new teaching mentors, and enhancing the framework for the universal design for learning. She said in order to make inclusion truly meaningful, the district must embrace opportunities for growth, including cross-department collaboration, specifically between the instruction department, student services department, and equity and inclusion department. Ms. Johnson added that the district must prioritize the needs and wellbeing of neurodivergent students.

Lisa Jenkins-Easton, Oregon School Employees Association (OSEA) President, read aloud a letter addressed to 4J employees facing potential displacement due to budgetary constraints. She noted that the language used indicated that the decision was nonnegotiable. She cited 53 letters issued to employees. Ms. Jenkins-Easton stated that we are part of history with every improvement we make. She mentioned that OSEA will be honoring bus drivers on April 22, 2025, for School Bus Driver Appreciation Day.

VIII. CONSENT GROUP – ITEMS FOR ACTION

- 1. APPROVE THE DRAFT 4J SCHOOL BOARD MINUTES FOR:
2/19/2025 REGULAR BOARD MEETING MINUTES DRAFT
2/25/2025 4J SPECIAL BOARD MEETING MINUTES DRAFT
3/5/2025 4J REGULAR BOARD MEETING MINUTES DRAFT
4/2/2025 4J SPECIAL BOARD MEETING MINUTES DRAFT**
- 2. ED CENTER ROOFTOP MECHANICAL EQUIPMENT INSTALL**
- 3. BOND PROJECT – MULTI SITE PLAYGROUND IMPROVEMENTS**
- 4. BOND PROJECT – COBURG COMMUNITY CHARTER ELEMETARY SCHOOL ROOFING**
- 5. BOND PROJECT – MULTI SITE PAVING IMPROVEMENTS**
- 6. APPROVE THE REPLACEMENT OF 4J'S CORE NETWORK INFRASTRUCTURE, INCLUDING WIFI INFRASTRUCTURE**

**7. APPROVAL OF THE 2025 EUGENE SCHOOL DISTRICT 4J
SUPPLEMENTAL BUSSING PLAN**

**8. APPROVE TYLER TECHNOLOGIES SCHOOL ERP (ENTERPRISE
RESOURCE PLANNING) PRO CONTRACT, STATEMENT OF WORK, AND
PROJECTED TIMELINE**

**9. APPROVE EMPLOYMENT CONTRACT FOR INCOMING
SUPERINTENDENT DR. MIRIAM MICKELSON**

MOTION: Vice Chair Di Liberto moved to approve the consent group.
Ms. Thessen seconded. **The motion passed unanimously, 7:0:0; Chair
Jonak, Vice Chair Di Liberto, Ms. Rabasa, Ms. Newman, Ms.
Thessen, Ms. Munro, and Mr. Hamilton all voting in favor.**

IX. ITEMS FOR INFORMATION

1. INFORMATIONAL PRESENTATION ON SCHOOL SAFETY

Director of School Safety and Emergency Management Jen Bills and Assistant Superintendent of Administrative Services Brooke Wagner presented information about school safety.

Ms. Bills explained that school safety encompasses everything from facilities safety and emergency management to Safe Routes to School.

Regarding emergency management, information was collected from September 2024 through April 2025. During that timeframe the safety team conducted numerous evacuation/fire drills, lockdown drills, and secure drills. Other successes included launching the My EOP app, rolling out new emergency guides, and the effectiveness of the Safe Routes to School program.

Ms. Bills reported 394 police responses during the school year. The calls for service, in no particular order, included property crimes, assaults, disorderly subject, sex crimes, trespassing, suicidal subjects, custodial, harassment, MIP, and child abuse.

Ms. Bills highlighted gaps and vulnerabilities, such as decentralized reporting, a lack of onsite law enforcement resulting in longer response times, and a need to update infrastructure, including vestibules and cameras. She added that the 4J safety team works in partnership with 4J mental health practitioners, Oregon Department of Human Services, and local law enforcement.

Mr. Hamilton requested suicidal subject service calls statistics from other Oregon districts.

Ms. Bills responded that she would follow up with the information.

Student Representative Ms. Hehman requested a breakdown of service calls by school.

Ms. Bills committed to following up with the information.

2. COMMUNITY ENGAGEMENT COMMITTEE: REPORT OUT ON COMMUNITY AND STUDENT CHATS

Chief of Staff Carmen Xiomara Urbina introduced members of the Community Engagement Committee to present information via PowerPoint presentation.

Ms. Thessen explained that community and student chats were facilitated throughout fall and winter to engage in open, respectful, and relational conversations around equity and wellbeing. From that, systemic insights emerged from the collective voices. She clarified that the chats were places for the committee to listen but not to fix or solve. The chats were not public meetings nor policy-making sessions.

Mr. Hamilton reported that 70 high school students participated in the chats. They articulated needs for inclusion, access, and partnership. The following patterns emerged:

- Belonging and Identity
- Facilities and Safety
- Mental Health
- Academic Success
- Communication
- SPED/Neurodivergent Support
- Visibility (recognition and equitable support for ECCO and EOA)

Mr. Hamilton further outlined specific requests that students named, from expanded affinity spaces to equity in honors, SAT prep, electives, and CTE.

Ms. Thessen summarized the following patterns identified by adults in the 4J community:

- Grief and postvention
- Inclusion for students with disabilities
- Staffing stability and training
- IEP/504 plan implementation
- Family communication
- Youth mental health
- Charter partnerships
- Curriculum and belonging

Ms. Rabasa provided a closing summary:

- Across diverse voices, common themes emerged
- Deep commitment to healing, inclusion, and partnership
- Gaps in support, communication, and coordination remain
- The district is rich with promise and collective will to grow

Ms. Rabasa described next steps:

- The report is a reflection tool – not a set of recommendations
- Themes will be revisited in the Summer 2025 Board retreat
- An opportunity to align around shared values and respond to both student and community voices

X. ITEMS FOR ACTION

1. INTEGRATED GUIDANCE (IG) PLAN/APPLICATION

Assistant Superintendent of Instruction Larry Williams and State and Federal Grant Manager Judy Jesiah recommended approval of the Integrated Guidance (IG) Plan/Application.

MOTION: Vice Chair Di Liberto moved to approve the Integrated Guidance (IG) Plan/Application. Ms. Newman seconded. **The motion passed unanimously, 7:0:0; Chair Jonak, Vice Chair Di Liberto, Ms. Rabasa, Ms. Newman, Ms. Thessen, Ms. Munro, and Mr. Hamilton all voting in favor.**

2. K-10 CORE MATHEMATICS CURRICULUM ADOPTION

Elementary Curriculum Administrator Erin Gaston and Secondary Curriculum Administrator Courtney Leonard recommended approval of K-10 Core Mathematics Curriculum Adoption.

MOTION: Vice Chair Di Liberto moved to approve the K-10 Core Mathematics Curriculum. Ms. Munro seconded. **The motion passed unanimously, 7:0:0; Chair Jonak, Vice Chair Di Liberto, Ms. Rabasa, Ms. Newman, Ms. Thessen, Ms. Munro, and Mr. Hamilton all voting in favor.**

XI. ITEMS FOR ACTION AT A FUTURE MEETING

1. APPROVE ADOPTION OF MIDDLE AND HIGH SCHOOL SCIENCE CURRICULUM

Secondary Science Context Specialist Teacher on Special Assignment (TOSA) Sarah Kirby (online), Ms. Gaston, and Ms. Leonard provided information about the adoption of middle and high school science curriculum via PowerPoint presentation. For middle school curriculum they are recommending Twig and for high school curriculum they are recommending Savvas. The team responded to questions from the BOD about the process for reaching consensus (for middle school curriculum specifically) and current approaches to engaging students in hands-on science curriculum.

2. READOPT ELEMENTARY AND SECONDARY HEALTH CURRICULUM THROUGH 2032

Ms. Gaston and Ms. Leonard provided information about the readoption of elementary

and secondary health curriculum through 2032 via PowerPoint presentation. For elementary and middle school curriculum they are recommending readopting The Great Body Shop and for high school curriculum they are recommending readopting Live Well.

Ms. Thessen asked if they believe the curriculum to be eating disorder trauma informed.

Ms. Gaston responded yes.

Ms. Newman asked about professional development for educators.

Ms. Gaston responded that at the elementary level the curriculum is straightforward. In fifth grade they conduct the Human Growth and Development Unit, and professional learning is provided.

Ms. Leonard said that at the secondary level professional development consists of peers collaborating with peers to craft detailed scope and sequence documents that all secondary teachers can access.

Ms. Rabasa recommended looking for opportunities for health educators to collaborate with the district safety team and prevention specialists around issues like suicidality.

3. SET STUDENT TRANSFER LIMITS AS PER POLICY JECB (FIRST READ)

Ms. Urbina provided information about Student Transfer Limits as Per Policy JECB via PowerPoint presentation. She explained that the action sets enrollment limits for both incoming and outgoing interdistrict transfers. She provided relevant legal and procedural context and historical trends dating back to 2020. Ms. Urbina pointed out that currently, outgoing district transfers are higher than incoming district transfers. The district is working to determine why students are transferring and responding in ways that invite them to stay.

Ms. Urbina provided a snapshot as of March 2025:

- 464 interdistrict transfer requests
- An increase of 90 requests compared to the previous year
- Final numbers will be determined following the April 15 lottery

Ms. Urbina outlined the enrollment and transfer placement process. She described budget and resource implications and equity considerations. She presented tables revealing incoming and outgoing transfers and cited a growing interest in online options.

Ms. Urbina provided areas for reflection and review:

- The district may need to reflect on whether the current cap of 400 transfers is still appropriate
- There is an opportunity to consider whether increased flexibility within the district could better support student and family needs.

- Improving family trust and transparency should remain a key area of focus
- It is important to understand the reasons why some families are choosing to leave the district

Ms. Urbina recommended approving 400 transfers into and 400 transfers out of the district for the 2025-26 school year.

Ms. Urbina responded to inquiries from the BOD about online program transfer requests, collecting data about why and at what grade level students are transferring, and the process for collecting and reflecting student transfer data.

4. CONSIDER FOR APPROVAL REVISIONS TO POLICY KBA – PUBLIC RECORDS**

General Counsel Christine Nesbit provided information about revisions to Policy KBA – Public Records. She explained that the policy has been in place for decades and helps implement legal requirements to produce records for members of the public upon request and to archive and retain records. Ms. Nesbit is recommending the policy be aligned to be consistent with the law and language that better reflects current terms and practices. She added that Board members may be considered a public body for public records purposes such that the records that they individually create and retain may be considered public records.

5. CONSIDER FOR APPROVAL REVISIONS TO POLICY GBEA – WORKPLACE HARRASSMENT (FIRST READ)

Ms. Nesbit provided information about revisions to Policy GBEA – Workplace Harassment. She is recommending the policy be aligned to be consistent with the law. She provided details about the changes.

6. CONSIDER FOR ADOPTION POLICY JGA – CORPORAL PUNISHMENT (FIRST READ)

Mr. Williams provided information about the adoption of Policy JGA – Corporal Punishment. He stated that the use of corporal punishment in any form is strictly prohibited. He outlined a few key changes to district policy. First, that the policy includes pain or discomfort resulting from participation in athletics competitions. Second, parents or legal guardians of minor children are permitted to physically guide their child to maintain discipline or promote welfare, but the policy provides specific guidelines regarding physical force.

7. CONSIDER FOR ADOPTION POLICY EBC – EMERGENCY PLAN AND FIRST AID (FIRST READ)**

Ms. Bills recommended adoption of Policy EBC – Emergency Plan and First Aid. She is recommending the policy to further refine current practices relating to notifications for emergency management and CPR and first aid certifications.

8. APPROVE REVISIONS TO BOARD POLICY BDDH – PUBLIC COMMENTS AT BOARD MEETINGS (FIRST READ)

Interim Superintendent Gill recommended approving revisions to Policy BDDH – Public Comments at Board Meetings. He is recommending the revisions to both be consistent with the law and to best align with district values. He outlined several potential updates for the BOD to consider, including but not limited to:

- Public comment is limited to a designated place on the agenda
- Public commenters may sign up 48 hours prior to the meeting
- If more than 10 people request to speak, priority is given to those who did not provide public comment during the previous two meetings
- A person may comment on an agenda item or topic not on the published agenda
- Public commenters should state their name and whether they are a member of the district
- Chair has discretion to waive the time limits or extend the overall time allotted
- Additional time will be allocated in a fair equitable manner across all speakers

Ms. Rabasa suggested adding language stating that individuals may utilize their telephone to call in and sign up for public comment. She emphasized having multiple pathways available.

Ms. Rabasa recommended holding further discussion about the Chair's discretion to waive or extend the time limits; including the option to allow more than 10 speakers but shorten their speaking time.

Vice Chair Di Liberto agreed that the language around the Chair's discretion to waive or extend the time limits should be refined to reflect the Board's intent.

Ms. Munro pointed out some of the reasoning for the Chair's discretion to waive or extend the time limits, such as in special cases.

Interim Superintendent Gill closed with his commitment to update revisions to Policy BDDH based on BOD feedback.

XII. COMMENTS BY INDIVIDUAL BOARD MEMBERS

Ms. Thessen reported that she is attending her first Lane ESD board meeting on May 6, 2025. She recognized Transgender Day of Visibility on March 31, 2025 and Autism Acceptance Month in April 2025.

Vice Chair Di Liberto provided remarks regarding the district's budgetary constraints, stating that the reductions do not represent what the Board believes would be best for 4J.

He acknowledged that the budgetary decisions are difficult for parents and students to hear...and said they are the last thing that any decision maker wants to do. He cited underfunding and a decline in enrollment. Vice Chair Di Liberto reaffirmed his commitment to listening to stakeholders and encouraged them to remain informed.

XIII. SUGGESTIONS BY THE BOARD FOR CONSIDERATION OF ITEMS AT A FUTURE MEETING

Ms. Rabasa suggested an agenda item to consider forming a Community Transition Advisory Committee to assist with integrating the incoming superintendent.

Ms. Rabasa suggested an agenda item regarding inviting student representatives to serve on committees.

Chair Jonak suggested an agenda item to consider a BOD liaison to work with district employee groups.

XIV. ADJORN

Chair Jonak adjourned the regular board meeting at 9:21 p.m.

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: Supplemental Plan Revision for Eugene SD

SUBJECT: Supplemental Plan Revision for Eugene SD STAFF NAME & OFFICE: Brock Dittus, Pupil Transportation & Fingerprinting This district has submitted a new supplemental plan for board approval. This will change the areas in which transportation will be provided / required for students who live within the statutory minimum for transportation.	☐ Informational Presentation ☒ Written Report
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BACKGROUND

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

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

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

In 1992, many districts submitted supplemental plans for approval from the State Board, and all were adopted. Having an approved supplemental plan does two things:

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

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

A supplemental plan must be approved by the local school board prior to presentation to the State Board for approval. The District Boards approved these supplemental plans at their regular meetings and submitted the plan to ODE for approval thereafter.

The supplemental plan submitted by this school district accounts for attendance boundary changes within the walk distance areas and local hazards acknowledged by school leadership and residents. Proponents and opponents of the submitted plan had the opportunity to be heard at the local level. This plan establishes the first supplemental plan requested by the district.

Oregon State Board of Education

May 15, 2025

AGENDA ITEM: Supplemental Plan Revision for Eugene SD

SUMMARY OF PREVIOUS BOARD ACTION

The State Board has previously approved a supplemental plan for Eugene School District in 1992 with revisions in 1994, 1997, 2004 and 2005.

POLICY ISSUE OR CONCERNS

The School District submitted a supplemental plan for State Board approval after the local school board adopted them during sessions open to the public. ODE does not engage with stakeholders regarding these plan revisions separate from the district's public process.

In this case, the district is updating their plan to account for students with special needs who would otherwise face dangerous conditions due to speed and/or volume of vehicle traffic, width and condition of street, lack of shoulders or sidewalks suitable to walking, poor visibility, and dangerous crossings or intersections, among other hazards.

EQUITY IMPACT ANALYSIS

ODE does not conduct a separate analysis of a supplemental plan adopted by a local school board except to verify that the supplemental plan is being submitted for health or safety reasons as required by statute. In this case, the proposed changes will not have any negative impact on any students living in the affected areas, and may support an increased equity for students who might be subject to the listed hazards.

FISCAL ANALYSIS

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

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

ATTACHMENTS

Attachment 1: Eugene SD Supplemental Plan

Attachment 2: Local Board Approval indicated in Meeting Minutes

581-012-0001

Definitions: Regional Educator Networks

The following definitions apply to OAR 581-012-0001 to 581-012-0019

(1) “Capacity Grants” means grant funds that are dispersed from the Educator Advancement Fund to Sponsoring Organizations for the purpose of meeting the goals identified in ORS 342.943 and in accordance with OAR 581-012-0013.

(2) “Consortium” means the formation of a formal partnership between two or more eligible Sponsoring Organizations within a region for the purpose of sponsoring an educator network as described in ORS 342.943.

(3) “Coordinating Body” has the meaning given in ORS 342.943(2)(f), shall include a majority of Educators, as defined by ORS 342.940, who are based in schools from different grades and content areas and reflective of the student demographics of the region served by the Educator Network. The Coordinating Body shall also include members representing relevant state agencies, early learning providers and professionals, school board members, educator preparation providers, education-focused nonprofit organizations, professional education associations, and federally recognized Tribes of this state.

(4) “Design Teams” means teams of Regional Educator Network Member Organization representatives that meet for the purpose of identifying professional educator priorities and designing professional learning to address the priorities through a Continuous Improvement Process. Design Teams may include, but are not limited to, representatives of Member Organizations such as school building, school district, and/or education service district employees, inclusive of administrators, licensed teachers, classified staff, human resources professionals, and other school personnel.

(5) “Educator” has the meaning given in ORS 342.940, a person who is: (a) A teacher, an administrator or another school employee who is employed to provide instruction or support to students in early childhood education or in kindergarten through grade 12; or (b) Entering into or enrolled in an educator preparation program.

~~(6)~~ “Educator Advancement Fund” means the fund established by ORS 342.953.

~~(7)~~ “ESD” means education service district as defined in ORS 334.003.

(8) “Fiscal agent” means a School District, Education Service district, or Postsecondary Institution of Education that partners with a Sponsoring Organization for the purpose of accepting, holding and disbursing Regional Educator Network grant funds, and is responsible for adhering to the terms of the grant agreement, ensuring grant funds are spent properly and all required expenditure reporting is completed.

(9) “Formula Funds” means grant funds that are dispersed from the Educator Advancement Fund to Sponsoring Organizations for the purpose of meeting the goals identified in ORS 342.943 and in accordance with OAR 581-012-0015.

(10) “Member Organization” means an organization identified in OAR 581-012-0010 that employs Educators within a specified region served by the Regional Educator Network.

~~(11)~~ “Nonprofit Organization” means an education-focused organization that:

(a) Is established as a nonprofit organization under the laws of Oregon; and

(b) Qualifies as an exempt organization under section 501(c)(3) or a social welfare organization under 501(c)(4) of the Internal Revenue Code as defined in ORS 314.011.

~~(124)~~ “Oregon Equity Lens” means the equity lens as defined in OAR 581-018-0010.

~~(513)~~ “Postsecondary institution of Education” means:

(a) A community college operated under ORS Chapter 341;

(b) 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;

(c) Oregon Health and Science University; or

(d) An Oregon-based, accredited, not-for-profit institution of higher education.

(14) “Professional Learning Plan” means a two-year plan developed by representatives of Regional Educator Network Member Organizations, that is informed by teacher perspectives and that identifies purposeful and planned programmatic activities aimed at improvement and innovation to support Educators in accordance with the policies and goals of ORS 342.943.

(15) “Regional Educator Network” means a formal partnership between Member Organizations, early learning organizations, and Postsecondary Institutions of Education that collaboratively works to implement ORS 342.943 by tailoring regional professional learning and support systems for improving outcomes for all Oregon students.

(16) “Regional Educator Network Participant” means an Educator, as defined by ORS 342.940, who participates in any service or support that is funded by a Regional Educator Network funds.

(17) “Regional Plan” means a four-year plan developed by the Sponsoring Organization in partnership with representatives of Member Organizations and Coordinating Body Members that articulates the region’s approach to collectively developing and investing in systems of support for educators in accordance with the policies and goals of ORS 342.943 and OAR 581 012 0011.

~~(186)~~ “School District” means a common or union high school district.

(19) “Sponsoring Organization” means a School District, Education Service District, Nonprofit Organization, Postsecondary Institution of Education, Tribe, or a Consortia of any of these groups in a designated region of the state that was selected by the Educator Advancement Council for the purpose of sponsoring an educator network as described in ORS 342.943.

~~(207)~~ “Tribe” means any of the federally recognized Native American tribes of this state.

(21) “Technical assistance” means targeted support provided by the Sponsoring Organization to Member Organizations in which guidance, support and or training is available to help develop skills, implement

improvement efforts, or solve specific challenges. It can involve, but is not limited to, consulting, coaching, resource sharing, and capacity building efforts.

Statutory/Other Authority: ORS 342.940 & ORS 324.943

Statutes/Other Implemented: ORS 342.940 & ORS 324.943

History:

[ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019](#)

[ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019](#)

581-012-0003

Equity Lens: Regional Educator Networks

The Educator Advancement Council, the Oregon Department of Education, and the Regional Educator Networks will apply the Oregon equity lens in all work relating to the Educator Advancement Fund and the Regional Educator Networks.

Statutory/Other Authority: ORS 342.940 & ORS 324.943

Statutes/Other Implemented: ORS 342.940 & ORS 324.943

History:

[ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019](#)

[ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019](#)

581-012-0005

Educator Advancement Fund

The Educator Advancement Fund may be used for the following purposes:

- (1) Regional Educator Network capacity grants pursuant to OAR 581-012-0013;
- (2) Regional Educator Network formula funding pursuant to OAR 581-012-0015;
- (3) Other investments directed by the Oregon Legislature or the Educator Advancement Council pursuant to OAR 581-012-0017; and
- (4) Educator Advancement Council and ODE administrative costs.

Statutory/Other Authority: ORS 342.940 & ORS 324.943

Statutes/Other Implemented: ORS 342.940 & ORS 324.943

History:

[ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019](#)

[ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019](#)

581-012-0007

Regional Educator Networks Sponsoring Organization Requirements

- (1) The Educator Advancement Council will develop-establish Regional Educator Networks, hosted by a Sponsoring Organization, across the state for the purpose of facilitating the work of school-districts eligible Member Organizations in their respective regions as they work towards improving professional learning systems designed to support educators as articulated in ORS 342.943.

(2) Regional Educator Networks Sponsoring Organizations are selected by the Educator Advancement Council through a Request for Application process administered by the Oregon Department of Education for the purpose of supporting a Regional Educator Network and must:

(a) Comply with all requirements of ORS 342.943;

(b) Establish and convene a coordinating body for the Regional Educator Network with membership based on the requirements in ~~statute~~-ORS 342.943(2)(f) and for the purpose of identifying regional needs and priorities;

(c) Convene and provide technical assistance to support ~~Member~~ Organizations in their region ~~to as they develop~~ and implement approved ~~p~~Professional ~~l~~Learning ~~P~~Plans and ~~educator advancement systems that reflect educator voice and engagement~~;

(d) Convene and provide technical assistance to support ~~D~~esign ~~T~~teams for the purpose of sharing learning around common themes related to Professional Learning Plans in order to scale best practices across the schools, districts, and the region to address system conditions that produce inequities;

(~~de~~) Oversee and monitor Educator Advancement Fund ~~resources~~ grants allocated to the Regional Educator Network;

(~~ef~~) Reflect and communicate the nature and intent of the Educator Advancement Fund grants;

(~~fg~~) Model and reinforce authentic local ~~partner~~ stakeholder and Educator engagement efforts;

(~~gh~~) Demonstrate a commitment to equity-driven policies and practices including engagement of community ~~stakeholder interest~~ groups;

(~~hi~~) Support ~~the~~ Member Organizations to implement the principles of improvement science as defined by the Regional Educator Network Request for Application through phases 1-3 of a continuous improvement process as defined by the Regional Educator Network Request for Applications;

(~~ij~~) Participate in ongoing Training and Technical Assistance as required by the Educator Advancement Council;

(~~jk~~) Ensure the Regional Educator Network coordinator is communicating regularly with the Educator Advancement Council staff;

(~~lk~~) Develop a ~~regional~~ local ~~Regional Educator Network~~ Pplan in accordance with OAR 581-012-0011 to be submitted to the Educator Advancement Council every four years;

(~~ml~~) Host and promote Training and Technical Assistance opportunities offered by the Educator Advancement Council to support the work of governance groups and/or districts;

(~~mn~~) Participate in best-practice sharing with other Regional Educator Networks, including Educator Advancement Council hosted statewide Regional Educator Network convenings; ~~and~~

(~~no~~) Collaborate with other Regional Educator Networks to meet the identified needs of an eligible Member Organizations ~~district~~ if a priority is not being addressed in their respective Regional Educator Network; ~~and~~

(p) Facilitate and coordinate across the ~~network~~ Regional Educator Network to advance the network's shared goals and priorities.-

(q) Establish regular communication loops with all Member Organizations about opportunities to engage in the Regional Educator Network; and

(r) Monitor and report on progress towards statewide initiatives and Educator Advancement Council identified outcomes that include:

(s) Ensure professional learning models statewide engage teachers, administrators, and other Educators to design and implement equity-driven, high-quality professional learning aligned to state-adopted professional learning standards to improve student outcomes;

(t) Ensure the voices of classroom teachers and other Educators are regularly included in decision making regarding professional learning priorities, Educator supports, and policies impacting Educators at local schools, districts, and regions;

(u) Improve and expand models to provide all novice Educators access to high-quality mentoring and professional development support during their first three years to promote effective practices and increase Educator retention; and

(v) Innovate to expand models statewide to support career pathways into and through Educator careers and provide financial resources and other support to achieve an Educator workforce that is equity-driven and more reflective of pre-K–12 student demographics.

(3) The Educator Advancement Council may revoke a ~~Regional Educator Networks~~Sponsoring Organization status for failure to comply with the requirements of this rule or ~~failure~~failure to meet all requirements as specified in the Regional Educator Network Request for Applications issued by the Oregon Department of Education on behalf of the Educator Advancement Council. The Educator Advancement Council will identify indicators to monitor Sponsoring Organization compliance of this rule and the requirements specified in the Regional Educator Network Request For Application.

(a) The Educator Advancement Council will provide written notice to a ~~Regional Educator Network~~Sponsoring Organization of any failure to comply with this rule or the Request for Application.

(b) Within 30 days of receiving written notice under subsection (3)(a) of this rule, the Sponsoring Organization ~~Regional Educator Network~~ must submit proposed corrective action to the Educator Advancement Council.

(c) The Educator Advancement Council will approve the proposed corrective action submitted under subsection (3)(b) of this rule if the proposed corrective action has a substantial likelihood of bringing the ~~Regional Educator Network~~Sponsoring Organization back into compliance with this rule and the Request for Application.

(d) Within ~~90~~60 days of approval of the proposed corrective action plan under subsection (3)(c) of this rule, the ~~Regional Educator Network~~Sponsoring Organization must complete the corrective action. If the ~~Regional Educator Network~~Sponsoring Organization does not complete the corrective action within the required time, the Educator Advancement Council will revoke the ~~Regional Educator Network's~~Sponsoring Organization's status and immediately cease all funding to the ~~Regional Educator Network~~Sponsoring Organization. If extenuating circumstances exist, the ~~Regional Educator Network~~Sponsoring Organization may request an extension of time to comply.

(e) Unless otherwise prohibited by statute, the Council may delegate these determinations to its Executive Director.

Statutory/Other Authority: ORS 342.940 & ORS 324.943

Statutes/Other Implemented: ORS 342.940 & ORS 324.943

History:

[ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019](#)

[ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019](#)

581-012-0009

Criteria for Selecting ~~Regional Educator Networks~~Sponsoring Organizations

~~(1)(4) The For each biennium, the~~ Educator Advancement Council may establish a request for application solicitation and approval process under the following circumstances:

~~(a) The current Sponsoring Organization has notified the Educator Advancement Council, in writing, they can no longer sponsor a Regional Educator Network; or~~

~~(b) The status of a Sponsoring Organization has been revoked by the Educator Advancement Council for failure to comply with ORS 581-012-0007 (3) and the Request for Application.~~

~~(2)- The Council~~ Educator Advancement Council staff will notify eligible ~~applicants~~ Sponsoring Organizations of the application process, the due dates and make available necessary guidelines and application forms.

~~(23)~~ All applications must comply with the requirements of ORS 342.943 and rules adopted to implement those laws.

~~(34)~~ The Educator Advancement Council will select ~~Regional Educator Networks~~ Sponsoring Organizations based on the evaluation of the grant applications and the geographic location of applicants to ensure all areas of the state are represented in a Regional Educator Network.

~~(45)~~ The following entities are eligible to be a ~~Regional Educator Network~~ Sponsoring Organization:

(a) School districts;

(b) ESDs;

(c) Non-profit organizations;

(d) Post-secondary institutions of education;

(e) Tribes; and

(f) A ~~C~~consortium of any combination thereof of entities described in this subsection.

~~(56)~~ ~~Regional Educator Networks~~ Sponsoring Organizations must be or partner with an eligible ~~F~~fiscal ~~A~~gent. Eligible ~~F~~fiscal ~~A~~agents are ~~S~~school ~~D~~istricts, ESDs, Tribes, or ~~P~~post-~~S~~secondary ~~I~~nstitutions of education.

Statutory/Other Authority: ORS 342.940 & ORS 342.943

Statutes/Other Implemented: ORS 342.940 & ORS 342.943

History:

[ODE 29-2024, temporary amend filed 05/23/2024, effective 05/23/2024 through 11/18/2024](#)

[ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019](#)

[ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019](#)

581-012-0010

Member Organizations

(1) The following entities [are eligible Member Organizations of a Regional Educator Network; may join engage and receive support and or funding from a Regional Network as an eligible member organization:](#)

(a) School districts;

(b) State-sponsored public charter schools (per ORS 338.075);

(c) The Oregon School for the Deaf; **and**

(d) An education program under the Youth Corrections Education Program or the Juvenile Detention Education Program;

(e) Federally Recognized Tribes of this State; and

(f) Education Service Districts;

(2) Each **biennium, Regional Educator Network Sponsoring Organizations** shall [develop and or update a communication plan to](#) -notify- and invite eligible Member Organizations located within the regional geographic boundary to [participate in the participate serve on the Coordinating Body, apply for funding, receive technical assistance and or participate in network convenings in the through the](#) Regional Educator Network. -The [notification ongoing communication](#) required by this subsection shall be provided in writing and directed to the chief executive officer or superintendent of the eligible member organization. [The communications shall include the multiple ways Educators employed by and representatives of the Member the Organization can engage in the Regional Educator Network and technical assistance provided by the Regional Educator Network. Member Organizations shall respond, in writing, on how the Member Organization would like to engage in the Regional Educator Network. within 30 days of the date the Regional Educator Network executes their grant agreement with the Department of Education.](#)

(3) Member Organizations engagement may include, but is not limited to: may engage with a Regional Educator Network in the following ways:

(a) have a selecting a representative to serve on the Coordinating Body;

(b) apply for funding through the Regional Educator Network by creating creating or participating in a Design Team to and developing a develop a professional learning plan that is submitted to the Regional Educator Network for review;

(c) receive technical assistance from the Regional Educator Network Sponsoring Organization; and, to develop or implement a professional learning plan;

(d) participate in a Design Team; and

(e) participating in networked learning -convenings to collaborate, engage in disciplined inquiry, knowledge sharing and knowledge creation to address a common or shared challenge using the tools of improvement science in order to enhance organizational capacity and improve student learning. learn

~~and collaborate with other Educators and to identify local and regional problems of practice, priorities, and solutions that improve systems of support for all Educators.~~

~~(3) An eligible member organization may choose to opt out of the Regional Educator Network by informing the Regional Educator Network in writing no later than 30 days after receiving notice of assignment under subsection (2) of this rule. Within 14 days of receiving such written notice, a Regional Educator Network Coordinator shall forward said notice to the Educator Advancement Council. If an eligible member organization fails to provide written notice within 30 days after receiving notice of assignment, the eligible member organization will become part of the Regional Educator Network. The Educator Advancement Council will direct the Oregon Department of Education to hold resources allocated on behalf of the opting out member organization in the Educator Advancement Fund. The Educator Advancement Council may then allocate those funds for any of the purposes identified in OAR 581-012-0005.~~

~~(4) An Beginning on July 1, 2020, an eligible member organization currently participating in a Regional Educator Network may request reassignment to a different Regional Educator Network if their needs are not being met. This request must be made at least 90 days before the start of a new biennium.~~

~~(a) The request for reassignment must be made to the Educator Advancement Council. The request must state the reason for seeking reassignment. Educator Advancement Council staff will conduct an analysis based on Educator Advancement Council established criteria and make a recommendation to the Educator Advancement Council.~~

~~(b) The Educator Advancement Council will assess the request for reassignment based on the following criteria:~~

~~(A) Whether a compelling rationale exists relative to alignment of system improvement efforts;~~

~~(B) Evidence of Member Organization efforts to engage in network as described in subsection (3) of this rule;~~

~~(C) Evidence of current assigned Regional Educator Network efforts to collaborate with other Regional Educator Networks to meet the needs of the Member organization; and~~

~~(DB) Whether there are documented requests to transfers from the member organizations constituency, inclusive of teacher and administrator voices that identify collective needs not being met.~~

~~(C) Educator Advancement Council staff will verify the requested receiving Regional Educator Network is willing to accept the transferring eligible member organization.~~

~~(D) Upon approval by the Educator Advancement Council, the eligible member organization will be assigned to the new Regional Educator Network. The Educator Advancement Council shall update the regional boundary lines to reflect the reassignment of the member organization. At the start of the new biennium The new Regional Educator Network shall receive 50% of the remaining funding associated with the transferring member organization for the current biennium. The remaining 50% of funding for the current biennium shall remain with the original Regional Educator Network. the Educator Advancement Council, shall recalculate the award amounts for the impacted Regional Educator Networks.~~

Statutory/Other Authority: ORS 342.940 & ORS 342.943
Statutes/Other Implemented: ORS 342.940 & ORS 342.943
History:

[ODE 157-2019, adopt filed 12/17/2019, effective 12/17/2019](#)

[ODE 150-2019, temporary adopt filed 10/30/2019, effective 10/30/2019 through 04/26/2020](#)

581-012-0011

Regional Educator Network Regional Plan

(1) ~~Regional Educator Networks Sponsoring Organizations~~ must develop a ~~four-year R~~regional ~~P~~plan in partnership with representatives of Member Organizations and Coordinating Body Members that articulates the region's approach to collectively developing and investing in systems of support for all Educators that makes progress towards statewide initiatives and district priorities as a way to strengthen the Educator in accordance with policies and goals of ORS 342.943 and OAR 581-012-0011. ~~workforce and improve student outcomes.~~ The ~~R~~regional ~~P~~plan must:

(a) Comply with the requirements of ORS 342.943(3) and (4);

(b) Incorporate ~~the local professional learning plans that included~~describes activities that align to the ~~EAC Educator Advancement Council's identified statewide outcomes~~ORS 342.943 (3) and (4), ~~Oregon's Priorities for Student Success~~ and are developed by ~~teachers, administrators, and other Educators of each Educators of the~~ representatives of Regional Educator Network's ~~M~~member organizations~~O~~organizations, that is informed by teacher perspective and that identifies purposeful and planned programmatic activities aimed at improvement and innovation to support Educators in accordance with the policies and goals of ORS 342.943;

(c) Describe ~~any T~~technical ~~A~~assistance to be provided by the ~~Regional Educator Network Sponsoring Organization to Member Organization that will assist in the implementation of activities identified in Professional Learning Plans~~k;

(d) Identify responsibilities of the required Regional Educator Network coordinator and the amount of assigned FTE;

(e) Identify leveraged resources and additional partner contributions;

(f) Articulate how funding will be used to support the work of the Regional Educator Network and ~~local districts~~Member Organizations; and

(g) ~~D~~Develop a communication and engagement plan that describe how the Sponsoring Organization will engage and communicate with the Coordinating Body, ~~M~~member ~~O~~organizations and network members and partners to coordinate efforts across the region to strengthen the ~~Regional E~~educator ~~N~~etwork build and strengthen the network; and

(h) Span a minimum of four years.

