

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

D. Director's Report

Time: 10:10 AM

2. Public Comment

Time: 10:40 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. Consent Agenda

Time: 10:55 AM

A. Charter School Contract: The Ivy School	3
B. Digital, Electronic, or Web-based Materials and Media: OAR 581-011-0087	76
C. Technical Fix: Repeal of Accelerated College Credit Instructor Grant Program Criteria: OAR 581-017-0646	84
D. Technical Fix: Administration of State Assessments Rule Revision	92
E. Senate Bill 285 (2023) Implementation: Oregon School Capital Improvement Matching (OSCIM) Rule Updates	115
F. Professional Standards for Education Leaders: OAR 581-022-2410 and 581-022-2420	150
G. K-12 Physical Education Standards (2025)	162
H. Transportation Supplemental Plan: Seaside School District	



I. Transportation Supplemental Plan: Dallas School District	205
J. 2025-2026 Board Leadership Nominations	224
K. 2025-2026 Superintendent Advisor Nomination	227
L. 2025-2026 School Board Advisor Nomination	229
M. 2025-2026 Board Calendar	231
4. <u>Adoptions</u>	
A. Temporary Rules: Surrogate Parents and Transfer of Procedural Rights at the Age of Majority <i>Time: 11:00 AM</i> Ramonda Olaloye and Abby Wells, Office of Enhancing Student Opportunities	232
B. Temporary Rules: House Bill 3007 (2025) Implementation <i>Time: 11:15 AM</i> Ely Sanders, Office of Enhancing Student Opportunities	272
C. Student Records and Conditions for Disclosure Permanent Rules: OAR 581-021-0220 and OAR 581-021-0371 <i>Time: 11:30 AM</i> Karin Moscon and Thea Conbere, Office of Education Innovation and Improvement	298
5. <u>Break for Lunch</u> <i>Time: 12:00 PM</i>	
6. <u>Informational Reports</u>	
A. Supporting Grade-Level Instruction through High Quality Instructional Materials <i>Time: 1:00 PM</i> Alexa Pearson, Vanessa Martinez, and Aujalee Moore, Office of Teaching, Learning, and Assessment	313
7. <u>Adjourn</u> <i>Time: 1:30 PM</i>	

Response to ODE Regarding Math Discrepancy for Students of the Global Majority

Thank you for your thoughtful review of our charter renewal application and for raising the important question regarding strategies to address the math achievement gap between our students of the global majority and their peers within PPS, as reflected in SBAC assessment data.

At The Ivy School, we are deeply committed to closing opportunity gaps and ensuring academic success for all students, particularly those from historically underserved communities. Below are the key strategies we currently employ to support our students of the global majority in mathematics:

1. Data-Driven Instruction with i-Ready:

We assess all students three times per year—fall, winter, and spring—using the i-Ready diagnostic tool for both math and reading. This provides detailed, individualized data which allows us to monitor the growth of our global majority students and tailor instruction accordingly.

2. Tier II Academic Interventions:

Students demonstrating below-grade-level proficiency in math receive targeted Tier II instruction outside of regular classroom time. This includes small group tutoring and individualized supports aligned with their diagnostic data.

3. Child Find and Special Education Referrals:

When data suggests more significant or persistent learning challenges, we initiate Child Find protocols to evaluate for potential disabilities and provide additional support and services where appropriate.

4. Culturally Responsive Teaching & Restorative Practices:

We prioritize professional development focused on culturally responsive pedagogy and restorative practices, supporting teachers in building inclusive and affirming learning environments. This fosters strong relationships and encourages academic risk-taking among students of color.

5. Equity in Hiring and Representation:

We are intentional in hiring educators who reflect the racial and cultural backgrounds of our student body. Representation matters in student success, and we believe that a diverse staff helps foster belonging and increases student engagement and performance.

6. Whole Child Approach – Nutrition and Wellbeing:

Recognizing that students cannot learn when basic needs go unmet, we implemented a *from-scratch* school lunch program that ensures every student receives a free, nutritious

meal daily. This has had a positive impact on student energy, focus, and attendance.

7. Ongoing Monitoring and Accountability:

We regularly disaggregate student achievement data by race and ethnicity to identify gaps, adjust instruction, and provide targeted support.

We know that addressing systemic inequities requires ongoing reflection, investment, and partnership. We are committed to continuous improvement in this area.

Summary

Meeting Date: 6/12/2025

Title: The Ivy School Charter Contract (State Board Sponsored)

Status: Adoption (no changes)

Presentation: No (Written Report Only/Consent)

Key Staff: Christen Kelly, Charter School Specialist; Kate Pattison, SCORE Team Director; Nikki Jones, Executive Director, The Ivy School

Topic Summary: Second reading and adoption 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.

At the May 2025 board meeting, the

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. On May 15, 2025 the State Board of Education conducted the first reading of the attached charter contract.

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.

Oregon State Board of Education Docket



Ivy Montessori teachers embrace best practices through Montessori philosophy and materials, state standards, authentic assessment, and student interest.

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

Oregon State Board of Education Docket



Approve Approve next month No recommendation at this time

ATTACHMENTS

Attachment 1: 2025-2035 The Ivy School Charter Agreement Final with Exhibits

Attachment 2: Ivy Response to State Board of Education's Questions from First Reading

**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

XXXXX, 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:
<input type="checkbox"/> School received the highest rating from the state accountability system.
Meets standard:
<input type="checkbox"/> School received the highest rating from the state accountability system.
Does not meet standard:
<input type="checkbox"/> School did not receive passing rating from the state accountability system.
Falls far below standard:
<input type="checkbox"/> 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:
<input type="checkbox"/> School was identified as a "Model" school.
Meets standard:
<input type="checkbox"/> School does not have a designation.
Does not meet standard:
<input type="checkbox"/> School was identified as a "Focus" school.
Falls far below standard:

<input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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%.

<p>Meets standard:</p> <p><input type="checkbox"/> 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%.</p>
<p>Does not meet standard:</p> <p><input type="checkbox"/> 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%.</p>
<p>Falls far below standard:</p> <p><input type="checkbox"/> 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.</p>
<p>State Board of Education comments:</p>
<p>School comments:</p>

<p>Measure 1h</p> <p>How are Students with Disabilities achieving on state assessments in MATH compared to the Students with Disabilities in the district?</p>
<p>Exceeds standard:</p> <p><input type="checkbox"/> 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%.</p>
<p>Meets standard:</p> <p><input type="checkbox"/> 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%.</p>
<p>Does not meet standard:</p> <p><input type="checkbox"/> 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%.</p>
<p>Falls far below standard:</p> <p><input type="checkbox"/> 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.</p>
<p>State Board of Education comments:</p>

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%.
<p>Does not meet standard:</p> <input type="checkbox"/> 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%.
<p>Falls far below standard:</p> <input type="checkbox"/> 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

<p>Measure 2a</p> <p>Are All students making expected annual academic growth in ELA compared to their peers? (3-year Average Combined Median Growth Percentile-CMGP)</p>
<p>Exceeds standard:</p> <input type="checkbox"/> Combined median growth percentile of 60 or more.
<p>Meets standard:</p> <input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.
<p>Does not meet standard:</p> <input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.
<p>Falls far below standard:</p> <input type="checkbox"/> 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: <input type="checkbox"/> Combined median growth percentile of 60 or more.
Meets standard: <input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.
Does not meet standard: <input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> Combined median growth percentile of 60 or more.
Meets standard: <input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.
Does not meet standard: <input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.
Falls far below standard:

<input type="checkbox"/> 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> <input type="checkbox"/> Combined median growth percentile of 60 or more.
<i>Meets standard:</i> <input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.
<i>Does not meet standard:</i> <input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.
<i>Falls far below standard:</i> <input checked="" type="checkbox"/> 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> <input type="checkbox"/> Combined median growth percentile of 60 or more.

<p>Meets standard:</p> <p><input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.</p>
<p>Does not meet standard:</p> <p><input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.</p>
<p>Falls far below standard:</p> <p><input type="checkbox"/> Combined median growth percentile of lower than 30.</p>
State Board of Education comments:
School comments:

<p>Measure 3d</p> <p>Is the school increasing academic performance in MATH over time for English Learner students? (3-year Average Combined median Growth Percentile)</p>
<p>Exceeds standard:</p> <p><input type="checkbox"/> Combined median growth percentile of 60 or more.</p>
<p>Meets standard:</p> <p><input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.</p>
<p>Does not meet standard:</p> <p><input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.</p>
<p>Falls far below standard:</p> <p><input type="checkbox"/> Combined median growth percentile of lower than 30.</p>
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: <input type="checkbox"/> Combined median growth percentile of 60 or more.
Meets standard: <input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.
Does not meet standard: <input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> Combined median growth percentile of 60 or more.
Meets standard: <input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.
Does not meet standard: <input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> Combined median growth percentile of 60 or more.
Meets standard: <input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.
Does not meet standard: <input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> Combined median growth percentile of 60 or more.
Meets standard: <input type="checkbox"/> Combined median growth percentile of between 35 and 59.5.

<p>Does not meet standard:</p> <p><input type="checkbox"/> Combined median growth percentile of between 30 and 34.5.</p>
<p>Falls far below standard:</p> <p><input type="checkbox"/> Combined median growth percentile of lower than 30.</p>
<p>State Board of Education comments:</p>
<p>School comments:</p>

4. Alignment of Curriculum to Common Core State Standards

<p>Measure 4a</p> <p>Is the school aligning curriculum to Common Core State Standards?</p>
<p>Meets standard:</p> <p><input type="checkbox"/> 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.</p>
<p>Does not meet standard:</p> <p><input type="checkbox"/> 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.</p>
<p>Falls far below standard:</p> <p><input type="checkbox"/> 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.</p>
<p>State Board of Education comments: The Ivy School is faithful to the Montessori curriculum and follows a curriculum to CCSS alignment rubric.</p>
<p>School comments:</p>

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: <input type="checkbox"/> School's average graduation rate exceeds the average district graduation rate by at least 10%.
Meets standard: <input type="checkbox"/> School's average graduation rate meets or exceeds the average district graduation rate by up to 10%.
Does not meet standard: <input type="checkbox"/> School's average graduation rate is less than the average district graduation rate by 1-10%.
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> School's average graduation rate exceeds the average graduation rate of their peers in like schools by at least 10%.
Meets standard: <input type="checkbox"/> 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: <input type="checkbox"/> School's average graduation rate is less than the average graduation rate of their peers in like schools by 1-10%.

<p>Falls far below standard:</p> <p><input type="checkbox"/> School's average graduation rate is less than the average graduation rate of their peers in like schools by 10% or more.</p>
State Board of Education comments:
School comments:

<p>Measure 5c</p> <p>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?</p>
<p>Exceeds standard:</p> <p><input type="checkbox"/> School's average completion rate exceeds the average district completion rate by at least 10%.</p>
<p>Meets standard:</p> <p><input type="checkbox"/> School's average completion rate meets or exceeds the average district completion rate by up to 10%.</p>
<p>Does not meet standard:</p> <p><input type="checkbox"/> School's average completion rate is less than the average district completion rate by 1-10%.</p>
<p>Falls far below standard:</p> <p><input type="checkbox"/> School's average completion rate is less than the average district completion rate by 10% or more.</p>
State Board of Education comments:
School comments:

<p>Measure 5d</p> <p>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?</p>
<p>Exceeds standard:</p> <p><input type="checkbox"/> School's average completion rate exceeds the average completion rate of their peers in like schools by at</p>

least 10%.
Meets standard: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> School's average dropout rate is less than the average district dropout rate by 4% or more.
Meets standard: <input type="checkbox"/> School's average dropout rate meets or is less than the average district dropout rate by up to 4%.
Does not meet standard: <input type="checkbox"/> School's average dropout rate exceeds the average district dropout rate by 1-4%.
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> Current ratio is greater than or equal to 1.1.
Does not meet standard: <input type="checkbox"/> Current ratio is between .9 and 1.0 or equals 1.0.
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> 60 days cash
Does not meet standard: <input type="checkbox"/> Days cash is between 15 and 30 days
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> Enrollment variance equals or exceeds 95% in the most recent year.
Does not meet standard: <input type="checkbox"/> Enrollment variance is between 85-95% in the most recent year.
Falls far below standard: <input type="checkbox"/> Enrollment variance is less than 85% in the most recent year.
State Board of Education comments:
School comments:

Measure 7d Default
Meets standard: <input type="checkbox"/> School is not in default of loan covenant(s) and/or is not delinquent with debt service payments.
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> Multi-year cumulative cash flow is positive and cash flow is positive each year.
Does not meet standard: <input type="checkbox"/> Multi-year cumulative cash flow is positive, but trend does not “meet standard” (above).
Falls far below standard: <input type="checkbox"/> 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: <input type="checkbox"/> Debt service coverage ratio is equal to or exceeds 1.1.
Does not meet standard: <input type="checkbox"/> 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:
<input type="checkbox"/> 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: <ul style="list-style-type: none">● 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:
<input type="checkbox"/> 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: <ul style="list-style-type: none">● 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:
<input type="checkbox"/> 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: <ul style="list-style-type: none">● 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:
<input type="checkbox"/> 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: <ul style="list-style-type: none">● 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: <input type="checkbox"/> 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: <input type="checkbox"/> 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: <input type="checkbox"/> The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to education requirements, including, but not limited to: <ul style="list-style-type: none">● 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: <input type="checkbox"/> 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: <ul style="list-style-type: none">● Instructional days and/or minutes requirements● Graduation and promotion requirements● Content standards, including Common Core State Standards● The administration of state assessments

<ul style="list-style-type: none"> ● 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

<p>contract, and its own internal policies and practices relating to oversight of school administration, including, but not limited to:</p> <ul style="list-style-type: none"> ● 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
<p>State Board of Education comments:</p>
<p>School comments:</p>

<p>Measure 11c</p> <p>Is the school complying with reporting requirements?</p>
<p>Meets standard:</p> <p><input type="checkbox"/> 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:</p> <ul style="list-style-type: none"> ● 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
<p>Does not meet standard:</p> <p><input type="checkbox"/> 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:</p> <ul style="list-style-type: none"> ● 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
<p>State Board of Education comments:</p>
<p>School comments:</p>

12. Students and Employees

<p>Measure 12a</p>

Is the school protecting the rights of all students?
<p>Meets standard:</p> <p><input type="checkbox"/> 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:</p> <ul style="list-style-type: none">● 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)
<p>Does not meet standard:</p> <p><input type="checkbox"/> 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:</p> <ul style="list-style-type: none">● 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?
<p>Meets standard:</p> <p><input type="checkbox"/> 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.</p>
<p>Does not meet standard:</p> <p><input type="checkbox"/> 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</p>

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: <input type="checkbox"/> 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: <ul style="list-style-type: none">• 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: <input type="checkbox"/> 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: <ul style="list-style-type: none">• 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: <input type="checkbox"/> 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: <ul style="list-style-type: none">• Appropriate nursing services and dispensing of pharmaceuticals

<ul style="list-style-type: none"> ● Food service requirements
<p>Does not meet standard:</p> <p><input type="checkbox"/> 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:</p> <ul style="list-style-type: none"> ● Appropriate nursing services and dispensing of pharmaceuticals ● Food service requirements
<p>State Board of Education comments:</p>
<p>School comments:</p>

<p>Measure 13c</p> <p>Is the school handling information appropriately?</p>
<p>Meets standard:</p> <p><input type="checkbox"/> 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:</p> <ul style="list-style-type: none"> ● 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
<p>Does not meet standard:</p> <p><input type="checkbox"/> 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:</p> <ul style="list-style-type: none"> ● 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
<p>State Board of Education comments:</p>
<p>School comments:</p>

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 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.

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: 6/12/2025

Title: Technical Fix for 581-011-0087

Status: Second Reading/Adoption (no changes)

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.

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

In Oregon, 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 (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
- 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: 6/12/2025

Title: Technical Fix Rule Repeal: Accelerated College Credit

Status: Second Reading/Adoption (no changes)

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.

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

In Oregon, student opportunities to take courses in high school that offer college credit is sometimes called accelerated learning. Students can apply the credit earned through these opportunities to industry certifications, two year degrees, and four year degrees. Creating equitable opportunities for all students to access accelerated college credit is critical to supporting and preparing students for their transition into career and college, and participation in these opportunities has been shown to support the key education outcomes of high school graduation, college enrollment, and college persistence.

According to Oregon’s Accelerated Learning Dashboard, nearly one third of Oregon’s high school students (31%) participated in accelerated college credit courses between 2018-19 and 2021-22, but access to these programs is not equally available to all students. Rates of student participation in accelerated college credit opportunities vary widely across districts. Nine Oregon school districts have fewer than 10% of their students participating in a college credit granting opportunity while in high school, while 13 Oregon districts have rates above 40%.

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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 (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

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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

Yes; please review Appendix B: Grant Consolidation below.

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

Board actions will make grant funds potentially available to districts, ESDs, and Oregon’s public colleges and universities to improve equitable access to accelerated college credit programs for Oregon students. Rural communities are specifically named as a historically underserved group, and some grants include provisions prioritizing access for these groups.

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

Board action will create a minimal fiscal impact on stage agencies, as administration of these grants can be done with current ODE resources. Board actions will not create costs for small businesses.

EQUITY IMPACT ANALYSIS

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.

Summary

Meeting Date: 6/12/2025

Title: Administration of State Assessments Rule Revision

Status: Second Reading/Adoption (no changes)

Presentation: No (Written Report Only/Consent)

Key Staff: Andrea Lockard, Audrey Lingley, Ben Wolcott

Topic Summary: OAR 581-022-2100 is being updated to amend outdated language and correctly reflect current requirements of the Oregon Statewide Assessment System.

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?**

OAR 581-022-2100 governs administration of statewide assessments. These assessments are used to measure student learning and experiences in Oregon’s school system. Assessment results inform state and federal accountability and are used to allocate resources and make program improvements in Oregon’s education system.

This rule is one of many grouped in “Division 22”. Division 22 rules spell out requirements districts must follow as they deliver instruction to and measure the learning of students in Oregon public schools. Adherence to Division 22 requirements helps ensure that all students in Oregon receive a quality education.

- 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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The legislature passed HB 2656 (now ORS 329.078) in 2023. This statute requires districts to make the Student Education Equity Development (SEED) Survey available to all students in Oregon. The SEED Survey is not a summative test, but it is a component of the Oregon Statewide Assessment System and as such needs to be added to OAR 581-022-2100.

In addition, much language in this OAR has gone out of date or no longer reflects current assessment system requirements. Therefore, adding the SEED Survey to this rule creates the opportunity to modernize rule language and ensure the rule requirements remain accurate.

One element of the rule that must be addressed is the references to requirements in the Test Administration Manual (TAM), which is updated annually to align with the most current test administration processes, procedures, regulations, etc. The full text of the Test Administration Manual is not (and should not be) reproduced in the rule. Because the updated language in the rule refers to the current version of the TAM, we will be sharing the changes to the TAM on an annual basis and requesting approval for each year's version/updates. The Board may have several available approaches to how this annual authorization/review occurs.

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

While it is likely the Board has heard presentations on this rule at some point in this past, this is the second presentation regarding present revisions. The first presentation was at the April 10, 2025 meeting.

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

As mentioned above, the rule needs to be brought into harmony with ORS 329.078. Also, updating this rule is the vanguard of a larger Division 22 update.

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

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- 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?

There was no external engagement for this rule because the only substantive change to requirements (including the SEED Survey) is legislatively mandated. All other changes update the rule to accurately describe existing requirements that have been in place for a number of years, streamline rule language to eliminate redundancies, and correct references to outdated procedures, vendors, and technologies.

For example, all tests in Oregon are now delivered online. Removing outdated rule language about mailing and postmarking test materials is not subject to engagement, as mailing paper test materials is no longer required or even possible.

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

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

8. Has your office/team considered how this item intersects with the authority of other state entities that serve the health and education needs of Oregon’s students, or otherwise contribute to the climate of Oregon’s school systems? If so, please select from the below list.

- N/A; this item does not intersect with other state entities.
- Oregon Health Authority (OHA)
- Department of Early Learning and Care (DELG; formerly ELD)
- Educator Advancement Council (EAC)
- Higher Education Coordinating Commission (HECC)
- Youth Development Oregon (YDO)
- Teacher Standards and Practices Commission (TSPC)
- Oregon Housing and Community Services (OHCS)
- Other: _____

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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.

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: No engagement strategy was needed for this rule.

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

N/A

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?

N/A

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

Engagement with districts is ongoing as to proper use and interpretation of SEED Survey data. However, as noted above, no engagement has been pursued regarding elements of the rule that remain unchanged beyond updates and improved wording.

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 expected fiscal impact. This rule revision does not introduce new requirements (even the SEED Survey requirement has already been in place for over a year).

- 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 will be no fiscal impact on any of these bodies, for the reasons stated above.

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 rule update will likely have no noticeable impact, positive or negative, for students and families, because there are no changes to requirements.

- 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?**

See answer to question #15.

- 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?**

See answer to question #15.

- 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 will leave OAR 581-022-2100 with outdated and inaccurate language. Speaking honestly, for most of the rule this is unlikely to result in serious consequences. Earlier

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in this docket we mentioned language governing the postmarking and mailing of test materials. Leaving this language in the rule would have few to no consequences, as paper/pencil testing is no longer administered in Oregon and therefore it is not possible to comply with this language.

It is possible that failure to update this rule would complicate ODE's monitoring and enforcement of ORS 329.078 (making the SEED Survey available).

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?**

ODE will ask the Board to approve updated language in OAR 581-022-2100.