(2) ~~Regional Educator Networks Sponsoring Organizations~~ must submit the ~~R~~regional ~~P~~plan to the Educator Advancement Council. Each biennium the Educator Advancement Council ~~staff~~ will announce a deadline for submission of the ~~R~~regional ~~P~~plan.

(3) ~~Agency s~~Educator Advancement Council staff will review and evaluate if a ~~R~~regional ~~P~~plan meets the requirements of subsection (1) of this rule and make recommendations to the Educator Advancement Council whether a plan should be approved. The Educator Advancement Council must review regional plans submitted by each Regional Educator Network Sponsoring Organization to determine whether the

~~plan should be approved.~~ A ~~R~~regional ~~P~~plan will be approved if the plan meets the requirements of subsection (1) of this rule.

(4) ~~Regional Educator Networks~~Sponsoring Organizations may amend an approved plan so long as the amendment is done in consultation with the Educator Advancement Council staff and the amended plan is approved by the Council as required under subsection (15) of this rule.

(5) If a REN Plan is not approved by the Council, the EAC staff will notify the Sponsoring Organization in writing that includes a rationale for why the plan was not approved.

(a) Within 3060 days of receiving written notice, the Sponsoring Organization must submit a revised plan to the Educator Advancement Council for review.

(c) The Educator Advancement Council will approve the proposed revisions submitted if the plan meets the requirements of subsection (1) of this rule.

Statutory/Other Authority: ORS 342.940 & ORS 324.943

Statutes/Other Implemented: ORS 342.940 & ORS 324.943

History:

ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019

ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019

581-012-0013

Regional Education Network Capacity Grants

(1) For each biennium, the Educator Advancement Council will review the formula used to determine ~~and communicate~~ the total amount of funds to be made available to the ~~Regional Educator Networks~~Sponsoring Organization as ~~C~~capacity ~~G~~grants. The Educator Advancement Council may update the formula.

(2) The Oregon Department of Education will distribute funds from the Educator Advancement Fund to each ~~Regional Educator Networks~~Sponsoring Organization according to the direction of the Educator Advancement Council.

(3) Capacity ~~G~~grants ~~can~~shall be used for the following purposes:

(a) Staffing, supplies, and travel costs for at least one dedicated Regional Educator Network staff person ~~to work to work~~ with ~~people and schools~~Member Organizations in the region and convene network members;

(b) Costs related to convening the ~~C~~coordinating ~~B~~body ~~or district teams~~, including costs for travel and actual costs of hiring substitutes for teachers; and

(c) Contracts for services provided by an outside entity to the Sponsoring Organization for facilitation or support for Regional Plan implementation. ~~to provide support with data collection, technical assistance, evaluation, and educator development content expertise.~~

(4) ~~Regional Educator Networks~~Sponsoring Organizations must separately account for funding received under this section and must submit an expenditure report to the Educator Advancement Council upon request by the Council.

(5) If a ~~Regional Educator Network~~Sponsoring Organization does not spend all of the allotted funds in the given biennium, the Educator Advancement Council will direct the Department of Education to reallocate

the funds to one or more of the other Regional Educator Networks or hold the funds in the Educator Advancement Fund to be distributed in the following biennium.

Statutory/Other Authority: ORS 342.940 & ORS 324.943

Statutes/Other Implemented: ORS 342.940 & ORS 324.943

History:

[ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019](#)

[ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019](#)

581-012-0015

Regional Educator Network Formula Funding

(1) For each biennium, the Educator Advancement Council will ~~review the formula used to~~ determine the total amount of funds to be made available to the ~~Regional Educator Networks Sponsoring Organizations.~~ ~~The Educator Advancement Council may update the formula.~~ ~~Formula funding is~~ for use by ~~the~~ eligible ~~Member Organizations~~ ~~to support Educators they employ~~ within the Regional Educator Network based on data provided by the Oregon Department of Education.

(2) The Oregon Department of Education will distribute funds from the Educator Advancement Fund to each ~~Regional Educator Network Sponsoring Organization~~ according to the direction of the Educator Advancement Council.

(3) ~~The Regional Educator Sponsoring Organizations Networks~~ must expend funds received under this section in accordance with the Regional Educator Network Request for Applications issued by the Educator Advancement Council and the ~~R~~regional ~~P~~plan developed and approved under 581-012-0011.

(4) ~~The purpose of Formula Funds are is~~ ~~to support Educators employed by eligible Member Organizations with costs associated with the delivery and implementation of educator support strategies and services that work towards building Educator knowledge, skills and dispositions and are and resources identified in the Educator Advancement Council- approved regional plan.~~ ~~that address problems or practice and solutions.~~ ~~Services and support must align to the Educator Advancement Council's career continuum, which includes Educator recruitment pathways and preparation, support for novice teachers and administrators, and professional growth and advancement opportunities for Educators.~~ ~~Formula funds can be used to support:~~ ~~for the following:~~

~~(a) School or district sub-grants to eligible Member Organizations for implementation of school or district improvement strategies identified in the Regional Plan;~~ ~~Allowable costs include:~~

~~(A) Staffing or contracted services for the delivery of school or district improvement strategies aligned to the regional plan;~~

~~(B) Program materials, supplies, and instructional resources;~~

~~(C) Stipends, reimbursements, or other wages for educator release time;~~

~~(D) Purchase of software or hardware directly related to the implementation of the strategy;~~

~~(E) Training or conference fees; and~~

~~(F) Substitute reimbursement to school district.~~

~~(b) Regional strategy facilitation costs of implementing regional facilitation of improvement strategies identified in the Regional Educator Network Pplan; and~~ ~~Allowable costs include:~~

(A) Staffing or contracted services delivered by the Sponsoring Organization to districts and or schools to build local capacity. Services may include technical assistance, coaching, or training that supports the implementation of the regional plan strategies;

(B) Program materials, supplies, and instructional resources; and

(C) Reimbursements or other payments to individual educators and or districts for educator time spent outside of contract hours participating in Regional Educator Network strategies or activities as a designer, facilitator, or participant;

(c) Design Team and networked learning convening costs including travel reimbursement and substitute reimbursement to school districts.

(5) Formula Ffunds cannot be used for students services or supports. Allowable costs for Fformula Ffunds include:

(a) staffing or contracted services delivered by the Sponsoring Organization to member organizations to build capacity. Services can include Ttechnical Aassistance, coaching, or training that supports the implementation of the Rregional Pplan;

(b) program materials, supplies, and instructional materials required for the implementation of the Pprofessional Llearning Pplan;

(c) stipends, reimbursements, or other wages for educator release time;

(d) training or conference fees; and

(e) substitute reimbursement to Sschool Ddistricts.

(564) Regional Educator NetworksSponsoring Organizations must separately account for funding received under this section and must submit an expenditure report to the Educator Advancement Council upon request by the Council.

(657) If a Regional Educator Network does not spend all of the allotted funds in the given biennium, the Educator Advancement Council will direct the Oregon Department of Education to hold the funds in the Educator Advancement Fund. The Educator Advancement Council may then allocate those funds for any of the purposes identified in OAR 581-012-0005.

Statutory/Other Authority: ORS 342.940 & ORS 324.943

Statutes/Other Implemented: ORS 342.940 & ORS 324.943

History:

ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019

ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019

581-012-0017

Other Investments

(1) The Educator Advancement Council may make other investments at the direction of the legislature or at the discretion of the Educator Advancement Council.

(2) The Oregon Department of Education will distribute funds according to the direction of the Educator Advancement Council.

Statutory/Other Authority: ORS 342.940 & ORS 324.943

Statutes/Other Implemented: ORS 342.940 & ORS 324.943

History:

[ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019](#)

[ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019](#)

581-012-0019

Reporting: Regional Educator Network

Prior to the end of each fiscal year, a ~~Regional Educator Network~~Sponsoring Organization receiving funds from the Educator Advancement Fund must submit to the Educator Advancement Council:

(1) An expenditure report; and

(2) Audited financial statements.

(3) A report on progress towards ~~s goals and~~ locally identified metrics and outcomes in the ~~R~~regional ~~P~~plan and other metrics identified by the Educator Advancement Council.

Statutory/Other Authority: ORS 342.940 & ORS 324.943

Statutes/Other Implemented: ORS 342.940 & ORS 324.943

History:

[ODE 147-2019, adopt filed 10/24/2019, effective 10/24/2019](#)

[ODE 19-2019, temporary adopt filed 05/20/2019, effective 05/20/2019 through 11/15/2019](#)



May 15, 2025
State Board of Education
Regional Educator Network Rule Revisions

EAC Regional Educator Network: Program Overview



10 regional partnerships, facilitate by 10 ESDS who serve all 197 school districts, focused on centering educator voices to strengthen the educator workforce from recruitment to retirement through offering ongoing professional development, mentoring, and career advancement opportunities.

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EAC Regional Educator Network: Program Overview

Per [SB 182](#) and [ORS 342.940-953](#), the EAC is charged with ensuring the RENs provide educators with access to services and resources that that accomplish **five specific policy goals**:

1. Provide open access **to high-quality and culturally responsive professional learning** and support for Oregon educators that *reflects teacher voice*, local contexts, stages of an educator's career
2. Enhance a **culture of leadership and collaborative responsibility** that elevates and advances the teaching profession
3. Strengthen and enhance **existing evidence-based practices that improve student achievement** and reflect changing students' needs and demographics.
4. Improve the recruitment, preparation, induction, and support of educators **at each stage of the educators' careers**.
5. Enhance leadership and career advancement opportunities for teachers and **increase the perspectives of teachers** in identifying priorities for funding educator professional learning and educator supports. ¹⁵⁶

Regional Educator Network Rule Revisions

- In 2017, the Oregon Legislature directed the Council to establish, fund, and monitor Regional Educator Networks, through which every educator in the state will have access to professional learning and career advancement support (ORS 342.940, ORS 342.943).
- In 2019, the State Board of Education adopted rules that describe definitions, fund uses, selection criteria and processes for REN Sponsoring Organizations, eligibility and requirements of REN Member Organizations, requirements of REN Plans and uses of grant¹⁵⁷ funding, and reporting (OAR 581-012-0001 through 581-012-0019).

Regional Educator Network Rule Revisions

Statement of Need

Current REN rules have not been reviewed or updated since launching in 2019. Through program implementation, both EAC and REN staff have identified rules that lack clarity, rules that are outdated, rules that cause role confusion and rules that contradict the purpose and intent of the RENs. EAC staff have received requests from partners for clear guidelines and parameters for program implementation as they relate to roles and responsibilities, criteria and process for REN plan approval, allowable costs and reporting requirements. 158

EAC Regional Educator Network: Engagement Strategy

Focus Groups:

- **EAC Directors** that with representation from **early learning, K-12 educators, and community organizations**
- **ESD Superintendents** who sponsor RENs, with voices from all ten regions with an emphasis on **rural and remote ESDs**
- **Regional Educator Network staff**, with voices from all ten regions with an emphasis on **rural and remote ESDs**
- **Education representatives** from the **nine federally recognized Tribes of Oregon**

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Engagement Timeline: Jan 2023 - Dec 2024

Council workgroups met 4 times to review rules, discuss current challenges, identify areas for improvement. REN staff also met 3 times to share experiences and challenges.

January 2023 - March 2024

EAC staff conducted 2 **listening sessions** with Sponsoring Organization staff that included REN coordinators, REN supervisors, and ESD superintendents

EAC staff **presented at SBE** on REN temporary rule.

May 2024

Marzano Research conducted **6 focus groups and 5 individual interviews** to gather additional input on REN implementation.

June - September 2024

April 2024

Educator Advancement
Council approved temporary revision for RFA process.

June 2024

SBE adopted temporary REN rule.

October - December 2024

EAC staff **processed** ¹⁶⁰ **input and feedback** to begin rule revisions.

Engagement Timeline: Dec 2024-Now

EAC receive introduction to the need to revise REN rules.

December 2024

EAC and ORCA complete first read of REN rule revisions.

February 2025

ORCA complete second read of REN rule revisions.

EAC staff conduct additional community engagement.

April 2025

January-March 2025

EAC Staff conduct additional community engagement and draft rule revisions to share with Council.

March 2025

EAC workgroup convenes to process partner and ORCA feedback.

SBE completes first read of REN rule revisions.

May 2025

EAC voted and approved revisions. ¹⁶¹

SBE completes second read and votes

Summary of Revisions

- Clarified responsibilities of the Sponsoring Organization by identifying and articulating specific requirements the Sponsoring Organization must do for program implementation. In the rules this looks like replacing language that calls for the “Regional Educator Network will...” and replacing it with the “Sponsoring Organization will...”
- Added Federally Recognized Tribes and Education Service Districts to eligible Member Organizations
- Removes the requirement to establish a Request for Application (RFA) each biennium and instead identifies two specific circumstances that would require the EAC to establish an RFA on an as needed basis
- Removed option for Member Organizations to opt out of a Regional Educator Network
- Removed option for Member Organizations to request reassignment to a different REN and instead strengthened rule language to focus on building collaborative structures across the region and across Regional Educator Networks to support and meet the needs of Member Organizations

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Summary of Feedback

- Removing the requirement for an RFA each biennium removes administrative burden and provides stability and continuity across regions
- Wondering regarding the language shift from the “Regional Educator Network will...” to naming the Sponsoring Organization
- Strong support to add the Federally Recognized Tribes and ESDs as eligible Member Organizations
- Strong support to remove the option for Member Organizations to opt out of a Regional Educator Network and request reassignment

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Q & A



Summary

Meeting Date: 5/15/2025

Title: Regional Educator Network Rule Revisions

Status: Second Reading/Adoption (item has changed)

Presentation: Yes

Key Staff: Dr. Karen Perez and Mercedes Jones

Topic Summary: The OAR's for the Regional Educator Networks (RENs) were adopted in 2019. The ten RENs were launched in late 2019/early 2020. Since 2019, the OAR's have become outdated and/or irrelevant as the program has evolved and grown over time. There is a need to further clarify and define the program to bring coherence and shared understanding of the program requirements.

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.

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

In 2018, the Oregon Department of Education released a Request for Application (RFA) to identify ten Sponsoring Organizations to sponsor ten Regional Educator Networks (RENs). Ten Education Service Districts (EDSs) were selected and launched the RENs in late 2019 and early 2020. The RENs are responsible for supporting all 197 districts and all educators across the state providing access and resources to high quality educator systems of support to ultimately improve student achievement. Each region is guided by a Coordinating Body, which is made up of classroom teachers, classified staff, administrators, and other education system partners to identify and inform regional needs and priorities. Each REN is working to achieve the statewide REN policy goals:

- Provide open access to **high-quality and culturally responsive professional learning** and support for educators in the state that **reflects teacher voice**, local context, and stages of an educator's career, maximizing collaborative leadership among teachers and administrators and reflects professional learning standards.

- **Enhance a culture of leadership and collaborative responsibility** that elevates and advances the teaching profession among professionals employed by early learning services, schools serving students in kindergarten through grade 12, educator service districts, educator preparation providers, nonprofit organizations, professional associations, and community-based organizations.
- Strengthen and enhance existing **evidence-based practices** that **improve student achievement** and that reflect changing student needs and demographics.
- Improve the **recruitment, preparation, induction, and support** of educators at each stage of the educators' careers.
- Enhance **leadership and career advancement opportunities** for teachers and **increase the perspectives of teachers** in identifying priorities for funding educator professional learning and educator supports.

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?

ORS 342.490

(7)(a) The State Board of Education and the Teacher Standards and Practices Commission may adopt any rules necessary at the request of the council to support the council or to perform any duties assigned to the board or commission under this section.

(b) The council may adopt rules pursuant to ORS chapter 183 for the purposes of ORS 329.788 to 329.820 and 342.943.

(8) The council shall be considered a board for purposes of ORS chapter 180. [2017 c.639 §1; 2017 c.639 §§20,25; 2021 c.518 §14; 2023 c.440 §3; 2023 c.592 §38; 2023 c.601 §1]

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

The SBE first adopted the REN rules in 2018. In 2024, the SBE approved a temporary rule change regarding the Request for Application process. The revision removed the requirement for the EAC to “establish an RFA each biennium” and replaced it with the EAC “may establish an RFA each biennium” to allow for flexibility and on an “as needed” basis. This temporary rule change allowed for the EAC to engage with partners and collect feedback on how to improve the RFA process to then develop a more responsive and permanent rule.

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

Since the inception of the RENs, there has been a lot of learning as to the types of processes and structures that are required to effectively support and implement the REN programs. The current rules lack clarity, have become outdated and some rules contradict the goals of the RENs programs. REN grantees have requested clearer guidelines and parameters for the program in areas such as budget, program implementation and roles and responsibilities for

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members of the network. RENs will enter into new grant agreements with ODE July 1, 2025, as well as be developing and submitting regional plans to the EAC in 2025, which provides the perfect opportunity and timing to update REN rules to provide clearer guidance.

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 to 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?

All 10 grantees who sponsor and implement a REN program are impacted by the REN rules. The lack of clarity within the rules has created challenges with implementation. Starting in January of 2024 the EAC staff have conducted multiple forms of engagement around the REN rules with multiple partners including those responsible for implementation of the program, those who oversee the program implementation, and contract holders. The feedback and input received from partners greatly informed the revisions made to the rules.

Additionally, EAC staff consulted with the nine federally recognized tribes, which also confirmed challenges with the current rules.

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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 (DEL; 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 perspectives?

The REN program is a statewide initiative that serves all 197 school districts across the state. The RENs work towards common statewide measures and goals, but localize how investments are distributed and supports are prioritized by centering educator experiences and collecting

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and assessing local data therefore making it imperative we engage perspectives from each region of the state to better understand how implementation is occurring in different regions.

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?

EAC staff conducted multiple feedback sessions that started back in January of 2023 until February of 2025. Key pieces of feedback we received included:

- The need to remove administrative burdens such as the requirement to establish an RFA each biennium, which often impacts small and rural ESDs and disrupts services and supports being provided to rural educators.
- The need to clarify roles and responsibilities of members of the networking including the coordinating body, sponsoring organization, and member organizations.
- The need to clarify allowable expenses.
- The need to further define processes and criteria for REN plans and reporting.

EAC staff relied on statute when differences in opinion were brought forth and used the law as the anchor in which the rules were revised.

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

EAC staff are continuing to conduct additional engagements with partners and will provide opportunities for feedback from REN Coordinators and sponsoring organizations across the state during the month of March, as well as engage EAC directors through monthly workgroups to review revisions and provide feedback. EAC staff will also engage Tribes at the government to government education cluster meeting for additional input and feedback.

FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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

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?**

A main goal of the RENs is to improve student achievement by providing access to high quality and culturally responsive professional learning for every educator across the state. Because of the lack of clarity within the rules, REN implementation and effectiveness varies across the state, thus making it difficult to understand how REN impact is affecting student outcomes. By adopting the REN rule revisions, the EAC staff will be able to provide REN programs with clear guidelines related to roles and responsibilities of network members, allowable costs, statewide outcomes, program implementation and reporting.

- 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?**

By providing RENs with clearer guidelines related to roles and responsibilities of network members and program implementation they will be able to effectively provide supports and services to educators across the state that meet the needs of systemically marginalized educators, such as rural educators, educators of color, and Indigenous educators across the regions.

- 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?**

None.

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

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The consequences of inaction would impact the RENs in a negative way including, REN programs operating outside of their scope of work and lack of access to high quality systems of supports for educators across the state.

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 revisions being proposed encompass OARS 581-012-0001 to 0015. The summary of changes include:

- Revises definitions of terms for clarity
- Adds terms and definitions to build shared understanding
- Adds language to clarify roles and responsibilities of network members, which includes the sponsoring organization and member organizations.
- Removes the requirement to establish an RFA each biennium and instead identifies two specific circumstances that would require an RFA
- Expands the definition of member organizations to include the nine federally recognized tribes of Oregon and education service districts
- Removes the option for a member organization to opt out of a REN
- Removes the option for a member organization to request reassignment to a new REN
- Adds language to describe how a member organization can engage in a REN
- Adds language to clarify the purpose of the REN plan and criteria used to evaluate the plans
- Adds language to clarify allowable expenses using grant funds

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 revisions address the feedback received by EAC partner groups by removing specific requirements that impact small and rural sponsoring organizations and districts and but also adding language to clarify specific and critical areas of the REN program.

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.

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EAC staff is requesting the board consider approving the proposed rule revisions, which would result in further clarify of who is responsible for what and how the program is administered statewide.

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

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?

Since the first reading of these rules, the EAC staff continued to convene partners for additional engagement opportunities. Additional engagements included gathering input from the nine federally recognized Tribes, COSA members, and a second round of engagement with regional educator network teams that included the coordinators, data coordinators and directors of the program. EAC staff, also convened EAC directors for two additional workgroup sessions.

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?

None.

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

During engagement sessions, EAC staff heard mixed input regarding the terminology change from “Regional Educator Network” to “Sponsoring Organization” when describing the responsibilities required to support the educator network. Some partners expressed a worry that this would give control to the ESD, while other partners expressed gratitude for clarifying the roles and responsibilities. EAC staff assured all partners that the switch in language would not change the original intent of the RENs, which is to elevate teacher voice, but rather this change aligns with statute and is one way the EAC is working to address role confusion across the program.

- 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?**

- Added an additional term “Networked Learning”
- Further clarified the term Technical Assistance
- Added language to clarify what statewide outcomes are being referenced in rule
- Extended corrective action from 60 to 90 days
- Further clarified communication expectations from Sponsoring Organization to member organizations
- Broadened engagement language to say “may include, but is not limited to”
- Clarified who are the creators of the professional learning plans
- Added language to clarify that REN funds cannot be used for student services and supports

Summary

Meeting Date: 3/13/2025

Title: Funding Administrative Accounting Fixes

Status: Second Reading/Adoption (item has changed)

Presentation: Yes

Key Staff: Brittany Deckard & Cassie Medina

Topic Summary: Current funds administration rules of Student Investment Account (SIA), High School Success (HSS), and Early Literacy (ELSSDG) state that funds allocations are calculated on an annual basis. The rule change would shift to calculating allocations biennially for SIA, HSS, and ELSSDG reducing the administrative steps and expediting access to funds in the second year of the biennium. Technical fixes include adding rule language addressing fund reallocation in the instance of public charter closures and allowing SIA funds to be expended through the full biennium.

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 Student Investment Account (SIA), High School Success (HSS), and Early Literacy Success School District Grants (ELSSG) are situated with the Integrated Guidance. Non-competitive grants funds are distributed to eligible grantees to address mental and behavioral health and reduce academic disparities, improve high school graduation rates and pathways for post-secondary opportunities, and strengthen early literacy. Fund administration rules inform how funds are allocated to grantees in service of implementation efforts in alignment with the goals of each program.

- 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 3427 (2019), HB 3198 (2023), Measure 98 (2016) grant authority to the Board to adopt rules necessary for the administration and distribution of named grants. The statutes are explicit in

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naming allowable areas of spending and use of ADMw to calculate allocation. The Board has discretion to determine percentages and timelines for installment payments and establish rules necessary for the distributes of grant funds.

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

This rule set came before the board in December 2024 and board approved a rule change to amend the date by which grantees can expend funds to June 30 to ensure that funds are spent in the biennium in which they are appropriated.

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

This item is coming before the Board as part of an effort to streamline and expedite grant agreements and amendments to make funds available to districts in a timely manner.

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?

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Nearly all eligible grant recipients of SIA, HSS, and ELSSG will be affected by this rule change. Engagement efforts focused on direct recipients of SIA, HSS, and ELSSG funds. The engagement process included input from education partners including OASBO, COSA, and OSBA. Additionally, school superintendents and school business managers were convened to provide direct feedback.

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.

N/A

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: Statewide

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

Every geographical region in Oregon was represented through engagement efforts. The impact of the change varies across district size and context regardless of geographical region.

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?

There is broad support to allow SIA funds allocated in the first year of the biennium to be spent until the end of the biennium instead of June 30 annually.

Many districts are experiencing flat or declining enrollment, and a biennial allocation may help to maintain stable funding amount both years of a biennium.

Additionally, many districts have seen enrollment stabilize and are experiencing increasing enrollment and the increase would be reflected in the allocation annually. This has impacted the development of this item. To be responsive to the feedback it is necessary to explore pathways to increase grant allocations for grantees that experience an increase in enrollment in the second year of the biennium.

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

Additional internal engagement is necessary to determine whether increases in enrollment can be addressed in grant agreements and/or if additional rule language is necessary.

FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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.

The rule set will have fiscal and administrative impact on districts. Districts will experience reduced administrative requirements in the grant making process through a reduction in the

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overall grant agreements that are executed to receive funding. Allowing SIA funds to be spent until the end of the biennium will allow for year 1 funding to carryover a reducing the occurrence of annual fiscal returns. In both the short- and long-term grant allocations set biennially will mitigate funding fluctuations experienced because of declining enrollment. Fluctuations in funding due to enrollment have a significant impact on small districts and often impact staffing levels. It is necessary to create a pathway to increase allocations based on increasing enrollment to ensure the allocation reflects the current student population.

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

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?

This action can help stabilize funding between year 1 and 2 of a biennium and allow for cohesive implementation of SIA, HSS, and Early Literacy which prioritize reducing academic disparities for focal student groups. When a district sees an increase in enrollment the corresponding allocation increase would not be occur until the new biennium requiring the districts to serve more students with the same allocation.

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?

Stable funding can help mitigate the need for staff reductions related to declining enrollment.

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?

In the short and long-term this change reduces administration steps required to execute grant agreements and distribute funds. Cumulatively in the short and long term, funding reductions will be mitigated for districts with declining enrollment; however, funding increases due to increasing enrollment would occur biennially. The ODE is actively working on a solution to address the latter.

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

In the short-term, grant allocations would continue to be calculated annually, and grant agreements and amendments would be issued each year. Funding amounts for these grants would fluctuate in year 2 of the biennium based on increase or decrease in enrollment.

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?

Technical fix:

-Language added to 581-013-0015 (HSS) and 581-014-0004 (SIA) describing the reappropriation of funds in the case of a public charter school closure.

-Changes language in 581-014-0004 (SIA) to allow funds to be expended until June 30 of year two of each biennium

Desired action for the Board to accept these changes.

Change for fund administration of SIA, HSS, and ELLSSG to use the most current finalized ADMw from the State School Fund from the year prior to the start of each biennium, instead of from the prior year.

Desired action for the Board to accept this change when ODE proposes a pathway to accommodate for districts when enrollment increases.

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 language is responsive to feedback related to the need for stabilized funding for districts experience declining enrollment. Feedback related to districts with an increase in enrollment still needs to be addressed. Pathways to address the feedback are in process including determining if this can be addressed through grant agreement language.

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.

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Streamlining the grant making process and reducing barriers to distribute funding centers our commitment to academic excellence, belonging and wellness, and reimaging accountability by ensuring that distributes have uninterrupted access to funds to implement SIA, HSS, Early Literacy addressing each of those areas.

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

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?

Additional internal engagement occurred to determine pathway to recalculate allocation amounts for grantees that experience an increase in enrollment but year 1 and 2 of the biennium. Internally procurement and finance teams were consulted and the pathway to recalculate was presented to external education partners to determine if the pathways addressed the feedback given during initial engagement.

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?

We have not received any additional public comment on this item.

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

Overall, we learned that unique district contexts need to be accounted for with this rule change. In this case, those experiencing declining and increasing enrollment. We added rule language that can account for these differences.

- 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?**

Allocations for SIA, HSS, and ELSSDG will be calculated using the most current finalized ADMw from the State School Fund for the year prior to that start of the biennium. If an eligible applicant experiences an increase in enrollment, they may request recalculation to ODE by April 30 of each even numbered year. This allows districts with declining enrollment to have stability in funding of these programs throughout the biennium and those with increases to have that accounted for in the second year of the funding.

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.

(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~~ year prior to the start of each biennium.

(3) If an eligible applicant experiences an increase in their K-12 student enrollment, they may submit a request for recalculation to the Oregon Department of Education by April 30 of each even numbered year.

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

(45) 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.

(56) Following approval of the grant agreement, an eligible recipient will receive payments of at least ~~25-12.5~~ percent on a quarterly basis per ~~annual~~ biennial allocation. If adjustments to installment payments are required, a lower percentage may be used.

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

(78) 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.

(89) 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.

(910) 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.

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 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~~ year prior to the start of the biennium.

(3) If an eligible applicant experiences an increase in their 9-12 student enrollment, they may submit a request for recalculation to the Oregon Department of Education by April 30 of each even numbered year.

~~(34)~~ Grant recipients will be eligible to expend funds until June 30 of year two of the biennium. Any allocated funds that are not used by a grant recipient by June 30 in year two of the biennium will be returned to the High School Graduation and College and Career Readiness Fund for distribution in the next biennium.

~~(45)~~ 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.

~~(56) 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.

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~~ year prior to the start of the biennium.

(4) If an eligible applicant experiences an increase in their K-3 student enrollment, they may submit a request for recalculation to the Oregon Department of Education by April 30 of each even numbered year.

(45) 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.

(56) 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.

(67) 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.

(78) Grant recipients will be eligible to expend funds until June 30 of year two of the biennium. Any allocated funds that are not used by a grant recipient by June 30 in year two of the biennium will be returned to the Statewide Education Initiatives Account for distribution in the next biennium.

(89) 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.

(910) 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.

(1011) 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.

(1112) 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.

(1213) 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: 5/15/2025

Title: School Leadership Standards

Status: First Reading

Presentation: Yes

Key Staff: Cassie Medina, Tim Boyd, Sarah Dey

Topic Summary: The Oregon Department of Education seeks to adopt the Professional Standards for Educational Leadership (PSEL) to replace the adapted Interstate School Leaders Licensure Consortium (ISLLC) standards currently in Oregon Administrative Rule. The adoption of PSEL comes as part of a state initiative to improve alignment (the Teacher Standards and Practices Commission has already adopted these standards) and a larger national understanding that strong education leadership plays a crucial role in improving student outcomes.

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 current rule, the school leadership standards establish the bar for administrator evaluation statewide. While districts may amend these standards for their specific context and needs, these standards are critical to establishing state priorities regarding school leadership. The ISLLC standards were finalized in 2008 and do not reflect best practices in school leadership today. Also, the Teacher Practices and Standards Commission (TSPC) has already adopted the PSEL standards for licensure, so ODE's adoption would bring these two entities into alignment.

- 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?**

ORS 342.805 – 342.937 relates to educator evaluation, and ODE requests changes to two key rules:

- OAR 581-022-2410 outlines the timeline for standards adoption

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- OAR 581-022-2420 includes the school leadership standards.

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

History:

- Renumbered from 581-022-1725 by ODE 16-2017, f. & cert. ef. 7-5-17
- ODE 23-2012, f. & cert. ef. 8-1-12
- ODE 21-2011, f. & cert. ef. 12-15-11

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

As part of the Agency's broad alignment work, ODE is bringing this item before the Board now to improve alignment with TSPC, which has already adopted these standards.

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?

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Drawing from the Equity Decision Tree, ODE's engagement strategy on this topic prioritized those most likely to be affected—school leaders and district administrators. Staff met with the Coalition of Oregon School Administrators (COSA) as well as the Oregon School Personnel Association, given their human resources role at the district level. ODE staff also coordinated internally across the Agency to confirm alignment as well as with TSPC staff.

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.

We met with EAC earlier this year to preview ODE's intent to update the school leadership standards to align with TSPC, and they provided feedback on the engagement strategy, which we incorporated. We also met with TSPC staff who were supportive of this effort to update ODE's rules.

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

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☐ Tribal lands

☐ Other: _____

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

The initial conversation that sparked this work was with Portland Public Schools.

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?

ODE staff heard universal support for updating the school leadership standards in rule from the 2008 ISLLC standards to the more up-to-date PSEL standards in alignment with TSPC. ODE staff heard constructive feedback around the engagement strategy, which was incorporated. ODE staff also heard ideas about the best ways to support school leaders if the standards are updated, which have been incorporated into initial planning.

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 staff have drafted and plan to send out a GovDelivery email message outlining ODE's intent to ask the Board to update the school leadership standards in rule. ODE staff also intend to meet with other key partners in this space to inform them about these events as well as solicit their input on supporting school leaders moving forward.

FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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.

If the PSEL standards are adopted, ODE staff anticipate negligible fiscal or administrative impacts on districts and no impact on other entities.

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- 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?**

If the PSEL standards are adopted, ODE staff anticipate negligible fiscal or administrative impacts on these entities.

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. 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?**

The PSEL standards deepen the emphasis on equity in school leadership. When administrator evaluation, professional learning, and licensure use the PSEL standards as a benchmark, ODE staff hope that school leaders will develop a stronger background and execution around equity within their schools and communities.

- 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?**

The PSEL standards deepen the emphasis on equity in school leadership, in part by adding two standards and being more specific in language. ODE staff hope that the clearer, more descriptive language in the PSEL standards will support school district employees in evaluating and developing professional learning opportunities to better support school leaders.

- 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?**

ODE staff anticipate limited short-term consequences of Board action on this item, but ODE staff anticipate that updating these school leadership standards could improve school leadership in the state by 1) providing a clear set of updated standards for school leaders and district administrators to use, and 2) by using the updated standards as a launching point for deeper support for school leaders in Oregon.

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

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The short- and long-term consequences of inaction on this item are largely unrealized potential. The current standards from 2008 would remain in rule, and key partners and school leaders will continue to navigate the discrepancy between TSPC's updated school leadership standards for licensure and ODE's older standards for evaluation.

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?**

OAR 581-022-2410 outlines the timeline for standards adoption, updating the timeline from July 1, 2013 to September 30, 2027. OAR 581-022-2420 includes the school leadership standards. The proposed language would retain the same format as current rule, but it would update the standards themselves. ODE staff welcome Board feedback but do not anticipate any key decisions given that the proposed language aligns so closely to current language.

- 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](#)?**

During engagement, ODE staff heard multiple times about the importance of alignment and clarity. ODE staff drafted the proposed rules with those priorities in mind, keeping the same format as current rules. The PSEL standards, with their deeper emphasis on equity and community engagement, deeply reflect the Board's Mission, Vision, and Values.

- 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.**

ODE staff recommend the Board adopt these proposed rules to update the school leadership standards to both improve alignment across Oregon state government as well as provide the field with standards that heighten the importance of equity for Oregon's school leaders.

- 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

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- ☐ 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.

OAR 581-022-2410

Teacher and Administrator Evaluation and Support

(1) A school district board shall include the core teaching standards and administrator standards adopted by the State Board for all evaluations of teachers and administrators of the school district occurring on or after ~~July 1, 2013~~September 30, 2027. The standards shall be customized based on the collaborative efforts of the teachers and administrators of the school district and the exclusive bargaining representative of the employees of the school district and be separately developed for teachers and administrators.

(2) Local evaluation and support systems established by school districts for teachers and administrators must be designed to meet or exceed the requirements defined in the Oregon Framework for Teacher and Administrator Evaluation and Support Systems, including:

(a) Four performance level ratings of effectiveness;

(b) For teachers, classroom-level student learning and growth goals set collaboratively between teachers and evaluators.

(c) Consideration of multiple measures of teacher and administrator practice and responsibility which may include, but are not limited to:

(A) Classroom-based assessments including observations, lesson plans and assignments;

(B) Portfolios of evidence;

(C) Supervisor reports; and

(D) Self-reflections and assessments.

(d) Consideration of evidence of student academic growth and learning based on multiple measures of student progress, including performance data of students, schools, and school districts that is both formative and summative. Evidence may also include other indicators of student success;

(e) A summative evaluation method for considering multiple measures of professional practice, professional responsibilities and student learning and growth to determine the educator's professional growth path.

(f) Customization for each school district, which may include individualized weighting and application of standards.

(3) Evaluations using the core teaching and administrator standards must attempt to:

(a) Strengthen the knowledge, skills, disposition and classroom and administrative practices of teachers and administrators in public schools;

- (b) Refine the support, assistance and professional growth opportunities offered to a teacher or an administrator, based on the individual needs of the teacher and administrator and the needs of the students, the school and the school district;
 - (c) Allow each teacher or administrator to establish a set of classroom or administrative practices and student learning objectives that are based on the individual circumstances of the teacher or administrator, including the classroom or other assignments of the teacher or administrator;
 - (d) Establish a formative growth process for each teacher and administrator that supports professional learning and collaboration with other teachers and administrators; and
 - (e) Use evaluation methods and professional development, support and other activities that are based on curricular standards and that are targeted to the needs of each teacher and administrator; and
 - (f) Address ways to help all educators strengthen their culturally responsive practices.
- (4) Local evaluation and support systems established by school districts must evaluate teachers and administrators on a regular cycle.
- (5) District superintendents shall regularly report to their governing boards on implementation of their local evaluation and support systems and educator effectiveness.

OAR 581-022-2420

Educational Leadership — Administrator Standards

School districts shall use the educational leadership–administrator standards to evaluate administrator effectiveness outlined in OAR 581-022-2410 (Teacher and Administrator Evaluation and Support). ~~These standards align with the Educational Leadership Constituents Council (ELCC) standards for Educational Leadership published at: <http://www.ncate.org/Standards/ProgramStandardsandReportForms/tabid/676/Default.aspx#ELCC>. The knowledge and skill abilities required for each program standard are found within the full document of the standards. These standards are aligned with the Interstate School Leaders Licensure Consortium (ISLLC) published at: http://www.ccsso.org/Documents/2008/Educational_Leadership_Policy_Standards_2008.pdf. The educational leadership–administrator standards are the same standards adopted by the Teacher Standards and Practices Commission (TSPC) for administrator licensure.~~

~~The standards include:~~

- ~~1. — Visionary Leadership: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by stakeholders. [ISLLC Standard 1]~~

2.——Instructional Improvement: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by sustaining a positive school culture and instructional program conducive to student learning and staff professional growth. [ISLLC Standard 2]

3.——Effective Management: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by ensuring management of the organization, operation, and resources for a safe, efficient, and effective learning environment. [ISLLC Standard 3]

4.——Inclusive Practice: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by collaborating with faculty and community members, responding to diverse community interests and needs, and mobilizing community resources in order to demonstrate and promote ethical standards of democracy, equity, diversity, and excellence, and to promote communication among diverse groups. [ISLLC Standard 4]

5.——Ethical Leadership: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by acting with integrity, fairness, and in an ethical manner. [ISLLC Standard 5]

6.——Socio-Political Context: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context. [ISLLC Standard 6]

These standards align with the Professional Standards for Educational Leaders published at: https://www.npbea.org/wp-content/uploads/2017/06/Professional-Standards-for-Educational-Leaders_2015.pdf. The knowledge and skill abilities required for each standard are found within the full document of the standards. The standards include:

(1) Mission, Vision, and Core Values: Effective educational leaders develop, advocate, and enact a shared mission, vision, and core values of high-quality education and academic success and well-being of each student.

(2) Ethics and Professional Norms: Effective educational leaders act ethically and according to professional norms to promote each student’s academic success and well-being.

(3) Equity and Cultural Responsiveness: Effective educational leaders strive for equity of educational opportunity and culturally responsive practices to promote each student’s academic success and well-being.

(4) Curriculum, Instruction, and Assessment: Effective educational leaders develop and support intellectually rigorous and coherent systems of curriculum, instruction, and assessment to promote each student’s academic success and well-being.

(5) Community of Care and Support for Students: Effective educational leaders cultivate an inclusive, caring, and supportive school community that promotes the academic success and well-being of each student.

(6) Professional Capacity of School Personnel: Effective educational leaders develop the professional capacity and practice of school personnel to promote each student's academic success and well-being.

(7) Professional Community for Teachers and Staff: Effective educational leaders foster a professional community of teachers and other professional staff to promote each student's academic success and well-being.

(8) Meaningful Engagement of Families and Community: Effective educational leaders engage families and the community in meaningful, reciprocal, and mutually beneficial ways to promote each student's academic success and well-being.

(9) Operations and Management: Effective educational leaders manage school operations and resources to promote each student's academic success and well-being.

(10) School Improvement: Effective educational leaders act as agents of continuous improvement to promote each Professional Standards for Educational Leaders student's academic success and well-being.



School Leadership Standards

Cassie Medina (she/her)

Office of Education Innovation and Improvement

cassie.medina@ode.oregon.gov

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School Leadership Standards: Overview

- Broad commitment towards alignment across the Agency– and beyond
- Updating ODE's school leadership standards to align with the licensure standards of the Teacher Standards and Practices Commission (TSPC)
- Transition from Interstate School Leaders Licensure Consortium (ISLLC) to Professional Standards for Educational Leaders (PSEL)

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School Leadership Standards: Need for Rulemaking

- The goal of the change is to create clear language and consistent expectations for school leaders from licensure to evaluation to support
- School districts, administrator preparation program faculty, and state government staff requested or supported this change

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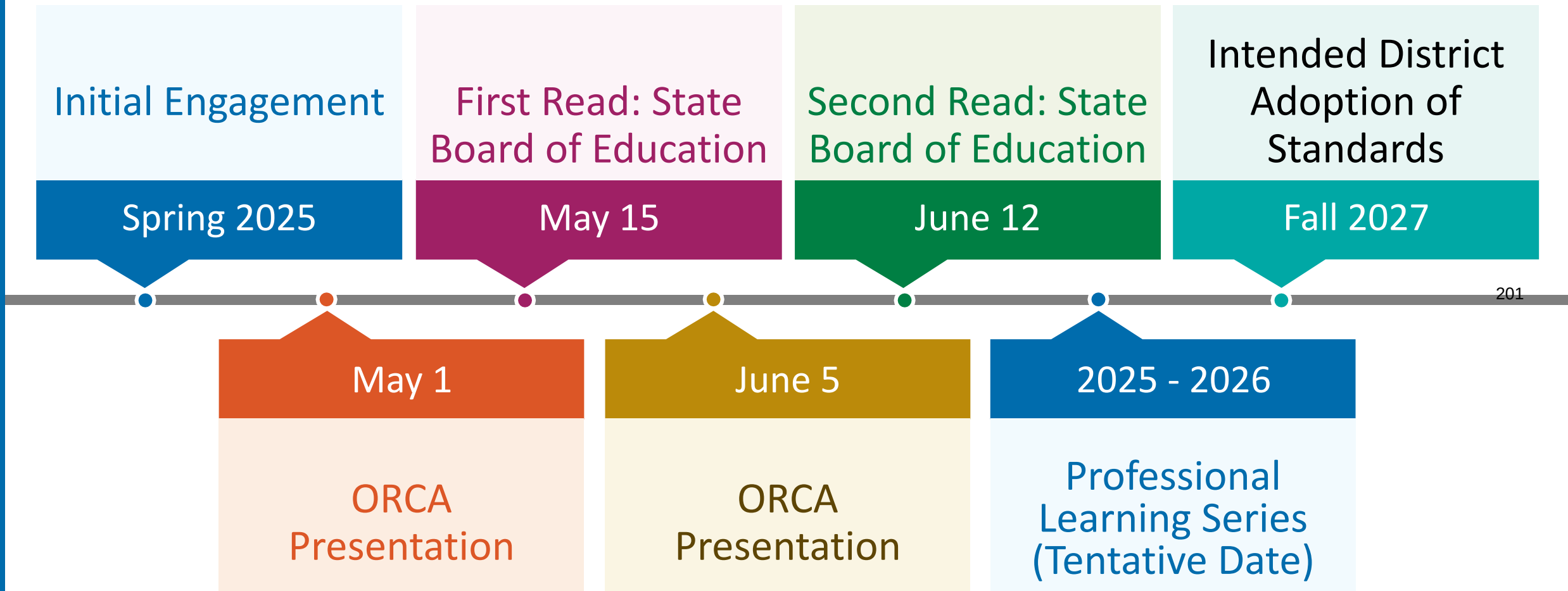
School Leadership Standards: Engagement Strategy

Initial engagement efforts include:

- School district staff
- Partner organizations that are most impacted by this change
- Teacher Standards and Practices Commission staff
- ODE staff including those who work closely with tribes

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School Leadership Standards: Timeline



School Leadership Standards: Summary of Changes

OAR 581-022-2410

Teacher and Administrator Evaluation and Support

(1) A school district board shall include the core teaching standards and administrator standards adopted by the State Board for all evaluations of teachers and administrators of the school district occurring on or after ~~July 1, 2013~~ **September 30, 2027**.²⁰² The standards shall be customized based on the collaborative efforts of the teachers and administrators of the school district and the exclusive bargaining representative of the employees of the school district and be separately developed for teachers and administrators.

School Leadership Standards: Summary of Changes (continued)

OAR 581-022-2420

Educational Leadership — Administrator Standards

The standards include:

- | | |
|---|------------------------------|
| 1) Mission, Vision, and Core Values
of School Personnel | 6) Professional Capacity |
| 2) Ethics and Professional Norms
Community for Teachers/ Staff | 7) Professional |
| 3) Equity and Cultural Responsiveness
Families/

Community | 8) Meaningful Engagement of |
| 4) Curriculum, Instruction, and Assessment | 9) Operations and Management |
| 5) Community of Care and Support for Students | 10) School Improvement |

School Leadership Standards: Equity Impact

Standards are important for defining school leadership in Oregon and ensuring that the definition has equity at its center.

PSEL Standards:

- Are grounded in core values (Standard 1)
- Include a new standard titled “Equity and Cultural Responsiveness” that was not in the previous iteration of the standards (Standard 2)
- Emphasizes that effective educational leaders “cultivate an inclusive, caring and supportive school community” (Standard 5)
- Include a new standard titled “Meaningful Engagement of Families and Community” that was not in the previous iteration of the standards (Standard 8)

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Questions?

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Summary

Meeting Date: 5/15/2025

Title: Oregon Draft Physical Education Standards

Status: First Reading

Presentation: Yes

Key Staff:

Vanessa Martinez, Director, Standards, and Instructional Support Team, Office of Teaching, Learning and Assessment

Suzanne Hidde, Health and Physical Education

Specialist, Standards and Instructional Support/OTLA

Aujalee Moore, Standards Guidance Program Analyst,

Standards and Instructional Support/OTLA

Topic Summary: First read of proposed Physical Education Standards.

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?**

Instructional standards are adopted by the State Board of Education in accordance with [ORS 329.045\(b\)](#). Once the standards are adopted, [OAR 581-022-2030](#) District Curriculum requires school districts to include the standards as part of their K-12 instructional program to help students develop critical skills and knowledge. [OAR 581-021-0200](#) outlines the requirements for a standard education for Oregon students and includes the development of Common Knowledge and Skills. These consist of facts, concepts, principles, rules, procedures, and methods of inquiry related to various subject areas, including Physical Education [OAR 581-021-0200(1)(b)(E)].

The Board establishes academic content standards that define what students should know and be able to do at specific grade levels in each subject area. These standards serve as a guide for teachers, students, and parents/guardians, helping to clarify learning expectations and goals in this case, within the discipline of physical education.

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The Physical Education Standards were last adopted by the Board in 2016. Oregon's Instructional Materials Adoption Schedule is on a seven-year cycle and often dictates the schedule for standards revision, Physical Education standards were scheduled for review and revision in 2023. However, the Oregon Department of Education (ODE) requested a one-year extension due to the timeline of National standards revision and the extension was granted by the State Board of Education. The revision process officially began in 2024. The 2025 Physical Education Standards are now complete and ready for Board adoption.

Once adopted, these updated standards are required to be implemented by all public and charter schools in Oregon, in compliance with [OAR 581-022-2030](#) District Curriculum (a Division 22 requirement), as part of the planned K-12 instructional program that every student is entitled to receive.

- 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?**

[ORS 329.045](#) Revision of Common Curriculum Goals, performance indicator, diploma requirements, Essential Learning Skills and academic content standards; instruction in academic content areas

- This statute requires the State Board of Education to regularly and periodically review and revise Common Curriculum Goals and content standards including physical education.

[OAR 581-022-2030](#) District Curriculum

- This Division 22 Rule directs school districts to provide a planned K-12 instructional program that includes the adopted content standards for physical education.

[OAR 581-021-0200](#) Standard Education for Oregon Students

- This Rule defines what content areas and skills need to be included in a Standard Education for Oregon students and includes physical education.

- 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 set of physical education standards has not been brought before the Board. This is the first presentation of revised standards since the current version was adopted by the Board in 2018.

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

Content Standards are reviewed and updated approximately every seven (7) years and are required to be approved by the Board. The current set of Physical Education Standards were approved by the Board in 2018. In 2023, ODE received approval from the Board to delay the

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adoption of the Physical Education Standards until 2025. As part of the cycle of Standards revisions and Instructional Materials adoptions, Physical Education standards are due for adoption no later than June 2025.

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: ORS 329.045(a), (b)

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 us of our revision process by encouraging us to examine who was invited to participate as a panel member in the revision process. ODE recruited panel members via our Health and Physical Education listservs as well as via Oregon Society of Health and Physical Educators website to ensure a statewide announcement in an effort to reach all Oregon communities. These outreach methods reached over 4,000 educators, school staff, and community members.

Applicants provided their geographic location and information about their gender, sexual orientation, ethnicity, and race. Applicants provided information about their expertise in culturally responsive pedagogy, adaptive physical education, their familiarity with the previous Oregon and national standards, and their experience providing physical education instruction. Participant identities, experiences, and expertise informed the panel selection and standards development process.

Additionally, the Equity Decision Tree helped inform the strategy for engaging the field around standards revision. Changes to the standards will have a direct impact on student instruction.

- The first step in our process involved gathering information from Physical Education teachers via a survey to determine benefits of the current standards and gather input on what could be improved.
- The second step was to invite Physical Education teachers, Administrators, and community members to serve on our Physical Education Standards Review Panel. Our panel consisted of licensed physical education teachers, school administrators, and community members.
- The third step included gathering both internal and external feedback on the proposed standards. The revision process for the proposed standards intentionally incorporates a wide variety of feedback loops to ensure a broad scope of input into final decisions.

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 (DELC; 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.

Persons from the Oregon Health Authority participated in providing input on the public survey.

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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: All Oregon communities were invited to participate

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

Members of the Advisory Panel were from the above-mentioned geographic areas. All Oregon communities were invited to participate.

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?

Feedback on current standards:

- Too many standards to cover in each grade level
- Too repetitive between grade levels

Feedback on proposed new Draft Standards - What people liked:

- positive feedback around adopting the National Standards
- standards are presented in a manner that is concise and easy to read
- the four domains are clearly organized
- emphasis on lifetime activities
- grade band grouping of the standards to allow for differentiated learning opportunities
- repetition: it benefits students to have the same standard for more than one year to increase proficiency
- inclusion of different activities from cultures around the world

Suggestions for improvement on proposed new Draft Standards:

- include more activities in nature (hiking, biking, etc.)
- High School - include more opportunities for choice and agency
- Middle School - include more lifetime sports
- include fitness technology, such as apps, smartwatches, wearable technology
- include monitoring heart rate, not just demonstrating knowledge
- reduce the number of standards in each domain

Suggestions for what to include in a Guidance document:

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- examples of specific activities or skills that can fulfill each standard
- the progression of skills between grades
- strategies for using technology
- distinction between appropriate vs. proper form
- student-friendly language for primary grades that teachers can share as learning targets
- examples of rubrics

The majority of the feedback received on the proposed standards was positive. The suggestions for improvement were mainly focused on reducing the overall number of standards due to time constraints that educators face; requests regarding terminology; and requests to broaden specific activities. Several changes were made incorporating this feedback into the new standards.

The suggestions for the Guidance document revolved around specific examples for a scope and sequence and/or grade level progressions. ODE will be developing a guidance document that will incorporate these requested items for teacher use after the standards have been officially adopted.

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

None at this time.

FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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.

11. 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.

12. 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 approval of the Physical Education Standards will have an administrative impact on districts and ESD's as they implement the new standards by the 2027-28 school year. The Instructional Materials adoption process, which occurs after standards adoption will potentially have a fiscal and administrative impact as districts adopt new instructional materials.

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- 13. 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

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.

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

Board action on approving the new Physical Education Standards will allow all students across the state of Oregon to have a set of consistent standards designed to increase physical literacy in grades K-12. When all schools across Oregon implement the same standards, it increases the probability that all students will receive equitable education in physical education.

- 15. 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?**

Board approval of the Physical Education Standards will provide a crucial tool for educators to ensure consistency of what all students should know and be able to do across our state.

- 16. 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?**

Short-term: Approval will give school districts the usual two years to implement the new standards by the 2027-28 school year, four years with an approved postponement.

Long-term: Increase consistency in what students should know and be able to do in Physical Education

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

If the Board does not approve the new Physical Education Standards, it will delay schools in implementing the most recent research and best practices for Physical Education. It will also delay the instructional materials adoption cycle for Physical Education which is scheduled to begin in Fall 2025 (criteria development). This will impact other content areas undergoing the

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same process and increase the burden on districts who are required to adopt instructional materials on the schedule set by the State Board of Education.

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.

18. 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?

ODE is asking the Board to consider adopting the newly proposed Physical Education Standards at the June meeting. The proposed Physical Education Standards were chosen by a statewide Advisory Group and informed by both internal and external feedback. The proposed Physical Education Standards are reflective of the National Physical Education Standards, with minimal technical changes.

19. 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 ODE Physical Education Advisory Panel has recommended adoption of the National Standards [with minimal changes]. The National Standards were developed with representation from physical education teachers, higher education professors, and health scientists from the Center for Disease Control and Prevention. There were multiple rounds of national public review and feedback. At the state level, we also took into consideration recent research, input from experts in the field, and community partners.

20. 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.

Adoption of the proposed Physical Education Standards reflects ODE's commitment to academic excellence by creating not only a consistent set of student expectations at the state level but also consistency at a national level. The proposed standards include two new domains that focus on the development of social skills through movement as well as the development of personal skills, and the identification of personal benefits of movement. The proposed standards also include integration of our state Transformative Social Emotional Learning (TSEL) standards and practices, incorporating concepts that emphasize a sense of belonging and wellness for all students.

21. 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.

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- ☒ 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: _____

22. 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 Physical Education Standards

2025 K-12 PE Standards

Standards Version 3.0

April 2025

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Introduction

Physical Education (PE) plays a vital role in shaping well-rounded students by promoting a balanced and healthy lifestyle. By integrating physical, mental, social, and emotional well-being into education, PE provides lifelong benefits:

- **Promoting Physical Health:** PE engages students in activities that improve cardiovascular fitness, strength, flexibility, and coordination. By fostering awareness of healthy habits, it helps prevent diseases such as heart disease and obesity, encouraging lifelong wellness.
- **Enhancing Mental Well-Being:** Regular physical activity is proven to reduce stress, anxiety, and depression while enhancing mood and cognitive function. PE nurtures mental resilience, focus, and a positive mindset, equipping students with tools to manage challenges.
- **Developing Social Skills:** Through teamwork, sportsmanship, and group activities, students learn vital communication, collaboration, and conflict-resolution skills. These experiences help build strong personal and professional relationships.
- **Strengthening Emotional Health:** PE cultivates self-confidence, emotional regulation, and goal setting. By providing opportunities for both success and failure in a supportive environment, students develop perseverance, self-discipline, and a growth mindset.

Beyond improving overall well-being, PE instills a lifelong appreciation for movement, helping students develop confidence in their physical abilities. It encourages them to find joy in being active, build meaningful social connections, and sustain a healthy lifestyle.

As part of this commitment to high-quality physical education, **Oregon is proposing to officially adopt [SHAPE America's National PE Standards](#)¹ (March 2024)** with minimal changes, to ensure that all students receive engaging, effective, and developmentally appropriate instruction. This alignment ensures that students across Oregon receive consistent, high-quality instruction designed to develop the skills, knowledge, and confidence needed to lead active, healthy lives.

Terminology changes from the National PE Standards include utilizing:

- “Domain” instead of “Standard” for consistency with other Oregon content area standards
- “Standards” instead of “Grade-span learning indicators”

¹ SHAPE America. © 2024, SHAPE America, <https://www.shapeamerica.org/>.

How to Read the Physical Education Standards

Domains

The Oregon Physical Education Standards are categorized into four main Domains. Each domain represents a broad category of knowledge or skill area that organizes learning objectives within physical education. Domains help structure standards to ensure a logical progression of learning.

The four domains include:

- **Domain 1:** Development of a variety of motor skills (DMS)
- **Domain 2:** Application of knowledge related to movement and fitness concepts (AMF)
- **Domain 3:** Development of social skills through movement (SSM)
- **Domain 4:** Development of personal skills, identification of personal benefits of movement, and choice to engage in physical activity (SMC)

Domains are further broken down into standards which specify the specific skills or competencies students should achieve by the end of certain grade bands. They help educators design curricula and assessments aligned with educational goals.

Rationale

To provide a deeper understanding of each domain in physical education, a rationale is included to explain its significance and application. These rationales offer insight into how each domain supports students' overall physical development and learning experiences. By outlining the purpose behind each area, educators can more effectively implement and reinforce key concepts that contribute to students' physical literacy and lifelong movement skills. Below is an example of how a rationale is structured for Domain 1: Developing a variety of motor skills.

Example: Domain 1: Develops a variety of motor skills (DMS)

Rationale: Through learning experiences in physical education, the student develops motor skills across a variety of environments. Motor skills are a foundational part of child development and support the movements of everyday life. The development of motor skills contributes to an individual's physical literacy journey.

Standards

The standards are organized by grade bands (pages 7-28). They outline the knowledge, and skills students should acquire by the end of each band. The standards define learning expectations, guiding educators on what students should know and be able to do at specific stages of their education, ensuring progressive development across the following grade band levels:

- Kindergarten - 2nd grade
- 3rd - 5th grade
- 6th - 8th grade
- 9th - 12th grade

Reading the Standard Numbering Code

The following example for grades K-2 outlines a key standard that focuses on locomotor skills, emphasizing spatial awareness and effort. This standard ensures that by the end of second grade, students will have a fundamental understanding of movement concepts to support their overall physical literacy. Below is a breakdown of how this standard is structured and what it represents.

Example: 2.DMS.1 Demonstrates a variety of locomotor skills with the concepts of space, effort, and relationship awareness.

Key:

2.DMS.1 = By the end of grade 2, students will be able to

2.DMS.1 = “DMS” Domain 1: Develops a variety of motor skills

2.DMS.1 = The first standard in this Domain

Integrating Transformative Social and Emotional Learning

Oregon's Physical Education Standards integrate [Oregon's Transformative SEL Standards](#), to support educators with creating the conditions for an engaging learning environment where every student feels they belong and can thrive. A Transformative SEL approach helps educators provide a well-rounded education that teaches the whole child, builds on their strengths, perspectives, contributions, and guides the interactions and relationships between students and adults.

The Transformative SEL Standards and Practices describe what a person needs to know, understand, and be able to do when it comes to developing Transformative SEL. The approach taken to these standards involves both individual and communal practices that cultivate and nurture Transformative SEL at all levels across the system.

Transformative SEL plays a crucial role in physical education by contributing to the creation of a safe and supportive learning environment. It presents a natural fit, as physical education can enhance students' emotional awareness, social skills, and overall well-being, fostering personal growth and interpersonal relationships alongside physical development.

The Oregon Physical Education Standards have integrated Oregon's Transformative Social and Emotional Learning Standards and Practices, explicitly in Domains 3 and 4. Although Transformative Standards and Practices are specifically listed alongside Domains 3 and 4, they should be integrated into instructional practices for all domains to help all students develop and practice these competencies and skills.

K-2 Physical Education Standards

Domain 1 Develops a variety of motor skills. (2.DMS)

Rationale

Through learning experiences in physical education, the student develops motor skills across a variety of environments. Motor skills are a foundational part of child development and support the movements of everyday life. The development of motor skills contributes to an individual's physical literacy journey.

Grade K-2 Physical Education Standards

- 2.DMS.1** Demonstrates a variety of locomotor skills with the concepts of space, effort, and relationship awareness.
- 2.DMS.2** Demonstrates jumping and landing in a non-dynamic environment.
- 2.DMS.3** Demonstrates transferring weight on multiple body parts.
- 2.DMS.4** Demonstrates non-locomotor skills with the concepts of space, effort, and relationship awareness.
- 2.DMS.5** Demonstrates balancing on different body parts in a non-dynamic environment.
- 2.DMS.6** Demonstrates bouncing a ball in a variety of non-dynamic practice tasks.
- 2.DMS.7** Demonstrates rolling a ball in a variety of non-dynamic practice tasks.
- 2.DMS.8** Demonstrates catching in a variety of non-dynamic practice tasks.
- 2.DMS.9** Demonstrates throwing in a variety of non-dynamic practice tasks.
- 2.DMS.10** Demonstrates kicking a ball in a variety of non-dynamic practice tasks.
- 2.DMS.11** Demonstrate dribbling with feet in a variety of non-dynamic practice tasks.
- 2.DMS.12** Demonstrates striking with hands in a variety of non-dynamic practice tasks.
- 2.DMS.13** Demonstrates striking with a short-handled implement in a variety of non-dynamic practice tasks.
- 2.DMS.14** Demonstrates striking with a long-handled implement in a variety of non-dynamic practice tasks.
- 2.DMS.15** Demonstrates locomotor, non-locomotor, and manipulative movements based on a variety of dance forms or other rhythm activity/rhythmic beat.
- 2.DMS.16** Demonstrates jumping rope in a non-dynamic environment.
- 2.DMS.17** Demonstrates water safety skills. If a pool facility is available, demonstrates water safety and basic swimming skills.

Domain 2 Applies knowledge related to movement and fitness concepts. (2.AMF)

Rationale

Through learning experiences in physical education, the student uses their knowledge of movement concepts, tactics, and strategies across a variety of environments. This knowledge helps the student become a more versatile and efficient mover. Additionally, the student applies knowledge of health-related and skill-related fitness to enhance their overall well-being. The application of knowledge related to various forms of movement contributes to an individual's physical literacy journey.

Grade K-2 Physical Education Standards

- 2.AMF.1** Recognizes personal space and where to move in general space.
- 2.AMF.2** Identifies simple strategies in chasing and fleeing activities.
- 2.AMF.3** Identifies movement concepts related to locomotor, non-locomotor, and manipulative skills.
- 2.AMF.4** Demonstrates knowledge of locomotor, non-locomotor, and manipulative skills in movement settings.
- 2.AMF.5** Demonstrates knowledge of non-locomotor, locomotor and movement concepts used in dance and rhythms.
- 2.AMF.6** Identifies physical activities that contribute to fitness.
- 2.AMF.7** Recognizes the importance of stretching before and after physical activity.
- 2.AMF.8** Identifies the heart as a muscle that gets stronger with physical activity.
- 2.AMF.9** Recognizes that regular physical activity is good for their health.
- 2.AMF.10** Recognizes physiological changes in their body during physical activities.
- 2.AMF.11** Recognizes food and hydration choices that provide energy for physical activity.
- 2.AMF.12** Demonstrates knowledge of water safety skills. Demonstrates knowledge of basic swimming skills.

Domain 3 Develops social skills through movement. (2.SSM)

Rationale	Transformative SEL Integration
Through learning experiences in physical education, students develop the social skills necessary to exhibit empathy and respect for others and foster and maintain relationships. In addition, students develop skills for communication, leadership, cultural awareness, and conflict resolution in a variety of physical activity settings.	TSEL Standard 3: Social-Awareness & Belonging Develop social awareness that fosters a sense of belonging and leads to co-constructing equitable, thriving communities and a vibrant society. TSEL Practice 3B: Apply social skills (i.e., empathy, compassion, etc.) to develop and maintain healthy relationships that collectively achieve mutual goals while affirming identities and perspectives.

Grade K-2 Physical Education Standards

- 2.SSM.1** Recognizes the feelings of others during a variety of physical activity.
- 2.SSM.2** Demonstrates ability to encourage others.
- 2.SSM.3** Uses communication skills to share space and equipment.
- 2.SSM.4** Responds appropriately to directions and feedback from the teacher.
- 2.SSM.5** Demonstrates respectful behaviors that contribute to positive social interactions in movement.
- 2.SSM.6** Describes why following rules is important for safety and fairness.
- 2.SSM.7** Makes safe choices with physical education equipment.
- 2.SSM.8** Discusses problems and solutions with teacher support in a physical activity setting.
- 2.SSM.9** Makes fair choices as directed by teacher.
- 2.SSM.10** Identifies and participates in physical activities representing different cultures.

Domain 4 Develops personal skills, identifies personal benefits of movement, and chooses to engage in physical activity. (2.PSB)

Rationale	Transformative SEL Integration
Through learning experiences in physical education, the student develops an understanding of how movement is personally beneficial and subsequently chooses to participate in physical activities that are personally meaningful (e.g., activities that offer social interaction, cultural connection, exploration, choice, self-expression, appropriate levels of challenge, and added health benefits). The student develops personal skills including goal setting, identifying strengths, and reflection to enhance their physical literacy journey.	TSEL Standard 2: Self-Management & Agency Use management strategies to build personal and collective agency that lead to achieving goals and aspirations. TSEL Practice 2A: Manage and express thoughts, emotions, impulses, and stressors in ways that affirm one's identity. TSEL Practice 2B: Use management strategies while recognizing that various situations and environments may require different approaches for achieving personal and collective goals and aspirations in ways that affirm one's identity. TSEL Practice 2C: Plan, evaluate, and achieve personal and collective goals and aspirations.

Grade K-2 Physical Education Standards

- 2.PSB.1** Identifies physical activities that can meet the need for self-expression.
- 2.PSB.2** Identifies physical activities that can meet the need for social interaction.
- 2.PSB.3** Lists ways that movement positively affects personal health.
- 2.PSB.4** Identifies preferred physical activities based on personal interests.
- 2.PSB.5** Recognizes individual challenges through movement.
- 2.PSB.6** Sets observable short-term goals.
- 2.PSB.7** Recognizes movement strengths and the need for practice for individual improvement.
- 2.PSB.8** Recognizes the opportunity for physical activity within physical education class.
- 2.PSB.9** Demonstrates techniques (e.g., breathing, counting) to assist with managing emotions and behaviors in a physical activity.
- 2.PSB.10** Reflects on movement experiences during physical education to develop understanding of how movement is personally meaningful.

3-5 Physical Education Standards

Domain 1 Develops a variety of motor skills. (5.DMS)

Rationale

Through learning experiences in physical education, the student develops motor skills across a variety of environments. Motor skills are a foundational part of child development and support the movements of everyday life. The development of motor skills contributes to an individual's physical literacy journey.