- 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](#)?**

Updating this rule language aligns with the Board values of Integrity, Transparency, and Adaptability. Updating rule language will remove discrepancies between the rule and system requirements districts are already following. This will allow anyone (district employees, community members, families, or others) to confirm that the district is meeting its responsibilities in administering components of the statewide assessment system.

- 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 recommend adopting the updated rule language. Part of academic excellence means demonstrating that students learned what we promised to teach them. These measurements must be valid and reliable, which can only be achieved through following proper administration practices.

- 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.

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[OAR 581-022-2100](#)

Track Changes version

581-022-2100

Administration of State Assessments

(1) Definitions. As used in this rule:

(a) “Accommodations” means changes in procedures or materials that increase equitable access during assessment and generate valid assessment results for students who need them, allowing these students to show what they know and can do. Accommodations are available only to students with a documented Individualized Education Program (IEP) or Section 504 (Plan).~~for whom there is documentation of need on an Individualized Education Program (IEP) or 504 (Plan); they allow these students to show what they know and can do.~~

(b) “Designated supports” means access features of the assessment available for use by any student for whom the need has been indicated by an educator, or a team of educators with parent/guardian and student.~~or team of educators.~~

(c) “District test coordinator” (DTC) means district personnel who ensure secure administration of components of the Oregon Statewide Assessment System~~Oregon Statewide Assessments~~ as defined by Oregon Revised Statute, Administrative Rules, and the Test Administration Manual, including but not limited to supervising the work of the school test coordinators and test administrators.

(d) “Force majeure” means an extraordinary circumstance (e.g., power outage or network disturbance lasting at least one full school day) or act of nature (e.g., flooding, earthquake, volcanic eruption) which directly prevents a school district from making reasonable attempts to adhere to the Test Schedule.

(e) “Impropriety” means the administration of components of the Oregon Statewide Assessment System~~an Oregon Statewide Assessment~~ in a manner not in compliance with the Test Administration Manual, Oregon Revised Statute, or this rule.

(f) “Invalidation” means the act of omitting information (e.g. test results and student responses) from ODE systems, including but not limited to testing, reporting, and accountability, for a given event. The student may not retest or reenter information.~~test results and student responses from the testing, reporting, and accountability systems for a given testing event for which the student may not retest.~~

(g) “Irregularity” means an unusual circumstance that impacts a group of students who are testing and may potentially affect student performance on the assessment or interpretation of the students’ scores. A force majeure is an example of a severe irregularity.

(h) “Modification” means practices and procedures that compromise the intent of the assessment through a change in the achievement level, construct, or measured outcome of the assessment.

(i) “Universal Tools” means access features of the assessment that are either provided as digitally-delivered components of the test administration system or separate from it. Universal tools are available to all students based on student preference and selection.

(j) “Oregon Statewide Assessment System~~Statewide Assessments~~” means:

(A) Statewide assessment components, including formative resources, interim tests, summative tests (general and alternate versions), and surveys, in: The Oregon Assessment of Knowledge and Skills (OAKS), in:

(i) Science;

(ii) Mathematics;

(iii) English Language Arts (ELA);

(iv) English Language Proficiency (ELP);

(v) The Student Educational Equity Development (SEED) Survey as required by ORS 329.078; and

(vi) The information gathering process at kindergarten as required in OAR 581-022-2130.

~~(i) Science;~~

~~(i) Social Sciences;~~

~~(B) The Smarter Balanced Assessments (Smarter) in:~~

~~(i) Mathematics~~

~~(ii) English Language Arts (ELA)~~

~~(C) The English Language Proficiency Assessment (ELPA21);~~

~~(D) The Extended Assessment in:~~

~~(i) English Language Arts (ELA);~~

~~(ii) Mathematics;~~

~~(iii) Science; and~~

~~(E) The Kindergarten Assessment~~

(k) “Reset” means the removal of student responses for a given assessment event. The student may retest or reenter information.~~from the web-based testing application for a given testing event for which the student may retest.~~

(l) "School building" means facilities owned, leased, or rented by a school district, educational service district, public charter school, private school, or private alternative program.

(m) "School district" means:

(A) A school district as defined in ORS 332.002;

(B) The Oregon School for the Deaf;

(C) The Juvenile Detention Education Program as defined in ORS 326.695;

(D) The Youth Corrections Education Program as defined in ORS 326.695;

(E) The Long Term Care Program as defined in ORS 343.961; and

(F) The Hospital Education Programs as defined in ORS 343.261.

(n) "School test coordinator" (STC) means school personnel who provide comprehensive training to test administrators and monitor the testing process.

(o) "Test Administration Manual" means a manual published annually by ODE that includes descriptions of the specific policies and procedures that school districts are required to follow when administering any component of the Oregon ~~Statewide Assessment System~~Statewide Assessments. References to the Test Administration Manual refer to the edition in effect at the time of test administration and include appendices and any addenda published in accordance with ODE's revision policy.

(p) "Test administrator" (TA) means an individual trained to administer the Oregon Statewide Assessments in accordance with the Test Administration Manual.

(q) "Test Schedule" means the Test Schedule ~~and Required Ship Dates~~ published annually by ODE that includes the windows in which school districts must offer their students ~~the Oregon Statewide Assessments and the deadline by which DTCs must ship or postmark test materials~~components of the Oregon Statewide Assessment System.

(2)(a) School districts, as defined in ORS 332.002, must enforce the assessment policies described in this rule for all students enrolled in a school operated by the district or enrolled in a public charter school that is located within the boundaries of the school district.

(b) School districts, as defined in ORS 332.002, must enforce the assessment policies described in this rule for all resident students enrolled in a private alternative education program, regardless of whether the private alternative education program is located within the boundaries of the school district.

(c) The Oregon School for the Deaf must enforce the assessment policies described in this rule for all students enrolled in that school.

(d) The Juvenile Detention Education Program and the Youth Corrections Education Program must enforce the assessment policies described in this rule for all students enrolled in that program.

(e) The Long Term Care Program and the Hospital Education Programs must enforce the assessment policies described in this rule for all students enrolled in that program.

(f) School districts may delegate responsibility for enforcing the assessment policies described in this rule to another school district or education service district under the conditions specified in the Test Administration Manual.

~~(3) School districts must administer Oregon Statewide Assessments in accordance with the Test Administration Manual and Test Schedule published by ODE. The results of these assessments are used to satisfy the requirements specified in OAR 581-022-2270 and 581-022-2250 and as a method to evaluate compliance with 581-022-2030. components of the Oregon Statewide Assessment System in accordance with the Test Administration Manual, SEED Administration Manual, and Test Schedule published by ODE. The results of these assessments are used to satisfy the requirements specified in OAR 581-022-2270, OAR 581-022-2250, and ORS 329.078 and as a method to evaluate compliance with OAR 581-022-2030.~~

~~(4) Components of the Oregon Statewide Assessment System must be administered in an environment that satisfies conditions defined in the manuals, rules, and statutes pertaining to that assessment.~~

~~School districts must ensure that students are administered the proper Oregon Statewide Assessment and that the testing environment satisfies the following testing conditions:~~

~~(a) School districts must provide only those subject-specific accommodations, designated supports, and universal tools listed in the Oregon Accessibility Manual and must provide these supports in a manner consistent with the policies contained in the Test Administration Manual and Oregon Accessibility Manual.~~

~~School districts must ensure that Oregon Statewide Assessments are administered by a trained TA who has signed an Assurance of Test Security form for the current school year on file in the district office;~~

~~(b) School districts must administer Oregon Statewide Assessments in a school building or in an environment that otherwise complies with the Test Administration Manual;~~

~~(c) School districts must apply the following criteria in deciding whether to provide a student with an accommodation during administration of an Oregon Statewide Assessment:~~

~~(5) School districts must decide whether to provide accommodations during administration of components of the Oregon Statewide Assessment System on an individual student basis, and separately for each content area assessed, using the following criteria:~~

~~(A) School districts must decide whether to provide accommodations during an assessment on an individual student basis and separately for each content area to be assessed; and~~

~~(Ba) For students with an Individualized Education Program (IEP) or Section 504 Plan, school districts must implement the assessment decision made by a student's IEP or 504 team and documented in the IEP or 504 Plan;~~

~~(bd) School districts may only administer modifications to students with an IEP or 504 Plan and only in accordance with the assessment decision made by the student's IEP or 504 team and documented in the IEP or 504 Plan. Before administering an assessment using a modification, a student's IEP or 504 team must inform the student's parent that the use of a modification on an assessment will result in an invalid assessment;~~

~~(e) School districts must provide only those subject-specific accommodations, designated supports, and universal tools listed in the Oregon Accessibility Manual and must provide these supports in a manner consistent with the policies contained in the Test Administration Manual and Oregon Accessibility Manual;~~

~~(f) School districts must ensure that students do not access electronic communication devices such as cellular phones or personal digital assistants (PDAs) during an assessment; and~~

~~(g) School districts must follow all additional testing conditions specified in the Test Administration Manual.~~

~~(56) Failure by a school district to comply with section (4) of this rule constitutes an impropriety as defined in section (1)(e) of this rule. DTCs must report all potential improprieties or irregularities to ODE within one business day of learning of the potential impropriety or irregularity in accordance with the reporting procedures contained in the Test Administration Manual.~~

~~(67) School districts must abide by ODE decisions regarding student assessment records, whether due to a test impropriety or any other circumstance bearing upon the validity of assessment results. The ODE may invalidate assessment results and student responses for assessments administered under conditions not meeting the assessment administration requirements specified in Sections 3 and 4 of this rule. In rare instances, ODE may reset a student assessment at the request of the school district if ODE determines that a reset would not compromise the security or validity of the assessment.~~

~~(7) ODE counts assessments that meet the following conditions as non-participants in ODE calculations of participation and does not include such assessments in ODE calculations of performance:~~

~~(a) Assessments administered using modifications as defined in section (1)(h) of this rule;~~

~~(b) Invalidated assessments;~~

~~(c) Assessments administered outside the testing window specified in the Test Schedule; or~~

~~(d) Assessments shipped or postmarked after the dates identified in the Test Schedule.~~

~~(8) ODE only allows extensions to the testing window or shipping deadlines identified in the Test Schedule in cases where a force majeure occurs within three days of the close of the testing window or shipping deadline and prevents a school district from meeting the deadline. Upon receiving a force majeure extension request from the school district, ODE may permit a one-day extension of the testing window or shipping deadline for each day of the force majeure, for up to five days. The force majeure extension begins on the first school day after normal operations resume and ends no later than the last school day in the month in which the testing window closes.~~

~~(98) School districts may only assess students using the alternate version of a statewide summative test if the student has an IEP indicating that the student requires alternate assessment. Extended Assessment instead of OAKS or Smarter if the student has an IEP Plan and the student's Plan indicates that the student requires the Extended Assessment.~~

~~(109) School districts must administer the state-adopted ELP summative test annually to all students eligible for English language development (ELD) services under the Elementary and Secondary Education Act (ESEA), regardless of whether an eligible student actually receives ELD services. ELPA annually to all~~

~~students determined by the school district to be eligible for English language development (ELD) services under Title III of the Elementary and Secondary Education Act (ESEA), regardless of whether an eligible student actually receives ELD services.~~

(10) Per federal requirements, administering institutions must administer a state-adopted ELP screener upon enrollment to students who would potentially meet the federal definition of an English Language Learner.

(11) The information gathering process at kindergarten ~~Administration of the Kindergarten Assessment~~ is governed by OAR 581-022-2130.

Statutory/Other Authority: ORS 326.051, 329.075, & 329.078~~& 329.075~~

Statutes/Other Implemented: ORS 329.075, 329.485, & 329.078~~& 329.485~~

History:

Renumbered from 581-022-0610 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 26-2015, f. & cert. ef. 12-21-15

ODE 34-2014, f. & cert. ef. 6-24-14

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ODE 30-2008, f. 12-16-08, cert. ef. 12-19-08

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ODE 6-2002(Temp), f. & cert. ef. 2-15-02 thru 6-30-02

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EB 14-1990(Temp), f. & cert. ef. 3-5-90

1EB 2-1985, f. 1-4-85, ef. 1-7-85

Bold and strikethrough text

581-022-2100

Administration of State Assessments

(1) Definitions. As used in this rule:

(a) "Accommodations" means changes in procedures or materials that increase equitable access during assessment and generate valid assessment results for students ~~for whom there is documentation of need on an Individualized Education Program (IEP) or 504 (Plan); they allow these students to show what they know and can do.~~ **who need them, allowing these students to show what they know and can do. Accommodations are available only to students with a documented Individualized Education Program (IEP) or 504 (Plan).**

(b) "Designated supports" means access features of the assessment available for use by any student for whom the need has been indicated by an educator ~~or team of educators~~, or a team of educators with parent/guardian and student.

(c) "District test coordinator" (DTC) means district personnel who ensure secure administration of ~~Oregon Statewide Assessments~~ **components of the Oregon Statewide Assessment System** as defined

by Oregon Revised Statute, Administrative Rules, and the Test Administration Manual, including but not limited to supervising the work of the school test coordinators and test administrators.

(d) “Force majeure” means an extraordinary circumstance (e.g., power outage or network disturbance lasting at least one full school day) or act of nature (e.g., flooding, earthquake, volcanic eruption) which directly prevents a school district from making reasonable attempts to adhere to the Test Schedule.

(e) “Impropriety” means the administration of ~~an Oregon Statewide Assessment~~ **components of the Oregon Statewide Assessment System** in a manner not in compliance with the Test Administration Manual, Oregon Revised Statute, or this rule.

(f) “Invalidation” means the act of omitting ~~test results and student responses from testing, reporting, and accountability systems for a given testing event for which the student may not retest~~ **information (e.g. test results and student responses) from ODE systems, including but not limited to testing, reporting, and accountability, for a given event. The student may not retest or reenter information.**

(g) “Irregularity” means an unusual circumstance that impacts a group of students who are testing and may potentially affect student performance on the assessment or interpretation of the students’ scores. A force majeure is an example of a severe irregularity.

(h) “Modification” means practices and procedures that compromise the intent of the assessment through a change in the achievement level, construct, or measured outcome of the assessment.

(i) “Universal Tools” means access features of the assessment that are either provided as digitally delivered components of the test administration system or separate from it. Universal tools are available to all students based on student preference and selection.

(j) “~~Oregon Statewide Assessments~~ **Oregon Statewide Assessment System**” means:

(A) ~~The Oregon Assessment of Knowledge and Skills (OAKS) in:~~ **Statewide assessment components, including formative resources, interim tests, summative tests (general and alternate versions), and surveys, in:**

~~(i) Science;~~

~~(i) Social Sciences;~~

~~(B) The Smarter Balanced Assessments (Smarter) in:~~

~~(i) Mathematics~~

~~(ii) English Language Arts (ELA)~~

~~(C) The English Language Proficiency Assessment (ELPA21);~~

~~(D) The Extended Assessment in:~~

~~(i) English Language Arts (ELA);~~

~~(ii) Mathematics;~~

~~(iii) Science; and~~

~~(E) The Kindergarten Assessment~~

(i) Science;

(ii) Mathematics;

(iii) English Language Arts (ELA);

(iv) English Language Proficiency (ELP);

(v) The Student Educational Equity Development (SEED) Survey as required by ORS 329.078; and

(vi) The information gathering process at kindergarten as required in OAR 581-022-2130.

(k) “Reset” means the removal of student responses from the web-based testing application for a given testing event for which the student may retest **for a given assessment event. The student may retest or reenter information.**

(l) “School building” means facilities owned, leased, or rented by a school district, educational service district, public charter school, private school, or private alternative program.

(m) “School district” means:

(A) A school district as defined in ORS 332.002;

(B) The Oregon School for the Deaf;

(C) The Juvenile Detention Education Program as defined in ORS 326.695;

(D) The Youth Corrections Education Program as defined in ORS 326.695;

(E) The Long Term Care Program as defined in ORS 343.961; and

(F) The Hospital Education Programs as defined in ORS 343.261.

(n) “School test coordinator” (STC) means school personnel who provide comprehensive training to test administrators and monitor the testing process.

(o) “Test Administration Manual” means a manual published annually by ODE that includes descriptions of the specific policies and procedures that school districts are required to follow when administering any component of the Oregon Statewide Assessments **Statewide Assessment System**. References to the Test Administration Manual refer to the edition in effect at the time of test assessment administration and include appendices and any addenda published in accordance with ODE’s revision policy.

(p) “Test administrator” (TA) means an individual trained to administer the Oregon Statewide Assessments **components of the Oregon Statewide Assessment System** in accordance with the Test Administration Manual.

(q) “Test Schedule” means the Test Schedule and Required Ship Dates published annually by ODE that includes the windows in which school districts must offer their students the Oregon Statewide Assessments and the deadline by which DTCs must ship or postmark test materials **components of the Oregon Statewide Assessment System**.

(2)(a) School districts, as defined in ORS 332.002, must enforce the assessment policies described in this rule for all students enrolled in a school operated by the district or enrolled in a public charter school that is located within the boundaries of the school district.

(b) School districts, as defined in ORS 332.002, must enforce the assessment policies described in this rule for all resident students enrolled in a private alternative education program, regardless of whether the private alternative education program is located within the boundaries of the school district.

(c) The Oregon School for the Deaf must enforce the assessment policies described in this rule for all students enrolled in that school.

(d) The Juvenile Detention Education Program and the Youth Corrections Education Program must enforce the assessment policies described in this rule for all students enrolled in that program.

(e) The Long Term Care Program and the Hospital Education Programs must enforce the assessment policies described in this rule for all students enrolled in that program.

(f) School districts may delegate responsibility for enforcing the assessment policies described in this rule to another school district or education service district under the conditions specified in the Test Administration Manual.

(3) ~~School districts must administer Oregon Statewide Assessments in accordance with the Test Administration Manual and Test Schedule published by ODE. The results of these assessments are used to satisfy the requirements specified in OAR 581-022-2270 and 581-022-2250 and as a method to evaluate compliance with 581-022-2030~~ **components of the Oregon Statewide Assessment System in accordance with the Test Administration Manual, SEED Administration Manual, and Test Schedule published by ODE. The results of these assessments are used to satisfy the requirements specified in OAR 581-022-2270, OAR 581-022-2250, and ORS 329.078 and as a method to evaluate compliance with OAR 581-022-2030.**

(4) ~~School districts must ensure that students are administered the proper Oregon Statewide Assessments and that the testing environment satisfies the following testing conditions:~~ **Components of the Oregon Statewide Assessment System must be administered in an environment that satisfies conditions defined in the manuals, rules, and statutes pertaining to that assessment.**

(a) ~~School districts must ensure that Oregon Statewide Assessments are administered by a trained TA who has signed an Assurance of Test Security form for the current school year on file in the district office;~~ **School districts must provide only those subject-specific accommodations, designated supports, and universal tools listed in the Oregon Accessibility Manual and must provide these supports in a manner consistent with the policies contained in the Test Administration Manual and Oregon Accessibility Manual.**

(b) ~~School districts must administer Oregon Statewide Assessments in a school building or in an environment that otherwise complies with the Test Administration Manual;~~

(c) ~~School districts must apply the following criteria in deciding whether to provide a student with an accommodation during administration of an Oregon Statewide Assessments:~~

(5) School districts must decide whether to provide accommodations during administration of components of the Oregon Statewide Assessment System on an individual student basis, and separately for each content area assessed, using the following criteria:

~~(A) School districts must decide whether to provide accommodations during an assessment on an individual student basis and separately for each content area to be assessed; and~~

~~(Ba)~~ For students with an Individualized Education Plan (IEP) or **Section 504** Plan, school districts must implement the assessment decision made by a student's IEP or 504 team and documented in the IEP or 504 Plan;

~~(db)~~ School districts may only administer modifications to students with an IEP or 504 Plan and only in accordance with the assessment decision made by the student's IEP or 504 team and documented in the IEP or 504 Plan. Before administering an assessment using a modification, a student's IEP or 504 team must inform the student's parent that the use of a modification on an assessment will result in an invalid assessment;

~~(e)~~ School districts must provide only those subject-specific accommodations, designated supports, and universal tools listed in the Oregon Accessibility Manual and must provide these supports in a manner consistent with the policies contained in the Test Administration Manual and Oregon Accessibility Manual;

~~(f)~~ School districts must ensure that students do not access electronic communication devices such as cellular phones or personal digital assistants (PDAs) during an assessment; and

~~(g)~~ School districts must follow all additional testing conditions specified in the Test Administration Manual.

(56) Failure by a school district to comply with section (4) of this rule constitutes an impropriety as defined in section (1)(e) of this rule. DTCs must report all potential improprieties or irregularities to ODE within one business day of learning of the potential impropriety or irregularity in accordance with the reporting procedures contained in the Test Administration Manual.

~~(67)~~ The ODE may invalidate assessment results and student responses for assessments administered under conditions not meeting the assessment administration requirements specified in Sections 3 and 4 of this rule. In rare instances, ODE may reset a student assessment at the request of the school district if ODE determines that a reset would not compromise the security or validity of the assessment. **School districts must abide by ODE decisions regarding student assessment records, whether due to a test impropriety or any other circumstance bearing upon the validity of assessment results.**

~~(7)~~ ODE counts assessments that meet the following conditions as non-participants in ODE calculations of participation and does not include such assessments in ODE calculations of performance:

~~(a)~~ Assessments administered using modifications as defined in section (1)(h) of this rule;

~~(b)~~ Invalidated assessments;

~~(c)~~ Assessments administered outside the testing window specified in the Test Schedule; or

~~(d)~~ Assessments shipped or postmarked after the dates identified in the Test Schedule.