Grade 3-5 Physical Education Standards

- 5.DMS.1** Combines varied locomotor skills in a variety of practice tasks.
- 5.DMS.2** Demonstrates transferring weight from feet to hands and hands to feet in a non-dynamic environment.
- 5.DMS.3** Demonstrates rolling with the body in a non-dynamic environment.
- 5.DMS.4** Combines jumping/landing, rolling, balancing and transfer of weight from feet to hands in a non-dynamic environment.
- 5.DMS.5** Combines locomotor, non-locomotor, and manipulative movements based on a variety of dance forms.
- 5.DMS.6** Demonstrates jumping rope in a variety of practice tasks.
- 5.DMS.7** Demonstrates jumping and landing in a non-dynamic environment.
- 5.DMS.8** Demonstrates balancing on different body parts in a non-dynamic environment.
- 5.DMS.9** Demonstrates rolling a ball in a non-dynamic environment.
- 5.DMS.10** Demonstrates throwing in a variety of practice tasks.
- 5.DMS.11** Demonstrates striking with a long-handled implement in a variety of practice tasks.
- 5.DMS.12** Demonstrates catching in a variety of practice tasks.
- 5.DMS.13** Demonstrates striking with hands above waist in a variety of practice tasks.
- 5.DMS.14** Demonstrates striking with hands below waist in a variety of practice tasks.
- 5.DMS.15** Demonstrates serving an object in a non-dynamic environment.
- 5.DMS.16** Demonstrates striking an object with a short-handled implement in a variety of practice tasks.
- 5.DMS.17** Demonstrates sending and receiving an object in a variety of practice tasks.

- 5.DMS.18** Demonstrates kicking a ball using the instep in a variety of practice tasks.
- 5.DMS.19** Demonstrates dribbling with hands in non-dynamic and dynamic practice tasks.
- 5.DMS.20** Demonstrates dribbling with feet in a variety of practice tasks.
- 5.DMS.21** Combines manipulative skills and traveling for execution to a target in a variety of practice tasks.
- 5.DMS.22** Demonstrates water safety skills. If a pool facility is available, demonstrates water safety and basic swimming skills.

DRAFT

Domain 2 Applies knowledge related to movement and fitness concepts. (5.AMF)

Rationale

Through learning experiences in physical education, the student uses their knowledge of movement concepts, tactics, and strategies across a variety of environments. This knowledge helps the student become a more versatile and efficient mover. Additionally, the student applies knowledge of health-related and skill-related fitness to enhance their overall well-being. The application of knowledge related to various forms of movement contributes to an individual's physical literacy journey.

Grade 3-5 Physical Education Standards

- 5.AMF.1** Applies movement concepts and strategies for safe movement within dynamic environments.
- 5.AMF.2** Demonstrates knowledge of offensive strategies in small-sided invasion practice tasks.
- 5.AMF.3** Demonstrates knowledge of defensive strategies in small-sided invasion practice tasks.
- 5.AMF.4** Demonstrates knowledge of appropriate movement concepts for efficient performance of manipulative skills.
- 5.AMF.5** Demonstrates problem solving strategies in a variety of games/activities.
- 5.AMF.6** Applies movement concepts to different types of dances, gymnastics, rhythms, and individual performance activities.
- 5.AMF.7** Defines and provides examples of movement activities for developing the health-related fitness components.
- 5.AMF.8** Establishes goals related to enhancing fitness development.
- 5.AMF.9** Defines and explains how to implement the FITT Principle for fitness development.
- 5.AMF.10** Defines and provides examples of movement activities for developing the skill-related fitness components.
- 5.AMF.11** Identifies the need for warm-up & cool-down relative to various physical activities.
- 5.AMF.12** Identifies location of pulse and provides examples of activities that increase heart rate.

- 5.AMF.13** Explains the benefits of physical activity.
- 5.AMF.14** Recognizes and explains how physical activity influences physiological changes in their body.
- 5.AMF.15** Recognizes the critical elements that contribute to proper execution of a skill.
- 5.AMF.16** Identifies technology tools that support physical activity goals.
- 5.AMF.17** Describes the impact of food and hydration choices on physical activity.
- 5.AMF.18** Demonstrates knowledge of water safety skills. Demonstrates knowledge of basic swimming skills.

DRAFT

Domain 3 Develops social skills through movement. (5.SSM)

Rationale	Transformative SEL Integration
Through learning experiences in physical education, students develop the social skills necessary to exhibit empathy and respect for others and foster and maintain relationships. In addition, students develop skills for communication, leadership, cultural awareness, and conflict resolution in a variety of physical activity settings.	TSEL Standard 3: Social-Awareness & Belonging Develop social awareness that fosters a sense of belonging and leads to co-constructing equitable, thriving communities and a vibrant society. TSEL Practice 3B: Apply social skills (i.e., empathy, compassion, etc.) to develop and maintain healthy relationships that collectively achieve mutual goals while affirming identities and perspectives.

Grade 3-5 Physical Education Standards

- 5.SSM.1** Describes the perspective of others during a variety of activities.
- 5.SSM.2** Uses communication skills to negotiate roles and responsibilities in a physical activity setting.
- 5.SSM.3** Demonstrates respectful behaviors that contribute to positive social interaction in group activities.
- 5.SSM.4** Demonstrates safe behaviors independently with limited reminders.
- 5.SSM.5** Solves problems independently, with partners, and in small groups.
- 5.SSM.6** Makes choices that are fair according to activity etiquette.
- 5.SSM.7** Describes physical activities that represent a variety of cultures around the world.

Domain 4 Develops personal skills, identifies personal benefits of movement, and chooses to engage in physical activity. (5.PSB)

Rationale	Transformative SEL Integration
Through learning experiences in physical education, the student develops an understanding of how movement is personally beneficial and subsequently chooses to participate in physical activities that are personally meaningful (e.g., activities that offer social interaction, cultural connection, exploration, choice, self-expression, appropriate levels of challenge, and added health benefits). The student develops personal skills including goal setting, identifying strengths, and reflection to enhance their physical literacy journey.	TSEL Standard 2: Self-Management & Agency Use management strategies to build personal and collective agency that leads to achieving goals and aspirations. TSEL Practice 2A: Manage and express thoughts, emotions, impulses, and stressors in ways that affirm one's identity. TSEL Practice 2B: Use management strategies while recognizing that various situations and environments may require different approaches for achieving personal and collective goals and aspirations in ways that affirm one's identity. TSEL Practice 2C: Plan, evaluate, and achieve personal and collective goals and aspirations.

Grade 3-5 Physical Education Standards

- 5.PSB.1** Explains how preferred physical activities meet the need for personal self-expression.
- 5.PSB.2** Explains how preferred physical activities meet the need for social interaction.
- 5.PSB.3** Describes how movement positively affects personal health.
- 5.PSB.4** Explains the rationale for one's choices related to physical activity based on personal interests.
- 5.PSB.5** Recognizes group challenges through movement.
- 5.PSB.6** Sets observable long-term goals.
- 5.PSB.7** Identifies movement strengths and opportunities for practice for individual improvement.
- 5.PSB.8** Identifies physical activity opportunities outside of physical education class.
- 5.PSB.9** Recognizes personally effective techniques that assist with managing one's emotions and behaviors in a physical activity setting.
- 5.PSB.10** Reflects on movement experiences during physical education to develop understanding of how movement is personally meaningful.

6-8 Physical Education Standards

Domain 1 Develops a variety of motor skills. (8.DMS)

Rationale

Through learning experiences in physical education, the student develops motor skills across a variety of environments. Motor skills are a foundational part of child development and support the movements of everyday life. The development of motor skills contributes to an individual's physical literacy journey.

Grade 6-8 Physical Education Standards

- 8.DMS.1** Demonstrates correct technique in a variety of outdoor activities (e.g., hiking, biking, and climbing).
- 8.DMS.2** Demonstrates movement sequences within varied dance forms.
- 8.DMS.3** Demonstrates appropriate form in a variety of health-related fitness activities.
- 8.DMS.4** Demonstrates appropriate form in a variety of skill-related fitness activities.
- 8.DMS.5** Demonstrates proper form for a striking motion with a long-handled implement.
- 8.DMS.6** Demonstrates a correct rolling and throwing (underhand, sidearm, overhand) technique in a variety of practice tasks and modified target games.
- 8.DMS.7** Demonstrates proper form for striking a self-tossed/pitched ball with an implement to open space in a variety of practice tasks and small-sided games.
- 8.DMS.8** Demonstrates a proper catch with or without an implement in a variety of practice tasks and small-sided games.
- 8.DMS.9** Demonstrates throwing for accuracy, distance, and power in a variety of practice tasks and small-sided games.
- 8.DMS.10** Demonstrates a proper underhand and overhand serve using the hand in a variety of practice tasks and modified small-sided games.
- 8.DMS.11** Demonstrates a proper underhand and overhand serve using a short-handled implement in a variety of practice tasks and modified small-sided games.
- 8.DMS.12** Demonstrates the correct form of a forehand and backhand stroke with a short-handled implement in a variety of practice tasks and modified small-sided games.
- 8.DMS.13** Demonstrates proper form for a volley using a short-handled implement in a variety of practice tasks and modified net and wall games.

- 8.DMS.14** Demonstrates proper form for sending and receiving in combination with locomotor skills in a variety of small-sided games.
- 8.DMS.15** Demonstrates proper form for dribbling skill in a variety of practice tasks and small-sided games.
- 8.DMS.16** Demonstrates proper form for dribbling an object with an implement in a variety of practice tasks and small-sided games.
- 8.DMS.17** Demonstrates proper form for a shot on goal with and without an implement in a variety of practice tasks and small-sided games.
- 8.DMS.18** Demonstrates multiple techniques to create open space during a variety of practice tasks and small-sided games (offense).
- 8.DMS.19** Demonstrates a defensive ready position in a variety of practice tasks and small-sided games.
- 8.DMS.20** Demonstrates water safety skills. If a pool facility is available, demonstrates water safety and basic swimming skills.

Domain 2 Applies knowledge related to movement and fitness concepts. (8.AMF)

Rationale

Through learning experiences in physical education, the student uses their knowledge of movement concepts, tactics, and strategies across a variety of environments. This knowledge helps the student become a more versatile and efficient mover. Additionally, the student applies knowledge of health-related and skill-related fitness to enhance their overall well-being. The application of knowledge related to various forms of movement contributes to an individual's physical literacy journey.

Grade 6-8 Physical Education Standards

- 8.AMF.1** Identifies the effective use of movement concepts within multiple dynamic environments and lifetime activities.
- 8.AMF.2** Demonstrates and applies knowledge of offensive tactics to create space with movement in invasion games.
- 8.AMF.3** Demonstrates and applies knowledge of reducing open space with movement and denial in invasion games.
- 8.AMF.4** Demonstrates and applies the appropriate shot and technique in net and wall games.
- 8.AMF.5** Demonstrates and applies knowledge of offensive tactics in striking and fielding games.
- 8.AMF.6** Demonstrates and applies knowledge of defensive positioning tactics in striking and fielding games.
- 8.AMF.7** Demonstrates problem-solving skills in a variety of games and activities.
- 8.AMF.8** Applies knowledge of movement concepts for the purpose of varying different types of dances and rhythmic activities.
- 8.AMF.9** Identifies and compares the components of health and skill-related fitness.
- 8.AMF.10** Self-selects and monitors physical activity goals based on a self-selected health-related fitness assessment.
- 8.AMF.11** Implements the principles of exercise (progression, overload, and specificity) for different types of physical activity.
- 8.AMF.12** Applies knowledge of skill-related fitness to different types of physical activity.

- 8.AMF.13** Explains the relationship of aerobic fitness and RPE Scale to physical activity effort.
- 8.AMF.14** Applies knowledge of dynamic and static stretching to exercise in warm-up, cool-down, flexibility, endurance, etc. physical activities.
- 8.AMF.15** Demonstrates knowledge of heart rate, ability to monitor it, and describes its relationship to aerobic fitness.
- 8.AMF.16** Identifies ways to be physically active.
- 8.AMF.17** Examines how rest impacts the body's response to physical activity.
- 8.AMF.18** Analyzes skill performance by identifying critical elements.
- 8.AMF.19** Evaluates usefulness of technology tools to support physical activity and fitness goals.
- 8.AMF.20** Explains the relationships among nutrition, physical activity, and health factors.
- 8.AMF.21** Demonstrates and/or applies knowledge of safety protocols in teacher-selected outdoor activities.
- 8.AMF.22** Demonstrates and applies knowledge of water safety skills. Demonstrates knowledge of basic swimming skills if a water facility is available.

Domain 3 Develops social skills through movement. (8.SSM)

Rationale	Transformative SEL Integration
Through learning experiences in physical education, students develop the social skills necessary to exhibit empathy and respect for others and foster and maintain relationships. In addition, students develop skills for communication, leadership, cultural awareness, and conflict resolution in a variety of physical activity settings.	TSEL Standard 3: Social-Awareness & Belonging Develop social awareness that fosters a sense of belonging and leads to co-constructing equitable, thriving communities and a vibrant society. TSEL Practice 3B: Apply social skills (i.e., empathy, compassion, etc.) to develop and maintain healthy relationships that collectively achieve mutual goals while affirming identities and perspectives.

Grade 6-8 Physical Education Standards

- 8.SSM.1** Understands and accepts others' differences during a variety of physical activities.
- 8.SSM.2** Demonstrates consideration for others and contributes positively to the group or team.
- 8.SSM.3** Uses communication skills to negotiate strategies and tactics in a physical activity setting.
- 8.SSM.4** Implements and provides constructive feedback to and from others when prompted and supported by the teacher.
- 8.SSM.5** Explains the value of a specific physical activity in culture.
- 8.SSM.6** Demonstrates the ability to follow game rules in a variety of physical activity situations.
- 8.SSM.7** Recognizes and implements safe and appropriate behaviors during physical activity and with exercise equipment.
- 8.SSM.8** Solves problems amongst teammates and opponents.
- 8.SSM.9** Applies and respects the importance of etiquette in a physical activity setting.
- 8.SSM.10** Explains how communication, feedback, cooperation, and etiquette relate to leadership roles.

Domain 4 Develops personal skills, identifies personal benefits of movement, and chooses to engage in physical activity. (8.PSB)

Rationale	Transformative SEL Integration
Through learning experiences in physical education, the student develops an understanding of how movement is personally beneficial and subsequently chooses to participate in physical activities that are personally meaningful (e.g., activities that offer social interaction, cultural connection, exploration, choice, self-expression, appropriate levels of challenge, and added health benefits). The student develops personal skills including goal setting, identifying strengths, and reflection to enhance their physical literacy journey.	TSEL Standard 2: Self-Management & Agency Use management strategies to build personal and collective agency that leads to achieving goals and aspirations. TSEL Practice 2A: Manage and express thoughts, emotions, impulses, and stressors in ways that affirm one's identity. TSEL Practice 2B: Use management strategies while recognizing that various situations and environments may require different approaches for achieving personal and collective goals and aspirations in ways that affirm one's identity. TSEL Practice 2C: Plan, evaluate, and achieve personal and collective goals and aspirations.

Grade 6-8 Physical Education Standards

- 8.PSB.1** Describes how self-expression impacts individual engagement in physical activity.
- 8.PSB.2** Describes how social interaction impacts individual engagement in physical activity.
- 8.PSB.3** Participates in a variety of physical activities that can positively affect personal health.
- 8.PSB.4** Connects how choice and personal interests impact individual engagement in physical activity.
- 8.PSB.5** Examines individual and group challenges through movement.
- 8.PSB.6** Sets goals to participate in physical activities based on examining individual ability.
- 8.PSB.7** Examines opportunities and barriers to participating in physical activity outside of physical education class.
- 8.PSB.8** Utilizes a variety of techniques to manage one's emotions and behaviors in a physical activity setting.
- 8.PSB.9** Reflects on movement experiences during physical education to develop an understanding of how movement is personally meaningful.

High School Physical Education Standards

Domain 1 Develops a variety of motor skills. (12.DMS)

Rationale

Through learning experiences in physical education, the student develops motor skills across a variety of environments. Motor skills are a foundational part of child development and support the movements of everyday life. The development of motor skills contributes to an individual's physical literacy journey.

Grade 9-12 Physical Education Standards

- 12.DMS.1** Demonstrates activity-specific movement skills in a variety of lifetime sports and activities (e.g., aerobic/cardiovascular activities, outdoor pursuits, such as hiking and biking, individual performance activities, aquatics, net/wall games, target games).
- 12.DMS.2** Demonstrates activity-specific movement skills in a variety of recreational and backyard games.
- 12.DMS.3** Demonstrates activity-specific movement skills in a variety of outdoor pursuits.
- 12.DMS.4** Demonstrates and creates movement sequences based on one or more forms of dance.
- 12.DMS.5** Demonstrates appropriate technique in cardiovascular training.
- 12.DMS.6** Demonstrates appropriate technique in muscular strength and endurance training.
- 12.DMS.7** Demonstrates appropriate technique in flexibility training.
- 12.DMS.8** Demonstrates appropriate technique in skill-related fitness training.
- 12.DMS.9** Demonstrates water safety skills, including dry land or anti-drowning safety protocols. If a pool facility is available, demonstrates water safety and basic swimming skills.

Domain 2 Applies knowledge related to movement and fitness concepts. (12.AMF)

Rationale

Through learning experiences in physical education, the student uses their knowledge of movement concepts, tactics, and strategies across a variety of environments. This knowledge helps the student become a more versatile and efficient mover. Additionally, the student applies knowledge of health-related and skill-related fitness to enhance their overall well-being. The application of knowledge related to various forms of movement contributes to an individual's physical literacy journey.

Grade 9-12 Physical Education Standards

- 12.AMF.1** Demonstrates knowledge of tactics and strategies within lifetime sports and activities.
- 12.AMF.2** Demonstrates knowledge of tactics and strategies within recreational and backyard games.
- 12.AMF.3** Demonstrates knowledge of tactics and strategies within outdoor pursuits.
- 12.AMF.4** Applies knowledge of movement sequences to create or participate in one or more forms of dance.
- 12.AMF.5** Analyzes how health and fitness will impact quality of life after high school.
- 12.AMF.6** Establishes a goal and creates a practice plan to improve performance for a self-selected skill.
- 12.AMF.7** Applies the principles of exercise in a variety of self-selected lifetime physical activities.
- 12.AMF.8** Designs and implements a plan that applies knowledge of aerobic, strength and endurance, and flexibility training exercises.
- 12.AMF.9** Evaluates perceived exertion during physical activity and adjusts effort.
- 12.AMF.10** Applies heart rate concepts to ensure safety and maximize health-related fitness outcomes.
- 12.AMF.11** Discusses the benefits of a physically active lifestyle as it relates to young adulthood.
- 12.AMF.12** Applies knowledge of rest when planning regular physical activity.

- 12.AMF.13** Applies movement concepts and principles (e.g., force, motion, rotation) to analyze and improve performance of self and/or others in a selected skill (e.g. overhand throw, back squat, archery).
- 12.AMF.14** Identifies and discusses the historical and cultural roles of games, sports and dance in a society.
- 12.AMF.15** Analyzes and applies technology as tools to support a healthy, active lifestyle.
- 12.AMF.16** Identifies snacks and food choices that help and hinder performance, recovery, and enjoyment during physical activity.
- 12.AMF.17** Demonstrates knowledge of water safety skills. Demonstrates knowledge of basic swimming skills.

Domain 3 Develops social skills through movement. (12.SSM)

Rationale	Transformative SEL Integration
Through learning experiences in physical education, students develop the social skills necessary to exhibit empathy and respect for others and foster and maintain relationships. In addition, students develop skills for communication, leadership, cultural awareness, and conflict resolution in a variety of physical activity settings.	TSEL Standard 3: Social-Awareness & Belonging Develop social awareness that fosters a sense of belonging and leads to co-constructing equitable, thriving communities and a vibrant society. TSEL Practice 3B: Apply social skills (i.e., empathy, compassion, etc.) to develop and maintain healthy relationships that collectively achieve mutual goals while affirming identities and perspectives.

Grade 9-12 Physical Education Standards

- 12.SSM.1** Demonstrates awareness of other people's emotions and perspectives in a physical activity setting.
- 12.SSM.2** Exhibits proper etiquette, respect for others, and teamwork while engaging in physical activity.
- 12.SSM.3** Encourages and supports others through their interactions in a physical activity setting.
- 12.SSM.4** Implements and provides feedback to improve performance without prompting from teacher.
- 12.SSM.5** Analyzes the value of a specific physical activity in a variety of cultures.
- 12.SSM.6** Applies best practices for participating safely in physical activity (e.g., injury prevention, spacing, hydration, use of equipment, implementation of rules, sun protection).
- 12.SSM.7** Thinks critically and solves problems in physical activity settings, both as an individual and in groups.
- 12.SSM.8** Evaluates the effectiveness of leadership skills when participating in a variety of physical activity settings.

Domain 4 Develops personal skills, identifies personal benefits of movement, and chooses to engage in physical activity. (12.PSB)

Rationale	Transformative SEL Integration
Through learning experiences in physical education, the student develops an understanding of how movement is personally beneficial and subsequently chooses to participate in physical activities that are personally meaningful (e.g., activities that offer social interaction, cultural connection, exploration, choice, self-expression, appropriate levels of challenge, and added health benefits). The student develops personal skills including goal setting, identifying strengths, and reflection to enhance their physical literacy journey.	TSEL Standard 2: Self-Management & Agency Use management strategies to build personal and collective agency that leads to achieving goals and aspirations. TSEL Practice 2A: Manage and express thoughts, emotions, impulses, and stressors in ways that affirm one's identity. TSEL Practice 2B: Use management strategies while recognizing that various situations and environments may require different approaches for achieving personal and collective goals and aspirations in ways that affirm one's identity. TSEL Practice 2C: Plan, evaluate, and achieve personal and collective goals and aspirations.

Grade 9-12 Physical Education Standards

- 12.PSB.1** Selects and participates in physical activities (e.g. dance, yoga, aerobics) that meet the need for self-expression.
- 12.PSB.2** Selects and participates in physical activities that meet the need for social interaction.
- 12.PSB.3** Identifies and participates in physical activity that positively affects health.
- 12.PSB.4** Chooses and participates in physical activity based on personal interests.
- 12.PSB.5** Chooses and successfully participates in self-selected physical activity at a level that is appropriately challenging.
- 12.PSB.6** Sets and develops movement goals related to personal interests.
- 12.PSB.7** Analyzes factors on regular participation in physical activity after high school (e.g., life choices, economics, motivation, accessibility).
- 12.PSB.8** Analyzes and applies self-selected techniques to manage one's emotions in a physical activity setting.
- 12.PSB.9** Reflects on movement experiences during physical education to develop understanding of how movement is personally meaningful.



Physical Education Standards

First Read State Board of Education

May 15, 2025

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Vanessa Martinez Director Standards and Instructional Supports
Suzanne Hidde Health and Physical Education Specialist
Aujalee Moore Standards Guidance Program Analyst

Gratitude



Items to cover today



1. Standards Revision Process
2. Advisory Panel and Development of the Standards
3. Engagement, Public Comment and Incorporation of Feedback
4. Next Steps
5. Questions



Standards Revision Process

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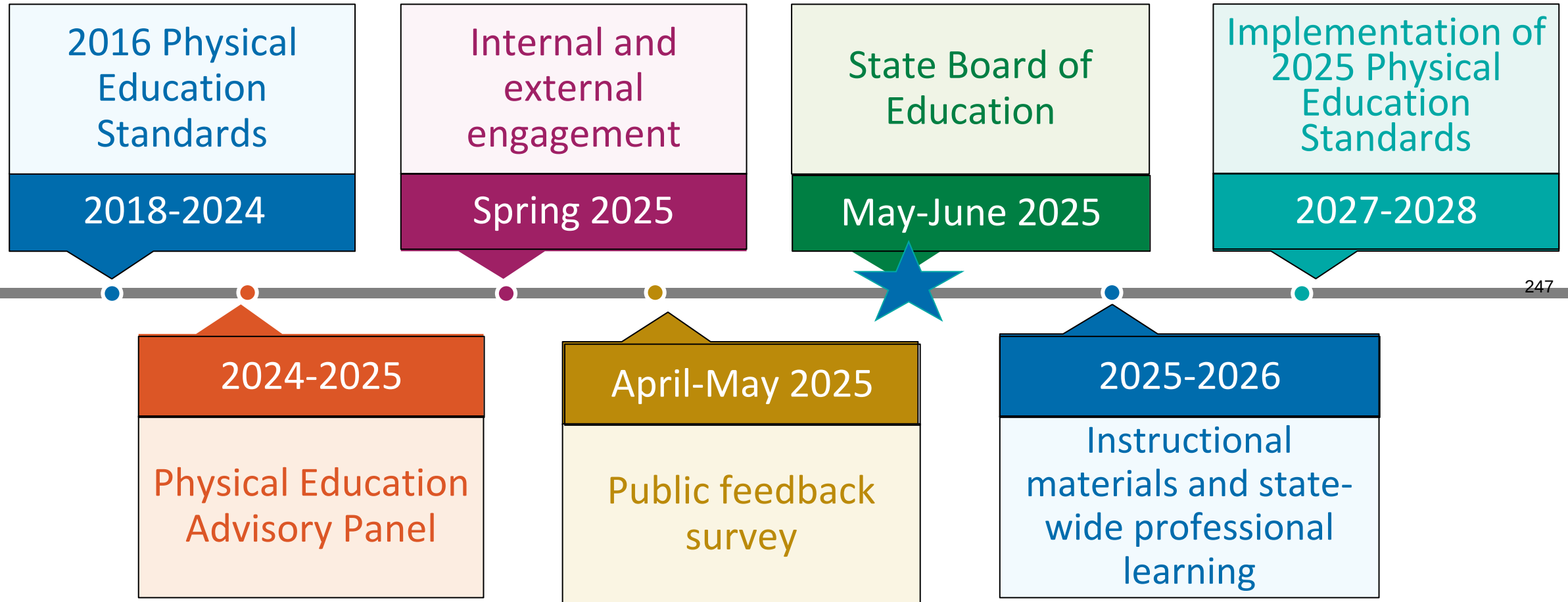
Policy Authority



ORS 329.045 (2)

The State Board of Education shall **continually review and revise all adopted academic content standards** necessary for students to successfully transition to the next phase of their education.

Physical Education Standards Timeline



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Development of Physical Education Standards

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Physical Education Standards Panel

- 20 panelists
- 16 districts represented
- One higher education organization represented
 - Oregon State University
- Representation from urban and rural districts
- Limited representation from Eastern Oregon
 - Goal area



Physical Education Panel Guiding Principles

- Instill a **love of movement**
- Are easily **usable for teachers**
- Create **an environment where all students are able to participate** in a variety of activities
- Focus on **personal skill development and progression**
- Are balanced between **specific and broad concepts**
- Allow multiple points of activity and **opportunities for individuals of all abilities to shine**, be seen and valued
- Align with **ODE's [equity stance](#)** and Federal and State **civil rights laws**
- Include of a holistic approach, with a **focus on the whole child**
- Define the scope of what goes in Standards and what goes **into a Guidance document**

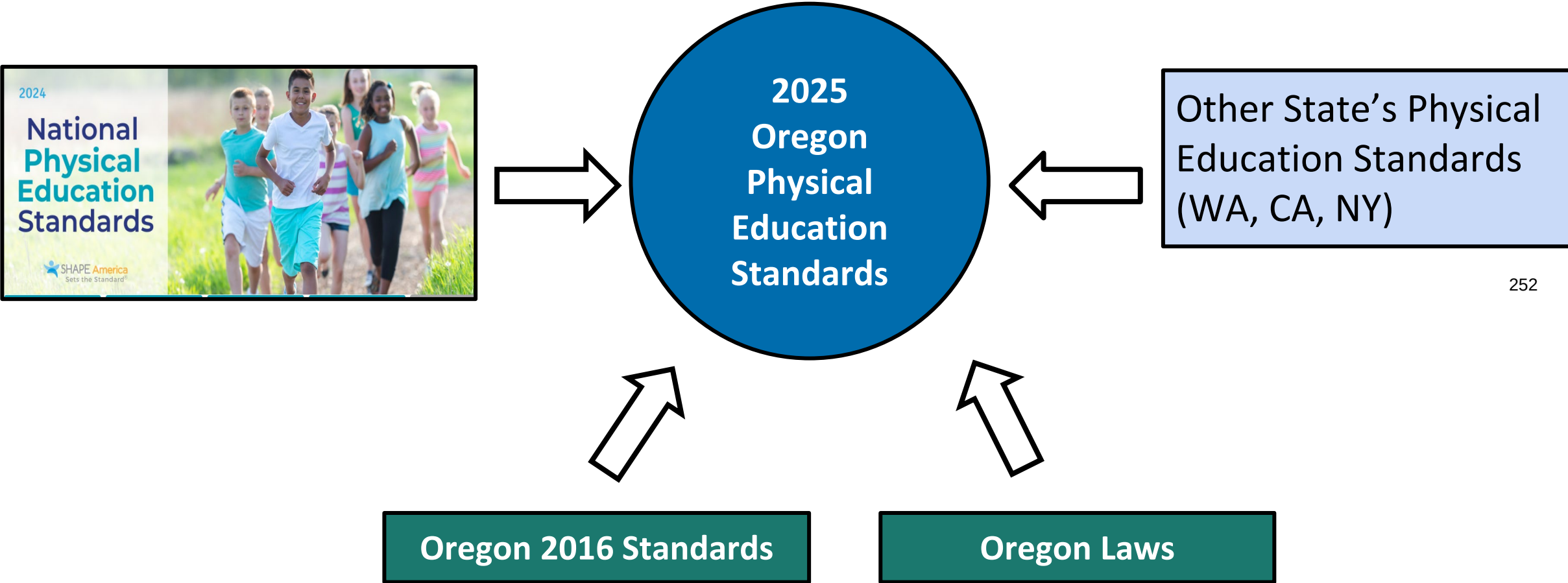
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Internal Partners



- Health in Education Team, Director's Office
- Child Nutrition Programs, Director's Office
- Standards and Instructional Supports Team, OTLA
- Equity Programs, OEDI
- Safe and Inclusive Schools, OEDI
- Office of Indian Education, OIE
- Inclusive Services, OESO

Foundational Inputs



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Key Changes from the 2016 Physical Education Standards

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Key changes from 2016 PE Standards

New Standards:

- **Mirror the National Standards** with minimal changes
- Used the categorization of domains (**four domains** vs five standards)
- Are organized by **grade bands** vs individual grades
- **Have 50% fewer standards** while maintaining coverage of skills
- Include more specific emphasis on **the importance of physical literacy**
- Reflect **current research** on motor development
- Integrate the importance of **meaningfulness, personal expressions, inclusion, and cultural relevance**
- Specific integration of **Transformative SEL Standards and Practices**

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Four Domains

Domains - Designates a category of knowledge or skill

Four Domains in the Physical Education Standards:

- **Domain 1:** Development of a variety of **motor skills** (DMS)
- **Domain 2:** Application of knowledge related to **movement** and **fitness concepts**²⁵⁵ (AMF)
- **Domain 3:** Development of **social skills** through **movement** (SSM)
- **Domain 4:** Development of **personal skills**, identification of personal benefits of **movement**, and **choice** to engage in physical activity (SMC)

Rationale and Transformative SEL Integration

Domain 4 Develops personal skills, identifies personal benefits of movement, and chooses to engage in physical activity. (2.PSB)

Rationale	Transformative SEL Integration
Through learning experiences in physical education, the student develops an understanding of how movement is personally beneficial and subsequently chooses to participate in physical activities that are personally meaningful (e.g., activities that offer social interaction, cultural connection, exploration, choice, self-expression, appropriate levels of challenge, and added health benefits). The student develops personal skills including goal setting, identifying strengths, and reflection to enhance their physical literacy journey.	TSEL Standard 2: Self-Management & Agency Use management strategies to build personal and collective agency that lead to achieving goals and aspirations. TSEL Practice 2A: Manage and express thoughts, emotions, impulses, and stressors in ways that affirm one’s identity. TSEL Practice 2B: Use management strategies while recognizing that various situations and environments may require different approaches for achieving personal and collective goals and aspirations in ways that affirm one’s identity. TSEL Practice 2C: Plan, evaluate, and achieve personal and collective goals and aspirations.

Grade Bands

The standards are organized by grade bands to outline the knowledge and skills students should acquire **by the end of each grade band**.

Grade bands support the concept that development is age-related, and not age-dependent.

Grade bands:

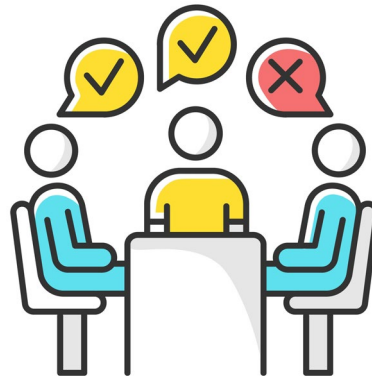
- Kindergarten - 2nd grade
- 3rd - 5th grade
- 6th - 8th grade
- 9th - 12th grade

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Public Engagement and Feedback

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Themes of support for the proposed Standards

- Alignment to the **National Standards**
- Grade band grouping allows for **differentiated learning opportunities**
- **Integration of Transformative SEL** Standards and Practices
- More **concise and easier to follow**
- **Specific and attainable** outcomes for students
- Comprehensive breadth of standards while **reduced in number**
- **Developmentally/age appropriate** - grade bands allow for flexibility & differentiation
- Focus on **lifelong physical literacy**
- **4 Domains** are clearly organized

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Public Feedback Suggestions & Changes

Feedback Suggestions	ODE Response
Specific physical activities - include more activities in nature (hiking, biking, etc.)	<i>Added language to 8.DMS.1 and 12.DMS.1</i>
High School - include more opportunities for choice and agency	<i>Domain 4 focuses on personal choice and expression</i>
Middle School - include more lifetime sports	<i>Added in 8.AMF.1</i> 260
Include fitness technology , such as apps, smartwatches, wearable technology	<i>Listed in 8.AMF.19 and 12.AMF.15</i>
Include monitoring heart rate , not just demonstrating knowledge	<i>Added monitoring heart rate to 8.AMF.15</i>
Reduce standards in each domain	<i>There are 50% fewer than in the previous standards document (410 in 2016 - 210 in 2025)</i>

Suggestions for Guidance Document

Requests to include:

- examples of specific activities or skills that can fulfill each standard
- the progression of skills between grades
- strategies for using technology
- distinction between appropriate vs. proper form
- student-friendly language for primary grades that teachers can share as learning targets
- examples of rubrics



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Next Steps: Physical Education Standards

May 2025

ODE will continue to incorporate feedback from the Board and revise guidance to the standards

June 2025

Second read of the standards at the June 2025 Board meeting

Summer 2025

ODE will develop supplemental guidance and learning opportunities for districts

2025-26 SY

ODE develops adoption criteria and evaluates HQIM for PE.

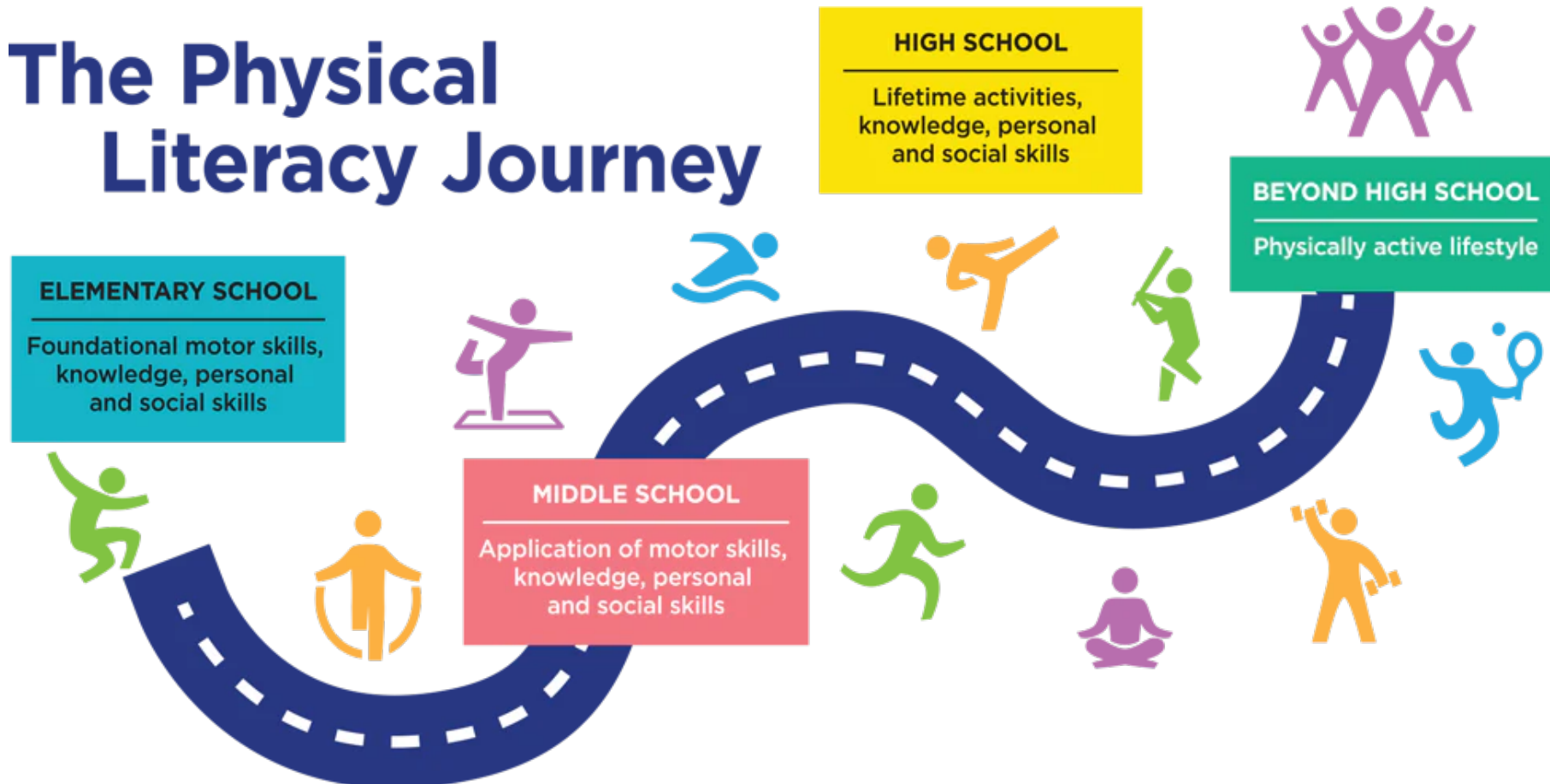
Contract period for approved materials begins February 2026

2027-28 SY

All school districts will implement the Physical Education²⁶² Standards *or* have an approved postponement for Instructional Materials adoption

“PE is Powerful Education” (Author Unknown)

The Physical Literacy Journey



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Questions



Vanessa Martinez

Director Standards and Instructional Supports

Suzanne Hidde

Health and Physical Education Specialist

Aujalee Moore

Standards Guidance Program Analyst

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Summary

Meeting Date: 5/15/2025

Title: OSCIM Program - Priority List and Funding Formula Changes

Status: First Reading

Presentation: Yes

Key Staff: Leanna Heiman and Michael Elliott

Topic Summary: In response to Senate Bill 285 (2023), which mandates biennial inflation adjustments for both the Oregon School Capital Improvement Matching (OSCIM) Program and the Technical Assistance Program (TAP) and allows additional factors in OSCIM grant calculations, the Department collaborated with the Office of School Facilities Advisory Group to revise the OSCIM program's funding formula and priority list for greater equity. We seek the Board's approval of the corresponding updates to the Oregon Administrative Rules.

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 Oregon School Capital Improvement Matching (OSCIM) Program offers state matching grants to school districts that pass local general obligation bonds for facility improvements. Housed within ODE's Office of School Facilities, the program incentivizes community investment by committing potential state funds before local elections. These grants help districts upgrade buildings, ultimately supporting students by creating safer, healthier, and more modern learning environments.

- 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?**

Senate Bill 285, is prescriptive in increasing OSCIM grant amounts and updating the funding split between the Priority List and First in Time List—changes adopted by the Board in February 2024. It also requires the Board to adopt an inflation adjustment for both the OSCIM and TAP

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programs. SB 285 provides flexibility by allowing the Board to adopt additional factors in the OSCIM funding formula.

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

No, these changes to the OARs have not come before the Board before.

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

The Office of School Facilities is bringing this item forward now to ensure Board approval of rule changes ahead of the OSCIM Program's next application period in July 2025 for the November 2025 election. Throughout 2024, the Office collaborated closely with its Advisory Group to develop and refine updates to the funding formula and priority list, aiming for a version that reflects statewide consensus. These changes promote a more equitable distribution of funds, increasing support for local bond measures—especially in lower-resourced districts—by enhancing the value of state matching funds.

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.

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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 guided our team in evaluating how proposed changes to the OSCIM Program's Priority List and Funding Formula would impact districts with varying levels of resources. Recognizing that small, rural, and lower-income districts often face greater challenges in passing local GO bonds, we prioritized input from stakeholders who advocate for these communities. Our Advisory Group—comprising bond counsel, school finance experts, legislative advocates, and construction consultants—provided critical insights to ensure the updates support a more equitable distribution of funds.

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.

N/A

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

- ☒ Northeast Oregon
☒ Central and Southeast Oregon

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- ☒ 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 goal of revising the OSCIM Program's Priority List and Funding Formula is to improve the passage rate of local bond measures by offering stronger incentives to voters, ultimately promoting more equitable funding for school infrastructure across Oregon. In developing these revisions, the Office of School Facilities Advisory Group intentionally considered the needs and perspectives of all geographic regions in 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?

The Office of School Facilities used an iterative engagement process with its Advisory Group to revise the funding formula and priority list. Early feedback highlighted that the first version was overly complex and unintentionally incentivized districts to pursue larger bond amounts relative to their property wealth—an unrealistic expectation for many small or rural districts. In response, we simplified the formula and shifted focus to more equitable and feasible measures.

Subsequent iterations incorporated focal student group percentages, but feedback revealed that this metric, while a proxy for poverty, tended to advantage metropolitan districts with historically successful bond campaigns. This insight helped us refocus on variables more directly tied to voter behavior and equity in funding.

Throughout the process, differing opinions were acknowledged and addressed through transparent written responses shared with all Advisory Group members, particularly when concerns were raised in meetings or group communications. This inclusive approach ensured all perspectives were considered in shaping the final recommendations.

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

The Office of School Facilities will not be pursuing any additional engagement opportunities.

FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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.

This action will not have a negative fiscal or administrative burden on all districts. Districts that seek and receive an OSCIM Program grant will not have their administrative burden significantly changed with these rules.

What will change is how large of a grant districts are eligible to receive under these proposed rules. Under the revised funding formula, districts will be ranked based on assessed value per extended ADMw and grouped into quartiles. Funding will be distributed as follows:

- \$12 million to the 50 districts with the lowest assessed value per extended ADMw
- \$10 million to the next 49 districts with low to moderate values
- \$8 million to the 49 districts with moderate values
- \$6 million to the 49 districts with the highest values

This tiered funding model is designed to improve equity by providing greater matching funds to districts with fewer local resources. As a result, it enhances the perceived value of local bond measures and strengthens incentives for voter approval—especially in small, rural, and high-poverty communities that have historically struggled to pass bond initiatives.

Anticipated Outcomes:

- More equitable allocation of state matching funds
- Increased local bond passage rates in under-resourced areas
- Stronger support for school facility improvements across all regions

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. Board action will not create a fiscal or administrative impact on state agencies, units of local government, and/or the public. It will also not increase costs associated with compliance for 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. 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?

In many rural and under-resourced Oregon communities, families face structural barriers to passing local bond measures due to limited property wealth. These areas, which often have higher rates of student poverty, struggle to fund essential school facility improvements. In contrast, metropolitan areas with greater property wealth can more easily pass bonds and invest in infrastructure.

By increasing OSCIM grant amounts and restructuring the funding formula to prioritize districts with lower assessed value per student, the proposed changes aim to level the playing field. This more equitable approach gives historically marginalized communities—often rural, low-income, and underserved—greater access to safe, modern, and effective learning environments, ultimately supporting student well-being, academic success, and community growth.

In short, the Board’s action will help close opportunity gaps and advance educational equity across the state.

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?

The proposed changes will help school district employees and volunteers, especially in under-resourced, rural communities, by improving access to funding for safer, more functional school facilities. This can reduce strain on staff, support better working conditions, and enhance morale in districts that have historically lacked adequate infrastructure investment.

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?

The anticipated short-term consequence of Board action is an increase in the number of successful local bond measures, projected at 15% within two years as a result of larger matching grants for districts with lower assessed value per extended ADMw. In the long term, this will lead to more equitable investment in school infrastructure across the state. The cumulative effect will benefit students, families, and educators, particularly in rural and under-resourced communities, by expanding access to safe and modern learning environments.

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

If the Board chooses to not approve these changes to the administrative rule then the current funding formula and priority list for the OSCIM program will remain in place for the November election, continuing to allocate funds inequitably. Most districts, 177 out of 197, would remain capped at a \$6M match, while only 8 qualify for \$12M. We don't know yet which districts will be applying to the OSCIM Program for the November 2025 election, but for a majority of school districts, the \$6M match does not provide a meaningful incentive to voters and would likely discourage support of a bond measure.

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?

581-027-0005 (Definitions): Adds definition for the "Statewide School Facility Assessment Program" and removes no longer applicable grant funding terms.

581-027-0010 (Calculations for Oregon School Capital Improvement Matching Program Priority List): Provides minor revisions and clarifications for how districts are ranked for OSCIM funding.

581-027-0015 (Calculations for Oregon School Capital Improvement Matching Program Funding Formula): Updates the funding tiers and introduces inflation adjustments to grant amounts. Establishes maximum grant amounts based on district wealth indicators and bond size.

581-027-0020 (Oregon School Capital Improvement Matching Program Application): Provides clarifying language on application timelines and submission requirements.

581-027-0023 (Submission of Facility Assessments and Long-Range Facility Plans as part of Oregon School Capital Improvement Matching Program Grant Application): Allows for the submission of the Facility Assessment report completed as part of the Statewide School Facility Assessment Program.

581-027-0030 (Technical Assistance Program Procedures): Introduces biennial inflation adjustments.

The Office of School Facilities is recommending that the language be approved by the Board.

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](#)?

This language directly responds to consistent feedback from the Office of School Facilities' Advisory Group, which strongly supported increasing OSCIM grant amounts for districts with limited local resources. The revised formula reflects that input by prioritizing a more equitable distribution of funds, offering greater incentive for voters in under-resourced communities to approve bond measures. By helping these districts stretch their local dollars further, the changes promote more equitable access to safe and effective learning environments. This approach aligns with the Board's Mission, Vision, and Values by advancing policies that foster equity, opportunity, and success for every Oregon student—regardless of geography or community wealth.

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 Office of School Facilities is recommending that the Board adopt these rule changes. This action supports the Department's commitment to academic excellence, belonging and wellness, and reimagining accountability by increasing the potential grant amounts available to a majority of districts—particularly those in rural, low-income, and underserved communities. While districts must still pass local bond measures to receive funding, the revised formula offers stronger incentives to do so. By helping stretch local dollars further, these changes improve access to safe, modern school facilities, which in turn promotes student well-being, academic achievement, and community vitality.

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: _____

Oregon State Board of Education Docket



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.

Oregon Department of Education

Chapter 581

Division 27 SCHOOL FACILITIES PROGRAMS

581-027-0005

Definitions

The following definitions and abbreviations apply to rules within OAR Chapter 581, Division 27:

- (1) "Acoustics" means the properties or qualities of a room or building that determine how sound is transmitted.
- (2) "Adjusted Assessed Property Value per ADM" means the value calculated per OAR 581-027-0010 to determine the ranking of Districts on the Priority List for Funding.
- (3) "Adjusted ADMr" means average daily membership as calculated under OAR 581-023-0006(5)-(7) reduced by the Average Daily Membership of virtual public charter schools in the District.
- (4) "Adjusted ADMw" means the number of students in a District as calculated under ORS 327.061 and includes all weights, and extended Average Daily Membership weighted, as calculated under ORS 327.013(1)(c) reduced by the Average Daily Membership of virtual public charter schools in the District.
- (5) "ADM" means Average Daily Membership.
- (6) "ADMr" or "Resident Average Daily Membership" means average daily membership as calculated under OAR 581-023-0006(5)-(7).
- (7) "Air Quality" means the degree to which the classrooms are ventilated to avoid high levels of carbon dioxide, and the indoor air is free from pollutants such as radon, asbestos, mold, and particulate matter.
- (8) "Asbestos Environmental Hazard Assessment" or "Asbestos Management Planning & Inspections" means an inspection, periodic re-inspection, and surveillance for asbestos-containing material in accordance with the Asbestos Hazard Emergency Response Act of 1986 as amended by Public Law 100.368 and subsequent rule published in the Friday, October 30, 1987, Federal Register (40 CFR Part 763).
- (9) "Assessed Value" means the total assessed value of all tangible property within the boundaries of the District as published by the Oregon Department of Revenue.
- (10) "Average Daily Membership" or "ADMw" means the number of students in a District as calculated under ORS 327.061 and includes all weights, and extended Average Daily Membership weighted, as calculated under ORS 327.013(1)(c).
- (11) "Campus" means the grounds and buildings of a school where academic learning takes place.

(12) "Certified Assessor" means an entity or person who has gone through the process established by the Department that will certify the entity or person is qualified to perform the work.

(13) "Closing" means the date on which a District receives some or all of the proceeds of its Local GO Bonds.

(14) "Department" means the Oregon Department of Education.

(15) "District" or "Districts" means school districts, as defined in ORS 328.001(3), that are eligible to apply for a State Matching Grant.

(16) "DOGAMI" means the Oregon Department of Geology and Mineral Industries.

(17) "Educational Adequacy Review Standards" means the qualitative measures used to help districts identify elements that are conducive to a healthy and comfortable indoor learning environment that are set forth in OAR 581-027-0043.

(18) "Education Service District" means a district created under ORS 334.010.

(19) "Extended ADMw" means as that term is described in ORS 327.013(1)(c).

(20) "Facility Assessment" means an assessment that evaluates one or more facilities in a District according to the requirements set forth in OAR 581-027-0035.

(21) "First in Time" means that portion of the Oregon School Capital Improvement Matching Account that is to be awarded to Districts based on the order in which the Department receives the applications.

(22) "Funding Cycle" means the period of time, as determined by the Department under OAR 581-027-0020(3), before and after a May or a November general election during which the Department will accept applications, issue commitments, award grants, and finalize grant agreements for State Matching Grants under the OSCIM Program.

(23) "Gross Square Footage" means the total square footage of the building as measured by the outside wall of the building.

~~(24)(24) "Guaranteed Tax Base Amount" or "GTBA" means a theoretical tax base of \$1,000,000 per ADM.~~

~~(25) "Guaranteed Tax Rate Amount" means \$1,000 which is the GTBA multiplied by 0.001 for \$1 of tax per \$1,000 of Assessed Value.~~

~~(26) "Lighting" means the level of illumination in a room or building.~~

~~(2527) "Local GO Bonds" means general obligation bonds approved by voters for the benefit of a District during the Funding Cycle for which the District applied for a State Matching Grant.~~

~~(2628) "Long-Range Facility Plan" means a plan that determines the long-range needs and goals of a District according to the requirements set forth in OAR 581-027-0040.~~

~~(2729) "Oregon School Capital Improvement Matching Account" means an interest-bearing account established in the State Treasury, separate and distinct from the General Fund, that consists of net proceeds from Article XI-P bonds issued under Article XI-P (School District Capital Costs) of the Oregon Constitution.~~

(2830) "Oregon School Capital Improvement Matching Program" or "OSCIM Program" means the program created by Article XI-P of the Oregon Constitution and ORS 286A.769 to 286A.806.

(2934) "Priority List" means the list created by the Department each biennium pursuant to ORS 286A.801 and the formula outlined in OAR 581-027-0010.

(3032) "Radon Environmental Hazard Assessment" means an assessment of a District's radon exposure as one of the potential environmental hazards to be assessed as set forth in ORS 332.331.

(3133) "Rapid Visual Screening" means the standard adopted by the Oregon Department of Geology and Mineral Industries to assess the seismic hazard potential of K-12 public school buildings.

(3234) "School Capacity" means the total number of students who could be served in a given school building based on one of the following standards established by the district:

(a) The number of teaching stations, target number of students per classroom, and a classroom utilization factor to reflect the amount of time classrooms can be used for teaching each day; or

(b) The number of square feet in a classroom divided by the number of classroom square feet required per student per grade level.

(3335) "Seismic Assessment" means an assessment that evaluates one or more facilities in a District according to the requirements set forth in OAR 581-027-0045.

(3436) "State Matching Grant" means the grant funds provided by the State through the OSCIM Program to match the proceeds of a District's Local GO Bonds.

(35) "Statewide School Facility Assessment Program" means the assessment conducted under ORS 326.125(1)(g).

(3637) "Students in Poverty" means the number of children, age 5 to 17, in families in poverty as described by the Small Area Income Poverty Estimate published by the U.S. Census Bureau.

(3738) "Technical Assistance Grant" means a grant provided by the Department to a District such that a District can conduct an assessment as described in ORS 326.125 or these rules.

(389) "Waitlist Ranking" means the list of Districts not initially awarded a State Matching Grant, based on either the District's position on the Priority List or the District's First in Time status, during any Funding Cycle.

Statutory/Other Authority: [SB 447 \(2015\), Sec. 2, 5, ORS 783 & ORS Ch. 788](#)

Statutes/Other Implemented: [SB 285 \(2023\), ORS 286A.796 to ORS 286.806 & ORS 326.125](#)[ORS Ch. 788 & Sec. 2, 4, 5, ORS 783](#)

History:

[ODE 2-2024, amend filed 02/16/2024, effective 02/16/2024](#)

[ODE 37-2021, amend filed 10/26/2021, effective 10/26/2021](#)

[ODE 42-2020, amend filed 10/22/2020, effective 10/22/2020](#)

[ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019](#)

[ODE 32-2018, amend filed 10/19/2018, effective 10/21/2018](#)

ODE 4-2017, f. & cert. ef. 3-1-17

ODE 41-2016, f. & cert. ef. 7-20-16

ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0010

Calculations for Oregon School Capital Improvement Matching Program Priority List

(1) For each Funding Cycle, the Department shall provide State Matching Grants to Districts from designated resources in the Oregon School Capital Improvement Matching Account. The Department shall determine and apportion the amount of ~~funds~~ available ~~divided resources~~ among the Funding Cycles in each biennium. The total amount of State Matching Grant funds available and awarded by the Department may vary during each Funding Cycle.

(2) The Department shall post on its website the amounts that will be available for OSCIM Grants for each Funding Cycle within a reasonable time after the Legislature determines the level of funding for the Oregon School Capital Improvement Matching Account.

(3) If the Legislature does not determine the amount of funding for the Oregon School Capital Improvement Matching Account until after the application period opens for a given Funding Cycle, the application period will run as normal. However, any posting of results will be delayed until such time as the Legislature determines the amount of funding for the Oregon School Capital Improvement Matching Account.

(4) If the Legislature does not appropriate any funds for the OSCIM Program for a biennium, or any part of the biennium, then the OSCIM Program will cancel open application periods and future application periods until funding is restored.

(5) Sixty-~~six~~ percent (~~6660~~%) of designated grant resources in the Oregon School Capital Improvement Matching Account shall be awarded based on the Priority List.

(6) The Priority List shall be based on a District's Assessed Value, Percentage of Students in Poverty, and Average Daily Membership.

(7) The Department shall update the Priority List every biennium. The Priority List will be updated no later than June 1 before the start of the next biennium. The updated Priority List will be effective at the start of the next biennium. To update the list, the Department will use the data from the most recent year for which all three sources have reported actual data.

(8) The Priority List shall be calculated as follows:

(a) The District's Students in Poverty shall be multiplied by twenty (20) to determine the Weighted Number of Students in Poverty.

(b) The District's Weighted Number of Students in Poverty shall be divided by the District's Extended ADMw less virtual charter school enrollment ~~Adjusted ADMr~~ to arrive at the District's Weighted Percentage of Students in Poverty.

(c) The District's Assessed Value per Extended ADMw (excluding virtual charter school enrollment) shall be divided by ~~the District's Adjusted ADMw to determine the District's Assessed Property Value per ADM.~~

~~(d) The District's Assessed Property Value per ADM shall then be divided by one (1) plus the Weighted~~ Percentage of Students in Poverty to determine the District's Adjusted Assessed Property Value per ADM.

~~(de)~~ The Districts will be ranked from the lowest Adjusted Assessed Property Value per ADM to the highest.

Commented [LH1]: This was added following the May 1st ORCA Meeting.

Statutory/Other Authority: [Sec. 2, 5, ORS 783](#) & SB 447 (2015)

Statutes/Other Implemented: [SB 285 \(2023\)](#) & [ORS 286A.796 to ORS 286.806](#)
[SB 447 \(2015\)](#) & [Sec. 2, 4, 5, ORS 783](#)

History:

[ODE 2-2024, amend filed 02/16/2024, effective 02/16/2024](#)

[ODE 42-2020, amend filed 10/22/2020, effective 10/22/2020](#)

[ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019](#)

ODE 7-2017, f. & cert. ef. 6-1-17

ODE 4-2017, f. & cert. ef. 3-1-17

ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0015

Calculations for Oregon School Capital Improvement Matching Program Funding Formula

(1) The Department shall provide State Matching Grants to Districts from available resources in the Oregon School Capital Improvement Matching Account.

(2) Sixty-six percent (66%) of the available resources in the Oregon School Capital Improvement Matching Account for a biennium shall be awarded based on the Priority List.

(3) Thirty-four percent (34%) of the available resources in the Oregon School Capital Improvement Matching Account for a biennium shall be awarded based on the order in which applications are received during the application period established by the Department for the Funding Cycle.

(4) The Department shall use a funding formula to determine the amount of State Matching Grant funds each District is eligible to receive from the Oregon School Capital Improvement Matching Account. This funding formula will be used to determine eligibility for State Matching Grants awarded through both the Priority List and First in Time application process.

~~(5) Districts whose voters pass \$6,000,000 or less in Local GO Bonds for District facility projects shall be eligible for a one-to-one match from State Matching Grant funds.~~

~~(6) Districts whose voters pass more than \$6,000,000 in Local GO Bonds for District facility projects shall be eligible for at least \$6,000,000 and no more than \$12,000,000 based on the following formula:~~

~~(a) The District's Adjusted Assessed Property Value shall be divided per ADM as determined by OAR 581-027-0010 shall be multiplied by the assumed tax rate of 0.001 (\$1 per \$1000 of assessed property value) to calculate the District's Extended ADMw less virtual charter school enrollment Estimated Local Bond Revenue per ADM.~~

~~(b) The Estimated Local Bond Revenue per ADM shall be subtracted from the Guaranteed Tax Rate Amount to determine the district's Assessed Value per ADMw.~~

~~(6) The Districts shall be ranked from the lowest Assessed Value per ADMw as the top ranked district to the highest Assessed Value per ADMw as the lowest rank and receive a grant as follows:~~

~~(a) Districts ranked 1 through 50 based on Assessed Value per ADMw shall receive a grant up to \$12,000,000;~~

~~(b) Districts ranked 51 through 99 based on Assessed Value per ADMw shall receive a grant up to \$10,000,000;~~

(c) Districts ranked 100 through 148 based on Assessed Value per ADMw shall receive a grant up to \$8,000,000; and

(d) Districts ranked 149 through 197 based on Assessed Value per ADMw shall receive a grant up to \$6,000,000.

(7) A District's maximum grant shall be modified as follows:

(a) If a District passes a local general obligation bond that is greater than or equal to \$360 million, then the district shall receive a State Matching grant of \$12 million regardless of the District's eligibility based on its ranking per Assessed Value per ADMw; and

(b) A District that passes a local general obligation bond that is less than or equal to the amount of the eligible State Matching Grant based on section (8) above, shall receive a funds per ADM.

(c) The eligible State Matching grant equal to Grant funds per ADM shall be multiplied by the District's Adjusted ADMw to determine the maximum amount of State Matching Grant funds for which a District is eligible.

(7) The Department shall use the lesser of total proceeds from the sale of the Local GO Bonds exclusive of underwriter's discount and other costs of issuance or the original amount requested by the District, as the final basis for calculating the State Matching Grant.

(8) Under no circumstances shall the grant amount exceed the bonded debt limit as stated in ORS 328.425.

(9) By June 1 of each odd numbered year, the Department's Office of School Facilities shall publish inflation-adjusted State Matching Grant amounts based on the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the United States Department of Labor.

(10)(8) Local GO Bonds used by a District to qualify for the OSCIM Program must be closed within nine (9) months of the date of the election at which the Local GO Bonds were approved.

Statutory/Other Authority: [Sec. 2, 5, ORS 783 & SB 447 \(2015\)](#)

Statutes/Other Implemented: [SB 447 \(2015\)](#), [SB 285 \(2023\)](#) & [ORS 286A.796 to ORS 286.806](#) & [Sec. 2, 4, 5, ORS 783](#)

History:

[ODE 2-2024, amend filed 02/16/2024, effective 02/16/2024](#)

[ODE 42-2020, amend filed 10/22/2020, effective 10/22/2020](#)

[ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019](#)

ODE 7-2017, f. & cert. ef. 6-1-17

ODE 4-2017, f. & cert. ef. 3-1-17

ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0020

Oregon School Capital Improvement Matching Program Application

(1) The Department shall create one application for Districts to apply for State Matching Grants from the Oregon School Capital Improvement Matching Account.

(2) The Department shall post the application on the Department's web page.

(3) The Department shall open applications for each Funding Cycle as follows:

(a) On the July 15 that precedes the November Funding Cycles in a biennium; and

(b) On the December 15 that precedes the May Funding Cycles in a biennium.

(4) If one of those dates falls on a weekend or holiday, then the application period will be opened the Friday preceding.

(5) Applicants must submit their application electronically. Districts may submit applications only for an open and current Funding Cycle. The Department will not accept applications for later Funding Cycles.

(6) If a District's application does not meet the application requirements:

(a) The Department may agree to an extension of time, but no more than sixty (60) days from the deadline for submission, for the District to correct the deficiencies; and

(b) The Department may allow the District to continue to apply to the OSCIM Program even if the additional time extends beyond the application window.

(7) If a District fails to make the corrections within the agreed upon time, the Department shall cancel the District's application and readjust the pre-election commitments made.

(8) A District that submits an application for a Funding Cycle may withdraw the application no later than sixty (60) days from the application deadline.

(9) A District that applies during a Funding Cycle but either fails to withdraw under subsection (8) or fails to pass a Local GO Bond may apply for the next consecutive Funding Cycle.

(10) A District that applies for two consecutive Funding Cycles and fails to pass a Local GO Bond shall wait one Funding Cycle before applying again.

(11) Districts that withdraw from a Funding Cycle under subsection (8) shall not have that Funding Cycle count against them under subsection (10).

(12) The Department shall:

(a) Rank complete applications from Districts for each Funding Cycle according to the Priority List formula;

(b) Make funding commitments to Districts with the highest ranking on the priority list until sixty-six percent (66%) of the available resources for that Funding Cycle are used;

(c) Make funding commitments to the remaining Districts in accordance ~~with~~to the First in Time process for that Funding Cycle.

(d) If a District receives a partial commitment in a Funding Cycle, the Department shall not round up that partial commitment by reducing funds available to other Funding Cycles.

(13) In order to promote equity across the state, the Department shall deem all applications received within a specified period ~~of time~~ for each Funding Cycle as being received at the same time.

(a) The Department shall establish the following periods for reception of applications:

(A) 8:00 a.m. to 12:30 p.m. will be the ~~initial~~first application period; and

(B) 12:31 p.m. to 5:00 p.m. will be the second application period.

(b) All applications received during one of the above time periods will be deemed to have been received at the same time for ~~the purpose~~purposes of awarding First in Time commitments.

(c) The Department shall commit First in Time funding to ~~those~~ applications received ~~during~~in the ~~initial application~~first period ~~first~~. If ~~any~~there is funding ~~remains~~remaining, then the Department shall ~~allocate~~commit the remaining ~~funds~~funding to the second period.

(d) If the First in Time funding is insufficient to provide a commitment to all Districts within a given ~~time~~ period for that Funding Cycle, the Department shall randomly select the Districts by a lottery process to determine which Districts will receive an award commitment.

(e) The lottery process shall be determined by the Department.

(f) All lottery results are final.

(14) The Department shall notify Districts that receive a funding commitment from the Oregon School Capital Improvement Matching Account within two weeks of the close of the application period for a Funding Cycle.

(15) The Department shall post the eligibility and ranking of all Districts that applied during that Funding Cycle on the Department's website. Districts that applied but did not receive a commitment will be notified of where they fall on the Waitlist Ranking.

(16) All funding commitments are contingent upon the District subsequently Closing the required Local GO Bonds within nine (9) months of that Funding Cycle's bond election.

(17) Any Districts on the Waitlist Ranking may choose to seek voter approval for Local GO Bonds in that Funding Cycle with the understanding that State Matching Grant funds may become available for that Funding Cycle if a District that has received a commitment is unsuccessful in passing their Local GO Bonds.

(18) All funding commitments to Districts that successfully pass their Local GO Bonds in the Funding Cycle will be officially awarded a State Matching Grant upon the execution of a grant agreement prescribed by the Department.

(19) All funding commitments to Districts that are not successful in passing their Local GO Bonds will be recommitted to Districts that have successfully passed Local GO Bonds in that election in the following order:

(a) All Districts that received a partial commitment that passed a Local GO Bond will receive funding up to the full award.

(b) All Districts on the First in Time Waitlist Ranking that passed a Local GO Bond, will receive an award from the uncommitted First in Time funds.

(c) All Districts that received an award from the First in Time Waitlist Ranking will be removed from the Priority List Waitlist Ranking.

(d) All Districts remaining on the Priority List Waitlist Ranking that passed a Local GO Bond will receive any funds remaining from Districts that received a commitment, but failed to pass a Local GO Bond.

(20) Districts will have to reapply each Funding Cycle to receive a commitment for that Funding Cycle. A District will not be able to carry forward any commitments made in previous Funding Cycles.

(21) All decisions of the Department regarding the completeness of the application or ranking under either the Priority List or First in Time process are final.

(22) Any funding remaining after all awards have been made for a Funding Cycle shall be moved forward to the next Funding Cycle.

(23) If there are funds that remain available after the last election in a biennium, those funds will be distributed as follows:

(a) Districts with a partial commitment will be funded starting in order from the first election of the biennium;

(b) Districts that applied for the OSCIM Program and passed a Local GO Bond, but did not receive any funds will be funded starting in order from the first election of the biennium.

(24) When a state of emergency is declared pursuant to ORS 401.165 et. seq., the Department shall determine if the emergency will negatively impact a Funding Cycle and may:

(a) Change any application deadlines stated in (3) or OAR 581-027-0023(2) if the emergency interferes with Districts' abilities to submit the required documents by those deadlines; and

(b) Allow Districts to withdraw from the election during the affected Funding Cycle and hold their election during the next Funding Cycle.

(25) If Districts withdraw from the affected Funding Cycle, the Department may:

(a) Transfer funding commitments made to Districts during the affected Funding Cycle to the next Funding Cycle; and

(b) Apply the waitlist ranking of the affected Funding Cycle to the next Funding Cycle.

(26) The transfer of funding commitments and waitlist ranking made during the affected Funding Cycle do not impact or change funding commitments or waitlist ranking for the next Funding Cycle that have already been made by the Department.

(27) A District is considered to have withdrawn from an election when it sends its intention to withdraw from the election in writing to the Department.

(28) If multiple Funding Cycles are affected by the declared state of emergency, the Department shall review each Funding Cycle separately.

Statutory/Other Authority: [Sec. 2, 5, ORS 783 & SB 447 \(2015\)](#)

Statutes/Other Implemented: [SB 285 \(2023\) & ORS 286A.796 to ORS 286.806 SB 447 \(2015\) & Sec. 2,](#)

4-5-ORS-783

History:

ODE 2-2024, amend filed 02/16/2024, effective 02/16/2024

ODE 16-2021, amend filed 05/25/2021, effective 05/25/2021

ODE 42-2020, amend filed 10/22/2020, effective 10/22/2020

ODE 16-2020, temporary amend filed 04/23/2020, effective 04/23/2020 through 10/19/2020

ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019

ODE 7-2017, f. & cert. ef. 6-1-17

ODE 4-2017, f. & cert. ef. 3-1-17

ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0023

Submission of Facility Assessments and Long-Range Facility Plans as part of Oregon School Capital Improvement Matching Program Grant Application

(1) In order to qualify for an OSCIM Program matching grant, Districts must submit a Facility Assessment and Long-Range Facility Plan as part of their OSCIM Program application. Failure to submit a Facility Assessment and Long-Range Facility Plan will disqualify the District from participation in the OSCIM Program application for that Funding Cycle.

(2) Districts shall submit their Facility Assessment and Long-Range Facility Plan as follows:

(a) On the July 1 that precedes the November Funding Cycles in a biennium; and

(b) On the December 1 that precedes the May Funding Cycles in a biennium.

(3) The Facility Assessment and Long-Range Facility Plan must be submitted electronically to the Department.

(4) The Department will review all Facility Assessment and Long-Range Facility Plan submissions to ensure compliance with requirements.