(8) ODE only allows extensions to the testing window or shipping deadlines identified in the Test Schedule in cases where a force majeure occurs within three days of the close of the testing window or shipping deadline and prevents a school district from meeting the deadline. Upon receiving a force majeure extension request from the school district, ODE may permit a one-day extension of the testing window or shipping deadline for each day of the force majeure, for up to five days. The force majeure extension begins on the first school day after normal operations resume and ends no later than the last school day in the month in which the testing window closes.

(98) School districts may only assess students using the Extended Assessment instead of OAKS or Smarter if the student has an IEP Plan and the student's Plan indicates that the student requires the Extended Assessment **alternate version of a statewide summative test if the student has an IEP indicating that the student requires alternate assessment.**

(109) School districts must administer ELPA annually to all students determined by the school district to be eligible for English language development (ELD) services under Title III of the Elementary and Secondary Education Act (ESEA), regardless of whether an eligible student actually receives ELD services **the state-adopted ELP summative test annually to all students eligible for English language development (ELD) services under the Elementary and Secondary Education Act (ESEA), regardless of whether an eligible student actually receives ELD services.**

(10) Per federal requirements, administering institutions must administer a state-adopted ELP screener upon enrollment to students who would potentially meet the federal definition of an English Language Learner.

(11) Administration of the Kindergarten Assessment **The information gathering process at kindergarten is governed by OAR 581-022-2130.**

Statutory/Other Authority: ORS 326.051 & ~~329.075~~, **329.075, & 329.078**

Statutes/Other Implemented: ORS 329.075 & ~~329.485~~, **329.485, & 329.078**

History:

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Original text

581-022-2100

Administration of State Assessments

(1) Definitions. As used in this rule:

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(c) “District test coordinator” (DTC) means district personnel who ensure secure administration of Oregon Statewide Assessments as defined by Oregon Revised Statute, Administrative Rules, and the Test Administration Manual, including but not limited to supervising the work of the school test coordinators and test administrators.

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(e) “Impropriety” means the administration of an Oregon Statewide Assessment in a manner not in compliance with the Test Administration Manual, Oregon Revised Statute, or this rule.

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(A) The Oregon Assessment of Knowledge and Skills (OAKS) in:

(i) Science;

(i) Social Sciences;

(B) The Smarter Balanced Assessments (Smarter) in:

(i) Mathematics

(ii) English Language Arts (ELA)

(C) The English Language Proficiency Assessment (ELPA21);

(D) The Extended Assessment in:

(i) English Language Arts (ELA);

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(iii) Science; and

(E) The Kindergarten Assessment

(k) "Reset" means the removal of student responses from the web-based testing application for a given testing event for which the student may retest.

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(4) School districts must ensure that students are administered the proper Oregon Statewide Assessment and that the testing environment satisfies the following testing conditions:

(a) School districts must ensure that Oregon Statewide Assessments are administered by a trained TA who has signed an Assurance of Test Security form for the current school year on file in the district office;

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(c) School districts must apply the following criteria in deciding whether to provide a student with an accommodation during administration of an Oregon Statewide Assessment:

(A) School districts must decide whether to provide accommodations during an assessment on an individual student basis and separately for each content area to be assessed; and

(B) For students with an Individualized Education Plan (IEP) or 504 Plan, school districts must implement the assessment decision made by a student's IEP or 504 team and documented in the IEP or 504 Plan;

(d) School districts may only administer modifications to students with an IEP or 504 Plan and only in accordance with the assessment decision made by the student's IEP or 504 team and documented in the IEP or 504 Plan. Before administering an assessment using a modification, a student's IEP or 504 team must inform the student's parent that the use of a modification on an assessment will result in an invalid assessment;

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consistent with the policies contained in the Test Administration Manual and Oregon Accessibility Manual;

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(8) ODE only allows extensions to the testing window or shipping deadlines identified in the Test Schedule in cases where a force majeure occurs within three days of the close of the testing window or shipping deadline and prevents a school district from meeting the deadline. Upon receiving a force majeure extension request from the school district, ODE may permit a one-day extension of the testing window or shipping deadline for each day of the force majeure, for up to five days. The force majeure extension begins on the first school day after normal operations resume and ends no later than the last school day in the month in which the testing window closes.

(9) School districts may only assess students using the Extended Assessment instead of OAKS or Smarter if the student has an IEP Plan and the student's Plan indicates that the student requires the Extended Assessment.

(10) School districts must administer ELPA annually to all students determined by the school district to be eligible for English language development (ELD) services under Title III of the Elementary and Secondary Education Act (ESEA), regardless of whether an eligible student actually receives ELD services.

(11) Administration of the Kindergarten Assessment is governed by OAR 581-022-2130.

Statutory/Other Authority: ORS 326.051 & 329.075

Statutes/Other Implemented: ORS 329.075 & 329.485

History:

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EB 14-1990(Temp), f. & cert. ef. 3-5-90
1EB 2-1985, f. 1-4-85, ef. 1-7-85

Summary

Meeting Date: 6/12/2025

Title: OSCIM Program - Priority List and Funding Formula Changes

Status: Second Reading/Adoption (no changes)

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?

Yes, these changes to the OARs came before the Board for the First Reading on May 15, 2025.

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

Please note that the above listed grant amounts will be adjusted for inflation on the final version of the formula as stated in the proposed rules. According to the Consumer Price Index for All Urban Consumers (CPI-U) in the West Region, as of April 2025, the 12-month percentage change is 2.1%. Therefore, the final tiered grant amounts are \$12,252,000, \$10,210,000, \$8,168,000, and \$6,126,000.

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.

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- 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

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- 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?

N/A

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?

N/A

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

N/A

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?

While the rules have not changed, the docket has been updated to include *Appendix C: Formula Description and Explanation of Variables* and *Appendix D: Comparison of Old vs. New Priority List & Funding Formula* based on the feedback that was received during the First Reading requesting additional information to help visualize the formula.

APPENDIX B: GRANT CONSOLIDATION

Appendix B should only be completed if “yes” is selected for question 12. Using plain language, this section should provide additional detail on how grant rules have been aligned and designed to support districts and meet administrative needs.

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

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

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

Please enter your answer here

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

Please enter your answer here

APPENDIX C: FORMULA DESCRIPTION & EXPLANATION OF VARIABLES

Priority List Formula:

A Poverty Weighting Factor of twenty [20] has been used in the Priority List Formula since 2016. The Poverty Weighting Factor ensures high-poverty districts stand out and move up in the Priority List Ranking.

$$\# \text{ of Students in Poverty} \times 20 = \text{Weighted \# of Students in Poverty}$$

The next step is to determine the **District's Weighted Percentage of Students in Poverty**.

$$\frac{\text{Weighted \# of Students in Poverty}}{\text{Extended ADMw} - \text{Virtual Charter School ADMr}}$$

To determine the **District's Assessed Property Value per Student** that is also adjusted for poverty, we use the following formula:

$$\frac{\text{District's Assessed Value}}{1 + \text{Weighted \% of Students in Poverty}}$$

Finally, the districts are then ranked from lowest to highest **Assessed Property Value per Student** for the Priority List.

Funding Formula:

The Funding Formula is based on the **District's Assessed Property Value per Student** (but does not adjust for poverty as in the Priority List's formula. For example, it is calculated as follows:

$$\frac{\text{District's Assessed Property Value}}{\text{Extended ADMw} - \text{Virtual Charter School ADMr}}$$

The Districts are then 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:

Districts with the lowest assessed property value per student are eligible for a \$12,252,000 match (top 1-50)

Districts with a low to moderate assessed property value per student (next 49) are eligible for a \$10,210,000 match

Districts with a moderate assessed property value per student (next 49) are eligible for a \$8,168,000 match

Districts with the highest assessed property value per student are eligible for a \$6,126,000 match (top 1-50)

Please note that the above grant amounts have been adjusted for inflation and are the final amounts that will be in effect for the 2025 – 2027 biennium.

Variables:

Why use District Assessed Value?

Assessed value per student is used to measure a district's local capacity to fund school facility improvements through property taxes. A lower assessed value per student means the district has a smaller tax base to draw from, making it harder to raise sufficient funds for capital projects, especially in communities facing economic hardship.

Why adjust for poverty in the Priority List?

Adjusting for poverty ensures the measure reflects not just property wealth, but also the economic reality and challenges of the community. Since 2016, the Priority List formula has included a Poverty Weighting Factor of 20. This factor helps ensure that high-poverty districts are ranked higher on the Priority List and therefore, more likely to receive a match when they apply.

Why use Extended ADMw?

ADMw represents the number of weighted students in a district, with some student demographics (like those with disabilities) receiving a weight that effectively counts them as more than one student. Extended ADMw uses the larger of the current year's ADMw or the previous year's ADMw. This helps account for districts experiencing enrollment fluctuations.

Why subtract Virtual Charter School Enrollment from Extended ADMw?

Students enrolled in virtual charter schools receive instruction online and do not physically attend district school buildings. Since they don't use the district's facilities, including them in the Extended ADMw would overstate the actual demand on school infrastructure.

By subtracting virtual charter enrollment, the funding formula more accurately reflects the number of students who are using and impacting district buildings ensuring capital funds are based on real facility needs.

APPENDIX D: COMPARISON OF OLD VS. NEW PRIORITY LIST & FUNDING FORMULA

While some districts will see only minor adjustments to their Priority List rankings and Maximum Grant Amounts, several historically underfunded or unsuccessful districts, especially those with repeated bond measure failures are now better positioned under the updated system. Below are a few notable examples:

New Rank	Previous Rank	District Name	New Max OSCIM Grant Amount	Previous Grant Amount
20	34	Coquille SD 8	\$ 12,252,000	\$ 6,000,000
124	132	Crook County SD	\$ 8,168,000	\$ 6,000,000
114	127	Douglas County SD 4	\$ 8,168,000	\$ 6,000,000
153	168	Estacada SD 108	\$ 6,126,000	\$ 6,000,000
118	134	Junction City SD 69	\$ 8,168,000	\$ 6,000,000

Coquille SD 8

Located in southwestern Oregon, Coquille serves approximately 1,251 students. The district failed two bond measures in 2021 and again in May 2024, despite a \$6 million OSCIM funding commitment for its latest \$14.5 million bond proposal. The increased grant amount may improve prospects in future attempts.

Crook County SD

This district failed to pass bond measures in both May 2022 and May 2024. Each effort had secured OSCIM funding, including the most recent \$11 million bond. The updated formula may give the district a stronger case for voter approval next time.

Douglas County SD 4 (Roseburg Public Schools)

A mid-sized district serving 5,555 students, Roseburg has unsuccessfully pursued bond measures in 2020, 2022, and 2024 despite qualifying for OSCIM funds each time. The adjusted ranking and increased grant ceiling could help address long-standing facility needs.

Estacada SD 108

Estacada has faced three bond failures over the past nine years, most recently in May 2024 with a \$149 million proposal. The district has grown 10% in five years and is struggling with overcrowded schools, outdated systems (plumbing, electrical, roofing), and no air conditioning. These issues have led to fires, floods, heat closures, and safety concerns highlighting the urgent need for investment.

Junction City SD 69

With failed bond measures in both May 2024 and May 2025, the district is grappling with overcrowding. Its elementary school requires five separate lunch periods due to space limitations, and many of its facilities require critical upgrades to meet safety and functionality standards.



OSCIM Program Priority Ranking and Grant Calculations for 2025-27

Variables	
Poverty Weighting Factor	20.0
ADM _r , Poverty & Extended ADM _w School Year	2023-24
Assessed Value Data Fiscal Year	2023-24
Inflation Adjustment Factor	2.10%

* Less virtual charter school enrollment
 ** (AV/ADM_w) / (1+Weighted % Students in Poverty)
 *** Adjusted for inflation on June 1, 2025

Priority List Rank	Dist ID	District Name	District Assessed Value (AV)	District Extended ADM _w *	Weighted % Students in Poverty	Funding Formula Basis		Maximum OSCIM Grant Amount***
						Assessed Value per Extended ADM _w (less VCS)	Assessed Value per Extended ADM _w Adjusted for Poverty**	
1	2114	Harper SD 66	\$ 43,547,518	442	167%	\$ 98,559	\$ 36,847	\$ 12,252,000
2	1967	Powers SD 31	\$ 70,287,601	247	616%	\$ 284,693	\$ 39,780	\$ 12,252,000
3	2110	Nyssa SD 26	\$ 336,486,894	1,896	287%	\$ 177,495	\$ 45,869	\$ 12,252,000
4	2107	Jordan Valley SD 3	\$ 50,068,651	188	249%	\$ 267,019	\$ 76,568	\$ 12,252,000
5	1995	Camas Valley SD 21J	\$ 75,004,537	367	164%	\$ 204,481	\$ 77,580	\$ 12,252,000
6	2193	Falls City SD 57	\$ 110,969,626	336	314%	\$ 329,872	\$ 79,674	\$ 12,252,000
7	2214	North Powder SD 8J	\$ 113,349,341	441	200%	\$ 257,168	\$ 85,821	\$ 12,252,000
8	1899	Alsea SD 7J	\$ 103,416,306	613	95%	\$ 168,583	\$ 86,654	\$ 12,252,000
9	2108	Ontario SD 8C	\$ 1,422,473,466	3,198	351%	\$ 444,846	\$ 98,537	\$ 12,252,000
10	2146	Woodburn SD 103	\$ 2,447,247,757	7,211	236%	\$ 339,394	\$ 101,047	\$ 12,252,000
11	2009	Prairie City SD 4	\$ 108,892,336	590	78%	\$ 184,419	\$ 103,661	\$ 12,252,000
12	2187	David Douglas SD 40	\$ 4,578,664,340	11,257	292%	\$ 406,753	\$ 103,836	\$ 12,252,000
13	2053	Jefferson County SD 509J	\$ 1,480,490,422	3,544	301%	\$ 417,752	\$ 104,068	\$ 12,252,000
14	2095	Blachly SD 90	\$ 76,188,731	504	44%	\$ 151,207	\$ 105,252	\$ 12,252,000
15	2093	Oakridge SD 76	\$ 318,513,260	679	337%	\$ 468,920	\$ 107,336	\$ 10,210,000
16	2011	Dayville SD 16J	\$ 39,070,890	152	131%	\$ 256,540	\$ 111,092	\$ 12,252,000
17	2210	Ukiah SD 80R	\$ 23,517,202	109	90%	\$ 215,978	\$ 113,452	\$ 12,252,000
18	1996	North Douglas SD 22	\$ 249,438,584	520	314%	\$ 479,835	\$ 115,994	\$ 10,210,000
19	1993	Douglas County SD 15	\$ 128,178,189	396	177%	\$ 323,438	\$ 116,919	\$ 12,252,000
20	1964	Coquille SD 8	\$ 663,351,670	1,546	263%	\$ 428,965	\$ 118,320	\$ 12,252,000
21	2113	Adrian SD 61	\$ 138,904,655	445	157%	\$ 312,312	\$ 121,339	\$ 12,252,000
22	1994	South Umpqua SD 19	\$ 918,886,801	1,718	340%	\$ 534,791	\$ 121,571	\$ 10,210,000
23	2217	Elgin SD 23	\$ 218,393,660	542	229%	\$ 402,943	\$ 122,487	\$ 12,252,000
24	2103	Scio SD 95	\$ 388,489,878	1,122	182%	\$ 346,326	\$ 122,872	\$ 12,252,000
25	2046	Butte Falls SD 91	\$ 124,959,767	350	191%	\$ 357,418	\$ 123,014	\$ 12,252,000
26	2206	Hermiston SD 8	\$ 2,524,334,320	6,675	204%	\$ 378,193	\$ 124,460	\$ 12,252,000
27	2102	Sweet Home SD 55	\$ 1,238,547,193	2,738	262%	\$ 452,330	\$ 124,816	\$ 12,252,000
28	2092	Lowell SD 71	\$ 308,920,619	1,294	90%	\$ 238,819	\$ 125,909	\$ 12,252,000
29	2202	Pilot Rock SD 2	\$ 167,769,412	462	186%	\$ 363,091	\$ 126,900	\$ 12,252,000
30	2257	Sheridan SD 48J	\$ 429,689,160	985	242%	\$ 436,411	\$ 127,709	\$ 12,252,000
31	2248	Fossil SD 21J	\$ 71,693,984	201	179%	\$ 356,722	\$ 127,801	\$ 12,252,000
32	2145	Mt Angel SD 91	\$ 339,952,747	904	187%	\$ 376,044	\$ 131,052	\$ 12,252,000
33	2205	Milton-Freewater Unified SD 7	\$ 837,480,930	2,003	219%	\$ 418,189	\$ 131,274	\$ 12,252,000
34	2116	Vale SD 84	\$ 595,884,175	1,209	275%	\$ 492,755	\$ 131,498	\$ 10,210,000
35	2249	Mitchell SD 55	\$ 71,368,324	420	29%	\$ 170,090	\$ 132,264	\$ 12,252,000
36	1966	North Bend SD 13	\$ 1,618,591,214	3,071	295%	\$ 527,136	\$ 133,431	\$ 10,210,000
37	2111	Annex SD 29	\$ 56,483,204	202	109%	\$ 279,288	\$ 133,770	\$ 12,252,000
38	1894	Baker SD 5J	\$ 1,413,152,357	2,975	249%	\$ 475,064	\$ 135,950	\$ 10,210,000
39	2185	Centennial SD 28J	\$ 3,511,321,085	6,993	269%	\$ 502,126	\$ 136,241	\$ 10,210,000
40	2104	Santiam Canyon SD 129J	\$ 538,158,653	1,394	181%	\$ 386,032	\$ 137,493	\$ 12,252,000
41	2000	Glendale SD 77	\$ 259,346,237	409	354%	\$ 633,397	\$ 139,550	\$ 8,168,000
42	2015	Harney County SD 4	\$ 105,254,508	334	126%	\$ 315,360	\$ 139,639	\$ 12,252,000
43	2252	Amity SD 4J	\$ 495,583,169	940	275%	\$ 527,333	\$ 140,751	\$ 10,210,000
44	2142	Salem-Keizer SD 24J	\$ 23,842,071,461	49,269	243%	\$ 483,914	\$ 141,274	\$ 10,210,000
45	2057	Klamath County SD	\$ 4,544,563,823	8,821	264%	\$ 515,193	\$ 141,384	\$ 10,210,000
46	2002	Winston-Dillard SD 116	\$ 899,603,868	1,562	305%	\$ 576,068	\$ 142,301	\$ 10,210,000
47	2215	Imbler SD 11	\$ 149,432,785	473	118%	\$ 315,812	\$ 144,635	\$ 12,252,000
48	2208	Athena-Weston SD 29RJ	\$ 399,232,322	731	274%	\$ 546,212	\$ 146,190	\$ 10,210,000
49	2003	Sutherlin SD 130	\$ 902,727,475	1,590	280%	\$ 567,920	\$ 149,410	\$ 10,210,000
50	2014	Harney County SD 3	\$ 490,480,545	933	251%	\$ 525,438	\$ 149,789	\$ 10,210,000
51	2045	Prospect SD 59	\$ 160,674,409	392	174%	\$ 410,180	\$ 149,922	\$ 12,252,000
52	2191	Central SD 13J	\$ 1,844,991,747	3,865	218%	\$ 477,321	\$ 150,215	\$ 10,210,000
53	2010	Monument SD 8	\$ 56,183,024	166	121%	\$ 338,885	\$ 153,594	\$ 12,252,000
54	1990	Oakland SD 1	\$ 384,037,336	816	204%	\$ 470,850	\$ 155,127	\$ 10,210,000
55	2255	Willamina SD 30J	\$ 562,155,591	1,059	239%	\$ 531,079	\$ 156,750	\$ 10,210,000
56	2001	Reedsport SD 105	\$ 601,098,649	823	363%	\$ 730,257	\$ 157,680	\$ 8,168,000



OSCIM Program Priority Ranking and Grant Calculations for 2025-27

Variables	
Poverty Weighting Factor	20.0
ADMr, Poverty & Extended ADMw School Year	2023-24
Assessed Value Data Fiscal Year	2023-24
Inflation Adjustment Factor	2.10%

* Less virtual charter school enrollment
 ** (AV/ADMw) / (1+Weighted % Students in Poverty)
 *** Adjusted for inflation on June 1, 2025

Priority List Rank	Dist ID	District Name	District Assessed Value (AV)	District Extended ADMw*	Weighted % Students in Poverty	Funding Formula	Priority List	Assessed Value per Extended ADMw Adjusted for Poverty**	Maximum OSCIM Grant Amount***
						Basis	Formula Basis		
57	2021	Double O SD 28	\$ 4,629,277	29	0%	\$	\$	\$ 159,036	\$ 12,252,000
58	1997	Yoncalla SD 32	\$ 268,705,185	442	279%	\$	\$	\$ 608,240	\$ 10,210,000
59	2054	Grants Pass SD 7	\$ 4,109,338,810	6,557	289%	\$	\$	\$ 626,739	\$ 8,168,000
60	2220	Wallowa SD 12	\$ 184,882,681	345	233%	\$	\$	\$ 536,556	\$ 10,210,000
61	2061	North Lake SD 14	\$ 266,958,603	414	299%	\$	\$	\$ 645,391	\$ 8,168,000
62	2207	Pendleton SD 16	\$ 1,780,176,713	3,469	215%	\$	\$	\$ 513,186	\$ 10,210,000
63	1965	Coos Bay SD 9	\$ 2,479,315,644	3,619	318%	\$	\$	\$ 685,024	\$ 8,168,000
64	2213	Union SD 5	\$ 281,196,781	515	223%	\$	\$	\$ 545,787	\$ 10,210,000
65	2085	Mapleton SD 32	\$ 171,762,711	296	243%	\$	\$	\$ 580,451	\$ 10,210,000
66	2087	South Lane SD 45J3	\$ 1,909,850,510	3,433	224%	\$	\$	\$ 556,302	\$ 10,210,000
67	2192	Perrydale SD 21	\$ 137,684,559	459	74%	\$	\$	\$ 300,238	\$ 12,252,000
68	2056	Klamath Falls City Schools	\$ 2,457,814,086	3,260	335%	\$	\$	\$ 754,001	\$ 8,168,000
69	2059	Lake County SD 7	\$ 453,627,949	983	166%	\$	\$	\$ 461,321	\$ 12,252,000
70	2216	Cove SD 15	\$ 186,803,002	474	127%	\$	\$	\$ 394,447	\$ 12,252,000
71	2182	Reynolds SD 7	\$ 8,223,339,900	12,827	268%	\$	\$	\$ 641,085	\$ 8,168,000
72	2008	John Day SD 3	\$ 442,909,391	686	269%	\$	\$	\$ 645,249	\$ 8,168,000
73	2139	Cascade SD 5	\$ 1,581,316,283	3,202	181%	\$	\$	\$ 493,800	\$ 10,210,000
74	2256	McMinnville SD 40	\$ 4,401,034,326	7,703	222%	\$	\$	\$ 571,356	\$ 10,210,000
75	2060	Paisley SD 11	\$ 86,501,537	145	235%	\$	\$	\$ 596,753	\$ 10,210,000
76	2083	Springfield SD 19	\$ 7,279,256,388	11,415	257%	\$	\$	\$ 637,670	\$ 8,168,000
77	2050	Culver SD 4	\$ 462,790,652	883	192%	\$	\$	\$ 524,374	\$ 10,210,000
78	2099	Harrisburg SD 7J	\$ 549,806,646	1,034	197%	\$	\$	\$ 531,936	\$ 10,210,000
79	2101	Lebanon Community SD 9	\$ 2,835,328,126	4,707	231%	\$	\$	\$ 602,384	\$ 10,210,000
80	2241	Forest Grove SD 15	\$ 3,537,039,562	7,248	167%	\$	\$	\$ 487,981	\$ 10,210,000
81	1895	Huntington SD 16J	\$ 160,233,776	192	352%	\$	\$	\$ 833,249	\$ 8,168,000
82	2043	Eagle Point SD 9	\$ 2,899,342,448	5,036	212%	\$	\$	\$ 575,753	\$ 10,210,000
83	2137	Gervais SD 1	\$ 803,111,658	1,239	247%	\$	\$	\$ 648,166	\$ 8,168,000
84	1896	Burnt River SD 30J	\$ 84,445,123	130	246%	\$	\$	\$ 650,382	\$ 8,168,000
85	2203	Echo SD 5	\$ 156,209,300	451	84%	\$	\$	\$ 346,476	\$ 12,252,000
86	2247	Spray SD 1	\$ 50,945,829	151	80%	\$	\$	\$ 338,039	\$ 12,252,000
87	1999	Riddle SD 70	\$ 360,917,663	527	262%	\$	\$	\$ 685,072	\$ 8,168,000
88	1968	Myrtle Point SD 41	\$ 485,856,066	716	257%	\$	\$	\$ 678,304	\$ 8,168,000
89	2048	Medford SD 549C	\$ 11,024,786,939	16,432	243%	\$	\$	\$ 670,943	\$ 8,168,000
90	2212	La Grande SD 1	\$ 1,525,204,604	2,530	207%	\$	\$	\$ 602,880	\$ 10,210,000
91	2190	Dallas SD 2	\$ 2,162,605,508	3,609	193%	\$	\$	\$ 599,157	\$ 10,210,000
92	2138	Silver Falls SD 4J	\$ 2,292,441,496	4,356	156%	\$	\$	\$ 526,245	\$ 10,210,000
93	2016	Pine Creek SD 5	\$ 9,493,053	28	63%	\$	\$	\$ 334,380	\$ 12,252,000
94	2204	Umatilla SD 6R	\$ 1,241,643,499	1,828	228%	\$	\$	\$ 679,149	\$ 8,168,000
95	2042	Central Point SD 6	\$ 3,488,378,135	5,506	203%	\$	\$	\$ 633,521	\$ 8,168,000
96	2253	Dayton SD 8	\$ 671,072,051	1,084	196%	\$	\$	\$ 619,008	\$ 10,210,000
97	2088	Bethel SD 52	\$ 4,439,351,492	6,125	245%	\$	\$	\$ 724,806	\$ 8,168,000
98	2140	Jefferson SD 14J	\$ 595,947,824	978	184%	\$	\$	\$ 609,281	\$ 10,210,000
99	2245	Gaston SD 511J	\$ 325,452,470	676	123%	\$	\$	\$ 481,485	\$ 10,210,000
100	2017	Diamond SD 7	\$ 12,692,111	39	52%	\$	\$	\$ 327,623	\$ 12,252,000
101	2183	Gresham-Barlow SD 10J	\$ 8,007,551,116	13,198	180%	\$	\$	\$ 606,744	\$ 10,210,000
102	2044	Rogue River SD 35	\$ 1,033,321,844	1,343	252%	\$	\$	\$ 769,438	\$ 8,168,000
103	4131	North Wasco County SD 21	\$ 2,522,033,620	3,501	229%	\$	\$	\$ 720,432	\$ 8,168,000
104	2229	Dufur SD 29	\$ 303,753,420	463	195%	\$	\$	\$ 656,088	\$ 8,168,000
105	1931	Gladstone SD 115	\$ 1,122,883,350	1,972	154%	\$	\$	\$ 569,391	\$ 10,210,000
106	2262	Knappa SD 4	\$ 350,655,881	623	150%	\$	\$	\$ 562,485	\$ 10,210,000
107	1998	Elkton SD 34	\$ 222,262,311	388	155%	\$	\$	\$ 573,373	\$ 10,210,000
108	1897	Pine Eagle SD 61	\$ 313,775,652	365	282%	\$	\$	\$ 859,342	\$ 6,126,000
109	2086	Creswell SD 40	\$ 897,635,186	1,336	198%	\$	\$	\$ 671,971	\$ 8,168,000
110	2209	Stanfield SD 61	\$ 426,416,243	723	161%	\$	\$	\$ 589,740	\$ 10,210,000
111	2094	Marcola SD 79J	\$ 234,086,149	493	110%	\$	\$	\$ 475,186	\$ 10,210,000
112	1898	Monroe SD 1J	\$ 360,204,376	539	193%	\$	\$	\$ 668,080	\$ 8,168,000



OSCIM Program Priority Ranking and Grant Calculations for 2025-27

Variables	
Poverty Weighting Factor	20.0
ADMr, Poverty & Extended ADMw School Year	2023-24
Assessed Value Data Fiscal Year	2023-24
Inflation Adjustment Factor	2.10%

* Less virtual charter school enrollment
 ** (AV/ADMw) / (1+Weighted % Students in Poverty)
 *** Adjusted for inflation on June 1, 2025

Priority List Rank	Dist ID	District Name	District Assessed Value (AV)	District Extended ADMw*	Weighted % Students in Poverty	Funding Formula	Priority List	Assessed Value per Extended ADMw Adjusted for Poverty**	Maximum OSCIM Grant Amount***
						Basis	Formula Basis		
113	2141	North Marion SD 15	\$ 1,378,419,539	2,107	186%	\$ 654,110	\$ 228,999	\$ 8,168,000	
114	1991	Douglas County SD 4	\$ 5,278,752,488	6,517	248%	\$ 810,004	\$ 232,803	\$ 8,168,000	
115	2186	Corbett SD 39	\$ 467,994,340	1,226	64%	\$ 381,615	\$ 233,256	\$ 12,252,000	
116	2100	Greater Albany Public SD 8J	\$ 7,510,093,459	10,596	203%	\$ 708,734	\$ 233,813	\$ 8,168,000	
117	2115	Arock SD 81	\$ 20,778,710	43	105%	\$ 484,324	\$ 235,847	\$ 10,210,000	
118	2091	Junction City SD 69	\$ 1,478,329,545	1,934	224%	\$ 764,265	\$ 235,887	\$ 8,168,000	
119	1933	Astoria SD 1	\$ 1,585,262,104	2,102	216%	\$ 754,059	\$ 238,267	\$ 8,168,000	
120	2062	Plush SD 18	\$ 16,442,810	36	86%	\$ 457,080	\$ 245,512	\$ 12,252,000	
121	2084	Fern Ridge SD 28J	\$ 1,229,245,219	1,618	208%	\$ 759,621	\$ 246,291	\$ 8,168,000	
122	1900	Philomath SD 17J	\$ 1,051,405,803	1,981	113%	\$ 530,821	\$ 249,106	\$ 10,210,000	
123	2143	North Santiam SD 29J	\$ 1,810,454,927	2,496	190%	\$ 725,480	\$ 249,796	\$ 8,168,000	
124	1970	Crook County SD	\$ 3,150,946,254	3,869	226%	\$ 814,461	\$ 250,203	\$ 8,168,000	
125	2055	Three Rivers/Josephine County SD	\$ 5,645,840,567	5,337	321%	\$ 1,057,807	\$ 251,524	\$ 6,126,000	
126	2251	Yamhill Carlton SD 1	\$ 941,640,559	1,255	197%	\$ 750,495	\$ 252,661	\$ 8,168,000	
127	2197	Tillamook SD 9	\$ 2,142,720,838	2,487	239%	\$ 861,558	\$ 254,117	\$ 6,126,000	
128	1927	Colton SD 53	\$ 477,760,709	765	142%	\$ 624,210	\$ 258,112	\$ 10,210,000	
129	2221	Enterprise SD 21	\$ 366,925,757	571	149%	\$ 642,189	\$ 258,114	\$ 8,168,000	
130	1936	Warrenton-Hammond SD 30	\$ 953,929,442	1,223	201%	\$ 779,743	\$ 259,460	\$ 8,168,000	
131	2024	Hood River County SD	\$ 3,299,684,284	4,770	166%	\$ 691,705	\$ 259,822	\$ 8,168,000	
132	2081	Pleasant Hill SD 1	\$ 807,856,000	1,170	162%	\$ 690,617	\$ 263,166	\$ 8,168,000	
133	2201	Helix SD 1	\$ 182,620,973	332	109%	\$ 550,760	\$ 264,063	\$ 10,210,000	
134	2012	Long Creek SD 17	\$ 52,950,616	104	91%	\$ 508,505	\$ 265,643	\$ 10,210,000	
135	1948	St Helens SD 502	\$ 2,322,267,671	3,266	167%	\$ 711,081	\$ 266,436	\$ 8,168,000	
136	1946	Rainier SD 13	\$ 907,493,972	989	235%	\$ 917,442	\$ 273,493	\$ 6,126,000	
137	1977	Redmond SD 2J	\$ 6,960,346,243	8,243	204%	\$ 844,410	\$ 277,607	\$ 6,126,000	
138	2006	Condon SD 25J	\$ 202,433,262	272	159%	\$ 745,130	\$ 288,171	\$ 8,168,000	
139	2144	St Paul SD 45	\$ 210,323,522	417	73%	\$ 503,862	\$ 291,540	\$ 10,210,000	
140	2039	Phoenix-Talent SD 4	\$ 2,697,020,189	2,781	229%	\$ 969,722	\$ 294,479	\$ 6,126,000	
141	1934	Jewell SD 8	\$ 165,032,026	257	116%	\$ 641,417	\$ 297,305	\$ 8,168,000	
142	2109	Juntura SD 12	\$ 21,743,771	33	121%	\$ 658,104	\$ 297,697	\$ 8,168,000	
143	1973	Port Orford-Langlois SD 2CJ	\$ 571,117,425	399	379%	\$ 1,431,886	\$ 298,849	\$ 6,126,000	
144	2089	Crow-Applegate-Lorane SD 66	\$ 315,266,678	436	142%	\$ 723,110	\$ 299,118	\$ 8,168,000	
145	1969	Bandon SD 54	\$ 1,283,837,080	863	380%	\$ 1,487,181	\$ 309,906	\$ 6,126,000	
146	2023	Harney County Union High SD 1J	\$ 241,157,583	309	149%	\$ 779,273	\$ 313,409	\$ 8,168,000	
147	2082	Eugene SD 4J	\$ 19,150,590,888	18,983	213%	\$ 1,008,855	\$ 321,861	\$ 6,126,000	
148	2019	Drewsey SD 13	\$ 25,036,419	34	128%	\$ 732,809	\$ 321,950	\$ 8,168,000	
149	1925	Molalla River SD 35	\$ 2,387,941,097	3,037	144%	\$ 786,344	\$ 321,974	\$ 8,168,000	
150	1947	Vernonia SD 47J	\$ 743,084,030	773	198%	\$ 960,953	\$ 322,061	\$ 6,126,000	
151	2243	Beaverton SD 48J	\$ 37,703,490,708	46,019	134%	\$ 819,306	\$ 350,227	\$ 8,168,000	
152	1901	Corvallis SD 509J	\$ 8,055,360,239	7,407	208%	\$ 1,087,504	\$ 352,770	\$ 6,126,000	
153	1930	Estacada SD 108	\$ 2,264,896,340	2,369	170%	\$ 955,872	\$ 354,474	\$ 6,126,000	
154	1924	North Clackamas SD 12	\$ 18,017,227,357	20,015	153%	\$ 900,209	\$ 355,892	\$ 6,126,000	
155	1928	Oregon City SD 62	\$ 7,155,627,191	8,500	133%	\$ 841,858	\$ 361,264	\$ 8,168,000	
156	2147	Morrow SD 1	\$ 3,744,231,904	3,090	231%	\$ 1,211,674	\$ 366,502	\$ 6,126,000	
157	2051	Ashwood SD 8	\$ 13,450,107	31	18%	\$ 437,580	\$ 370,144	\$ 12,252,000	
158	2219	Joseph SD 6	\$ 469,574,586	480	162%	\$ 977,400	\$ 372,550	\$ 6,126,000	
159	1944	Scappoose SD 1J	\$ 2,335,326,119	2,637	137%	\$ 885,714	\$ 373,123	\$ 6,126,000	
160	1926	Oregon Trail SD 46	\$ 4,406,194,344	5,016	133%	\$ 878,476	\$ 376,568	\$ 6,126,000	
161	2240	Banks SD 13	\$ 783,691,904	1,239	66%	\$ 632,448	\$ 379,964	\$ 8,168,000	
162	1929	Canby SD 86	\$ 4,533,979,184	5,080	133%	\$ 892,519	\$ 382,286	\$ 6,126,000	
163	2097	Lincoln County SD	\$ 9,737,525,945	6,489	287%	\$ 1,500,613	\$ 387,501	\$ 6,126,000	
164	2222	Troy SD 54	\$ 10,844,973	28	0%	\$ 387,875	\$ 387,875	\$ 12,252,000	
165	2090	McKenzie SD 68	\$ 439,941,336	345	223%	\$ 1,275,297	\$ 394,293	\$ 6,126,000	
166	2239	Hillsboro SD 1J	\$ 21,506,343,152	23,291	129%	\$ 923,375	\$ 402,657	\$ 6,126,000	
167	1974	Brookings-Harbor SD 17C	\$ 2,326,703,603	1,605	259%	\$ 1,449,734	\$ 403,289	\$ 6,126,000	
168	2242	Tigard-Tualatin SD 23J	\$ 14,035,328,883	13,731	151%	\$ 1,022,177	\$ 406,649	\$ 6,126,000	



OSCIM Program Priority Ranking and Grant Calculations for 2025-27

Variables	
Poverty Weighting Factor	20.0
ADM _r , Poverty & Extended ADM _w School Year	2023-24
Assessed Value Data Fiscal Year	2023-24
Inflation Adjustment Factor	2.10%

* Less virtual charter school enrollment
 ** (AV/ADM_w) / (1+Weighted % Students in Poverty)
 *** Adjusted for inflation on June 1, 2025

Priority List Rank	Dist ID	District Name	District Assessed Value (AV)	District Extended ADM _w *	Weighted % Students in Poverty	Funding Formula	Priority List	Maximum OSCIM Grant Amount***
						Basis	Formula Basis	
						Assessed Value per Extended ADM _w (less VCS)	Assessed Value per Extended ADM _w Adjusted for Poverty**	
169	2181	Parkrose SD 3	\$ 4,787,847,880	3,562	230%	\$ 1,344,027	\$ 407,244	\$ 6,126,000
170	2018	Suntex SD 10	\$ 26,996,896	29	128%	\$ 940,740	\$ 413,445	\$ 6,126,000
171	1992	Glide SD 12	\$ 1,166,164,075	926	201%	\$ 1,258,856	\$ 418,705	\$ 6,126,000
172	2096	Siuslaw SD 97J	\$ 2,365,826,671	1,440	279%	\$ 1,642,366	\$ 433,103	\$ 6,126,000
173	2225	South Wasco County SD 1	\$ 492,087,647	401	181%	\$ 1,228,142	\$ 436,683	\$ 6,126,000
174	1972	Central Curry SD 1	\$ 1,005,626,577	576	298%	\$ 1,746,990	\$ 438,443	\$ 6,126,000
175	2041	Ashland SD 5	\$ 4,093,778,799	2,930	216%	\$ 1,397,394	\$ 442,399	\$ 6,126,000
176	2254	Newberg SD 29J	\$ 4,599,482,103	4,894	109%	\$ 939,819	\$ 449,413	\$ 6,126,000
177	2063	Adel SD 21	\$ 19,547,615	43	0%	\$ 457,749	\$ 457,749	\$ 12,252,000
178	1976	Bend-LaPine Administrative SD 1	\$ 22,878,332,010	19,690	146%	\$ 1,161,932	\$ 473,071	\$ 6,126,000
179	2022	South Harney SD 33	\$ 25,222,049	33	58%	\$ 764,824	\$ 485,248	\$ 8,168,000
180	3997	Ione SD R2	\$ 237,129,169	280	64%	\$ 848,089	\$ 515,942	\$ 6,126,000
181	2020	Frenchglen SD 16	\$ 21,780,649	32	31%	\$ 686,437	\$ 524,456	\$ 8,168,000
182	1945	Clatskanie SD 6J	\$ 1,492,819,691	916	205%	\$ 1,629,225	\$ 533,936	\$ 6,126,000
183	1978	Sisters SD 6	\$ 2,680,913,634	1,350	270%	\$ 1,986,444	\$ 537,192	\$ 6,126,000
184	1922	West Linn-Wilsonville SD 3J	\$ 10,264,601,304	10,428	82%	\$ 984,346	\$ 540,196	\$ 6,126,000
185	2105	Central Linn SD 552	\$ 989,949,932	715	145%	\$ 1,385,218	\$ 565,863	\$ 6,126,000
186	2180	Portland SD 1J	\$ 71,252,150,359	53,581	130%	\$ 1,329,800	\$ 577,500	\$ 6,126,000
187	2244	Sherwood SD 88J	\$ 4,820,717,205	5,541	50%	\$ 870,073	\$ 579,344	\$ 6,126,000
188	2047	Pinehurst SD 94	\$ 52,213,238	51	65%	\$ 1,020,986	\$ 619,080	\$ 6,126,000
189	2052	Black Butte SD 41	\$ 115,349,928	52	230%	\$ 2,225,222	\$ 675,203	\$ 6,126,000
190	2199	Nestucca Valley SD 101J	\$ 1,545,262,657	719	198%	\$ 2,148,782	\$ 719,887	\$ 6,126,000
191	1935	Seaside SD 10	\$ 4,343,356,488	1,791	228%	\$ 2,424,880	\$ 739,274	\$ 6,126,000
192	2198	Neah-Kah-Nie SD 56	\$ 2,603,813,494	927	240%	\$ 2,808,201	\$ 827,023	\$ 6,126,000
193	1923	Lake Oswego SD 7J	\$ 10,406,827,418	7,708	58%	\$ 1,350,159	\$ 856,624	\$ 6,126,000
194	2195	Sherman County SD	\$ 1,311,077,534	430	256%	\$ 3,051,209	\$ 857,086	\$ 6,126,000
195	2188	Riverdale SD 51J	\$ 834,893,015	645	43%	\$ 1,294,508	\$ 904,592	\$ 6,126,000
196	2112	Malheur County SD 51	\$ 8,339,742	3	127%	\$ 2,647,537	\$ 1,166,397	\$ 6,126,000
197	2005	Arlington SD 3	\$ 921,427,142	273	113%	\$ 3,369,167	\$ 1,582,425	\$ 6,126,000

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) “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.

(2931) “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).

(36(37) “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 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.

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~~ 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](#)

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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)~~(11)~~ 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.

(~~1312~~) 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.

(~~1413~~) 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.

(~~1514~~) 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

Summary

Meeting Date: 6/12/2025

Title: School Leadership Standards

Status: Second Reading/Adoption (item has changed)

Presentation: No (Written Report Only/Consent)

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.

- 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.

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?

ODE staff engaged with community groups who are part of the ORCA and had additional questions following the initial presentation to that body. ODE staff has also worked internally to resolve concerns raised by ORCA members.

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?

One ORCA member, Aaron Cooke, followed up via email to reiterate his concern that the standards referred to a page outside of ODE control.

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

ODE staff have received overall positive feedback on the draft rules with the exception outlined above, which ODE staff have revised the draft rules to address.

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?

ODE staff fixed a typo in the rule and also added language that linked to a PDF of the full set of rules on an ODE website, addressing a key concern after engagement.

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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

~~(1) 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]~~

The standards include:

(a) 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.

(b) Ethics and Professional Norms: Effective educational leaders act ethically and according to professional norms to promote each student's academic success and well-being.