(5) If the Department determines a District's submission does not meet the requirements, the Department will notify the District of the deficiencies.

(6) The Department may agree to an extension of time, but no more than sixty (60) days from the deadline for OSCIM Program application submission, for the District to correct the deficiencies.

(7) If a District fails to make the corrections within the agreed upon time, the Department will cancel the District's application and readjust the pre-election commitments made.

(8) The Facility Assessment must meet the following requirements:

(a) Comply with the standards set forth in OAR 581-027-0035 or be completed as part of the Statewide School Facility Assessment program.;

(b) Cover buildings that will be included in the OSCIM Program grant application. A District may include Facility Assessments for more buildings than would be improved using OSCIM Program funds; and

(c) Cover a District's current buildings even if the District is applying for the OSCIM Program only for the construction of a new building.

(9) The Long-Range Facility Plan must meet the following requirements:

- (a) Comply with the standards set forth in OAR 581-027-0040; and
- (b) Demonstrate how the new buildings proposed to be built are integrated into the Long-Range Facility Plan.
- (10) Districts are not required to use a Certified Assessor to complete the Facility Assessment or the Long-Range Facility Plan.
- (11) A District may use the same Facility Assessment and Long-Range Facility Plan as a basis for an OSCIM Program application for four (4) years from the year in which the plan was completed.
- (12) The Department's determination of the adequacy of the Facility Assessment and Long-Range Facility Plan is final.

Statutory/Other Authority: [ORS 286A.801\(8\)](#) [SB 447 \(2015\)](#)

Statutes/Other Implemented: [SB 285 \(2023\)](#) & [ORS 286A.801\(2\)](#)

History:

[ODE 2-2024, amend filed 02/16/2024, effective 02/16/2024](#)

[ODE 16-2021, amend filed 05/25/2021, effective 05/25/2021](#)

[ODE 42-2020, amend filed 10/22/2020, effective 10/22/2020](#)

[ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019](#)

ODE 7-2017, f. & cert. ef. 6-1-17

[581-027-0025](#)

Oregon School Capital Improvement Matching Program Grant Restrictions

- (1) A District that receives a State Matching Grant will be ineligible for additional State Matching Grant funds for six (6) years from the year in which the District successfully passed their Local GO Bond.
- (2) A District may not use State Matching Grant funds to refinance other general obligation bonds issued by the District.
- (3) A District must use State Matching Grant funds for capital costs as defined in ORS 286A.796(3).
- (4) A District may use State Matching Grant funds to reimburse the District for capital costs incurred by the District prior to the Funding Cycle in which the District was awarded a grant only if:
 - (a) The Department approves the use of State Matching Grant funds for such purpose; and
 - (b) The District complies with all requirements of the OSCIM Program.
 - (c) The Department's approval or disapproval of the use of State Matching Grant funds is final.
- (5) State Matching Grant funds shall be used only to match the proceeds of Local GO Bonds authorized by an election in the same Funding Cycle in which the District applied for State Matching Grant funds.

Statutory/Other Authority: [Sec. 2, 5, ORS 783](#) & [SB 447 \(2015\)](#)

Statutes/Other Implemented: [SB 447 \(2015\)](#) & [Sec. 2, 4, 5, ORS 783](#) [ORS 286A.801](#)

History:

[ODE 2-2024, amend filed 02/16/2024, effective 02/16/2024](#)

[ODE 34-2020, minor correction filed 08/28/2020, effective 08/28/2020](#)

[ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019](#)

ODE 7-2017, f. & cert. ef. 6-1-17

ODE 4-2017, f. & cert. ef. 3-1-17
ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0030

Technical Assistance Grant Program Procedures

(1) The Department shall open the application period for the Technical Assistance Grant Program on January 15 of each year and close the application period on February 15 of the same year. If either of those dates falls on a weekend or holiday, the preceding Friday will be the effective date of the opening or closing respectively.

(2) The Department shall establish a separate application for each type of grant available.

(3) Each District and Education Service District must submit a separate application for each grant type for which it chooses to apply.

(4) All Districts and Education Service Districts are eligible for each type of grant.

(5) All applications are due by the date established by the Department. No late applications will be accepted.

(6) The Department shall evaluate each completed application by awarding preference points as established by this rule.

(7) An application will receive one (1) point for each preference that the application meets.

(8) An application will receive a final score that is the total of the application's points.

(9) Applications will be funded from highest to lowest score.

(10) If there is not enough funding to provide a Technical Assistance Grant to all applications that have equal scores, then the Department shall create a lottery to determine which applications will receive a Technical Assistance Grant.

(11) By June 1 of each odd numbered year the Department's Office of School Facilities shall publish inflation-adjusted Technical Assistance Grant amounts based on the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the United States Department of Labor.

(12)(14) The preference points for Districts applying for the Facility Assessment grant are:

(a) District has twenty-five percent (25%) or more of its ADMr identified as Students in Poverty;

(b) District has under 2,500 ADMr according to the annual reports for the same school year as used to calculate the Priority List under OAR 581-027-0010;

(c) District has not conducted a Facility Assessment within ten (10) years or less;

(d) District has not passed a general obligation bond within fifteen (15) years or less;

(e) District's ADMr has changed by ten percent (10%) or more over the last five (5) years based on the latest annual reports submitted to the Department; and

(f) District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(1342) The preference points for Education Service Districts applying for the Facility Assessment grant are:

(a) The Education Service District has an average of twelve percent (12%) or more of its component school districts' ADMr identified as Students in Poverty;

(b) The Education Service District has under 20,000 Extended ADMw according to the annual reports for the same school year as used to calculate the State School Fund allocations;

(c) The Education Service District has at least one building used for instruction with a student capacity of 10 or more;

(d) The Education Service District has not conducted a Facility Assessment within ten (10) years or less; and

(e) The Education Service District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(1443) The preference points for Districts applying for the Long-Range Facility Plan grant are:

(a) District has twenty-five percent (25%) or more of its ADMr identified as Students in Poverty;

(b) District has under 2,500 ADMr according to the annual reports for the same school year as used to calculate the Priority List under OAR 581-027-0010;

(c) District has not conducted a Long-Range Facility Plan within ten (10) years or less;

(d) District has not passed a general obligation bond within fifteen (15) years or less;

(e) District's ADMr has changed by ten percent (10%) or more over the last five (5) years based on the latest annual reports submitted to the Department; and

(f) District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(1544) The preference points for Education Service Districts applying for the Long-Range Facility Plan grant are:

(a) The Education Service District has an average of twelve percent (12%) or more of its component school districts' ADMr identified as Students in Poverty;

(b) The Education Service District has under 20,000 Extended ADMw according to the annual reports for the same school year as used to calculate the State School Fund allocations;

(c) The Education Service District has at least one building used for instruction with a student capacity of 10 or more;

(d) The Education Service District has not conducted a Long-Range Facility Plan within ten (10) years or less; and

(e) The Education Service District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(1645) The preference points for Districts applying for the Seismic Assessment grant are:

(a) District has twenty-five percent (25%) or more of its ADMr identified as Students in Poverty;

(b) District has under 2,500 ADMr according to the annual reports for the same school year as used to calculate the Priority List under OAR 581-027-0010;

(c) District has not conducted an assessment for Business Oregon's Seismic Rehabilitation Grant Program;

(d) District identifies the schools it intends to assess and at least fifty percent (50%) are listed as "High" or "Very High" for collapse potential in the Rapid Visual Screening data created by the Department of Geology and Mineral Industries;

(e) District's Mapped Spectral Acceleration for a 1-second period (Ss) is greater than 0.6 as calculated by the United States Geological Survey; and

(f) District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(1746) The preference points for Education Service Districts applying for the Seismic Assessment grant are:

(a) The Education Service District has an average of twelve percent (12%) or more of its component school districts' ADMr identified as Students in Poverty;

(b) The Education Service District has under 20,000 Extended ADMw according to the annual reports for the same school year as used to calculate the State School Fund allocations;

(c) The Education Service District has at least one building used for instruction with a student capacity of 10 or more;

(d) The Education Service District's Mapped Spectral Acceleration for a 1-second period (Ss) is greater than 0.6 as calculated by the United States Geological Survey; and

(e) The Education Service District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(1847) The preference points for Districts applying for the Asbestos Environmental Hazard Assessment grant are:

(a) District has twenty-five percent (25%) or more of its ADMr identified as Students in Poverty;

(b) District has under 2,500 ADMr according to the annual reports for the same school year as used to calculate the Priority List under OAR 581-027-0010;

(c) District has at least 50% or more of its schools built before 1980;

(d) District needs to provide training to a staff person to oversee asbestos-related activities and/or needs to provide asbestos awareness training to custodial staff;

(e) District is due to conduct its 3-year re-inspection of asbestos-containing material in each school facility; and

(f) District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(1948) The preference points for Education Service Districts applying for the Asbestos Environmental Hazard Assessment grant are:

(a) The Education Service District has an average of twelve percent (12%) or more of its component school districts' ADMr identified as Students in Poverty;

(b) The Education Service District has under 20,000 Extended ADMw according to the annual reports for the same school year as used to calculate the State School Fund allocations;

(c) The Education Service District needs to provide training to a staff person to oversee asbestos-related activities and/or needs to provide asbestos awareness training to custodial staff;

(d) The Education District is due to conduct its 3-year re-inspection of asbestos-containing material in each facility; and

(e) The Education Service District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(2049) The preference points for Districts apply to the Radon Environmental Hazard Assessment grant are:

(a) District has twenty-five percent (25%) or more of its ADMr identified as Students in Poverty;

(b) District has under 2,500 ADMr according to the annual reports for the same school year as used to calculate the Priority List under OAR 581-027-0010;

(c) District has school and administrative buildings that have not been tested for radon, or district has school and administrative buildings that had testing completed after July 1 of the preceding year;

(d) District's radon risk level is either "High" or "Not Assigned" according to information published by the Oregon Health Authority that provides for radon risk levels based on geography;

(e) District has a school that qualifies as a remote small elementary school per ORS 327.077; and

(f) District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(2120) The preference points for Education Service Districts apply to the Radon Environmental Hazard Assessment grant are:

(a) The Education Service District has an average of twelve percent (12%) or more of its component school districts' ADMr identified as Students in Poverty;

(b) The Education Service District has under 20,000 Extended ADMw according to the annual reports for the same school year as used to calculate the State School Fund allocations;

(c) The Education Service District has instructional spaces or administrative buildings that have not been tested for radon in the last 10 years or more;

(d) The Education Service District's radon risk level is either "High" or "Not Assigned" according to information published by the Oregon Health Authority that provides for radon risk levels based on geography; and

(e) The Education Service District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(2224) A District or Education Service District that is awarded a Technical Assistance Grant must:

(a) Enter into a grant agreement with the Department by the time specified by the Department;

(b) Use a Certified Assessor to perform a Facility Assessment or Long-Range Facility Plan;

(c) Provide the Department with an electronic copy of any final reports required by the Technical Assistance Grant; and

(d) Provide the Department with an electronic copy of invoices showing expenses incurred in performing the work for the specific Technical Assistance Grant.

(2322) A District or Education Service District must reapply each time a new grant application is announced if it did not receive a grant in the previous grant application period.

(2423) A District or Education Service District may apply to the Technical Assistance Program to be reimbursed for assessments previously completed if:

(a) The previous assessment work was started within six (6) months of the application period;

(b) The previous assessments meet all requirements set forth for the type of assessment in these administrative rules; and

(c) The Grantee submits a final copy of the report and all invoices within the required period for a Technical Assistance Program grant.

(2524) Grantees must submit all final reports and invoices by the date specified by the Department. If a Grantee does not meet that deadline, the Department may rescind their grant funds.

(2625) A District or Education Service District that receives a Technical Assistance Program grant will be ineligible to reapply for that specific grant for four (4) years from the year the grant was issued.

Statutory/Other Authority: [ORS 326.125](#)~~Sec. 2, 5, ORS 783 & SB 447 (2015)~~

Statutes/Other Implemented: [SB 285 \(2023\)](#)~~SB 447 (2015) & Sec. 5, ORS 783~~

History:

[ODE 2-2024, amend filed 02/16/2024, effective 02/16/2024](#)

[ODE 37-2021, amend filed 10/26/2021, effective 10/26/2021](#)

[ODE 42-2020, amend filed 10/22/2020, effective 10/22/2020](#)

[ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019](#)

[ODE 32-2018, amend filed 10/19/2018, effective 10/21/2018](#)

ODE 7-2017, f. & cert. ef. 6-1-17

ODE 4-2017, f. & cert. ef. 3-1-17

ODE 41-2016, f. & cert. ef. 7-20-16

**OREGON STATE BOARD OF EDUCATION SPONSORED CHARTER SCHOOL
AGREEMENT**

This State Board of Education sponsored Charter School Agreement (the “Agreement”) is between the State of Oregon acting by and through its Oregon Department of Education (“ODE”) on behalf of the Oregon State Board of Education (“Board”) and The Ivy School (“Charter School”), an Oregon nonprofit corporation, each a “Party” and, together, the “Parties”.

RECITALS

WHEREAS the Oregon Legislature enacted Oregon Revised Statutes (ORS) chapter 338, which sets forth the laws under which charter schools are created and governed; and

WHEREAS the Board determined the Charter School’s proposal for the formation of a public charter school on December 12, 2008 complied with the purposes and requirements of ORS chapter 338; and

WHEREAS the Board and the Charter School entered into a Sponsored Charter School Agreement on June 18, 2009 to authorize the Charter School to operate from June 30, 2009 to July 1, 2012; and

WHEREAS the Board approved the renewal of the Charter School on May 17, 2012 to authorize the Charter School to operate from June 30, 2012 to July 1, 2015; and

WHEREAS the Board approved the renewal of the Charter School on June 25, 2015 to authorize the Charter School to operate from June 30, 2015 to July 1, 2020; and

WHEREAS the Board approved the renewal of the Charter School on April 16, 2020 to authorize the Charter School to operate from June 30, 2020 to July 1, 2025; and

WHEREAS the Charter School submitted to the Board on December 31, 2024 a request to continue its operations; and

WHEREAS the Board approved the renewal of the Charter School on April 10, 2025 and directed ODE staff to negotiate and enter into an agreement acceptable to the Board and Charter School; and

WHEREAS ORS Chapter 338 contemplates, and the Parties agree, that this Agreement including its Exhibits, will constitute the Agreement in its entirety between the Parties

regarding the governance and operation of the Charter School as a public charter school and the legal authorization for the establishment of the Charter School under ORS 338.035(2); and

WHEREAS the Oregon Deputy Superintendent of Public Instruction (“Deputy Superintendent”) or designee (as defined in Section 24. L. of this Agreement) shall have authority and responsibility for the administration of this Agreement on behalf of the Board, consistent with the provisions of ORS Chapter 326 and ORS Chapter 338.

NOW, THEREFORE, in consideration of the foregoing Recitals and the mutual understandings, releases, covenants and exchange of promises herein described, the Parties agree as follows:

(The remainder of this page has been left blank intentionally. Agreement to follow.)

AGREEMENT

1. **Grant of Charter Agreement.** The Board is the sponsor of the Charter School and authorizes this Charter School, in accordance with ORS Chapter 338 and the terms and conditions of this Agreement, to operate a single public charter school.
2. **Establishment of Charter School.** The Parties agree that (1) ORS chapter 338, now or as amended, strictly apply to and are incorporated into this Agreement and shall supersede and control any conflicting language contained in this Agreement, including the Description of Educational Program (Exhibit A) except proposal for any waivers permitted and granted under ORS 338.025; (2) the provisions of this Agreement shall supersede and control any conflicting language contained in the Description of Educational Program; and (3) the provisions of ORS chapter 338, the Board resolutions and this Agreement supersede and control any prior understandings written or oral with the Board regarding Charter School.
3. **Compliance with Laws.** Charter School represents and warrants that this Agreement does not violate any existing agreements or contracts with third parties. Charter School represents and warrants that its articles and bylaws provide for the operation of a public charter school in a manner consistent with this Agreement. Charter School shall amend the articles and bylaws, if necessary, to comply with this Agreement or amendments to this Agreement. Charter School shall notify in writing the Deputy Superintendent or designee of any changes to its articles of incorporation or bylaws no later than 15 business days after making any such changes.
4. **Authority of the Charter School Board.** The Charter School shall constitute and maintain a governing board ("Charter Board") that may exercise all power necessary to carry out the responsibilities of the Charter School's compliance with applicable laws, rules, regulations, policies, procedures, the terms and conditions of this Agreement and the Description of Educational Program (Exhibit A). Subject to ORS 338.115 and other applicable law, Charter School's powers shall include, but are not limited to, making all personnel decisions, including hiring, firing and discipline of teachers, supervisors and staff; making decisions to increase number of classrooms per grade level; contracting for goods and services necessary for the operation of Charter School; preparing a budget; procuring insurance and necessary bonds; acquiring facilities for school purposes; purchasing, leasing or renting furniture, equipment or supplies; retaining fees collected from students in accordance with law; organizing and carrying out fund-raising efforts; and accepting and expending gifts, donations or grants of any kind in accordance with such conditions prescribed by the donor as are consistent with law and not contrary to any of the terms of this Agreement.
5. **Use of Appropriate Policies.** In order to facilitate the most efficient and collaborative educational services for students and to maintain an effective relationship with the Board, Charter School shall:

- A. Adopt policies, rules and procedures as required by this Agreement and law;
 - B. Furnish to the Deputy Superintendent or designee copies of all written policies, rules and procedures it may adopt with respect to any matter relating to its operations and educational program; and
 - C. Within 30 calendar days of any change to the policies, rules and procedures submitted to the Deputy Superintendent in accordance with this Section 5, Charter School shall provide a copy of the revised policies, rules and procedures to the Deputy Superintendent or designee.
6. **Effective Date; Term; Renewal.** This Agreement shall legally authorize the continued operation of the Charter School, commencing July 1, 2025 (the “Effective Date”) and expiring on June 30, 2035 (the “Expiration Date”). The process for renewal of this Agreement beyond the Expiration Date shall occur pursuant to ORS 338.065, as amended. In addition to any renewal criteria established by statute or administrative rule and applicable at the time the Charter School applies for renewal, the Board shall base the charter renewal decision on a good faith evaluation of whether the Charter School is (i) in compliance with ORS 338 and applicable state and federal laws; (ii) is in compliance with this Agreement; (iii) is meeting or working toward meeting student performance goals, including, but not limited to, the evaluation of student Academic Performance from the Charter School Performance Framework, (iv) is fiscally stable and using a sound financial management system as described in this Agreement and (v) is in compliance with the outcomes from the annual evaluations of the Charter School Performance Framework (Exhibit B).
7. **Contracting.**
- A. Any agreement or contract that Charter School enters into with a person or public body, as defined in ORS chapter 174, shall include a provision that any obligations incurred under such agreement or contract are solely the responsibility of Charter School. The Charter School further agrees that any legal or contractual obligations that it may incur in its operation under this Agreement are the sole responsibility of Charter School and are not the responsibility of ODE, the Board, or the State of Oregon.
 - B. Charter School shall include a report of all contracts over the small procurement dollar amount of ORS 279B.065, (\$10,000.00), which are subject to procurement procedures under Oregon Public Contracting Law, entered into by Charter School in the annual report required in Section 14.A. The report shall include at a minimum the names of each vendor, amount of contract(s), scope of work, length of the contract(s), date of Charter Board’s approval, and status of current contract.

8. **Operational Powers.** Subject to the conditions and provisions of this Agreement, Charter School shall be solely responsible for Charter School's operations and for the actions of its agents, officers, and employees, as well as any subcontractors and the agents, officers, and employees thereof.
9. **Waiver of Laws.** Charter School may seek a waiver of laws from the Board according to the same process and decision-making criteria of the Board as all charter schools pursuant to ORS 338.025.
10. **Disclaimer.** Charter School shall not in oral and written communications indicate that it speaks or acts on behalf of the Board, Deputy Superintendent or ODE.
11. **Requests and Reports.**
 - A. Charter School shall provide any reports, formal or informal, written or oral requested in good faith and for a reasonable purpose by the Board, Deputy Superintendent or designee. The Board, Deputy Superintendent and the designee shall authorize Charter School at least 15 business days to comply with any requests for any reports.
 - B. Charter School shall, no less than monthly, report attendance data in writing to the Deputy Superintendent or designee in accordance with the requirements of the Deputy Superintendent.
12. **Ex Officio Participation.** Charter School shall permit ODE staff or designee of the Deputy Superintendent to attend and participate ex officio at all regular Charter Board meetings, except for executive sessions of the Charter Board as authorized in ORS 192.660. Charter School may invite ODE staff or designee of the Deputy Superintendent to attend executive sessions as appropriate or necessary.
13. **Education Program, Student Performance Standards, and Curriculum.** Charter School shall comply with all state laws and rules that apply to charter schools pertaining to educational programs, pupil performance standards and curriculum.
 - A. **Education Program and Curriculum.** Charter School shall implement the instructional programs as outlined in the Description of Education Program (Exhibit A). Charter School shall ensure that Charter School's educational program is designed and implemented in a manner consistent with this Agreement and ORS chapter 338, including, without limitation, requirements regarding content standards, pursuant to ORS 329.045.
 - B. **Student Performance.** Charter School shall make progress toward meeting or exceeding annual student academic performance expectations as described in Charter School Performance Framework (Exhibit B) including all standards required by the Every Student Succeeds Act (ESSA) and ensuing assessment requirements adopted by the Board, the United States Department of

Education, or the Oregon Legislature to implement ESSA. The Board shall consider Charter School comments on the Performance Framework when considering whether student performance expectations have been met.

- C. School Improvement Plans. If Charter School does not meet or exceed in a school year the indicators of student performance expectations in Section 13.B. above as compared to the prior school year, the Board may require Charter School to develop and submit a school improvement plan. Charter School designee may submit a draft school improvement plan to the Board designee for comment by the Board designee prior to submission to the Board.
- D. Required Instructional Time. Charter School shall annually adopt and implement a school calendar that establishes requirements for instructional time provided by a school during each day or during a year in accordance with ORS 338.115 and OAR 581-022-2320 that requires a minimum number of instructional hours annually. By October 15 of each year, Charter School shall report to ODE the percent of the total students scheduled to receive annually the minimum hours of instructional time as required by OAR 581-022-2320. Charter School shall calculate instruction time in accordance with standards established by the Board by rule, as amended from time to time.
- E. Records. Charter School shall comply with all applicable federal and state laws concerning the maintenance, retention, and disclosure of all operational records and of student records.
- F. Nondiscrimination Standards. The educational program of Charter School shall not violate ORS 659.850 and shall not discriminate against any student or staff on the basis of race, color, age, sex, national origin, marital status, religion, sexual orientation, gender identity, or disability.
- G. Enrollment Requirements.
 - (i) Enrollment shall be open to any eligible child who resides within the Portland School District boundaries. Additionally, enrollment shall be open to children not residing within the district in accordance with ORS 338.125.
 - (ii) Charter School shall not limit student enrollment based on race, religion, sex, sexual orientation, gender identity, ethnicity, national origin, disability, the terms of an individualized education program, income level, proficiency in the English language or athletic ability.
 - (iii) Charter School may conduct a weighted admission lottery in compliance with ORS 338.125(3)(a).
 - (iv) Charter School may give priority admission to students according to ORS 338.125(3)(c).

- (v) Charter School may give priority admission to children of Charter School employees.
 - (vi) Charter School must maintain an active enrollment of at least 25 students.
 - (vii) Active enrollment for purposes of this Agreement shall mean “active roll” as that term is defined and used in OAR 581-023-0006. The process of application, enrollment and admissions shall be governed by ORS 338.125.
 - (viii) For each school year between June 30, 2025, and July 1, 2035, enrollment shall be limited to a maximum of 350 students in grades Kindergarten through 8. The Charter School may serve any consecutive configuration of grades within this range, provided that there are no gaps in the grade levels offered.
- H. Student Registration. Charter School shall complete a student registration form, beginning, according to the Charter School calendar, on the first day of school of each school year and ending on the last day of school of each school year, for each student upon admittance to Charter School and update the form according to OAR 581-023-0006 when a student withdraws. Charter School shall mark a student as withdrawn from the active roll on the school day following withdrawal; provided that Charter School must mark a student as withdrawn from the active roll on the day following the tenth consecutive day of absence. Student enrollment shall be reported to the Deputy Superintendent or designee not later than September 15 of each year of this Agreement.
- I. Education of Students under the Individuals with Disabilities Education Act (IDEA). Charter School will comply with state and federal law concerning IDEA and all IDEA policies of Portland Public School District applicable to students at the Charter School.
- J. Enrollment of Special Education Students. Charter School shall admit students without regard to their status as special education students. The students’ Individualized Education Program (IEP) team shall determine modifications and accommodations as necessary.

14. Evaluation of Student Performance and Annual Report.

- A. Charter School shall provide to the Deputy Superintendent or designee, and parents the annual written report required by ORS 338.095 on or before January 30 of each year of this Agreement, to include a report of progress on the plan to improve student performance. The format and contents of the annual report and the plan to improve student performance will be determined by and agreed upon by the Parties.

- B. Charter School shall administer all the State of Oregon assessments required for its students in accordance with ORS 329.485 and 338.115 and OAR 581-022-2100. Results of these assessments shall be made available to the parents of Charter School students and to the Deputy Superintendent or designee within 30 calendar days of Charter School receipt of the results from the assessments.
- C. The Deputy Superintendent may designate, and shall bear the entire cost of, an external entity to evaluate the academic, operational, and financial success of the Charter School. The external evaluation shall be conducted within a mutually agreeable time period and in a manner as to not interfere unreasonably with the operation of the school or with performance of duties of Charter School staff. The Deputy Superintendent or designee will provide Charter School with notice of the scope of the evaluation and the Charter School will have 30 days to provide feedback on the scope. Charter School shall cooperate fully in such evaluation, including the provision of all requested data.
- D. Members of the Board and the Deputy Superintendent, or designee, may visit Charter School at any time during normal business hours for purposes of monitoring the progress of the implementation of this Agreement.
 - (i) Visits by the Deputy Superintendent, or designee may not interfere unreasonably with the operation of the Charter School or with performance of duties by Charter School staff, unless the visit is regarding issues of health and safety.
 - (ii) On a mutually agreed upon date, there shall be at least one annual on-site visit by the Board or the Board's designee to review compliance with the provisions of this Agreement and to review growth in student achievement.

15. Governance and Operation.

- A. Charter School shall operate in all respects, as a nonsectarian, nonreligious public charter school. Charter School shall not be affiliated with any nonpublic sectarian school or religious organization.
- B. If Charter School provides daily food service, Charter School shall ensure persons involved in providing the food service possess the appropriate food handlers' certification.
- C. Charter School shall maintain a policy and process for complaints that meets or exceeds the process required in OAR 581-022-2370, as amended from time to time. Charter School shall post the policy on the Charter School's website

and provide a copy of the policy to all parents of students attending the Charter School each school year.

- D. Charter School shall ensure that all Charter Board members receive board and ethics training. The Charter Board shall use the Oregon Government Ethics Commission training programs, or a comparable program. Each member of the Charter Board shall submit to ODE a signed acknowledgment of understanding provided by ODE and consistent with ORS 338.095(5) within 30 calendar days of the beginning of a member's term.
- E. Charter School shall not allow an individual to serve on the Charter School board of directors for whom a criminal records check consistent with ORS 326.607 has not been initiated or who has been convicted of an offense that would preclude that individual from volunteering in a public school in Oregon.
- F. Charter School shall provide written notice to the Board of any legal action or suit filed against Charter School, Charter Board, or their respective employees, members, or agents within 15 business days of notice of such action or suit.

16. Funding and Budget.

- A. In accordance with ORS 338.155, Charter School shall enter into an agreement with the Portland School District for funding equal to 90% for all Charter School students enrolled in kindergarten through eighth grade and 95% for all Charter School students enrolled in grades nine through twelve of the amount of Portland School District General Purpose Grant per ADMw as calculated under ORS 327.013. Charter School shall provide a copy of this agreement and any amendments to this agreement to the Deputy Superintendent or designee within 30 calendar days of the Effective Date of the agreement or amendment, unless the Parties agree to an extension, and by July 1 of each subsequent year during the term of this Agreement.
- B. Charter School shall operate on a July 1-June 30 fiscal year basis. On or before June 30 of each year of this Agreement, Charter School shall submit to the Deputy Superintendent or designee Charter School's budget for the upcoming fiscal year.
- C. It is the intent of the Board that Charter School receive a proportionate share of state, local and federal grant funding, to the extent that Charter School is entitled to such funding, complies with the conditions and requirements of such grants and applicable law, and fulfills the reporting requirements for such funding. Charter School's receipt of such federal and state resources or categorical aid shall be contingent on Charter School's compliance with federal and state statutes and regulations regarding entitlement to such resources. The Board will not interfere with, and this provision shall not be construed to limit, Charter School's ability to apply for grants available to charter schools

and nonprofit organizations and to retain the entire amount of such grants received less any administrative or other costs specifically permitted to be withheld from Charter School for such services provided to Charter School pursuant to state, federal or local law.

- D. Charter School shall act as its own fiscal agent; provided, however, the Board agrees to act as Charter School's fiscal agent for the sole purpose of making payment, and providing access, to Oregon School Board Association services.

17. Financial Records and Annual Audit.

- A. Charter School shall establish, maintain, and retain appropriate financial records relating to Charter School for 7 years, or for such longer time as required by law, and to make such records available to the Deputy Superintendent within 7 business days upon written request.
- B. Charter School shall retain a certified public accountant to conduct an annual municipal audit of Charter School in accordance with State law requirements pursuant to ORS 338.115. Charter School shall submit the audit and all management letters (i.e. SAS-114 letter and SAS-115 letter) to the Deputy Superintendent or designee no later than December 31 of each year of this Agreement. The audit shall be submitted to the Deputy Superintendent in accordance with the format of the State Chart of Accounts required of Oregon public school districts.
- C. Charter School shall provide quarterly written financial reports of Charter School to the Deputy Superintendent or designee that track expenditures for the fiscal year and shall be subject to a review of its operations and finances by the Deputy Superintendent or designee. Charter School shall adopt fiscal policies and procedures to maintain a sound financial management system that meets the requirements of OAR 581-026-0200.

18. Termination.

- A. The Board may terminate the Agreement for any grounds stated in ORS 338.105 including, but not limited to, the following:
 - (i) Charter School's failure to meet the requirement of ORS chapter 338 except as provided in subparagraph (iii) below, provided, however, that any such failure shall be due to Charter School's actions or inactions and not due to actions or inactions of the Board, Deputy Superintendent or designee, or of the actions or inactions of any school district contracting with Charter School.
 - (ii) Charter School's failure to meet student performance standards as set forth in Section 13.B. and C.

- (iii) Charter School's failure to correct after notification by the Board, Deputy Superintendent or designee a violation of a federal or state law that is described in ORS 338.115.
 - (iv) Charter School's failure to maintain insurance as described in Exhibit C.
 - (v) Charter School's failure to maintain financial stability or to meet generally accepted standards of fiscal management provided that Charter School has failed to follow a plan to correct deficiencies as described at ORS 338.105(2)(b).
 - (vi) Charter School's insufficient enrollment of students below the minimum required by ORS 338.115.
 - (vii) Charter School's endangering the health or safety of the students enrolled in Charter School.
- B. In accordance with ORS chapter 338, Charter School may only terminate the Agreement or close the school at the end of a semester and after notifying the Deputy Superintendent in accordance with Section 23.E of this Agreement at least 180 calendar days prior to the proposed effective date of the termination or closure. In the event Charter School should permanently cease operations for whatever reason, including the nonrenewal or revocation of this Agreement:
 - (i) Charter School shall inventory all assets and provide such inventory to the Board;
 - (ii) The assets purchased with public funds under this Agreement shall be given to the Board; and
 - (iii) All student education records shall be transferred to Portland School District as required by ORS 338.105.
- C. In executing the obligations and rights of termination under ORS chapter 338.105, the parties agree to first make a good faith attempt to resolve any dispute regarding the operation of the Agreement in the following manner:
 - (i) The party with a concern regarding the other party's compliance with the Agreement will notify the other party in writing of the concern.
 - (ii) The responding party shall submit a written response to the concern within thirty (30) days of the receipt of the same.
 - (iii) The termination provisions contained in ORS 338.105 may proceed if the parties are unable to agree in good faith to a resolution of the concern within thirty (30) days of the receipt of the response.
 - (iv) The time frames set forth in sections (ii) and (iii) of this paragraph may be extended by mutual agreement of the parties.

- D. The dispute resolution process set forth in this Section shall not be required prior to the exercise of any contractual right conferred upon either the Board or Charter School under this Agreement except the dispute resolution process shall be required for the contractual right of termination under Section 18A of this Agreement. The parties further agree the Board reserves the right, without exhausting the good-faith resolution process described in this Section, to immediately invoke the health and safety termination provisions of ORS 338.105 with respect to this Agreement.

19. Employment Matters.

- A. Personnel. Charter School shall be the employer of persons on the staff at the Charter School. Charter School may also enter into contracts to provide services to the Charter School or to fulfill responsibilities of Charter School under this Agreement. Persons employed by the Charter School or contractors that provide services to the Charter School are not, and shall not be considered, employees of the State of Oregon. The State of Oregon, including the Board, Deputy Superintendent, and ODE, will not, and shall not have any obligation to, collectively bargain with Charter School employees, nor shall such employees be eligible for inclusion in any bargaining unit containing state employees. Charter School shall be solely responsible for initiating appropriate criminal background checks in accordance with Section 19.C. of this Agreement no later than the first day of instruction of each year of this Charter or prior to execution of any subcontract agreement. Charter School shall be solely responsible for any legal liability or claims resulting from or arising out of acts of Charter School staff.
- B. Staff Licensure and Registration. All of Charter School's teaching and administrative staff must possess a valid Oregon registration. Consistent with ORS 338.135, at least 50% of Charter School's full time equivalent of teachers and administrative staff must possess a valid Oregon teaching or administrative license. By the first instructional day of each year, Charter School shall submit to the Deputy Superintendent or designee a written list of all teachers and administrators employed by Charter School designating the licenses, endorsements, degrees, and qualifications of the same. Charter School shall provide the same information to the Deputy Superintendent or designee with respect to any new hire of a teacher or administrator by Charter School during the course of each year within 30 calendar days after such hire. All teaching and administrative staff must be licensed or registered prior to employment.
- C. Criminal Background Checks. Charter School shall comply with ORS 338.115 and ORS 326.603. No later than the first instructional day of each school year that Charter School operates as a public charter school under this Agreement, Charter School shall provide to the Deputy Superintendent or designee a list containing the names and job positions of all its employees. Such a list shall

also indicate for each new employee hired that year the date of initiation of the criminal background investigation required by Oregon law.