(c) 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.

(d) 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.

(e) 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.

(f) 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.

(g) 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.

(h) 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.

(i) Operations and Management: Effective educational leaders manage school operations and resources to promote each student's academic success and well-being.

(j) School Improvement: Effective educational leaders act as agents of continuous improvement to promote each student's academic success and well-being.

(2) The Professional Standards for Educational Leaders published by the National Policy Board for Educational Administration may be used to determine if the standards set forth in this rule have been met [Publication not included. See ED. NOTE.].

[ED. NOTE: The publication referenced is available on the agency's website.]

SUMMARY	ODE EQUITY STANCE
<p>Meeting Date: 6/12/25 Topic Title: 2025 Oregon Physical Education Standards Topic Status: Adoption Presentation: No (unless requested) Key Staff: Suzanne Hidde, Aujalee Moore, Vanessa Martinez Topic Summary: ODE presents the 2025 Oregon Physical Education standards for adoption by the Oregon State Board of Education.</p>	<p><i>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.</i></p>

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?**

The Board establishes 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.

The Physical Education Standards were last adopted by the Board in 2016. The revision process officially began in 2024 after an approved two-year delay related to shifting national standards. The 2025 Physical Education Standards are now complete and proposed 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.

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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?

[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?

A first read of the draft standards was presented at the May 2025 SBE meeting.

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 was approved by the Board in 2018. In 2023, ODE received approval from the Board to delay the 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), national standards update

ENGAGEMENT STRATEGY AND LEARNINGS

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

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

The Equity Decision Tree informed the revision process by encouraging ODE to examine who was invited to participate and serve as a panel members. ODE recruited panel members via the 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 demographic information. Applicants also 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 ODE 's process involved gathering information from Physical Education teachers via a survey to determine the 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 a Physical Education Standards Review Panel. The 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 and revised standards. The revision process for the proposed standards intentionally incorporated a wide variety of feedback loops to ensure a broad scope of input to guide final decisions.

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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 (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.

Staff from the Oregon Health Authority participated in providing input on the public survey.

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. Feedback on the survey showed that there was also representation from regions across Oregon. All Oregon communities were invited to participate in the panel and engagement efforts.

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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 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 to incorporate 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.

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 Oregon.

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 with opportunities for shared calibration, collaboration, and professional learning opportunities.

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 (beginning with criteria development). This will impact other content areas undergoing the 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 adopt 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.
- 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.

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?

At the first read, the SBE brought up concerns about representation of voices from Eastern Oregon school districts and student perspectives. Since the first read, ODE sent out a survey requesting specific feedback from Eastern Oregon districts to ensure their feedback was elicited and incorporated in the Draft PE Standards. Emails were sent to the following Eastern Oregon ESD's requesting their specific school districts' participation in a survey on the Draft PE Standards: Intermountain; Wallowa; Malheur; Grant; Harney County; Lake.

Feedback from the survey was overwhelmingly positive and supportive of the Draft PE Standards as written. Themes of support were consistent with the feedback received previously and included: appreciation of the alignment with the national standards; inclusion of grade-bands; and the clarity and simplicity of the standards.

In addition, the survey requested that PE teachers ask their students what they liked about PE, and what they would like to see included in their PE classes.

- Students reported liking: Pickleball, badminton, soccer, volleyball, ultimate frisbee, hockey, archery, basketball and rock climbing.
- Students reported that they would like to **see more**: team sports; teamwork activities and small team building games; balance and body control activities; physical space for

them to have proper physical education; individual unit classes to play a favorite sport; game time; football.

- Students reported wanting to **see less**: fitness activities; less running and exercises; no yoga.

This information will be shared in the Guidance document to highlight the importance of student choice in physical education.

In addition, ODE reached out to the National SHAPE AMERICA organization to inquire how student input was gathered in the development of the national standards, which is what ODE is proposing to adopt.

SHAPE AMERICA shared the following information about how student voice was included in the drafting the national PE standards:

- A survey was conducted with the help of teachers from across the country. Teachers had their students complete an anonymous survey during class time. ~4,600 responses were received from students.
- The survey was simple with a series of open-ended questions. Below are examples of the types of questions asked of each grade-span:
 - Grades K-5: PE is important because _____.
 - Grades 6-12: What do you feel is most important to learn in PE?
 - College/University: What do you feel is most important to learn in PE?

Task force members analyzed the results along with current research and feedback from the field to make informed decisions regarding the revisions to national standards.

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?

The additional feedback received was due to a specific outreach effort to Eastern Oregon and students. All feedback was supportive of the Draft PE standards as written.

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

ODE recognizes that not all school districts have the staff bandwidth to participate directly in the Standards revision process. To support broad engagement, ODE will continue to strengthen partnerships with ESD's across the state to help ensure that all districts have clear opportunities and are directly invited to provide feedback on Draft Standards and participate in the process as fully as possible. Additionally, ODE remains committed to elevating student voice during the standards revision process moving forward.

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- 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?**

There have been no changes to the draft standards based on feedback received between the first and second reads as the feedback was supportive and consistent for the adoption of the Draft standards.



2025 Physical Education Standards

Adopted June 2025

VERSION 1.0



OREGON
DEPARTMENT OF
EDUCATION



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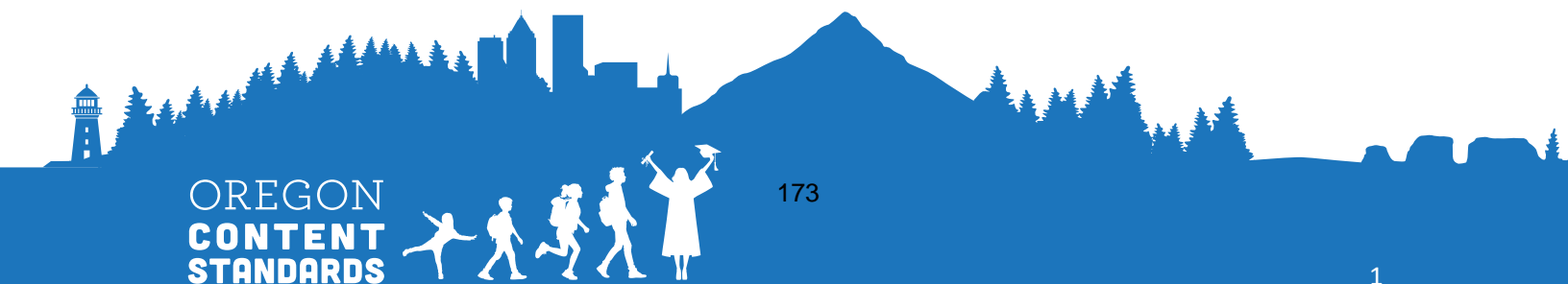
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Introduction

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 officially adopting SHAPE America's National PE Standards¹ (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

Domain

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
<p>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.</p>	<p>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.</p> <p>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.</p>

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
<p>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.</p>	<p>TSEL Standard 2: Self-Management & Agency</p> <p>Use management strategies to build personal and collective agency that lead to achieving goals and aspirations.</p> <p>TSEL Practice 2A: Manage and express thoughts, emotions, impulses, and stressors in ways that affirm one’s identity.</p> <p>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.</p> <p>TSEL Practice 2C: Plan, evaluate, and achieve personal and collective goals and aspirations.</p>

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 is available, demonstrates water safety and basic swimming skills.

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.

Domain 3 Develops social skills through movement. (5.SSM)

Rationale	Transformative SEL Integration
<p>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.</p>	<p>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.</p> <p>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.</p>

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
<p>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.</p>	<p>TSEL Standard 2: Self-Management & Agency Use management strategies to build personal and collective agency that leads to achieving goals and aspirations.</p> <p>TSEL Practice 2A: Manage and express thoughts, emotions, impulses, and stressors in ways that affirm one’s identity.</p> <p>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.</p> <p>TSEL Practice 2C: Plan, evaluate, and achieve personal and collective goals and aspirations.</p>

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
<p>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.</p>	<p>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.</p> <p>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.</p>

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
<p>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.</p>	<p>TSEL Standard 2: Self-Management & Agency Use management strategies to build personal and collective agency that leads to achieving goals and aspirations.</p> <p>TSEL Practice 2A: Manage and express thoughts, emotions, impulses, and stressors in ways that affirm one’s identity.</p> <p>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.</p> <p>TSEL Practice 2C: Plan, evaluate, and achieve personal and collective goals and aspirations.</p>

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
<p>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.</p>	<p>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.</p> <p>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.</p>

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
<p>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.</p>	<p>TSEL Standard 2: Self-Management & Agency Use management strategies to build personal and collective agency that leads to achieving goals and aspirations.</p> <p>TSEL Practice 2A: Manage and express thoughts, emotions, impulses, and stressors in ways that affirm one’s identity.</p> <p>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.</p> <p>TSEL Practice 2C: Plan, evaluate, and achieve personal and collective goals and aspirations.</p>

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.

Oregon State Board of Education

June 12, 2025

AGENDA ITEM: Supplemental Plan Revision for Seaside SD

<p>SUBJECT: Supplemental Plan Revision for Seaside SD STAFF NAME & OFFICE: Brock Dittus, Pupil Transportation & Fingerprinting</p> <p>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.</p>	<p><input type="checkbox"/> Informational Presentation</p> <p><input checked="" type="checkbox"/> Written Report</p>
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BACKGROUND

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

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

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

In 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

June 12, 2025

AGENDA ITEM: Supplemental Plan Revision for Seaside SD

SUMMARY OF PREVIOUS BOARD ACTION

The State Board has previously approved a supplemental plan for Seaside 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: Seaside SD Supplemental Plan & Local Board Approval

Attachment 2: Seaside SD request letter



May 20, 2025

It is recommended that the Seaside School District 10 Board of Directors adopt two resolutions that establish an updated Supplemental Transportation Plan.

The existing Supplemental Transportation Plan was adopted in 1992 and does not reflect the consolidation of school locations that was completed in 2021.

Chris Peters,
Transportation Supervisor
Seaside School District

**SEASIDE SCHOOL DISTRICT 10
CLATSOP COUNTY, OREGON
2600 SPRUCE DRIVE, SUITE 100
SEASIDE, OR 97138**

Resolution #3 - 2024-2025

**A RESOLUTION APPROVING THE SUPPLEMENTAL TRANSPORTATION PLAN UPDATE
FOR PACIFIC RIDGE ELEMENTARY SCHOOL IN SEASIDE SCHOOL DISTRICT 10**

WHEREAS ORS 327.043 requires school districts to provide transportation services to all students living in their assigned school boundaries outside of the prescribed limits (one mile for primary students and 1 ½ miles for secondary students). The statute also requires a school district to provide transportation for any student identified in a supplemental plan approved by the State Board of Education.

WHEREAS Students qualifying under PL 93-112, Section 504 and Special Education students with Individual Education Plans specifying transportation currently live within the one mile limit around Pacific Ridge Elementary School and;

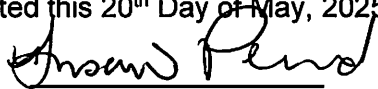
WHEREAS Pacific Ridge Elementary School's student population includes students who currently reside within the one mile limit in areas identified as being unsafe to walk to and from school (Figure 1) and;

WHEREAS Pacific Ridge Elementary School's student population includes students who, currently reside within the Seaside School District 10 Walk Zone (Figure 3) with written approval from Pacific Ridge Elementary School Administration to use an established group bus stop on S Wahanna Road that is proximate to their residence.

IT IS THEREFORE RESOLVED That the Board of Directors of Seaside School District 10 shall include the aforementioned groups of students in a supplemental transportation plan for submission to the State Board of Education.

Approved and adopted this 20th Day of May, 2025

ATTEST:



SIGNED:



Brian Taylor, Chairman
Board of Directors

**SEASIDE SCHOOL DISTRICT 10
CLATSOP COUNTY, OREGON
2600 SPRUCE DRIVE, SUITE 100
SEASIDE, OR 97138**

Resolution #4 - 2024-2025

**A RESOLUTION APPROVING THE SUPPLEMENTAL TRANSPORTATION PLAN UPDATE
FOR SEASIDE HIGH SCHOOL AND SEASIDE MIDDLE SCHOOL
IN SEASIDE SCHOOL DISTRICT 10**

WHEREAS ORS 327.043 requires school districts to provide transportation services to all students living in their assigned school boundaries outside of the prescribed limits (one mile for primary students and 1 ½ miles for secondary students). The statute also requires a school district to provide transportation for any student identified in a supplemental plan approved by the State Board of Education.

WHEREAS Students qualifying under PL 93-112, Section 504 and Special Education students with Individual Education Plans specifying transportation currently live within the one and a half mile limit around Seaside Middle and Seaside High School and;

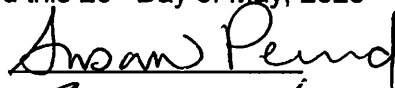
WHEREAS Seaside Middle and Seaside High School's student populations include students who currently reside within the one and a half mile limit in areas identified as being unsafe to walk to and from school (Figure 2) and;

WHEREAS Seaside Middle and Seaside High School's student populations include, students who currently reside within the Seaside School District 10 Walk Zone (Figure 3) with written approval from Seaside Middle or Seaside High School Administration to use an established group bus stop on S Wahanna Road that is proximate to their residence.

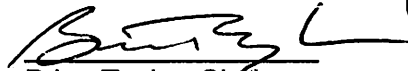
IT IS THEREFORE RESOLVED That the Board of Directors of Seaside School District 10 shall include the aforementioned groups of students in a supplemental transportation plan for submission to the State Board of Education.

Approved and adopted this 20th Day of May, 2025

ATTEST:

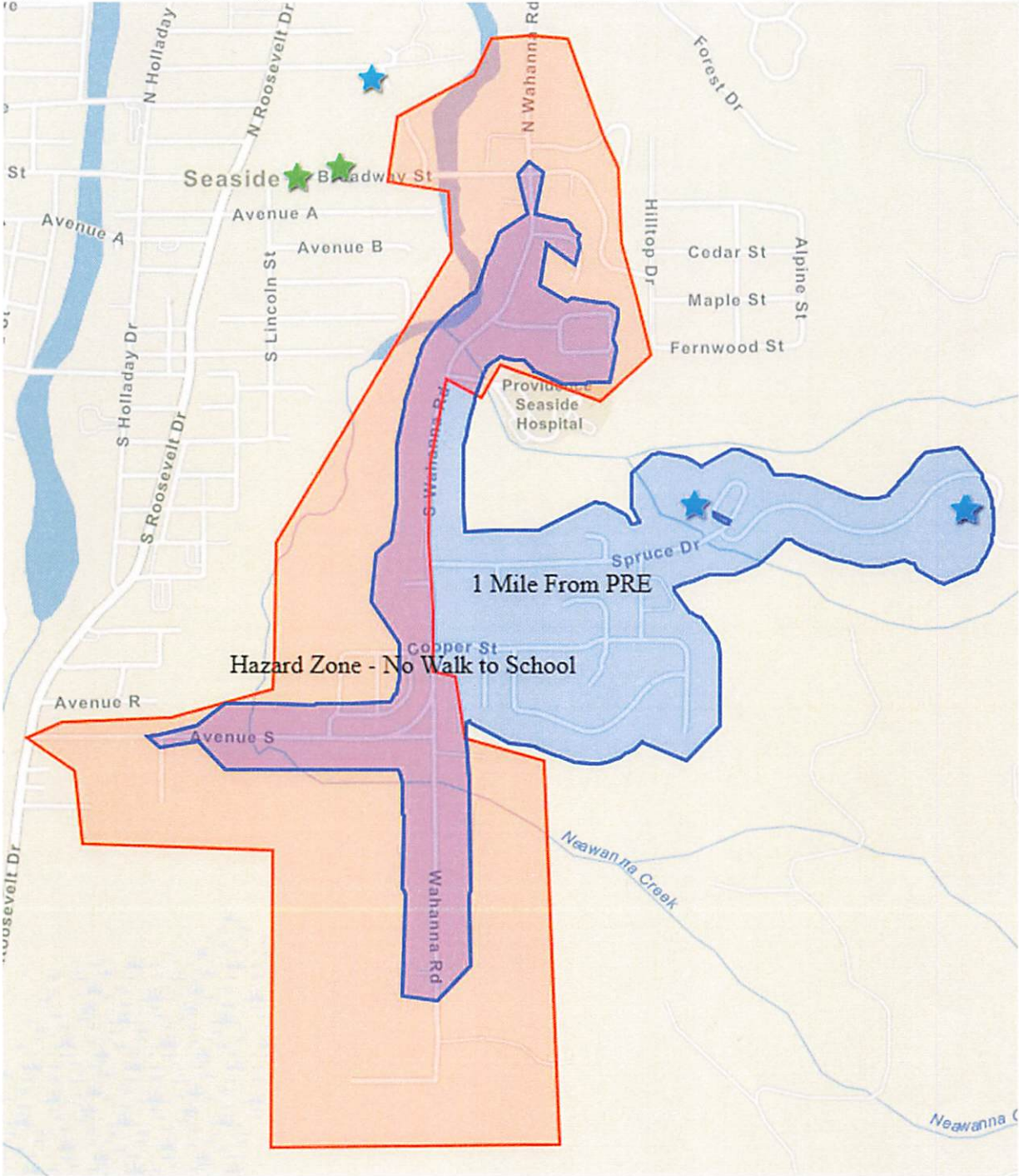


SIGNED:



Brian Taylor, Chairman
Board of Directors

Figure 1: Pacific Ridge Elementary School. 2000 Spruce Drive, Seaside OR 97138



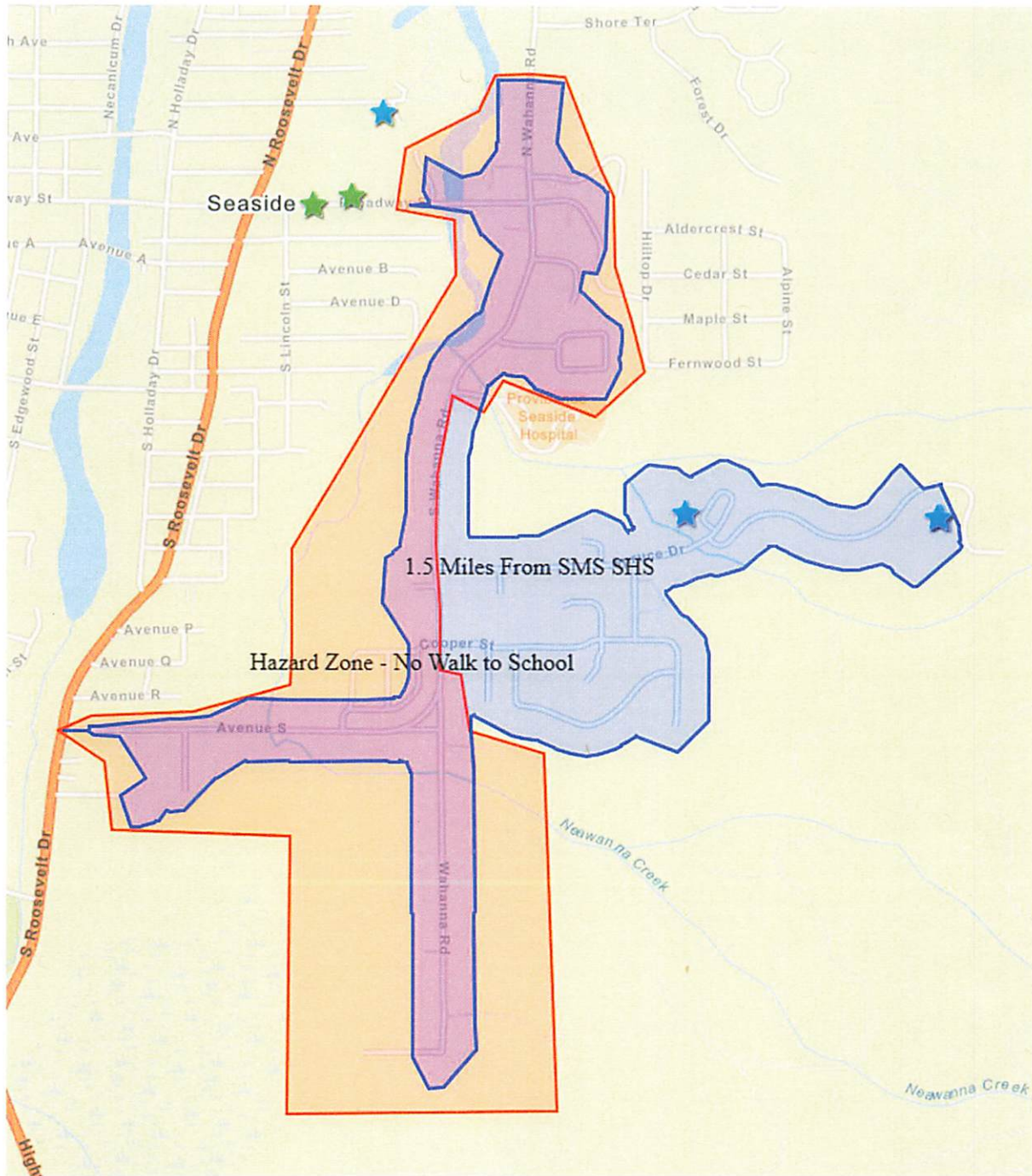
General Area:
 S Wahanna Rd N of Spruce
 S Wahanna Rd S of Cooper
 Avenue S
 Broadway & Wahanna

Hazardous Conditions:
 High Volume Traffic:
 Wahanna, Spruce, Ave S, Broadway
 Lack of Crosswalks and Sidewalks
 Hospital Entrance: traffic volume &
 emergency vehicles, poor pedestrian
 visibility at cross walk
 Broadway/Wahanna – no crosswalks

Approximate # of Students:
 PRE: Grades PK-5 41
 As of May 2025

Key: Stars represent school locations within Seaside School District 10. The Purple Zone is the area within 1 mile from designated school campuses. Orange Zone represents area impacted by a hazard making it unsafe for a student to walk to school.

**Figure 2: Seaside Middle School & Seaside High School.
2600 Spruce St, Seaside OR 97138**



General Area:

S Wahanna Rd N of Spruce
S Wahanna Rd S of Cooper
Avenue S
Broadway & Wahanna

Hazardous Conditions:

High Volume Traffic:
Wahanna, Spruce, Ave S, Broadway
Lack of Crosswalks and Sidewalks
Hospital Entrance: traffic volume & emergency vehicles, poor pedestrian visibility at cross walk
Broadway/Wahanna – no crosswalks

Approximate # of Students:

SMS: Grades 6-8 19
SHS: Grades 9-12 16
As of May 2025

Key: Stars represent school locations within Seaside School District 10. The Purple Zone is the area within 1.5 miles from designated school campuses. Orange Zone represents area impacted by a hazard making it unsafe for a student to walk to school.

Figure 3: Seaside School District 10 Walk Zone

The Seaside School District 10 Walk Zone illustrated below is established as the area within 1 mile of Pacific Ridge Elementary and within 1.5 miles of Seaside Middle School and Seaside High School that have a safe walking route to school. Hazardous conditions that restrict the Walk Zone to the area shown below are documented in Figure 1 and Figure 2.

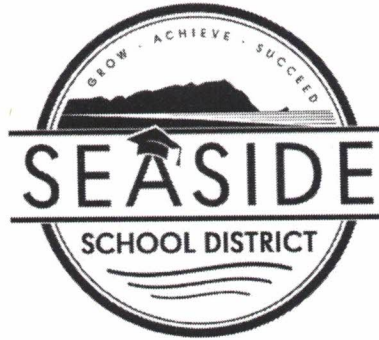
Students who live inside this Walk Zone will be designated walkers with safe routes to school and will not be assigned to a school bus route unless supported by the Seaside School District 10 Supplemental Transportation Plan.



Approximate # of Students located in the Walk Zone:

PRE: Grades PK-5	53
SMS: Grades 6-8	29
SHS: Grades 9-12	39

As of May 2025



May 21, 2025

Brock Dittus
Pupil Transportation Section
255 Capitol Street NE
Salem, OR 97310-0203

Dear Brock,
Please find the enclosed Transportation Supplemental Plan for Seaside School District 10 that has been established by our local School Board.

Sincerely,

A handwritten signature in cursive script that reads "Susan Penrod".

Susan Penrod
Superintendent

Oregon State Board of Education

June 12, 2025

AGENDA ITEM: Supplemental Plan Revision for Dallas SD

<p>SUBJECT: Supplemental Plan Revision for Dallas SD STAFF NAME & OFFICE: Brock Dittus, Pupil Transportation & Fingerprinting</p> <p>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.</p>	<p><input type="checkbox"/> Informational Presentation</p> <p><input checked="" type="checkbox"/> Written Report</p>
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BACKGROUND

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

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

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

In 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

June 12, 2025

AGENDA ITEM: Supplemental Plan Revision for Dallas SD

SUMMARY OF PREVIOUS BOARD ACTION

The State Board has previously approved a supplemental plan for Dallas School District in 1992 & 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: Dallas SD Supplemental Plan & Local Board Approval

www.dallas.k12.or.us

Phone: 503.623.5594 • Fax: 503.623.5597 • Address: 111 SW Ash Street • Dallas, Oregon 97338



June 24, 2024

Brock Dittus, Unit Manager
Pupil Transportation & Fingerprinting Unit
Oregon Department of Education
255 Capitol Street NE
Salem, OR 97310-0203

Dear Mr. Dittus:

Dallas School District, in cooperation with MidColumbia Bus, Inc., has completed a review of all current local conditions and has determined that supplemental plans for pupil transportation are needed for our schools. This determination is based on conditions that exist in school attendance areas that present hazardous conditions for walking students.

This 2024 set of supplemental plans is meant to replace prior plans that were approved by the State Board of Education July 23, 1992.

Your careful review and approval of the supplemental plans for Dallas High School, Lyle Elementary, Oakdale Heights Elementary, Whitworth Elementary, Luckiamute Valley Charter Schools (Bridgeport and Peedee campuses), and Dallas Community School is appreciated. If you have any questions or need any additional information, I am happy to respond.

Yours,

Todd Baughman
Whole Child Administrator

Steve Spencer, Superintendent Rachel Alpert, Assistant Superintendent
Board of Directors: Ed Dressel • Lu Ann Meyer • Rob Ogilvie • Zach Steele • Jonathan Woods



Dallas High School

Hazardous Condition(s)	General Area(s)	Approximate Number of Students Affected
No sidewalks south of railroad tracks on SE Godsey Road	SE Godsey Road, between Monmouth Cutoff and Miller Avenue	16
No controlled crosswalks and heavy traffic counts	Monmouth Cutoff and all streets south of same	16
Heavy traffic, Highway 223	All areas west of Fairview Avenue	35
No sidewalks and 45 mph speed on Miller Avenue/Orrs Corner	Miller Avenue/Orrs Corner, East of Fir Villa Road	1

east of Fir Villa Road		
Train tracks south of Maple Street	South side of tracks	32

Transportation for students residing in the geographical areas identified herein will be provided as long as no safe pedestrian facilities exist. Temporary conditions may warrant periodic changes to the plan. These conditions would include road construction, utility improvements, and dangerous conditions resulting from destructive acts of nature.

LaCreole Middle School
Supplemental Transportation Plan
Board Resolution

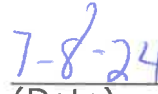
Whereas students qualifying under PL 93-112, Section 504 and students eligible for transportation services related to Individual Education Plans (IEPs) under Individuals with Disabilities Education Act (IDEA) currently live within the one and one-half mile limit around Lyle Elementary School and;

Whereas students of LaCreole School currently reside in the areas indicated on the included map which details hazardous conditions and descriptions;

It is therefore resolved that the Board of Directors of Dallas School District #2 shall include the aforementioned groups of students in a supplementary transportation plan for submission to the Oregon State Board of Education.



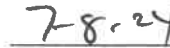
(Board Chair Signature)



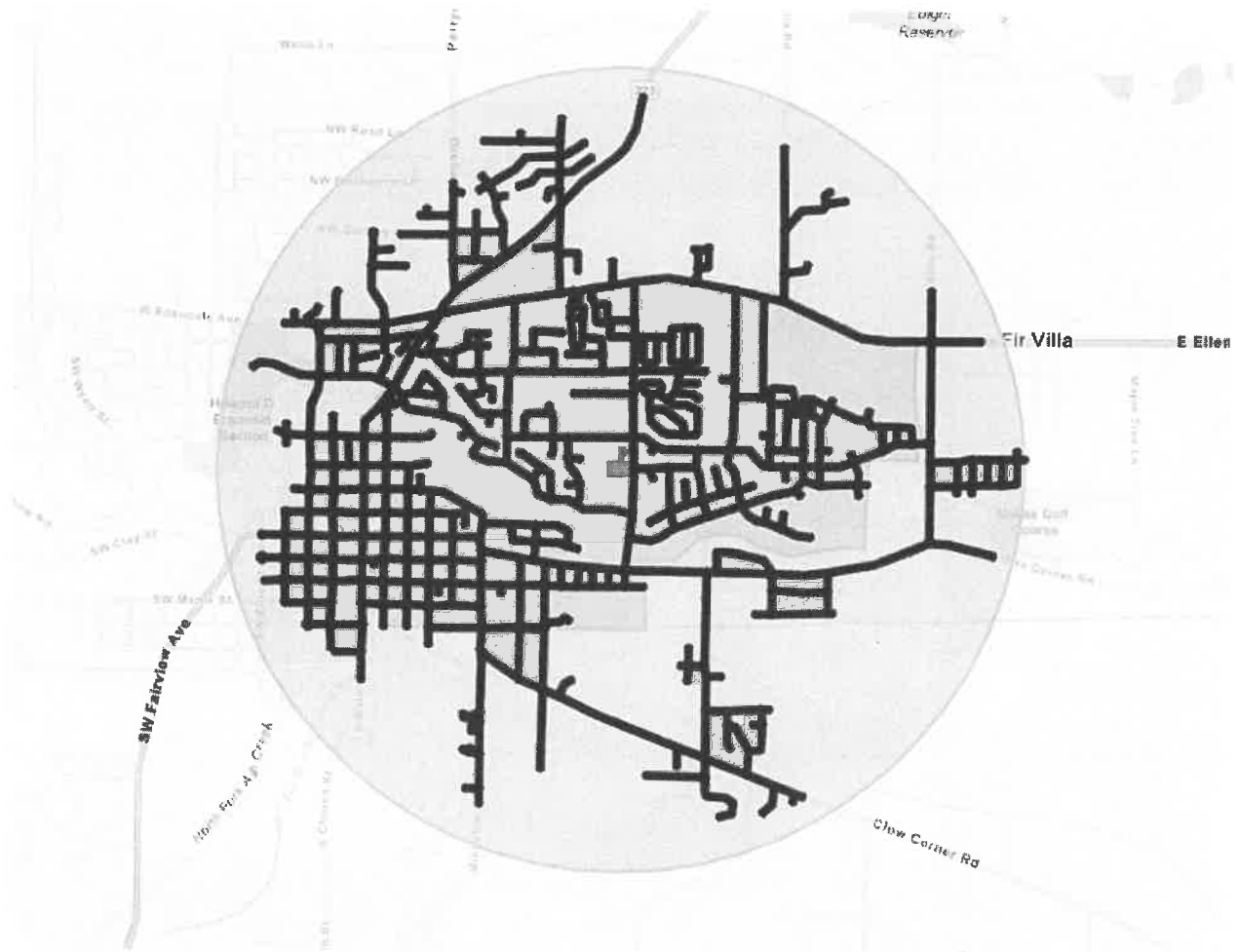
(Date)



(Superintendent Signature)



(Date)



LaCreole Middle School

Hazardous Condition(s)	General Area(s)	Approximate Number of Students Affected
High volume traffic, traffic speed, no sidewalks on East Ellendale east of LaCreole Drive	East Ellendale Avenue, east of LaCreole Drive intersection	10
Train tracks south of Maple Street	South side of tracks	12
No sidewalks south of railroad tracks on SE	SE Godsey Road, between Monmouth	4

Godsey Road	Cutoff and Miller Avenue	
No controlled crosswalks and heavy traffic counts	Monmouth Cutoff and all streets south of same	10

Transportation for students residing in the geographical areas identified herein will be provided as long as no safe pedestrian facilities exist. Temporary conditions may warrant periodic changes to the plan. These conditions would include road construction, utility improvements, and dangerous conditions resulting from destructive acts of nature.

Lyle Elementary School
Supplemental Transportation Plan
Board Resolution

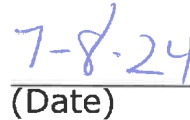
Whereas students qualifying under PL 93-112, Section 504 and students eligible for transportation services related to Individual Education Plans (IEPs) under Individuals with Disabilities Education Act (IDEA) currently live within the one mile limit around Lyle Elementary School and;

Whereas students of Lyle Elementary School currently reside in the areas indicated on the included map which details hazardous conditions and descriptions;

It is therefore resolved that the Board of Directors of Dallas School District #2 shall include the aforementioned groups of students in a supplementary transportation plan for submission to the Oregon State Board of Education.



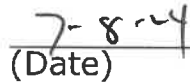
(Board Chair Signature)



(Date)



(Superintendent Signature)



(Date)



Lyle Elementary

Hazardous Condition(s)	General Area(s)	Approximate Number of Students Affected
Truck traffic, no sidewalks, no road shoulders	West Ellendale Avenue, west of James Howe intersection	3
High volume traffic on Main Street/Highway 223	East of Main Street	86

Transportation for students residing in the geographical areas identified herein will be provided as long as no safe pedestrian facilities exist. Temporary conditions may warrant periodic changes to the plan. These conditions would include road construction, utility improvements, and dangerous conditions resulting from destructive acts of nature.

Oakdale Heights Elementary School
Supplemental Transportation Plan
Board Resolution

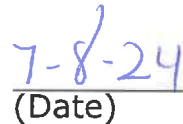
Whereas students qualifying under PL 93-112, Section 504 and students eligible for transportation services related to Individual Education Plans (IEPs) under Individuals with Disabilities Education Act (IDEA) currently live within the one mile limit around Oakdale Heights Elementary School and;

Whereas students of Oakdale Heights Elementary School currently reside in the areas indicated on the included map which details hazardous conditions and descriptions;

It is therefore resolved that the Board of Directors of Dallas School District #2 shall include the aforementioned groups of students in a supplementary transportation plan for submission to the Oregon State Board of Education.



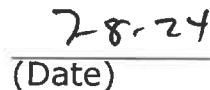
(Board Chair Signature)



(Date)

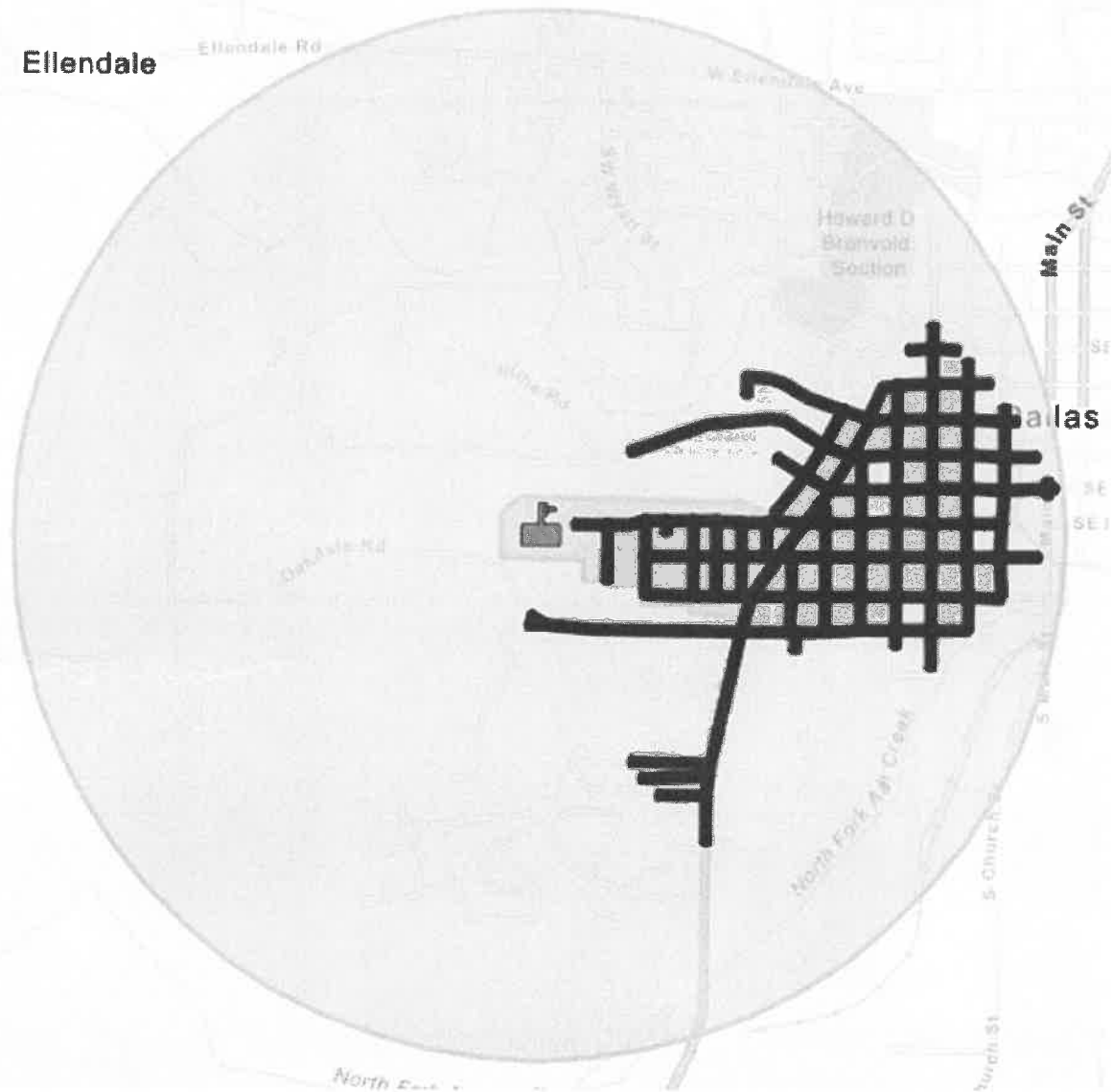


(Superintendent Signature)



(Date)

Ellendale



Oakdale Elementary

Hazardous Condition(s)	General Area(s)	Approximate Number of Students Affected
Students crossing Highway 223/Fairview Road without guards	All attendance area east of Fairview/Highway 223	41
No sidewalks, Highway 223	All areas on Oakdale Road and south of	11

	Oakdale Road to attendance boundary	
No sidewalks	Clay Street west of intersection with Oregon Avenue	4

Transportation for students residing in the geographical areas identified herein will be provided as long as no safe pedestrian facilities exist. Temporary conditions may warrant periodic changes to the plan. These conditions would include road construction, utility improvements, and dangerous conditions resulting from destructive acts of nature.

Whitworth Elementary School
Supplemental Transportation Plan
Board Resolution

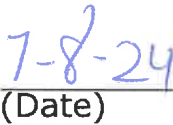
Whereas students qualifying under PL 93-112, Section 504 and students eligible for transportation services related to Individual Education Plans (IEPs) under Individuals with Disabilities Education Act (IDEA) currently live within the one mile limit around Whitworth Elementary School and;

Whereas students of Whitworth Elementary School currently reside in the areas indicated on the included map which details hazardous conditions and descriptions;

It is therefore resolved that the Board of Directors of Dallas School District #2 shall include the aforementioned groups of students in a supplementary transportation plan for submission to the Oregon State Board of Education.



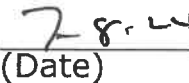
(Board Chair Signature)



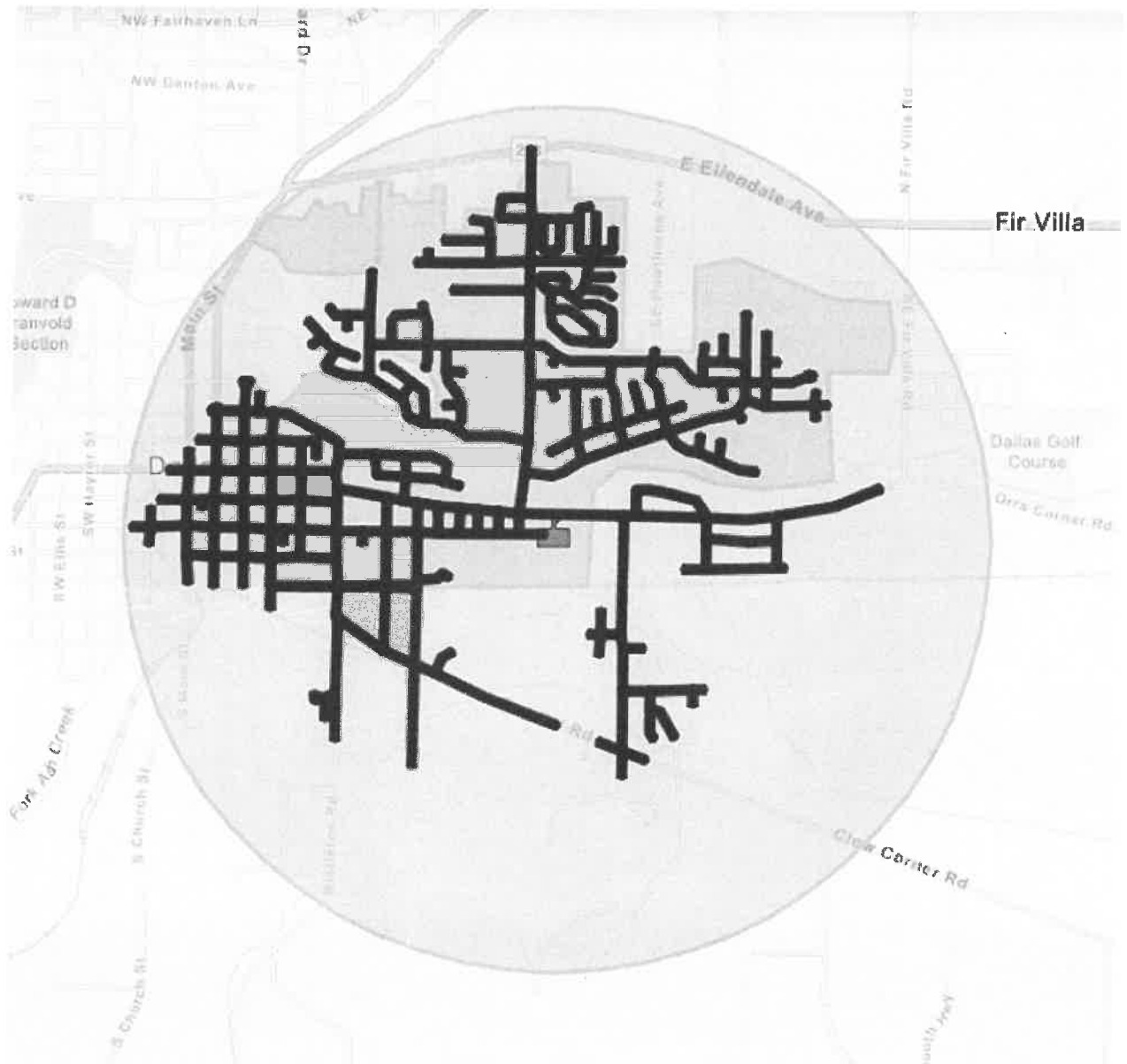
(Date)



(Superintendent Signature)



(Date)



Whitworth Elementary

Hazardous Condition(s)	General Area(s)	Approximate Number of Students Affected
Highway traffic	Monmouth Cutoff and all streets south of same	5

No sidewalks south of railroad tracks on SE Godsey Road	SE Godsey Road, between Monmouth Cutoff and Miller Avenue	6
No sidewalks on Miller Avenue east of Fir Villa Road	Miller Avenue, East of Fir Villa Road	0
Train tracks south of Maple Street	South side of tracks	5

Transportation for students residing in the geographical areas identified herein will be provided as long as no safe pedestrian facilities exist. Temporary conditions may warrant periodic changes to the plan. These conditions would include road construction, utility improvements, and dangerous conditions resulting from destructive acts of nature.