- D. Sexual Conduct. Charter School shall comply with ORS 339.370, 339.374, 339.378, 339.384, 339.388, 399.392, and 339.400.
- E. Child Abuse Training and Prevention. In accordance with ORS 339.370, 339.372, 339.375 and 339.377, Charter School shall establish and maintain a policy on the reporting of child abuse and shall provide training on the prevention and identification of child abuse to school employees and students. In addition, Charter School shall make the training available to Charter Board members, parents and legal guardians of students.
- F. Employee Records. Charter School shall establish and maintain personnel records for its employees in compliance with all applicable federal and state laws concerning the maintenance, retention and disclosure of employee records, including but not limited to, ORS 342.850(8) regarding disclosure of employees' personnel file. Charter School shall adopt rules and policies governing access to personnel files.
- G. Public Employees Retirement System (PERS). Charter School shall participate in PERS and shall make appropriate contributions consistent with the applicable PERS policies, procedures, and regulations.
- H. Unemployment. Charter School shall comply with ORS 657.505(7)(a) and will be responsible for unemployment benefits.

20. Insurance. Charter School shall at all times maintain and keep in force the insurance specified in Exhibit C.

21. Legal Liabilities and Indemnification.

- A. Charter School is a Separate Legal Entity. Charter School may sue or be sued as a separate legal entity apart from the Board, and the Board has no responsibility to indemnify Charter School in any fashion with respect to Charter School activities except as provided in this Agreement.
- B. Charter School's Indemnification Obligations. Subject to the Oregon Tort Claims Act (ORS 30.260 through 30.300), Charter School agrees to indemnify and hold harmless within the limits of and subject to the restrictions in the Tort Claims Act, the Board, ODE and the Deputy Superintendent and their agents and employees from all liability, claims and demands on account of injury, loss or damage, including, without limitation, claims arising from (1) the possession, occupancy or use of property of Charter School (including after school use of buildings by outside groups) its faculty, students, patrons, employees, guests, subcontractors or agents; (2) civil rights violations,

including Section 504 of the Rehabilitation Act of 1973, provided, however, the Charter shall not be required to indemnify the Board, ODE and the Deputy Superintendent and their agents and employees for any such liability arising out of the wrongful acts of the Board, ODE and the Deputy Superintendent and their agents and employees. Charter School further agrees to indemnify and defend the Board and the State of Oregon and their respective officers, employees, and agents against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature arising out of, or relating to, the acts or omissions of Charter School or its officers, employees, subcontractors or agents under this Agreement.

C. Board's Indemnification Obligations. Subject to the limitations of Article XI, § 7 of the Oregon Constitution and the Oregon Tort Claims Act (ORS 30.260 through 30.300), the Board agrees to indemnify, and hold harmless within the limits of and subject to the restrictions in the Tort Claims Act, the Charter School against any liability for personal injury or damage to life or property arising from the Board's negligent activity under this Agreement provided, however, the Board shall not be required to indemnify the Charter School for any such liability arising out of the wrongful acts of Charter School, its officers, employees or agents. Notwithstanding those general limitations, the Board assumes no liability for any loss or injury, resulting from:

- (i) Any acts or omissions of Charter School, its Charter Board, trustees, agents, employees or volunteers;
- (ii) Any use and occupancy of the building occupied by Charter School or any matter in connection with the condition of such building, except if the condition of such building is due to the action, inaction or negligence of the Board, ODE and the Deputy Superintendent and their agents and employees ; or
- (iii) Any debt or contractual obligation incurred by Charter School.

22. School Location. Charter School shall be responsible for maintaining a facility located within the Portland School District boundaries for the operation of the Charter School. At all relevant times and during all operations under this Agreement, Charter School shall ensure that the location and use of the facility complies with all applicable local, state, and federal laws and regulations, including but not limited to those relating to accessibility and student safety. Charter School shall ensure it complies with all such applicable laws during the term of this Agreement. Charter School may operate a school or facility outside of the Portland School District boundaries if Portland School District agrees to the location. Charter School must provide written approval from Portland School District to the ODE and comply with the notice requirements of ORS 332.158 and OAR 581-026-0600 and all applicable local, state, and federal laws and regulations related to such school or facility, including but not limited to those relating to accessibility and student safety.

23. Dispute Resolution Mediation.

- A. If any dispute arises between the Board, Deputy Superintendent or designee and the Charter School concerning this Agreement, including, without limitation, an allegation of any breach or default, the Parties may agree to mediation of the matter.
- B. At any time during the mediation process, or if the Parties are unable to reach an agreement through mediation, either Party may give notice to the other Party and to the mediator that it is terminating its participation in the mediation.
- C. If the Parties agree to mediate, the Parties shall share equally the fees and expenses of any mediator and each Party shall pay its own expenses incurred in any mediation.
- D. This Section does not apply to termination. Decisions related to termination are subject to the process in Section 18 and ORS Chapter 338.

24. General Provisions.

- A. Entire Agreement. This Agreement, with its Exhibits, contains the entire understandings of the Parties, and all prior representations, understandings, and discussions are merged herein and superseded and canceled by this Agreement .
- B. Nonassignment. The Parties may not assign any rights or benefits they are entitled to under this Agreement to any entity or individual. This does not limit the right of Charter School to enter into agreements to the full extent allowed under this Agreement and allowed to charter schools under Oregon law.
- C. Amendment. This Agreement may only be modified or amended by further written agreement executed by the Parties hereto.
- D. Governing Law and Enforcement. This Agreement will be governed and construed according to the laws and regulations of the State of Oregon, including those changed subsequent to the execution of this Agreement.
- E. Notice. Except as otherwise expressly provided in this Agreement, any communications between the Parties hereto or notices to be given hereunder must be given in writing by email, personal delivery, facsimile, or mailing the same, postage prepaid, to Charter School or ODE at the email address, postal address or telephone number set forth in this Agreement, or to such other addresses or numbers as either Party may indicate pursuant to this Section 24.E. Any communication or notice so addressed and mailed is effective five business days after mailing. Any communication or notice delivered by facsimile is effective on the day the transmitting machine generates a receipt of the

successful transmission, if transmission was during normal business hours, or on the next business day, if transmission was outside normal business hours of the recipient. To be effective against ODE, any notice transmitted by facsimile must be confirmed by telephone notice to ODE's Deputy Superintendent's Designee (Section 24L herein). Any communication or notice given by personal delivery is effective when actually delivered. Any notice given by email is effective when the sender receives confirmation of delivery, either by return email, or by demonstrating through other technological means that the email has been delivered to the intended email address.

The Ivy School: 5420 N Interstate Avenue, Portland, OR 9717,
nikki.jones@theivyschool.org (or any updated email address of the Executive Director)

State Board of Education: 255 Capitol Street NE, Salem, OR 97310,
Jennifer.Scurlock@ode.oregon.gov (or any updated email address of the State Board of Education Chair)

Oregon Department of Education, Director's Office: 255 Capitol Street NE, Salem, OR 97310, charlene.williams@ode.oregon.gov (or any updated email address of the Superintendent of Public Instruction)

- F. No Third Party Beneficiary. This Agreement shall not create any rights in any third parties who have not entered into this Agreement, nor shall any third party be entitled to enforce any rights or obligations that may be possessed by either Party to this Agreement
- G. Charter School Authority to Enter into Agreement. Charter School expressly affirms the signatories on its behalf who sign below have the authority to enter into this Agreement on behalf of Charter School and the Charter Board has duly approved this Agreement. Charter School shall provide a copy of its written resolution authorizing Charter School to enter into this Agreement.
- H. Severability. If any provision of this Agreement is determined to be unenforceable or invalid for any reason, the remainder of this Agreement shall remain in effect, unless otherwise terminated by one or both of the Parties in accordance with the terms of this Agreement.
- I. This Agreement consists of the following documents, which are incorporated by this reference and listed in descending order of precedence:
 - (i) This Agreement less all exhibits
 - (ii) Exhibit A (Description of Educational Program)
 - (iii) Exhibit B (Charter School Performance Framework)
 - (iv) Exhibit C (Insurance)

- J. Execution in Counterparts. This Agreement may be executed and delivered in counterparts, each of which, when so executed and delivered, shall be effective.
- K. Delegation. The Parties agree and acknowledge the functions and powers of the Board may, at the discretion of the Board, be exercised by the Deputy Superintendent or designee identified in this Agreement. The Parties agree and acknowledge the functions and powers of Charter School and Charter Board may be exercised by the chair of the Charter Board or the administrator of the Charter School. Each Party shall provide notice to the other Party in accordance with Section 24.E. of this Agreement of any change in the person's name and contact information for this delegation. Notwithstanding the above, any ultimate decision about renewal, non-renewal or termination of this Agreement may only be made by the Board.
- L. Deputy Superintendent's Designee. For purposes of this Agreement, and as referenced herein, the Deputy Superintendent's designee is:

Christen Kelly
Charter School Specialist
Oregon Department of Education
255 Capitol St NE, Salem, OR 97310
Christen.Kelly@ode.oregon.gov
503-580-5749 (cell)

(Signature page to follow.)

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the dates set forth below.

EACH PARTY, BY SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES IT HAS READ THIS AGREEMENT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS. The Parties further agree that by the exchange of this Agreement electronically, each has agreed to the use of electronic means, if applicable, instead of the exchange of physical documents and manual signatures. By inserting an electronic or manual signature below, each authorized representative acknowledges that it is their signature, that each intends to execute this Agreement, and that their electronic or manual signature should be given full force and effect to create a valid and legally binding agreement

STATE OF OREGON acting by and through its DEPARTMENT OF EDUCATION

XXXXXX, Contracting Officer

Date

OREGON STATE BOARD OF EDUCATION

Signature

Date

Jennifer Scurlock, Chair, Oregon State Board of Education

CHARTER SCHOOL

Signature

Date

Nikki Jones, Executive Director, The Ivy School

CHARTER BOARD

Signature

Date

Jim Livermore, Board Chair, The Ivy School

EXHIBIT A

DESCRIPTION OF EDUCATIONAL PROGRAM

The Ivy School Education Program Description

The Ivy Montessori elementary and middle school programs now operate under one roof at our Interstate campus, serving students in grades 1 through 8 in a cohesive, thoughtfully prepared environment.

The Montessori program is organized as follows:

- Lower Elementary (Grades 1–3): Ages 6–9
- Upper Elementary (Grades 4–6): Ages 9–11
- Middle School (Grades 7–8): Ages 12–14

All Ivy programs offer a developmental continuum built upon Montessori principles and practices. Just as in the preschool years, Montessori materials are tools for discovery. They spark imagination, foster abstraction, and support students in forming a worldview that values inquiry, independence, and connection to others.

The Montessori curriculum is interdisciplinary, blending the sciences, humanities, language, and arts. Students are immersed in studies that explore the universe, human origins, cultures, and ecosystems—often through “Great Stories” that are retold and deepened each year. These stories include:

- The Story of the Universe
- The Story of Life
- The Story of Language
- The Story of Signs and Symbols

Through timelines, impressionistic charts, and inquiry-based lessons, students are guided to uncover deeper meaning and develop academic mastery. Classrooms are rich with Montessori-developed and Montessori-aligned materials, integrated with resources that meet Oregon State Benchmarks and Common Core State Standards.

Mathematics is introduced through concrete Montessori materials that build understanding of arithmetic, geometry, and algebra. Lessons progress from hands-on exploration to symbolic representation, helping students develop a deep and intuitive understanding of mathematical principles. Common Core math standards are embedded throughout.

Language Arts instruction emphasizes:

- Creative and expository writing
- Literature analysis
- Grammar and sentence analysis
- Primary-source research
- Spelling through cultural context
- Oral expression and performance

Students conduct in-depth, open-ended research projects with support from their guides. These projects promote critical thinking, independence, and collaborative learning.

Montessori-trained teachers facilitate learning across all subject areas while nurturing each child's academic, social, and emotional growth. Teachers continually observe and assess student understanding, adapting instruction to support student progress.

Grace and Courtesy, our approach to social-emotional learning and moral development, is woven throughout the school day. Students practice empathy, cooperation, and community-minded behavior as part of their daily life in the classroom.

Students in all grades engage with the wider community through "Going Out" experiences—planned excursions that extend learning beyond the classroom walls.

Middle School Program and Weekly Paideia Seminars

Our Middle School Program (Grades 7–8) is designed to meet the developmental needs of early adolescents. Students are provided opportunities to explore identity, independence, responsibility, and intellectual rigor through interdisciplinary projects and leadership roles.

A highlight of the middle school experience is the weekly Paideia Seminar. These are structured, student-led Socratic discussions that:

- Explore complex texts, historical documents, and big ideas
- Develop critical thinking, speaking, and listening skills
- Encourage civil discourse, empathy, and diverse perspectives
- Foster collaborative learning and intellectual courage

Each week, students prepare for their seminar by reading, annotating, and reflecting on a selected piece. During the seminar, students engage in deep discussion, respectfully challenging ideas, raising questions, and building shared meaning.

In addition to Paideia, our middle schoolers participate in two unique elective-style classes designed to build real-world skills:

Micro-Business Class

This dynamic, student-led course teaches entrepreneurship and financial literacy through hands-on experience. Students:

- Create and sell handmade products or offer services to the school community
- Manage budgets, set pricing, and track expenses
- Organize school events and fundraisers
- Learn how to market, advertise, and pitch ideas
- Collaborate in teams to problem-solve and run small ventures

The Micro-Business class empowers students with leadership, responsibility, and practical life skills that connect school learning with future success.

Life Skills Class

Life Skills focuses on essential everyday competencies to prepare students for adulthood. This includes:

- Filling out job and volunteer applications
- Practicing interview techniques and writing resumes
- Learning time management, goal-setting, and organization
- Exploring nutrition, self-care, and basic cooking
- Participating in community service and leadership roles

Both classes are rooted in Montessori principles of purposeful work and independence, and support students in becoming confident, capable contributors to their communities.

EXHIBIT B
CHARTER SCHOOL PERFORMANCE FRAMEWORK

State Board of Education
Public Charter School Performance Framework
And Annual Evaluation Report

The Ivy School
(State Sponsored Charter School)
To be used for the school years 2025 - 2035*



Oregon Department of Education
255 Capitol St NE
Salem, OR 97310

Prepared by Christen Kelly
Charter School Specialist

Oregon Department of Education

**The State Board of Education and Ivy may agree to revisions in future years if it improves the annual assessment.*

Introduction

Across Oregon, public charter schools provide additional options for students and families. The State Board of Education is a public charter school authorizer, or “sponsor” in the state as an appellate governing body. If an application to establish a public charter school is denied by a local school district, the charter school developers may appeal the district decision to the State Board of Education. If the application is deemed to meet the criteria, it is possible for the charter school to be authorized by the State Board of Education. While the state provides oversight and support to its sponsored charters, each charter school has autonomy over its budget, hiring, and the development and implementation of its educational program.

The State Board of Education is responsible for maintaining high standards for its sponsored charter schools, and for ensuring that charter schools are not only compliant with all applicable laws, but that their academic programs are successful, they are financially viable, and their organizations are effective and responsibly managed. The State Board of Education is particularly interested in analyzing equity issues within public charter schools and may continue to refine the tools with which it uses to evaluate a public charter school’s effectiveness and quality.

In so doing, the State Board of Education has established the following performance framework, which is largely derived from the Core Performance Framework and Guidance developed by the National Association of Charter School Authorizers (NACSA). This performance framework is designed to measure each charter school’s academic, financial, and organizational performance, and to “...guide practice, assess progress, and inform decision-making over the course of the charter term and at renewal”.¹

Because each charter school’s story and perspective on its own performance are critical to a balanced evaluation process, each measure includes space for narrative explanation and/or further description from both the State Board and the charter school. It is our hope and goal that each charter school will fully engage in the process of program evaluation each year and at the renewal period, and that this process contributes to the continuous improvement of each State Board of Education public charter school.

Christen Kelly

Charter School Specialist

SCORE Team

Oregon Department of Education

¹ From NACSA’s Core Performance Framework and Guidance.

Academic performance: data elements and sources

The purpose of the Academic Performance section of the Annual Report is to evaluate whether or not the charter school's educational program is showing success with its students.

Many of the indicators for this section are adopted from the National Association of Charter School Authorizers' "Core Performance Framework and Guidance", while the performance targets and ratings are aligned with the targets and ratings in the Oregon Report Card.

The following data elements and sources are used to complete the Academic Performance analysis:

- The charter school's Oregon Report Card
- The charter school's contract
- The charter school's whole school growth and performance on standardized tests in ELA and MATH
- The charter school's subgroup growth and performance on standardized tests in ELA and MATH
- The district's Oregon Report Card (for the district in which the charter school is located)
- Performance and growth information for comparison schools, as defined by the Oregon Department of Education
- The school's graduation rate (where applicable)
- The district's graduation rate (where applicable)
- The school's completion rate (where applicable)
- The district's completion rate (where applicable)
- The school's dropout rate (where applicable)
- The district's dropout rate (where applicable)
- The graduation, completion, and dropout rates of comparison schools, as defined by ODE (where applicable)
- The charter school's alignment to Common Core State Standards as evidenced by course syllabi, course descriptions, curriculum alignments, etc. (where applicable)

Academic Performance

1. Oregon School Rating System

Measure 1a

Is the school meeting acceptable standards according to the Oregon State school rating system?

Exceeds standard:

☐ School received the highest rating from the state accountability system.

Meets standard:

☐ School received the highest rating from the state accountability system.

Does not meet standard:

☐ School did not receive passing rating from the state accountability system.

Falls far below standard:

☐ School identified for intervention or considered failing by the state accountability system.

State Board of Education comments:

School comments:

Measure 1b

Is the school meeting state designation expectations as set forth by the state and federal accountability system?

Exceeds standard:

☐ School was identified as a "Model" school.

Meets standard:

☐ School does not have a designation.

Does not meet standard:

☐ School was identified as a "Focus" school.

Falls far below standard:

☐ School was identified as a “Priority” school.
State Board of Education comments:
School comments:

Measure 1c How are Students Experiencing Poverty achieving on state assessments in ELA compared to the Students Experiencing Poverty in the district?
Exceeds standard: ☐ School’s average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.
Meets standard: ☐ School’s average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.
Does not meet standard: ☐ School’s average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.
Falls far below standard: ☐ School’s average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.
State Board of Education comments:
School comments:

Measure 1d How are Students Experiencing Poverty achieving on state assessments in MATH compared to the Students Experiencing Poverty in the district?
Exceeds standard: ☐ School’s average subgroup achievement rate exceeds the average district performance of students in the

same subgroup in the same grades by at least 10%.
Meets standard: ☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.
Does not meet standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.
Falls far below standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.
State Board of Education comments:
School comments:

Measure 1e How are English Learners achieving on state assessments in ELA compared to the English Learners in the district?
Exceeds standard: ☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.
Meets standard: ☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.
Does not meet standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.
Falls far below standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.

State Board of Education comments:
School comments:

Measure 1f How are English Learners achieving on state assessments in MATH compared to the English Learners in the district?
Exceeds standard: ☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.
Meets standard: ☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.
Does not meet standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.
Falls far below standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.
State Board of Education comments:
School comments:

Measure 1g How are Students with Disabilities achieving on state assessments in ELA compared to the Students with Disabilities in the district?
Exceeds standard: ☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.

Meets standard: ☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.
Does not meet standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.
Falls far below standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.
State Board of Education comments:
School comments:

Measure 1h How are Students with Disabilities achieving on state assessments in MATH compared to the Students with Disabilities in the district?
Exceeds standard: ☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.
Meets standard: ☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.
Does not meet standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.
Falls far below standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.
State Board of Education comments:

School comments:

Measure 1i

How are **Students of Underserved Races/Ethnicities** achieving on state assessments in ELA compared to the **Students of Underserved Races/Ethnicities** in the district?

Exceeds standard:

☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.

Meets standard:

☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.

Does not meet standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.

Falls far below standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.

State Board of Education comments:

School comments:

Measure 1j

How are **Students of Underserved Races/Ethnicities** achieving on state assessments in MATH compared to the **Students of Underserved Races/Ethnicities** in the district?

Exceeds standard:

☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.

Meets standard:

☐ School's average subgroup achievement rate meets or exceeds the average district performance of students

in the same subgroup in the same grades by up to 10%.
Does not meet standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.
Falls far below standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.
State Board of Education comments:
School comments:

2. Student Academic Growth

Measure 2a Are All students making expected annual academic growth in ELA compared to their peers? (3-year Average Combined Median Growth Percentile-CMGP)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 35 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 30 and 34.5.
Falls far below standard: ☐ Combined median growth percentile of lower than 30.
State Board of Education comments:
School comments:

Measure 2b Are students making expected annual academic growth in MATH compared to their peers? (3-year Average Combined Median Growth Percentile)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 35 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 30 and 34.5.
Falls far below standard: ☐ Combined median growth percentile of lower than 30.
State Board of Education comments:
School comments:

3. Subgroup Growth

Measure 3a Is the school increasing academic performance in ELA over time for Students Experiencing Poverty students? (3-year Average Combined Median Growth Percentile)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 35 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 30 and 34.5.
Falls far below standard:

☐ Combined median growth percentile of lower than 30.
State Board of Education comments:
School comments:

Measure 3b Is the school increasing academic performance in MATH over time for Students Experiencing Poverty? (3-year Average Combined Median Growth Percentile)
<i>Exceeds standard:</i> ☐ Combined median growth percentile of 60 or more.
<i>Meets standard:</i> ☐ Combined median growth percentile of between 35 and 59.5.
<i>Does not meet standard:</i> ☐ Combined median growth percentile of between 30 and 34.5.
<i>Falls far below standard:</i> ☒ Combined median growth percentile of lower than 30.
State Board of Education comments: Ivy's 3-year average for Math is 22.0. The state classifies this average as a Level 2. The state also calculated the average gap score change between 2018-19 and 2023-24. The change in average for this measure is -32, and is classified as unrated due to the low number of students in this category that were measured.
School comments:

Measure 3c Is the school increasing academic performance in ELA over time for English Learner students? (3-year Average Combined median Growth Percentile)
<i>Exceeds standard:</i> ☐ Combined median growth percentile of 60 or more.

Meets standard: ☐ Combined median growth percentile of between 35 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 30 and 34.5.
Falls far below standard: ☐ Combined median growth percentile of lower than 30.
State Board of Education comments:
School comments:

Measure 3d Is the school increasing academic performance in MATH over time for English Learner students? (3-year Average Combined median Growth Percentile)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 35 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 30 and 34.5.
Falls far below standard: ☐ Combined median growth percentile of lower than 30.
State Board of Education comments:
School comments:

Measure 3e Is the school increasing academic performance in ELA over time for Students with Disabilities? (3-year Average Combined Median Growth Percentile)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 35 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 30 and 34.5.
Falls far below standard: ☐ Combined median growth percentile of lower than 30.
State Board of Education comments:
School comments:

Measure 3f Is the school increasing academic performance in MATH over time for Students with Disabilities? (3-year Average Combined Median Growth Percentile)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 35 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 30 and 34.5.
Falls far below standard: ☐ Combined median growth percentile of lower than 30.

State Board of Education comments:
School comments:

Measure 3g Is the school increasing academic performance in ELA over time for students of Underserved Races/Ethnicities? (3-year Average Combined Median Growth Percentile)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 35 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 30 and 34.5.
Falls far below standard: ☐ Combined median growth percentile of lower than 30.
State Board of Education comments:
School comments:

Measure 3h Is the school increasing academic performance in MATH over time for students of Underserved Races/Ethnicities? (3-year Average Combined Median Growth Percentile)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 35 and 59.5.

Does not meet standard: ☐ Combined median growth percentile of between 30 and 34.5.
Falls far below standard: ☐ Combined median growth percentile of lower than 30.
State Board of Education comments:
School comments:

4. Alignment of Curriculum to Common Core State Standards

Measure 4a Is the school aligning curriculum to Common Core State Standards?
Meets standard: ☐ School is offering all required core subjects and has aligned all classes in core subjects to Common Core State Standards and has articulated this through detailed syllabi, course descriptions, curriculum alignments, or other methods.
Does not meet standard: ☐ School is offering all required core subjects but has not fully aligned all classes in core subjects to Common Core State Standards, and/or has not provided evidence of this through detailed syllabi, course descriptions, curriculum alignments, or other methods.
Falls far below standard: ☐ School is not offering all required core subjects and/or has not aligned all classes in core subjects to Common Core State Standards and has not provided evidence of this through detailed syllabi, course descriptions, curriculum alignments, or other methods.
State Board of Education comments: The Ivy School is faithful to the Montessori curriculum and follows a curriculum to CCSS alignment rubric.
School comments:

5. Graduation and post-secondary readiness (high schools only)

Measure 5a

What percentage of students is graduating within four years of entering high school as compared to other schools in the district?

Exceeds standard:

☐ School's average graduation rate exceeds the average district graduation rate by at least 10%.

Meets standard:

☐ School's average graduation rate meets or exceeds the average district graduation rate by up to 10%.

Does not meet standard:

☐ School's average graduation rate is less than the average district graduation rate by 1-10%.

Falls far below standard:

☐ School's average graduation rate is less than the average district graduation rate by 10% or more.

State Board of Education comments:

School comments:

Measure 5b

What percentage of students is graduating within four years of entering high school as compared to their peers in like schools?

Exceeds standard:

☐ School's average graduation rate exceeds the average graduation rate of their peers in like schools by at least 10%.

Meets standard:

☐ School's average graduation rate meets or exceeds the average graduation rate of their peers in like schools by up to 10%.

Does not meet standard:

☐ School's average graduation rate is less than the average graduation rate of their peers in like schools by 1-10%.

Falls far below standard:

☐ School's average graduation rate is less than the average graduation rate of their peers in like schools by 10% or more.

State Board of Education comments:

School comments:

Measure 5c

What percentages of students receive a regular, modified, extended, or adult high school diploma or complete a GED within five years of entering high school as compared to other schools in the district?

Exceeds standard:

☐ School's average completion rate exceeds the average district completion rate by at least 10%.

Meets standard:

☐ School's average completion rate meets or exceeds the average district completion rate by up to 10%.

Does not meet standard:

☐ School's average completion rate is less than the average district completion rate by 1-10%.

Falls far below standard:

☐ School's average completion rate is less than the average district completion rate by 10% or more.

State Board of Education comments:

School comments:

Measure 5d

What percentages of students receive a regular, modified, extended, or adult high school diploma or complete a GED within five years of entering high school as compared to their peers in like schools?

Exceeds standard:

☐ School's average completion rate exceeds the average completion rate of their peers in like schools by at

least 10%.
Meets standard: ☐ School's average completion rate meets or exceeds the average completion rate of their peers in like schools by up to 10%.
Does not meet standard: ☐ School's average completion rate is less than the average completion rate of their peers in like schools by 1-10%.
Falls far below standard: ☐ School's average completion rate is less than the average completion rate of their peers in like schools by 10% or more.
State Board of Education comments:
School comments:

Measure 5e What percentage of students dropped out during the school year and did not re-enroll as compared to other schools in the district?
Exceeds standard: ☐ School's average dropout rate is less than the average district dropout rate by 4% or more.
Meets standard: ☐ School's average dropout rate meets or is less than the average district dropout rate by up to 4%.
Does not meet standard: ☐ School's average dropout rate exceeds the average district dropout rate by 1-4%.
Falls far below standard: ☐ School's average dropout rate exceeds the average district dropout rate by 4% or more.
State Board of Education comments:

School comments:

Measure 5f

What percentage of students dropped out during the school year and did not re-enroll as compared to their peers in like schools?

Exceeds standard:

☐ School's average dropout rate is less than the average dropout rate of their peers in like schools by 4% or more.

Meets standard:

☐ School's average dropout rate meets or is less than the average dropout rate of their peers in like schools by up to 4%.

Does not meet standard:

☐ School's average dropout rate exceeds the average dropout rate of their peers in like schools by 1-4%.

Falls far below standard:

☐ School's average dropout rate exceeds the average dropout rate of their peers in like schools by 4% or more.

State Board of Education comments:

School comments:

COMMENDATIONS: ACADEMIC PERFORMANCE

RECOMMENDATIONS: ACADEMIC PERFORMANCE

Financial Performance: data elements and sources

The purpose of the Financial Performance section of the Annual Report is to evaluate whether or not the charter school is financially viable.

Many of the indicators, performance targets, and ratings for this section are adopted from the National Association of Charter School Authorizers' "Core Performance Framework and Guidance".

The following data elements and sources are used to complete the Financial Performance analysis:

- The charter school's contract
- The charter school's audited balance sheet and notes for the last three years
- The charter school's projected enrollment and actual enrollment
- The charter school's board-adopted budget
- The charter school's audited income statement and audited cash flow statement
- Annual principal and interest obligations
- Quarterly financial statements, including budget-to-actuals, profit and loss, balance sheet

Financial Performance

7. Near-Term Measures

Measure 7a Current ratio: Current assets divided by current liabilities.
Meets standard: ☐ Current ratio is greater than or equal to 1.1.
Does not meet standard: ☐ Current ratio is between .9 and 1.0 or equals 1.0.
Falls far below standard: ☐ Current ratio is less than or equal to .9.
State Board of Education comments:
School comments:

Measure 7b Unrestricted days cash: Unrestricted cash divided by (total expenses minus depreciation expense/365).
Meets standard: ☐ 60 days cash
Does not meet standard: ☐ Days cash is between 15 and 30 days
Falls far below standard: ☐ Fewer than 15 days cash
State Board of Education comments:
School comments:

Measure 7c Enrollment variance: actual enrollment divided by enrollment projection in charter school board-approved budget.
Meets standard: ☐ Enrollment variance equals or exceeds 95% in the most recent year.
Does not meet standard: ☐ Enrollment variance is between 85-95% in the most recent year.
Falls far below standard: ☐ Enrollment variance is less than 85% in the most recent year.
State Board of Education comments:
School comments:

Measure 7d Default
Meets standard: ☐ School is not in default of loan covenant(s) and/or is not delinquent with debt service payments.
Falls far below standard: ☐ School is in default of loan covenant(s) and/or is delinquent with debt service payments.
State Board of Education comments:
School comments:

8. Sustainability Measures

Measure 8a & 8b

Total Margin: Net income divided by total revenue.

Aggregated total margin: Total 3-year net income divided by total 3-year revenues.

Meets standard:

☐ Aggregated 3-year total margin is positive and the most recent year total margin is positive.

Does not meet standard:

☐ Aggregated 3-year total margin is greater than -1.5%, but trend does not “meet standard” (above).

Falls far below standard:

☐ Aggregated three-year total margin is less than or equal to -1.5% and the most recent year total margin is less than -10%.

State Board of Education comments:

School comments:

Measure 8c

Debt to asset ratio: Total liabilities divided by total assets.

Meets standard:

☐ Debt-to-asset ratio is less than .9.

Does not meet standard:

☐ Debt-to-asset ratio is between .9 and 1.0.

Falls far below standard:

☐ Debt-to-asset ratio is greater than 1.0.

State Board of Education comments:

School comments:

Measure 8d & 8e Cash flow: Multi-year cash flow = Year 3 total cash - Year 1 total cash. One-year cash flow: Year 2 total cash - Year 1 total cash.
Meets standard: ☐ Multi-year cumulative cash flow is positive and cash flow is positive each year.
Does not meet standard: ☐ Multi-year cumulative cash flow is positive, but trend does not “meet standard” (above).
Falls far below standard: ☐ Multi-year cumulative cash flow is negative.
State Board of Education comments:
School comments:

Measure 8f Debt service coverage ratio: (net income + depreciation + interest expense) / (annual principal, interest, and lease payments).
Meets standard: ☐ Debt service coverage ratio is equal to or exceeds 1.1.
Does not meet standard: ☐ Debt service coverage ratio is less than 1.1.
State Board of Education comments:
School comments:

Measure 8g

Is the school meeting financial reporting and compliance requirements?

Meets standard:

☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to financial reporting requirements, including, but not limited to:

- Complete and timely submission of financial reports, including: annual budget, revised budgets (when applicable), quarterly financial reports, and annual municipal audit.
- All other reporting requirements related to the use of public funds.

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to financial reporting requirements, including, but not limited to:

- Complete and timely submission of financial reports, including: annual budget, revised budgets (when applicable), quarterly financial reports, and annual municipal audit.
- All other reporting requirements related to the use of public funds.

State Board of Education comments:

School comments:

Measure 8h

Is the school following Generally Accepted Accounting Principles (GAAP)?

Meets standard:

☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to financial management and oversight expectations by an annual independent audit, including, but not limited to:

- An unqualified audit opinion
- An audit devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses
- An audit that does not include a going concern disclosure in the notes or an explanatory paragraph within the audit report

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to financial management and oversight expectations by an annual independent audit, including, but not limited to:

- An qualified audit opinion

• An audit containing significant findings or conditions, material weaknesses, or significant internal control weaknesses • An audit that included a going concern disclosure in the notes or an explanatory paragraph within the audit report
State Board of Education comments:
School comments:

COMMENDATIONS: FINANCIAL PERFORMANCE

RECOMMENDATIONS: FINANCIAL PERFORMANCE

Organizational Performance: data elements and sources

The purpose of the Organizational Performance section of the Annual Evaluation is to evaluate whether or not the charter school as an organization is effectively governed and well run.

Many of the indicators, performance targets, and ratings for this section are adopted from the National Association of Charter School Authorizers' "Core Performance Framework and Guidance".

The following data elements and sources are used to complete the Organizational Performance analysis:

- Site visit observations (both formal and informal)
- The charter school's contract
- Required reporting by the charter school, including all deliverables
- The school's adherence to deliverable and reporting due dates
- Feedback from parents, students, charter school staff, and other community stakeholders
- Student accounting reports
- The charter school's internal accountability systems
- Student enrollment forms
- The charter school's adopted board policies
- The charter school's parent/student/staff handbooks
- TSPC
- Assurances by the charter school and governing board that it is compliant with all applicable requirements

Organizational Performance

10. Education Program

Measure 10a

Is the school implementing the material terms of the education program as defined in the current charter contract?

Meets standard:

☐ The school implemented the material terms of the education program in all material aspects and the education program in operation reflects the material terms as defined in the charter contract, or the school has gained approval for a modification to the material terms.