Luckiamute Valley Charter Schools (LVCS)
 Bridgeport and Pedee Campuses
 Supplemental Transportation Plan
 Board Resolution

Whereas students qualifying under PL 93-112, Section 504 and students eligible for transportation services related to Individual Education Plans (IEPs) under Individuals with Disabilities Education Act (IDEA) currently live within the one mile and one and one-half mile limits, respectively, around Bridgeport and Pedee School campuses and;

Whereas students of LVCS currently reside in rural Polk county areas that are not conducive to pedestrian traffic, having hazardous conditions and descriptions;

It is therefore resolved that the Board of Directors shall include the aforementioned groups of students in a supplementary transportation plan for submission to the Oregon State Board of Education.

Victoria T Arvey (Board Chair Signature) 06-24-2024 (Date)

Christy Wilkins (Director Signature) 06-24-2024 (Date)

Hazardous Condition(s)	General Area(s)	Approximate Number of Students Affected
Narrow county roads without shoulders, no crosswalks	LVCS attendance areas	Bridgeport: 114 Pedee: 85

Transportation for students residing in the geographical areas identified herein will be provided as long as no safe pedestrian facilities exist. Temporary conditions may warrant periodic changes to the plan. These conditions would include road construction, utility improvements, and dangerous conditions resulting from destructive acts of nature.

Oregon State Board of Education

June 12, 2025

AGENDA ITEM:

<p>SUBJECT: State Board of Education Board Leadership STAFF NAME & OFFICE: Corey Rosenberg, SBE Administration</p> <p>Election of State Board of Education Chair, Vice Chair, & 2nd Vice Chair. to serve July 1, 2025 – June 30, 2026</p>	<p><input type="checkbox"/> First Reading <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p> <p><input checked="" type="checkbox"/> Action <input type="checkbox"/> Temp Rule <input type="checkbox"/> Presentation <input type="checkbox"/> No Presentation</p>
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BACKGROUND

The State Board of Education Procedures & Policy Manual states in Policy Number 101 that each year, the board will elect their Chair, Vice Chair, 2nd Vice Chair. The Chair is limited to two consecutive terms. The Vice-Chair and 2nd Vice-Chair positions do not have such limitation. The nominations for the 2025-2026 school year remain unchanged from the previous year:

Chair: Jennifer Scurlock

Duties of the Chair:

- Sets agenda.
- Presides at meetings.
- Ensures fairness and impartiality.
- Enforces parliamentary procedure.
- Acts as the primary spokesperson to the press for the board.
- Performs other duties as may be required by law or action of the board.
- Names members for board subcommittees and liaisons, unless a majority of the board votes otherwise.
- Serves as an ex-officio member on board subcommittees.
- Calls special meetings not on board’s adopted calendar.

Vice-Chair: Shimiko Montgomery

Duties of the Vice Chair:

- Presides at meetings in the event of an absence of the Chair.
- Performs other duties as directed by the Chair or the vote of the board.

2nd Vice-Chair: Cynthia Richardson

Duties of the Second Vice Chair:

- Presides at meetings in the event of an absence of the Chair and Vice Chair.
- Performs other duties as directed by the Chair or the vote of the board.

SUMMARY OF PREVIOUS BOARD ACTION

Oregon State Board of Education

June 12, 2025

AGENDA ITEM:

Previously, Jennifer Scurlock served as Chair, Shimiko Montgomery served as Vice-Chair, and Cynthia Richardson served as 2nd Vice-Chair. According to the State Board Procedures and Policy Manual, an individual serving as Chair may do so for up to two consecutive years, pending renomination and board approval. There are no limits on the number of terms a member may serve in the Vice-Chair or 2nd Vice-Chair positions. This would be Jennifer Scurlock’s second consecutive term as Chair.

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

No; same as last year

Yes – As follows:

POLICY ISSUE OR CONCERNS

The State Board of Education has clear guidelines to select their Board leadership. The Board administrator works with the Board Chair to identify a nominating team comprised of one to three Board members. However, the Board administrator removes themselves from nominating team discussions. Once the nominating team has identified nominees, they alert the Board administrator. The Board administrator then presents the nominations to the full Board for potential action. This year, the nominating team consisted of Libra Forde and Bridgett Wheeler.

EQUITY IMPACT ANALYSIS

Since the Board’s Policy & Procedures manual describes a process of nominating Board leadership, outside educational stakeholders, school districts, or advisory groups are not included in the nomination committee deliberations. The public comment process allows members of the public to provide feedback.

The Board of Education is focused on equity, diversity, and inclusion. The nominating committee took into account not only professional experience but also background coupled with experience on the board.

FISCAL ANALYSIS

This will not have fiscal impact on the Board, the Department of Education or school districts.

EFFECT OF A “YES” OR “NO” VOTE

A rejection of the nominating committee recommendations would trigger a Board conversation about who will be part of Board leadership. Accepting the recommendations of the nominating committee would mean that the current nominees would serve as Chair, Vice-Chair and 2nd Vice-Chair for the State Board of Education for the period of July 1, 2025 to June 30, 2026.

STAFF RECOMMENDATION

Oregon State Board of Education

June 12, 2025

AGENDA ITEM:

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

ATTACHMENTS

None

Oregon State Board of Education

June 12, 2025

AGENDA ITEM: Superintendent Advisor

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

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

Policy # 102 also provides a process for accepting nominations:

K-12 School Administrator: Up to three nominations from the Confederation of School Administrators (COSA) will be submitted to the board. The board Executive Committee will recommend a candidate to the full board who will vote on the selection.

Responsibilities of Advisors

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

A vote of the full board is required.

The following recommendation has been made:

K-12 School Administrator: George Mendoza, Superintendent, La Grande School District

SUMMARY OF PREVIOUS BOARD ACTION

This is the second year that George Mendoza is being considered by the full board.

HAS THE RULE CHANGED SINCE LAST BOARD MEETING?

Oregon State Board of Education

June 12, 2025

AGENDA ITEM: Superintendent Advisor

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

POLICY ISSUE OR CONCERNS

Superintendent Mendoz served in this position during the 2024-2025 school year. The Coalition of Oregon School Administrators (COSA) has recommended George Mendoza continue in this position. After reviewing COSA's recommendation and connecting with Superintendent Mendoza, Board leadership is proposing Superintendent Mendoza to the full Board for confirmation for a second term.

EQUITY IMPACT ANALYSIS

A major consideration in the selection of the school district administrator advisor was balanced and diverse geographical representation. Taking into account the current geographical makeup of the Board, including members and advisors, board leadership sought to ensure a voice from eastern Oregon was included.

FISCAL ANALYSIS

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

EFFECT OF A "YES" OR "NO" VOTE

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

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1:

Oregon State Board of Education

June 12, 2025

AGENDA ITEM: School Board Advisor

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

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

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

Responsibilities of Advisors

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

A vote of the full board is required.

The following recommendation has been made:

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

SUMMARY OF PREVIOUS BOARD ACTION

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

POLICY ISSUE OR CONCERNS

Oregon State Board of Education

June 12, 2025

AGENDA ITEM: School Board Advisor

Becky Tymchuk served in this position during the 2024-2025 school year. The Oregon School Boards Association (OSBA) has recommended Becky Tymchuk continue in this position. After reviewing OSBA's recommendation and connecting with Becky Tymchuk, Board leadership is proposing her to the full Board for confirmation for a second term.

EQUITY IMPACT ANALYSIS

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

FISCAL ANALYSIS

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

EFFECT OF A "YES" OR "NO" VOTE

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

STAFF RECOMMENDATION

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

ATTACHMENTS

Attachment 1:

2025/26 State Board of Education Calendar

August 2025						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14*	15*	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September 2025						
Su	Mo	Tu	We	Th	Fr	Sa
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2025						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November 2025						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December 2025						
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	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

January 2026						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February 2026						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March 2026						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2026						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May 2026						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June 2026						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 2026						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

* Board Retreat

Summary

Meeting Date: 6/12/2025

Title: Seeking Temporary Adoption of OAR 581-015-2320 (Surrogate Parents) and OAR 581-015-2325 (Transfer of Procedural Rights at Age of Majority)

Status: First Reading

Presentation: Yes

Key Staff: Ramonda Olaloye and Abby Wells

Topic Summary: ODE proposes temporary rules establishing procedures for educational decision-making for disabled adult students and adult students experiencing disabilities who may lack capacity to provide informed consent. This addresses a regulatory gap identified by Disability Rights Oregon and fulfills federal IDEA requirements while permanent rules are developed through further engagement in Fall 2025.

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?**

OAR 581-015-2320 currently ensures that the rights of students are protected by appointing surrogates when parents cannot be identified or located. OAR 581-015-2325 implements federal requirements regarding transfer of rights at age of majority, ensuring that students receive notification of their rights and that parents remain informed about their child’s education.

However, current rules lack clear procedures for appointing educational decision-makers for disabled adult students and adult students experiencing disabilities who may lack capacity to provide informed consent. This creates a significant regulatory gap where schools lack a consistent, legally sound pathway to establish appropriate educational decision-making authority for students in this situation.

Oregon State Board of Education Docket



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

The Board must ensure compliance with federal IDEA requirements, specifically 34 CFR § 300.520(b), which states: “A State must establish procedures for appointing the parent of a child with a disability, or, if the parent is not available, another appropriate individual, to represent the educational interests of the child throughout the period of the child’s eligibility under Part B of the Act if, under State law, a child who has reached the age of majority, but has not been determined to be incompetent, can be determined not to have the ability to provide informed consent with respect to the child’s educational program.”

The Board has considerable discretion in how it implements these federal requirements, allowing flexibility in establishing specific procedures for determining capacity and appointing appropriate decision-makers.

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

OAR 581-015-2320 was last before the State Board of Education in 2015. OAR 581-015-2325 was last before the State Board of Education in 2007.

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

This item comes before the Board to address a regulatory gap in Oregon’s special education rules regarding educational decision-making for adult students who lack capacity to provide informed consent but have no court-appointed guardian. This gap has existed since the IDEA’s implementing regulations were finalized but was recently identified through Disability Rights Oregon (DRO), who petitioned for rulemaking on this issue.

The current absence of clear procedures creates uncertainty for schools working with this population of students. Without established procedures, schools face challenges in determining appropriate educational decision-making authority while respecting students’ rights. This particularly affects students turning 18 and transitioning to adult status under IDEA.

The proposed temporary rules provide a framework aligned with federal requirements under 34 CFR § 300.520(b), which directs states to establish procedures for appointing educational representatives for adult students determined not able to provide informed consent. These temporary rules offer needed guidance while allowing ODE to conduct more comprehensive engagement during permanent rulemaking in Fall 2025.

Taking action now addresses a longstanding gap in our regulations and provides clarity for districts while ensuring this vulnerable student population receives appropriate educational

Oregon State Board of Education Docket



services with proper procedural protections in place. This approach allows us to address the current need while developing more comprehensive permanent rules through extended engagement with all affected communities.

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: Disability Rights Oregon

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 guided our comprehensive engagement approach by ensuring we identified those most affected by the proposed rule changes and meaningfully incorporated their perspectives throughout the process. This framework helped us recognize that disabled adult students and adult students experiencing disabilities who may lack capacity to provide informed consent would be most directly impacted, along with their families who often navigate complex decision-making systems.

Our engagement strategy deliberately sought diverse perspectives through multiple channels: We conducted targeted meetings with Disability Rights Oregon, who initially identified this regulatory gap, to understand the legal and rights-based implications. We engaged extensively with FACT Oregon (Oregon's Parent Training and Information Center) to capture family

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perspectives on decision-making supports and concerns about potential bias in capacity determinations.

Special Education Directors provided critical insights on implementation challenges, particularly the difficulty finding qualified surrogate parents in small/rural communities. Their feedback highlighted practical considerations essential for feasible implementation.

We distributed a public survey that garnered 111 responses (50% supporting, 35% unsure, 15% opposing), revealing key tensions between ensuring adequate support while protecting student autonomy. The survey captured concerns about decision-making authority, student rights, implementation challenges, and potential disproportionate impacts on certain student populations.

The Oregon Rules Community Advisory (ORCA) meeting on June 5, 2025 provided additional perspectives that led to important refinements of the proposed rules.

This engagement informed significant revisions to the draft rules, including:

- Shifting from district-level to IEP team-based determinations
- Explicitly incorporating supported decision-making approaches
- Requiring regular review of surrogate appointments
- Strengthening requirements for considering student preferences
- Adding requirements for parent input on surrogate selection
- Clarifying terminology and processes

As we continue to work on this issue through permanent rulemaking in Fall 2025, we will use the Equity Decision Tree to guide deeper engagement, especially focusing on creating multiple opportunities for family support networks and advocacy organizations representing those most impacted who may have been unable to fully participate in the temporary rulemaking process.

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)

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- 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.

Not applicable.

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)?

Engagement included a public survey that was distributed statewide to enable representation from all geographic regions in Oregon. Additionally, ODE engaged with groups that represent constituents across the state, including the Statewide Advisory Council for Special Education, Special Education Directors, and advocacy organizations like FACT Oregon and Disability Rights 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?

ODE has conducted extensive engagement and made significant rule revisions in response to community feedback, demonstrating a commitment to responsive rulemaking:

District Personnel Engagement:

District staff emphasized balancing student autonomy with appropriate support while highlighting implementation challenges, particularly finding qualified surrogates in small/rural

communities. They requested standardized processes and a matrix approach to capacity determination.

How ODE responded:

ODE shifted to team-based determinations rather than district-only decisions and committed to developing implementation guidance with clear procedures. ODE will also continue to explore a statewide surrogate pool with centralized training to address critical shortages, especially in rural areas.

Family Advocate Engagement (primarily FACT Oregon):

Family advocates emphasized self-determination, dignity of risk, and presumption of competence. They expressed concerns about bias in capacity determinations, particularly for students with intellectual disabilities or complex communication needs.

How ODE responded:

ODE made several key revisions:

- Explicitly included supported decision-making as an alternative to surrogate appointment
- Added requirements for regular review of surrogate appointments to prevent unnecessary continuation
- Shifted responsibility from districts to IEP teams for collaborative decision-making
- Added requirements to consider student preferences, interests, needs, and strengths based on age-appropriate transition assessment

Public Survey Responses:

Survey respondents (111 total: 50% supporting, 35% unsure, 15% opposing) raised concerns about decision-making authority, student autonomy, implementation challenges, and potential disproportionate impact.

How ODE responded:

ODE incorporated safeguards against biased determinations by strengthening requirements for student preference consideration and documentation, while also adding surrogate suitability requirements.

Oregon Rules Community Advisory (ORCA) Engagement:

ORCA participants on June 5, 2025 provided additional feedback that prompted further revisions:

How ODE responded:

- Added a clause requiring school districts to consider parent input about who might serve as surrogate parent when parents are not available/able
- Ensured consistent terminology throughout the rules (“surrogate” or “surrogate parent” instead of “educational surrogate”)

- Made explicit that separate IEP meetings are not required for surrogate determinations
- Revised language about cognitive assessment requirements by removing potentially problematic wording about “significantly impairs their cognitive or processing ability”

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 is asking the Board to adopt these temporary rules today. However, ODE will continue engagement as permanent rulemaking proceeds during Fall 2025, with plans to:

1. Develop implementation guidance addressing supported decision-making alternatives
2. Create comprehensive resources and training for districts, families, and surrogates
3. Explore statewide surrogate parent training to address shortages
4. Provide multiple engagement opportunities for family support networks, The Arc Oregon, and other advocacy organizations that were unable to participate directly due to scheduling conflicts
5. Continue collaboration with advocacy organizations to protect student rights

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 primary impact for school districts and ESDs relates to training individuals who wish to serve as surrogate parents. These surrogates must demonstrate understanding of their responsibilities and the principles of supported decision-making.

Districts may need to update policies, procedures, and forms to reflect the new requirements, but these are routine administrative tasks that occur regularly with rule updates.

Small, rural, or remote communities may face greater challenges in finding qualified surrogate parents. Engagement feedback highlighted this concern, noting that these communities already struggle with surrogate parent availability. ODE will work to develop guidance, training materials, and explore possibilities for statewide training to address these challenges.

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?

The proposed rule changes are not expected to have any fiscal impact on the Oregon Department of Education. ODE is already staffed to implement IDEA requirements, and existing staff will absorb any additional guidance and technical assistance needs.

The fiscal impact for districts is expected to be minimal or potentially positive. By establishing standardized procedures, the amendments create predictability and reduce administrative burden. Districts may actually see cost savings by reducing the need for legal consultation in these previously ambiguous situations.

There are no anticipated impacts on small businesses as these rules pertain specifically to public education procedures.

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?

Board action will positively impact disabled adult students and adult students experiencing disabilities who may lack capacity to provide informed consent—a population that faces significant barriers to educational access. Without these rule amendments, some of these students face heightened risk of educational service disruption when they reach adulthood.

The amendments will ensure that students' educational rights are protected by establishing clear procedures for decision-making support, while simultaneously protecting student autonomy by incorporating supported decision-making approaches and regular review of surrogate appointments.

For families, these amendments provide an administrative pathway that doesn't require navigating complex and costly legal proceedings like formal guardianship.

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?

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Board action will provide school district employees with clear procedures and guidance for situations they currently find legally ambiguous. This clarity reduces administrative burden and stress on staff who must navigate these complex situations.

Special education staff will benefit from having standardized processes for determining when surrogate parents are needed and how they should be appointed, ensuring consistency across districts and reducing potential legal risks.

By shifting determination authority from districts to IEP teams, the amendments also ensure collaborative decision-making that incorporates multiple perspectives, reducing pressure on any single employee to make these important determinations alone.

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 consequences:

- Immediate clarity for schools facing situations with adult students who lack capacity to provide informed consent
- Consistent procedures across districts for appointing educational decision-makers
- Reduced legal risk and administrative uncertainty

Long-term consequences:

- More equitable access to appropriate educational services for all students
- Increased focus on supported decision-making and student autonomy
- Potentially reduced reliance on formal guardianship proceedings
- Development of a more robust statewide system for training and supporting surrogate parents

The cumulative effect will be a more coherent and comprehensive system of educational decision-making supports that respects student autonomy while ensuring appropriate educational services are provided to all students.

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

Short-term consequences of inaction:

- Continued procedural uncertainty for districts
- Potential educational service disruptions for students
- Inconsistent practices across districts
- Increased legal consultation costs for districts

Long-term consequences of inaction:

- Persistent inequitable access to educational services
- Continued pressure on families to pursue formal guardianship
- Possible escalation of concerns from advocacy organizations, potentially resulting in formal complaints or legal challenges
- Ongoing compliance issues with federal IDEA requirements under 34 CFR § 300.520(b)

Adult students who lack capacity to provide informed consent to their educational program and their families would experience the most severe consequences, as they would continue to face uncertainty and potential service disruptions when students reach adulthood.

RECOMMENDED ACTION

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

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

The proposed temporary rule amendments to OAR 581-015-2320 and OAR 581-015-2325 establish clear procedures for appointing surrogate parents for adult students who lack capacity to provide informed consent to their educational program. Key provisions include:

1. Procedures for IEP teams to determine when an adult student may need a surrogate parent
2. Requirements to consider supported decision-making before appointing a surrogate
3. Prioritization of parents as first choice for surrogate appointments when appropriate
4. Procedures for surrogate selection when parents are unavailable, unwilling, or unable
5. Requirements for regular review of surrogate appointments
6. Emphasis on considering student preferences throughout the process

The Board is asked to approve these temporary rule amendments to provide immediate clarity to schools while permanent rulemaking proceeds.

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

The proposed language directly responds to feedback received by:

- Shifting determination authority from districts to IEP teams, ensuring collaborative decision-making
- Explicitly incorporating supported decision-making approaches
- Requiring regular review of surrogate appointments
- Strengthening requirements to consider student preferences
- Ensuring districts consider parent input on surrogate selection

- Clarifying terminology and processes to promote consistent implementation

These amendments strongly align with the Board’s Mission, Vision, and Values:

Mission - “Providing equitable policies and practices that lead to the educational and life success of every Oregon student”:

The amendments establish equitable policies for appointing educational decision-makers for disabled adult students and adult students experiencing disabilities, ensuring they receive appropriate educational services essential to their life success.