Does not meet standard:

☐ The school failed to implement the material terms of the education program in all material aspects and the education program in operation does not reflect the material terms as defined in the charter contract, or the schools implemented a modification to the material terms without approval and/or a mutually agreeable amendment to the contract.

State Board of Education comments:

School comments:

Measure 10b

Is the school complying with applicable education requirements?

Meets standard:

☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to education requirements, including, but not limited to:

- Instructional days and/or minutes requirements
- Graduation and promotion requirements
- Content standards, including Common Core State Standards
- The administration of state assessments
- Implementation of mandated programming as a result of state or federal funding

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to education requirements, including, but not limited to:

- Instructional days and/or minutes requirements
- Graduation and promotion requirements
- Content standards, including Common Core State Standards
- The administration of state assessments

Implementation of mandated programming as a result of state or federal funding
State Board of Education comments:
School comments:

Measure 10c Is the school protecting the rights of students with disabilities?
Meets standard: ☐ Consistent with the school's status as a school in a district LEA, the school materially complies with applicable laws, rules, regulations, and provisions of the charter contract (including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act) relating to the treatment of students with identified disabilities and those suspected of having a disability, including, but not limited to: - Equitable access and opportunity to enroll - Identification and referral - Appropriate involvement with development and implementation of Individualized Education Plans, and appropriate development of Section 504 plans - Operational compliance, including appropriate inclusion in the school's academic program, assessments, and extracurricular activities. - Discipline, including due process protections, manifestation determinations, and behavioral intervention plans - Access to the school's facility and program to students in a lawful manner and consistent with students' IEPs or 504 plans
Does not meet standard: ☐ Consistent with the school's status as a school in a district LEA, the school was materially out of compliance with one or more applicable laws, rules, regulations, and provisions of the charter contract (including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act) relating to the treatment of students with identified disabilities and those suspected of having a disability, including, but not limited to: - Equitable access and opportunity to enroll - Identification and referral - Appropriate involvement with development and implementation of Individualized Education Plans, and appropriate development of Section 504 plans - Operational compliance, including appropriate inclusion in the school's academic program, assessments, and extracurricular activities. - Discipline, including due process protections, manifestation determinations, and behavioral intervention plans - Access to the school's facility and program to students in a lawful manner and consistent with students' IEPs or 504 plans
State Board of Education comments:

School comments:

Measure 10d

Is the school protecting the rights of English Language Learner students?

Meets standard:

☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract (including Title III of the Elementary and Secondary Education Act, and US Department of Education authorities) relating to requirements of English Language Learners, including, but not limited to:

- Equitable access and opportunity to enroll
- Development and implementation of required plans related to the service of ELL students
- Proper steps for identification of students in need of ELL services
- Appropriate and equitable delivery of services to identified students
- Appropriate accommodations on assessments
- Exiting of students from ELL services
- Ongoing monitoring of exited students

Does not meet standard:

☐ The school failed to comply with one or more applicable laws, rules, regulations, and/or provisions of the charter contract (including Title III of the Elementary and Secondary Education Act, and US Department of Education authorities) relating to requirements of English Language Learners, including, but not limited to:

- Equitable access and opportunity to enroll
- Development and implementation of required plans related to the service of ELL students
- Proper steps for identification of students in need of ELL services
- Appropriate and equitable delivery of services to identified students
- Appropriate accommodations on assessments
- Exiting of students from ELL services
- Ongoing monitoring of exited students

State Board of Education comments:

School comments:

11. Governance and Reporting

Measure 11a

Is the school complying with applicable governance requirements?

Meets standard:

☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to governance by its board, including, but not limited to:

- Board policies
- Board bylaws
- State open meetings law
- Code of ethics
- Conflicts of interest
- Board composition and/or membership rules

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to governance by its board, including, but not limited to:

- Board policies
- Board bylaws
- State open meetings law
- Code of ethics
- Conflicts of interest
- Board composition and/or membership rules

State Board of Education comments:

School comments:

Measure 11b

Is the school holding its administration accountable?

Meets standard:

☐ The school materially complies with applicable laws, rules, regulations, provisions of the charter contract, and its own internal policies and practices relating to oversight of school administration, including, but not limited to:

- Board oversight of school administration that includes holding it accountable for performance expectations which may or may not be agreed to under a written performance agreement
- The board conducting an annual evaluation of the administrator's performance

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, provisions of the charter

contract, and its own internal policies and practices relating to oversight of school administration, including, but not limited to: • Board oversight of school administration that includes holding it accountable for performance expectations which may or may not be agreed to under a written performance agreement • The board conducting an annual evaluation of the administrator's performance
State Board of Education comments:
School comments:

Measure 11c Is the school complying with reporting requirements?
Meets standard: ☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to relevant reporting requirements to the district, and the Oregon Department of Education, including, but not limited to: • Accountability planning and performance • Attendance and enrollment reporting • Compliance with the charter contract and all applicable laws • Timely submission of all deliverables • Additional information as requested by the district
Does not meet standard: ☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to relevant reporting requirements to the district, and the Oregon Department of Education, including, but not limited to: • Accountability planning and performance • Attendance and enrollment reporting • Compliance with the charter contract and all applicable laws • Timely submission of all deliverables • Additional information as requested by the district
State Board of Education comments:
School comments:

12. Students and Employees

Measure 12a

Is the school protecting the rights of all students?
Meets standard: ☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to the rights of students, including, but not limited to: • Policies and practices related to admissions, lottery, waiting lists, fair and open recruitment, and enrollment (including rights to enroll or maintain enrollment) • The collection and protection of student information • Due process protections, privacy, civil rights, and student liberties requirements, including First Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction • Conduct of discipline (discipline hearings, and suspensions and expulsion policies and practices)
Does not meet standard: ☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to the rights of students, including, but not limited to: • Policies and practices related to admissions, lottery, waiting lists, fair and open recruitment, and enrollment (including rights to enroll or maintain enrollment) • The collection and protection of student information • Due process protections, privacy, civil rights, and student liberties requirements, including First Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction • Conduct of discipline (discipline hearings, and suspensions and expulsion policies and practices)
State Board of Education comments:
School comments:

Measure 12b Is the school meeting teacher and other staff credentialing requirements?
Meets standard: ☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to state certification requirements, including the federal Highly Qualified Teacher and Paraprofessional requirements, charter school licensure and registry requirements, and background check and fingerprinting requirements for all staff and volunteers.
Does not meet standard: ☐ The school was materially out of compliance with applicable laws, rules, regulations, and provisions of the charter contract relating to state certification requirements, including the federal Highly Qualified Teacher and Paraprofessional requirements, charter school licensure and registry requirements, and/or background check

and fingerprinting requirements for all staff and volunteers.

State Board of Education comments:

School comments:

13. School Environment

Measure 13a

Is the school complying with facilities and transportation requirements?

Meets standard:

☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to the school facilities, grounds, and transportation, including, but not limited to:

- Americans with Disabilities Act
- Fire inspections and related records
- Viable certificate of occupancy or other required building use authorization
- Documentation of requisite insurance coverage
- Student transportation

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and provisions of the charter contract relating to the school facilities, grounds, and transportation, including, but not limited to:

- Americans with Disabilities Act
- Fire inspections and related records
- Viable certificate of occupancy or other required building use authorization
- Documentation of requisite insurance coverage
- Student transportation

State Board of Education comments:

School comments:

Measure 13b

Is the school complying with health and safety requirements?

Meets standard:

☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to safety and the provision of health-related services, including, but not limited to:

- Appropriate nursing services and dispensing of pharmaceuticals

• Food service requirements
Does not meet standard: ☐ The school was materially out of compliance with applicable laws, rules, regulations, and provisions of the charter contract relating to safety and the provision of health-related services, including, but not limited to: • Appropriate nursing services and dispensing of pharmaceuticals • Food service requirements
State Board of Education comments:
School comments:

Measure 13c Is the school handling information appropriately?
Meets standard: ☐ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to the handling of information, including, but not limited to: • Maintaining the security of and providing access to student records under the Family Educational Rights and Privacy Act (FERPA) and other applicable authorities • Accessing documents maintained by the school under the state's Freedom of Information law and other applicable authorities • Transferring of student records • Proper and secure maintenance of testing materials
Does not meet standard: ☐ The school was materially out of compliance with applicable laws, rules, regulations, and provisions of the charter contract relating to the handling of information, including, but not limited to: • Maintaining the security of and providing access to student records under the Family Educational Rights and Privacy Act (FERPA) and other applicable authorities • Accessing documents maintained by the school under the state's Freedom of Information law and other applicable authorities • Transferring of student records • Proper and secure maintenance of testing materials
State Board of Education comments:
School comments:

14. Additional Obligations

Measure 14a

Is the school complying with all other obligations?

Meets standard:

☐ The school materially complies with all other applicable legal, statutory, regulatory, or contractual requirements contained in the charter contract that are not otherwise explicitly stated herein, including, but not limited to requirements from the following sources:

- Revisions to state charter law
- Intervention requirements required by the district
- Action items assigned by the district
- Requirements by other entities to which the charter school is accountable (e.g. ODE)

Does not meet standard:

☐ The school was materially out of compliance with applicable legal, statutory, regulatory, or contractual requirements contained in the charter contract that are not otherwise explicitly stated herein, including, but not limited to requirement from the following sources:

- Revisions to state charter law
- Intervention requirements required by the district
- Action items assigned by the district
- Requirements by other entities to which the charter school is accountable (e.g. ODE)

State Board of Education comments:

School comments:

COMMENDATIONS: ORGANIZATIONAL PERFORMANCE

RECOMMENDATIONS: ORGANIZATIONAL PERFORMANCE

SUMMARY OF ANNUAL EVALUATION COMMENDATIONS AND RECOMMENDATIONS

MEASURE	EXCEEDS STANDARD	MEETS STANDARD	DOES NOT MEET STANDARD	FALLS FAR BELOW STANDARD
Oregon rating system				
State and Federal accountability system				
Students Experiencing Poverty -ELA				
Students Experiencing Poverty -MATH				
ELL-ELA				
ELL-MATH				
Students with Disabilities-ELA				
Students with Disabilities-MATH				
Underserved-ELA				
Underserved-MATH				
All Student Growth-ELA				
All Student Growth-MATH				
Growth: Students Experiencing Poverty-ELA				
Growth: Students Experiencing Poverty -MATH				
Growth: ELL-ELA				
Growth: ELL-MATH				
Growth: Students with Disabilities-ELA				
Growth: Students with Disabilities-Math				
Growth: Underserved-ELA				
Growth: Underserved-MATH				
Alignment to CCSS				
Graduation/post-secondary readiness				
Graduation percent				

School completion/Diploma				
Drop out percentage				
Current Ratio: Assets/Liabilities				
Unrestricted Cash				
Enrollment Variance				
Loan Default				
Total Margin (income /revenue)				
Debt to Asset Ratio				
Cash Flow				
Debt Service Coverage Ratio				
Reporting and Compliance				
GAAP				
Education Program Implementation				
Education Requirement Compliance				
Rights of Students with Disabilities				
Rights of ELL				
Governance Compliance				
Administration Accountability				
Reporting Requirement Compliance				
Rights of All Students				
Staff Credentialing Requirements				
Facilities and Transportation Requirements				
Health and Safety Requirements				
Student Information				
Other Obligations				

OVERALL COMMENDATIONS

OVERALL RECOMMENDATIONS

EXHIBIT C INSURANCE REQUIREMENTS

Charter School shall obtain at Charter School's expense the insurance specified in this Exhibit C prior to performing under this Agreement and shall maintain it in full force and at its own expense throughout the duration of this Agreement, as required by any extended reporting period or tail coverage requirements, and all warranty periods that apply. Charter School shall obtain the following insurance from insurance companies or entities that are authorized to transact the business of insurance and issue coverage in the State of Oregon with an AM Best rating of no less than A: VII or Standard and Poor's rating of no less than BBB. All coverage shall be primary and non-contributory with any other insurance and self-insurance, with the exception of Professional Liability and Workers' Compensation. Charter School shall pay for all deductibles, self-insured retention and self-insurance, if any.

If Charter School maintains broader coverage and/or higher limits than the minimums shown in this Insurance Requirement Exhibit, ODE requires and shall be entitled to the broader coverage and/or higher limits maintained by Charter School.

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY

All employers, including Charter School, that employ subject workers, as defined in ORS 656.027, shall comply with ORS 656.017 and provide workers' compensation insurance coverage for those workers, unless they meet the requirement for an exemption under ORS 656.126(2). Charter School shall require and ensure that each of its contractors complies with these requirements.

If Charter School is a subject employer, as defined in ORS 656.023, Charter School shall also obtain employers' liability insurance coverage with limits not less than \$500,000 each occurrence. If Charter School is an employer subject to any other state's workers' compensation law, Charter School shall provide workers' compensation insurance coverage for its employees as required by applicable workers' compensation laws including employers' liability insurance coverage with limits not less than \$500,000 and shall require and ensure that each of its out-of-state contractors complies with these requirements.

COMMERCIAL GENERAL LIABILITY:

Charter School shall provide Commercial General Liability Insurance covering bodily injury and property damage in a form and with coverage that are satisfactory to the State of Oregon. This insurance must include personal and advertising injury liability, products and completed operations, contractual liability coverage for the indemnity provided under this Agreement, and have no limitation of coverage to designated premises, project or operation. Coverage must be written on an occurrence basis in an amount of not less than \$1,000,000 per occurrence and not less than \$2,000,000 annual aggregate limit..

AUTOMOBILE LIABILITY INSURANCE:

Charter School shall provide Automobile Liability Insurance covering Charter School's business use including coverage for all owned, non-owned, or hired vehicles with a combined single limit of not less than \$1,000,000 for bodily injury and property damage. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits for Commercial General Liability and Automobile Liability). Use of personal automobile liability insurance coverage may be acceptable if evidence that the policy includes a business use endorsement is provided.

PROFESSIONAL LIABILITY:

Charter School shall provide Professional Liability Insurance covering any damages caused by an error, omission or any negligent acts related to the services to be provided under this Agreement by the Charter School and Charter School's contractors, agents, officers or employees in an amount not less than \$1,000,000 per claim and not less than \$2,000,000 annual aggregate limit.

If coverage is on a claims made basis, then either an extended reporting period of not less than 24 months shall be included in the Professional Liability insurance coverage, or the Charter School shall provide Continuous Claims Made Coverage as stated below.

NETWORK SECURITY AND PRIVACY LIABILITY:

Charter School shall provide Network Security and Privacy Liability insurance for the duration of the Agreement and for the period of time in which Charter School (or its Business Associates or contractor(s)) maintains, possesses, stores, or has access to ODE or client data, whichever is longer, with a combined single limit of not less than \$1,000,000 per claim or incident. This insurance shall include coverage for third party claims and for losses, thefts, unauthorized disclosures, access or use of ODE or client data (which may include, but is not limited to, Personally Identifiable Information ("PII"), Payment Card Data and Protected Health Information ("PHI") in any format, including coverage for accidental loss, theft, unauthorized disclosure access or use of ODE data.

DIRECTORS, OFFICERS AND ORGANIZATION LIABILITY:

Charter School shall provide Directors, Officers and Organization Insurance covering the Charter School's Organization, Directors, Officers, and Trustees actual or alleged errors, omissions, negligent, or wrongful acts, including improper governance, employment practices and financial oversight - including improper oversight and/or use of funds and donor contributions - with a combined single limit of no less than \$1,000,000 per claim.

PHYSICAL ABUSE AND MOLESTATION INSURANCE COVERAGE:

Charter School shall provide Abuse and Molestation Insurance in a form and with coverage that are satisfactory to the State of Oregon covering damages arising out of actual, perceived, or threatened physical abuse, mental injury, sexual molestation, negligent: hiring,

employment, supervision, training, investigation, reporting to proper authorities, and retention of any person for whom the Charter School is responsible including but not limited to Charter School and Charter School's employees and volunteers. Policy endorsement's definition of an insured shall include the Charter School, and the Charter School's employees and volunteers. Coverage shall be written on an occurrence basis in an amount of not less than \$1,000,000 per occurrence and not less than \$3,000,000 annual aggregate. Coverage can be provided by a separate policy or as an endorsement to the commercial general liability or professional liability policies. The limits shall be exclusive to this required coverage. Incidents related to or arising out of physical abuse, mental injury, or sexual molestation, whether committed by one or more individuals, and irrespective of the number of incidents or injuries or the time-period or area over which the incidents or injuries occur, shall be treated as a separate occurrence for each victim. Coverage shall include the cost of defense and the cost of defense shall be provided outside the coverage limit.

PROPERTY INSURANCE:

Property Insurance shall be required on all Charter School owned buildings, leased property, personal property, and equipment. The insurance shall provide coverage against all risks of loss, including flood and earthquake, at full replacement cost and at least sufficient with respect to the face amount of the policy. Coverage shall include extra expense coverage for additional reasonable and necessary costs incurred by Charter School in excess of normal expenses to continue operations while the property, including the building, betterments and improvements, and contents are being replaced or repaired as a result from physical loss, damage or destruction by a covered cause of loss.

If Charter School leases premises, Charter School or the owner shall provide the same all-risk coverage. If Charter School leases personal property with public funds, Charter School shall provide the same all-risk coverage.

EXCESS/UMBRELLA INSURANCE:

A combination of primary and excess/umbrella insurance may be used to meet the required limits of insurance. When used, all of the primary and umbrella or excess policies shall provide all of the insurance coverages herein required, including, but not limited to, primary and non-contributory, additional insured, Self-Insured Retentions (SIRs), indemnity, and defense requirements. The umbrella or excess policies shall be provided on a true "following form" or broader coverage basis, with coverage at least as broad as provided on the underlying insurance. No insurance policies maintained by the Additional Insureds, whether primary or excess, and which also apply to a loss covered hereunder, shall be called upon to contribute to a loss until the Charter School's primary and excess liability policies are exhausted.

If excess/umbrella insurance is used to meet the minimum insurance requirement, the Certificate of Insurance must include a list of all policies that fall under the excess/umbrella insurance.

ADDITIONAL INSURED:

All liability insurance, except for Workers' Compensation, Professional Liability, and Network Security and Privacy Liability (if applicable), required under this Agreement must include an additional insured endorsement specifying the State of Oregon, its officers, employees and agents as Additional Insureds, but only with respect to Charter School's operation and activities performed under this Agreement. Coverage shall be primary and non-contributory with any other activities to be performed under this Agreement.

Regarding Additional Insured status under the General Liability policy, the State of Oregon requires additional insured status with respect to liability arising out of ongoing operations and completed operations, but only with respect to Charter School's activities to be performed under this Agreement. The Additional Insured endorsement with respect to liability arising out of Charter School's ongoing operations must be on or at least as broad as ISO Form CG 20 10 and the Additional Insured endorsement with respect to completed operations must be on or at least as broad as ISO form CG 20 37.

WAIVER OF SUBROGATION:

Charter School shall waive rights of subrogation which Charter School or any insurer of Charter School may acquire against ODE or State of Oregon by virtue of the payment of any loss. Charter School will obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not ODE has received a waiver of subrogation endorsement from the Charter School or the Charter School's insurer(s).

CONTINUOUS CLAIMS MADE COVERAGE:

If any of the required liability insurance is on a claims made basis and does not include an extended reporting period of at least 24 months, then Charter School shall maintain continuous claims made liability coverage, provided the effective date of the continuous claims made coverage is on or before the effective date of the Agreement, for a minimum of 24 months following the later of:

- i. Charter School 's completion and ODE's acceptance of all requirements under the Agreement, or
- ii. ODE's or Charter School's termination of this Agreement, or
- iii. The expiration of all warranty periods, if applicable, provided under this Agreement.

CERTIFICATE(S) AND PROOF OF INSURANCE:

Charter School shall provide to ODE Certificate(s) of Insurance for all required insurance before performing under this Agreement. The Certificate(s) shall list the State of Oregon, its officers, employees and agents as a Certificate holder and as an endorsed Additional Insured. The Certificate(s) shall also include all required endorsements or copies of the applicable policy language effecting coverage required by this Agreement. If excess/umbrella insurance is used to meet the minimum insurance requirement, the Certificate of Insurance must include a list of all policies that fall under the excess/umbrella insurance. As proof of insurance ODE has the right to request copies of insurance policies and endorsements relating to the insurance requirements in this Agreement.

NOTICE OF CHANGE OR CANCELLATION:

The Charter School or its insurer must provide at least 30 calendar day's written notice to ODE before cancellation of, material change to, potential exhaustion of aggregate limits of, or non-renewal of the required insurance coverage(s).

INSURANCE REQUIREMENT REVIEW:

Charter School agrees to periodic review of insurance requirements by ODE under this Agreement and to provide updated requirements as mutually agreed upon by Charter School and ODE.

STATE ACCEPTANCE:

If requested by ODE, Charter School shall provide complete copies of insurance policies, endorsements, self-insurance documents and related insurance documents to ODE's representatives responsible for verification of the insurance coverages required under this Exhibit C.

Summary

Meeting Date: 5/15/2025

Title: The Ivy School Charter Contract (State Board Sponsored)

Status: First Reading

Presentation: Yes

Key Staff: Christen Kelly, Charter School Specialist; Kate Pattison, SCORE Team Director; Nikki Jones, Executive Director, The Ivy School

Topic Summary: First reading of the Ivy School Charter Contract authorizing the school to operate July 1, 2025 to June 30, 2035.

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

The Ivy School is one of four Oregon State Board of Education sponsored public charter schools. Approved for sponsorship in December 2008, The Ivy School first opened in September 2009 and the school is currently in its fifteenth year of operation. The Ivy School is located in the Portland Public School District and serves 266 students in grades K-8. The Ivy School's mission is to offer a Montessori education to inspire students of diverse backgrounds to be lifelong, independent learners who value responsibility and embody peace. Students are engaged through hands-on Montessori materials and student-driven work cycles.

The current charter contract expires on June 30, 2025 and The State Board of Education received an official written request from The Ivy School for renewal of the charter contract pursuant to ORS 338.065 in December 2024. On April 10, 2025, the State Board approved the renewal of the school and directed the Department to negotiate a new charter contract. This contract includes updated language reviewed by the Oregon Department of Justice and the Department's procurement team. The contract is similar to the last two charter contracts the State Board has approved for other renewed charter schools from the last two years.

Below is an important section for the Board to review for the Ivy School:

- **Section 13.G.v. Enrollment Requirements – Priority Enrollment**
 - The Ivy School was granted the option to provide children of staff enrollment priority in the previous charter contract. This is continued as a provision in the current contract. The Ivy School has demonstrated a commitment to recruiting qualified staff who mirror the student population demographics and lived experience. Continuing this option may support the school’s commitment to equitable access and be leveraged as a recruitment and retention mechanism.

SUMMARY OF PREVIOUS BOARD ACTION

This is The Ivy School’s fourth renewal and fifth charter contract. The school was originally approved by the Board on December 12, 2008. The initial charter was effective from June 30, 2009, to July 1, 2012. The first renewal was approved on May 17, 2012, and the second charter was effective from June 30, 2012, to July 1, 2015. The second renewal was approved June 25, 2015, and the third charter was effective from June 20, 2015, to July 1, 2020. The third renewal was approved April 16, 2020, and the fourth and current charter is effective June 30, 2020, to July 1, 2025. The State Board first heard The Ivy School’s fourth request for renewal at the March 2025 meeting. On April 10, 2025, the State Board of Education approved the renewal of a ten-year charter contract for The Ivy School.

HAS THE ITEM CHANGED SINCE LAST BOARD MEETING?

- ☒ N/A; first read—has not been before board
☐ No; same as last month
☐ Yes – As follows:

POLICY ISSUE OR CONCERNS

The Department has provided a copy of the draft charter contract to the Portland Public School District to ensure full transparency in the process. The district has not raised any concerns regarding the renewal or proposed contract.

EQUITY IMPACT ANALYSIS

The Ivy School is located in North Portland off Interstate Avenue. The school has served about 250 students in grades K-8 since 2009. Ivy’s mission is to offer a Montessori education to inspire students of diverse backgrounds to be lifelong, independent learners who value responsibility and embody peace. Ivy School students engage in a dynamic, authentic Montessori curriculum, which allows for exploration of the world around them. Through creative and challenging multi-sensorial instruction, Ivy School students develop critical thinking skills necessary to be global citizens in the 21st-century and beyond. Ivy Montessori teachers embrace best practices through Montessori philosophy and materials, state standards, authentic assessment, and student interest.

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In 2019, The Ivy School's student population was 24% students of color and 76% white students. With the help of targeted investments, cultural shifts, and systemic adjustments, the school's student population for the 2023-24 school year was 30% students of color and 70% white students.

When compared to PPS academically for the 2023-24 school year, Ivy School students perform at higher rates in 6 of the 8 categories. The school is working to improve math instruction and systems for intervention for underserved populations.

2023-24 Indicator	Ivy School Grades 3-8	PPS Grades 3-8	Framework Rating
ELA - Achievement			
• All Students	62.6	56.5	Not Rated
• Students Experiencing Poverty	34.4	23.8	Exceeds
• Special Education	41.9	33.2	Meets
• Underserved Race/Ethnicity	41.7	27.4	Exceeds
MATH – Achievement			
• All Students	32.8	49.1	Not Rated
• Students Experiencing Poverty	21.9	17.4	Meets
• Special Education	37.2	29.9	Meets
• Underserved Race/Ethnicity	11.4	20.7	Does not Meet

FISCAL ANALYSIS

This contract does not obligate any ODE funds. However, the sponsorship and operation of The Ivy School generates about \$285,000.00 in revenue a biennium. This is equivalent to about 29% of the funds the Department receives from the state sponsored charter schools that are used to fund all charter school staff and programs at ODE.

EFFECT OF A “YES” OR “NO” VOTE

“Yes” = The Ivy School contract will be executed and signed by both parties initiating a new charter, authorizing the school to operate through June 30, 2035.

“No” = The Ivy School will continue to operate under the previous charter contract until a new contract is negotiated and approved by both parties.

STAFF RECOMMENDATION

☐ Approve ☒ Approve next month ☐ No recommendation at this time

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ATTACHMENTS

Attachment 1: 2025-2035 The Ivy School Charter Agreement Final with Exhibits

Digital, Electronic, or Web-based Materials and Media

(1) As indicated in OAR 581-011-0050(1) and (2), Instructional materials are defined as any organized system which constitutes the major instructional vehicle for a given course of study, or any part thereof. Instructional Material may include digital content or software in a format such as electronic and internet or web-based materials or media.

(2) Contract, review, and evaluation process involving digital, electronic, or web-based materials and media shall be the same as print materials.

(3) As stated in OAR 581-011-0086, the State Board of Education must approve the request of a publisher to substitute a more recent edition or version of any officially adopted material. However, software updates that improve functionality, performance, or accuracy are allowed if approved by the Department of Education. New and revised editions or versions must be sold at the same or lower price as those previously approved.

(4) According to ORS 337.060 a publisher or other supplier who submits a proposal under 337.060 is required to pay a fee equal to the retail price expended by a school district during the length of the contract period, or \$50, whichever is greater, for each title or item of instructional material proposed by the publishers or supplier for review and adoption by the Board. Bid proposals must include available retail price structures such as per-student, per-computer, subscription and other unit price structures and may include models where the cost is divided over multiple years and paid annually (as opposed to a single payment). Bid proposal fees are payable prior to consideration of the proposal.

(5) Materials that comply with the interoperability standards can be considered for adoption according to ORS 337.075.

(6) Materials shall be accessible consistent with OAR 581-015-2060, 581-022-2355, 581-022-2340, 581-022-2360, 581-011-0052 and compliant with all state or federal laws regarding accessibility. A publisher that offers digital, electronic, or web-based materials must provide an accessibility conformance report for each electronic component that documents adherence to the Web Content Accessibility Guidelines (WCAG) identified in the circular of information and technical standards required by the Federal Rehabilitation Act, Section 508. The report must be ~~prepared by an independent third party and be~~ based on an audit testing a random sampling of each different type of electronic component as outlined in each circular of information.

(7) Materials cannot include free or gratis equipment such as computer hardware, technology devices or equipment, which are intended to deliver or display the material but which are not instructional materials. This includes but is not limited to computers, laptops, handheld devices, microscopes, CD/DVD players, overhead or LCD projectors, electronic whiteboards, phone/music/transmitting and listening devices, and cameras.

(8) In accordance with ORS 337.090, if any publisher fails to carry out the provisions of the contract or with the intent to evade the provisions of the contract, sells any of the materials in this state at prices higher than specified in the contract of the publisher, the Board may, on behalf of the state, rescind the contract and notify the publisher thereof, or bring the appropriate action or suit to enforce the provisions of the publisher's bond or letter of credit, payable to the State of Oregon for the benefit of the Common School Fund.

Summary

Meeting Date: 5/15/2025

Title: Technical Fix for 581-011-0087

Status: First Reading

Presentation: No (Written Report Only/Consent)

Key Staff: Aujalee Moore

Topic Summary: ODE proposes a technical change to the current policy that will remove the cost barriers while maintaining the requirements for an up-to-date, complete, and accurate Accessibility Conformance Report (ACR) that includes manual verification of testing.

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.

- 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, instructional materials may include "a hardbound or a softbound book or books, or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media" ([OAR 581-011-0050](#)). School districts must ensure the timely provision of instructional materials in accessible formats to children who need instructional materials in accessible formats, and districts are required to ensure the timely provision of print instructional materials that comply with the National Instructional Materials Accessibility Standard (NIMAS) and Web Content Accessibility Guidelines (WCAG). Since 2020, there has been an increase in the adoption and implementation of digital instructional materials as the core component of instruction. As the instructional materials market has continued to evolve, so do accessibility standards. Since digital instructional materials are increasingly present in K-12 public schools, a rule revision was necessary to ensure that the administrative rules related to accessibility of instructional materials include reference to digital accessibility standards. This revision was adopted in December 2023.

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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?

OAR 581-011-0087, CH 337 of ORS

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

The policy change was adopted by the Board in 12/2023. This is the first time they have been presented the technical change.

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

ODE has received communications that the current language is prohibitive to Open Educational Resource (OER) providers that intend to provide high-quality instructional materials (HQIM) to districts in their free-use format. Without making this technical change, OER providers may find the ODE review cost prohibitive and remove their materials from the evaluation.

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.

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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 new social science standards that were adopted in 2024 and are required to be implemented by fall of 2026 necessitate this change to support educators in providing culturally responsive education to Oregon students. By making this technical change to the language of the rule it allows Oregon Department of Education to evaluate and potentially adopt more open educational resources that are not only free but adaptable. This gives educators the opportunity to be more responsive to the needs of their students whether it be culturally or linguistically.

Additionally, cost has been cited as a barrier to the adoption of high-quality instructional materials. By amending this rule with a small technical change, ODE will be able to evaluate more open educational resources which are free to use in their digital format. This is beneficial to districts that face continual budget constraints, which are most likely to serve students from historically and currently underserved populations.

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 (DEL; 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: OER providers nationally

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

To perspective on how the current language impacts OER providers' decisions to bid for adoption in Oregon.

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?

OER providers will be more likely to submit free-use format materials if the language of the OAR were less restrictive around third-party ACRs.

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

None at this time.

FISCAL AND ADMINISTRATIVE IMPACT ANALYSIS

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.

The proposed revision does not fiscally impact the Oregon Department of Education (ODE). No additional funding or staffing is required from ODE. This proposed rule change may fiscally benefit districts by preventing them from procuring materials that do not meet accessibility standards. Inaccessible materials require remediation by the district, or a contracted party, which often is time consuming and costly. By providing information about accessibility before procurement of the materials, districts may save money on the remediation process.

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?

This change will benefit OER providers that may otherwise not bid in Oregon due to barriers related to cost.

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. 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?

This will provide more consistent access to evaluated, high-quality instructional materials that are available in their free-use format. This allows districts to utilize funds that have been traditionally utilized for instructional materials adoption to focus their funds on other student needs.

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?

This will increase consistent access to evaluated, high-quality instructional materials that are available in their free-use format. This will benefit district employees that coordinate the adoption and procurement of instructional materials annually.

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?

Short-term: Increase access to HQIM that are free to districts in their digital format.

Long-term: districts may utilize funds traditionally spent on materials for professional learning or other costs.

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

Less OER on the adopted materials lists, further limiting districts' free options for instructional materials adoption.

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?**

Specific rule language is provided in the attached document.

- 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](#)?**

It removes the phrase that is restrictive, and creating cost barriers to OER providers, while maintaining the expectation to provide accurate, up-to-date Accessibility Conformance Reports (ACR) outlining the program's alignment with digital accessibility guidelines.

- 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.**

ODE recommends that the Board adopt the proposed rule language to ensure that cost is not prohibitive to OER providers bidding for the Social Science adoption occurring in July 2025.

- 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

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- ☐ 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.

Summary

Meeting Date: 5/15/2025

Title: Technical Fix Rule Repeal: Accelerated College Credit

Status: First Reading

Presentation: No (Written Report Only/Consent)

Key Staff: Haedon Brunelle, Kristidel McGregor

Topic Summary: OAR 581-017-0646 was voted to be repealed at the February 2025 State Board of Education meeting. Due to a filing error, where the rule was marked as, “amended”, instead of “repealed”, this rule cannot be repealed. The rule notice has been filed again, to repeal this rule. This rule was voted to be repealed by the State Board of Education, as this version, and now-repealed accelerated college credit rules were removed because of new modern Accelerated College Credit Program rules.

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.

- 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%.

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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.

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

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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?

This rule was before the Board on February 13, 2025, with other rules being repealed, or adopted, by the State Board of Education relating to the Accelerated College Credit Program.

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

This rule was voted to be repealed, but due to a filing error, can't be repealed, as the rule was marked as, "amended", as opposed to, "repealed." Therefore, this rule is going through the rulemaking process again. All other rules adopted and repealed by the Board on that meeting were filed correctly.

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.

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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.

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

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- ☒ 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

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

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☐ 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 state 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

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?

Inaction on this item could create confusion with our district and ESD partners when referring to this rule on file, as opposed to the new (as of February 13, 2025) Accelerated College Credit Program rules adopted by the State Board of Education.

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?

To honor the decision made by the State Board of Education to repeal this rule, this rule is returning for review and a vote by the State Board of Education, to request the same vote, now that the rule notice is filed correctly.

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?

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A more in depth answer to this question for the broader Accelerated College Credit Program rules were provided in the February 13, 2025, docket. Removing this rule ensures alignment with rules previously voted by the State Board of Education.

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.

We are requesting the State Board of Education once again votes to repeal this rule for alignment with our rules on the Accelerated College Credit Program rules.

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.