Vision - “An aspirational education system that honors its increasingly diverse student body and affirms every student to reach their full potential”:

The rules honor the diverse needs of disabled students and students experiencing disabilities by creating pathways for appropriate decision-making support while affirming students’ rights to have their preferences considered and to participate meaningfully in decisions about their education.

Values:

- **“Centering diversity, equity, and inclusion”:** The amendments address the specific needs of population that systems have historically marginalized and continue to marginalize. The proposed rules include safeguards against biased determinations that could disproportionately impact certain students.
- **“Challenging the status quo and rendering an innovative, creative, adaptable, and culturally responsive curriculum”:** The rules challenge the status quo of unclear procedures by creating an adaptable framework that respects individual student needs and preferences.
- **“Sharing responsibility, aiming for every student’s individual academic excellence, and providing life skills that allow students to develop self-agency”:** The amendments share responsibility through team-based determinations, prioritize supported decision-making approaches that foster self-agency, and ensure educational planning continues with appropriate supports.
- **“Conducting business with integrity, transparency, and adaptability”:** The rules establish transparent procedures with required documentation, regular review, and clear criteria, adapting to the specific needs of individual students while maintaining consistency across districts.

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 the Board approve the temporary rule amendments to OAR 581-015-2320 and OAR 581-015-2325. This action reflects:

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Academic excellence: Ensuring all students, including those who need decision-making support, have appropriate access to educational services that meet their individual needs.

Belonging and wellness: Promoting student autonomy through supported decision-making approaches, respecting student preferences, and ensuring regular review of surrogate appointments.

Reimagining accountability: Creating clear, standardized procedures that protect student rights while providing schools with necessary guidance to fulfill their responsibilities.

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?

Please enter your answer here

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

Please enter your answer here

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

Please enter your answer here

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

Please enter your answer here

APPENDIX B: GRANT CONSOLIDATION

Appendix B should only be completed if "yes" is selected for question 12. Using plain language, this section should provide additional detail on how grant rules have been aligned and designed to support districts and meet administrative needs.

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

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

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

Please enter your answer here

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

Please enter your answer here



OAR 581-015-2320 Surrogate Parents &
OAR 581-015-2325 Transfer of Procedural
Rights at Age of Majority
(Seeking Temporary Adoption)

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Ramonda Olaloye and Abby Wells
Office of Enhancing Student Opportunities
June 12, 2025

Transfer of Rights Overview

Transition to adulthood is a key milestone for all students.

At age 18 in Oregon, educational rights under IDEA transfer from parents to the student.

Students gain control over their educational decisions, including their IEP.

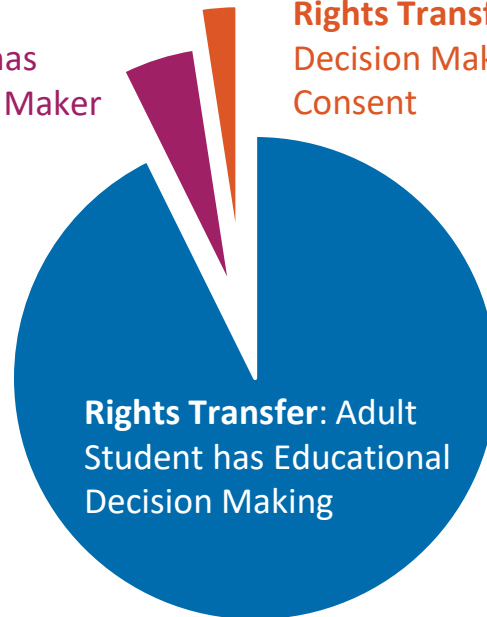
Exception:
Transfer does not occur if the student is determined incompetent under state law.

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Special Rule (34 CFR § 300.520(b))

Rights **DO NOT** Transfer: Court has Appointed Educational Decision Maker

Rights Transfer: Adult Student Has Educational Decision Making But Cannot Provide Informed Consent



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Chart is illustrative and not intended to represent specific data.

Purpose of Proposed Revisions

Addresses a gap
in current rules
for adult students
who:

- Have reached the age of majority,
- Are not determined legally incompetent,
- Cannot provide informed consent, and²⁴⁸
- Do not have a guardian or formal decision-making support.
- This will ensure every adult student with a disability has access to appropriate educational representation.

Initial Proposed Temporary Rules

OAR 581-015-2325 Transfer of Procedural Rights at Age of Majority

- Required school district to appoint parent or, at times, another adult as surrogate when adult student with disability could not provide informed consent to IEP process and did not have a court order depriving them of educational decision-making authority.
- Provided criteria for school districts to consider whether adult student could provide informed consent and for selection of educational surrogate.

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OAR 581-015-2320 Surrogate Parents

- Enabled appointment of surrogate parents for adult students with disabilities consistent with OAR 581-015-2325.

Engagement and Feedback

DISABILITY RIGHTS OREGON

- Identified Need Based on Work with Clients
- Alerted ODE to Need for Proposed Rules
- Provided Initial Draft Language
- Petitioned for Rulemaking Process

FOCUS GROUPS

- **Special Education Directors**
 - Overall support for rule changes, with concerns about implementation
- **FACT Oregon (PTI)**
 - Concerns about centering student voice, presuming competence, and allowing for self-determination and dignity of risk

PUBLIC SURVEY

- Available May 19-26
- Shared via Special Education Partners mailing list, to Special Education Directors, and through FACT Oregon.
- 111 responses with 55 in support, 17 opposed, and 39 unsure.

Key Themes from Engagements

The engagement process revealed broad agreement that, while addressing the regulatory gap is important, the approach should:

- Center student voice and preferences throughout the process
- Establish clear criteria for capacity determination
- Include strong procedural safeguards and review mechanisms
- Connect to supported decision-making approaches
- Provide comprehensive implementation resources
- Address practical concerns about surrogate availability
- Build in accountability for respecting student rights and dignity

Updates to Rules Based on Engagements

- Required consideration of adult student's preference, interests, needs and strengths based on age appropriate transition assessment prior to determination of need for an educational surrogate.
- Placed decision making process in authority of IEP team rather than school district and ensured it would be reviewed at least annually.
- Included supported decision making more explicitly, requiring it to be used rather than a surrogate when it enables the adult student to provide informed consent.
- Added additional criteria to consider when determining if an adult is a suitable surrogate.

Changes to Proposed Rules from ORCA Feedback

Feedback	Result
Parent's input into surrogate selection should be considered	Added (c)(ii): "If the parent is not appointed as the surrogate, input from the parent about who might serve as a surrogate parent" 253
Rules interchanged "educational surrogate" and "surrogate parent"	Updated rules to only reference surrogate parent or surrogate
Unclear in rules whether determination required a separate IEP meeting	Explicitly noted in rules that a separate IEP meeting was not needed unless requested by a member of the IEP team
Should not include "cognitive or processing ability" as it might result in unnecessary assessments	Removed "cognitive or processing ability" from applicable section, making rule clearer

Impact of Changes to Rules from Current

Authorizes school districts to appoint educational representatives when necessary.

Promotes effective advocacy for students during the IEP process.

Strengthens protection of educational rights.

Ensures ²⁵⁴ compliance with federal IDEA requirements.



Questions?

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581-015-2320
Surrogate Parents

(1) Each public agency must ensure that the rights of a child are protected by determining the need for, and when appropriate assigning, a surrogate parent when no parent (as defined in OAR 581-015-2000) with legal rights in respect to a student's educational decision making can be identified or located after reasonable efforts and additionally:

(a) The child is a ward of the state and there is reasonable cause to believe that the child has a disability; or

(b) The child is an unaccompanied homeless youth.

(2) The school district may not appoint a surrogate solely because the parent or adult student to whom rights have transferred is uncooperative or unresponsive to special education needs.

(3) Each school district must have a method for determining whether a child needs a surrogate parent and for assigning a surrogate parent to the child. The school district must ensure that each person approved to serve as a surrogate:

(a) Is not an employee of the school district or the Department or any other agency that is involved in the education or care of the child;

(b) Is free of any personal or professional interest that conflicts with representing the child's special education interests; and

(c) Has knowledge and skills that ensure adequate representation of the child in special education decisions.

(4) For an unaccompanied homeless youth, appropriate staff of emergency shelters, independent living programs and street outreach programs may be appointed as a temporary surrogate parent without regard to subsection (3)(a) until a surrogate can be appointed that meets all of the requirements of subsection (3).

(5) An appointed surrogate parent has all of the special education rights and procedural safeguards available to the parent.

(6) A surrogate is not considered an employee of a school district solely on the basis that the surrogate is compensated from public funds.

(7) The duties of the surrogate parent are to:

(a) Protect the special education rights of the child;

- (b) Be acquainted with the child's disability and the child's special education needs;
 - (c) Represent the child in all matters relating to the identification, evaluation, IEP and educational placement of the child; and
 - (d) Represent the child in all matters relating to the provision of a free appropriate public education to the child.
- (8) A surrogate has the same rights granted to a parent in a hearing under OAR 581-015-2360, and the procedures regarding hearings in OAR 581-015-2340 through 581-015-2385 apply.
- (9) A parent, or an adult student to whom rights have transferred, may give written consent for a surrogate to be appointed.
- (a) When a parent or an adult student requests that a surrogate be appointed:
 - (A) The parent or adult student retains all parental rights to receive notice under OAR 581-015-2190, 581-015-2195, 581-015-2310, and 581-015-2315 and all of the information provided to the surrogate.
 - (B) The surrogate, alone, is responsible for all matters relating to the special education of the child unless the parent or adult student revokes consent for the surrogate's appointment.
 - (b) The parent or adult student may revoke consent at any time by providing a written request to revoke the surrogate's appointment.
- (10) The school district may change or terminate the appointment of a surrogate when:
- (a) The person appointed as surrogate is no longer willing to serve;
 - (b) Rights transfer to the adult student or the child graduates with a regular diploma;
 - (c) The child is no longer eligible for special education services;
 - (d) The legal guardianship of the child is transferred to a person who is able to carry out the role of the parent;
 - (e) A foster parent is identified who can carry out the role of parent under OAR 581-015-2000(20);
 - (f) The parent, who previously could not be identified or located, is now identified or located;
 - (g) The appointed surrogate is no longer eligible;

(h) The child moves to another school district; or

(i) The child is no longer a ward of the state or an unaccompanied homeless youth.

(11) A person appointed as surrogate will not be held liable for actions taken in good faith on behalf of the parent in protecting the special education rights of the child.

(12) When it is determined that a surrogate parent is needed to protect the rights of a student with a disability as outlined above, the surrogate must be appointed not more than 30 days after the determination that the student needs a surrogate.

Statutory/Other Authority: ORS 343.041, 343.045, 343.055 & 343.155

Statutes/Other Implemented: ORS 343.155 & 34 CFR 300.519

History:

ODE 6-2015, f. & cert. ef. 3-11-15

Renumbered from 581-015-0099, ODE 10-2007, f. & cert. ef. 4-25-07

ODE 2-2003, f. & cert. ef. 3-10-03

ODE 23-1999, f. & cert. ef. 9-24-99

EB 11-1995, f. & cert. ef. 5-25-95

EB 9-1992, f. & cert. ef. 4-7-92

1EB 5-1980, f. 2-22-80, ef. 2-23-80

1EB 18-1979(Temp), f. & ef. 11-15-79

581-015-2325

Transfer of Procedural Rights at Age of Majority

(1) When a child with a disability reaches the age of majority under ORS 109.510 or 109.520, or is emancipated pursuant to 419B.550 to 419B.558, the rights accorded to the child's parents under the special education laws transfer to the child. A student for whom rights have transferred is considered an "adult student" under OAR 581-015-2000.

(2) Notwithstanding section (1) of this rule:

(a) Pursuant to a protective proceeding under ORS Chapter 125, the Probate Court may find the child to be incapacitated to make educational decisions and may appoint a guardian to exercise these rights.

(b) Under ORS 419B.220 or 419C.220, the Juvenile Court may appoint a surrogate parent to exercise these rights if the child is a ward of the state.

(3) School districts are not responsible for the costs of a protective proceeding unless the school district is the Petitioner.

(4) Pursuant to OAR 581-015-2320(9), a child to whom rights transfer may request that a surrogate be appointed to exercise the child's special education rights.

(5) This rule applies to all students, including students who are incarcerated in a state or local adult or juvenile correctional facility or jail.

Statutory/Other Authority: ORS 343.055 & 343.155

Statutes/Other Implemented: ORS 343.155, 343.181 & 34 CFR 300.520

History:

Renumbered from 581-015-0101, ODE 10-2007, f. & cert. ef. 4-25-07

ODE 2-2003, f. & cert. ef. 3-10-03

ODE 24-1999, f. & cert. ef. 9-24-99

581-015-2320
Surrogate Parents

(1) Each public agency must ensure that the rights of a child and, as determined appropriate under OAR 581-015-2325, adult student with a disability are protected by determining the need for, and when appropriate assigning, a surrogate parent when no parent (as defined in OAR 581-015-2000) with legal rights in respect to a student's educational decision making can be identified or located after reasonable efforts and additionally:

(a) The child is a ward of the state and there is reasonable cause to believe that the child has a disability; or

(b) The child is an unaccompanied homeless youth.

(2) The school district may not appoint a surrogate solely because the parent or adult student to whom rights have transferred is uncooperative or unresponsive to special education needs.

(3) Notwithstanding section (1) of this rule, each school district must have a method for determining whether a child or adult student, as determined appropriate under OAR 581-015-2325, needs a surrogate parent and for assigning a surrogate parent to the child or adult student, as determined appropriate under OAR 581-015-2325. The school district must ensure that each person approved to serve as a surrogate:

(a) Is not an employee of the school district or the Department or any other agency that is involved in the education or care of the child or adult student, as determined appropriate under OAR 581-015-2325;

(b) Is free of any personal or professional interest that conflicts with representing the child's or adult student's, as determined appropriate under OAR 581-015-2325, special education interests; and

(c) Has knowledge and skills that ensure adequate representation of the child or adult student, as determined appropriate under OAR 581-015-2325 in special education decisions.

(4) For an unaccompanied homeless youth, appropriate staff of emergency shelters, independent living programs and street outreach programs may be appointed as a temporary surrogate parent without regard to subsection (3)(a) until a surrogate can be appointed that meets all of the requirements of subsection (3).

(5) An appointed surrogate parent has all of the special education rights and procedural safeguards available to the parent.

(6) A surrogate is not considered an employee of a school district solely on the basis that the surrogate is compensated from public funds.

(7) The duties of the surrogate parent are to:

(a) Protect the special education rights of the child or adult student, as determined appropriate under OAR 581-015-2325;

(b) Be acquainted with the child's or adult student's, as determined appropriate under OAR 581-015-2325, disability and the child's or adult student's, as determined appropriate under OAR 581-015-2325, special education needs;

(c) Represent the child or adult student, as determined appropriate under OAR 581-015-2325, in all matters relating to the identification, evaluation, IEP and educational placement of the child or adult student, as determined appropriate under OAR 581-015-2325; and

(d) Represent the child or adult student, as determined appropriate under OAR 581-015-2325, in all matters relating to the provision of a free appropriate public education to the child or adult student, as determined appropriate under OAR 581-015-2325.

(8) A surrogate has the same rights granted to a parent in a hearing under OAR 581-015-2360, and the procedures regarding hearings in OAR 581-015-2340 through 581-015-2385 apply.

(9) A parent, or an adult student to whom rights have transferred, may give written consent for a surrogate to be appointed.

(a) When a parent or an adult student requests that a surrogate be appointed:

(i) The parent or adult student retains all parental rights to receive notice under OAR 581-015-2190, 581-015-2195, 581-015-2310, and 581-015-2315 and all of the information provided to the surrogate.

(ii) The surrogate, alone, is responsible for all matters relating to the special education of the child or adult student unless the parent or adult student revokes consent for the surrogate's appointment.

(b) The parent or adult student may revoke consent at any time by providing a written request to revoke the surrogate's appointment.

(10) The school district may change or terminate the appointment of a surrogate when:

(a) The person appointed as surrogate is no longer willing to serve;

(b) Rights transfer to the adult student, unless determined to continue to require a surrogate under OAR 581-015-2325, or the child or adult student, as determined appropriate under OAR 581-015-2325, graduates with a regular diploma;

(c) The child or adult student, as determined appropriate under OAR 581-015-2325, is no longer eligible for special education services;

(d) The legal guardianship of the child or adult student, as determined appropriate under OAR 581-015-2325, is transferred to a person who is able to carry out the role of the parent;

(e) A foster parent is identified who can carry out the role of parent under OAR 581-015-2000(20);

(f) The parent, who previously could not be identified or located, is now identified or located;

(g) The appointed surrogate is no longer eligible;

(h) The child or adult student, as determined appropriate under OAR 581-015-2325, moves to another school district; or

(i) The child or adult student, as determined appropriate under OAR 581-015-2325, is no longer a ward of the state or an unaccompanied homeless youth.

(11) A person appointed as surrogate will not be held liable for actions taken in good faith on behalf of the parent in protecting the special education rights of the child or adult student, as determined appropriate under OAR 581-015-2325.

(12) When it is determined that a surrogate parent is needed to protect the rights of a student with a disability as outlined above, the surrogate must be appointed not more than 30 days after the determination that the student needs a surrogate.

(13) The necessity of a surrogate parent must be reviewed at least every 365 days or when requested by the adult student or surrogate parent.

Statutory/Other Authority: ORS 343.041, 343.045, 343.055 & 343.155

Statutes/Other Implemented: ORS 343.155 & 34 CFR 300.519

History:

ODE 6-2015, f. & cert. ef 3-11-15

Renumbered from 581-015-0099, ODE 10-2007, f. & cert. ef. 4-25-07

ODE 2-2003, f. & cert. ef. 3-10-03

ODE 23-1999, f. & cert. ef. 9-24-99

EB 11-1995, f. & cert. ef. 5-25-95

EB 9-1992, f. & cert. ef. 4-7-92

1EB 5-1980, f. 2-22-80, ef. 2-23-80

1EB 18-1979(Temp), f. & ef. 11-15-79

581-015-2325

Transfer of Procedural Rights at Age of Majority

(1) When a child with a disability reaches the age of majority under ORS 109.510 or 109.520, or is emancipated pursuant to 419B.550 to 419B.558, the rights accorded to the child's parents under the special education laws transfer to the child. A student for whom rights have transferred is considered an "adult student" under OAR 581-015-2000.

(2) Notwithstanding section (1) of this rule:

(a) After considering the adult student's preferences, interests, needs, and strengths based on age appropriate transition assessment, when the IEP team determines it is necessary, a school district shall appoint the parent of an adult student or, if the parent is not available, not willing, or not able, another appropriate individual to serve as a surrogate parent under OAR 581-015-2320 for any adult student who:

(i) has a disability;

(ii) is not able to provide informed consent with respect to their educational program as a result of their disability; and

(iii) is not already subject to a court order depriving them of decision-making authority or otherwise designating another person to make educational decision, as described below.

(b) In considering whether an adult student has the capacity to provide informed consent with respect to their educational program, the school district shall, at minimum, consider whether the adult student:

(i) Has any condition or circumstance that significantly interferes with their understanding of, and ability to participate meaningfully in, the IEP process, even with the use of supplementary aids and services; or

(ii) Experiences any significant limitations in communicating their educational concerns, or expressing their preferences, interests, needs, or strengths regarding their IEP in a way that interferes with their ability to participate meaningfully in the IEP process, even with the use of supplementary aids and services.

(c) In considering whether an adult is suitable to serve as surrogate parent for an adult student, the school district shall consider all of the following:

(i) Any indication of the adult student's preferences about who might serve as a surrogate parent;

(ii) If the parent is not appointed as the surrogate, any input from the parent about who might serve as a surrogate parent;

(iii) Whether the adult student has:

(I) a pre-existing relationship with the proposed surrogate;

(II) a history of positive interactions with the proposed surrogate; and

(III) a demonstrated comfort in the presence of the proposed surrogate;

(iv) Whether the other adult has:

(I) demonstrated an understanding of the responsibilities of a surrogate parent;

(II) demonstrated an understanding of and the willingness to apply the principles of supported decision-making for the benefit of the adult student; and

(III) demonstrated the capacity to reliably act to the benefit of the adult student.

(v) Any disqualifying factors listed in ORS 343.156.

(d) The determination that a surrogate parent is necessary can be made in any IEP meeting for the adult student. A separate meeting does not need to be convened for this purpose, unless requested by a member of the IEP team.

(e) Pursuant to a protective proceeding under ORS Chapter 125, the Probate Court may find the child to be incapacitated to make educational decisions and may appoint a guardian to exercise these rights.

(f) Under ORS 419B.220 or 419C.220, the Juvenile Court may appoint a surrogate parent to exercise these rights if the child is a ward of the state.

(3) If an adult student meets the criteria provided in section (2) of this rule for appointment of a surrogate, the school district must promote the least restrictive means for ensuring adequacy and continuity of educational services. A school district is not responsible for the costs of a protective proceeding unless the school district is the Petitioner.

(4) Pursuant to OAR 581-015-2320(9), a child to whom rights transfer may request that a surrogate be appointed to exercise the child's special education rights.

(5) This rule applies to all students, including students who are incarcerated in a state or local adult or juvenile correctional facility or jail.

Statutory/Other Authority: ORS 343.055 & 343.155

Statutes/Other Implemented: ORS 343.155, 343.181 & 34 CFR 300.520

History:

Renumbered from 581-015-0101, ODE 10-2007, f. & cert. ef. 4-25-07

ODE 2-2003, f. & cert. ef. 3-10-03

ODE 24-1999, f. & cert. ef. 9-24-99

581-015-2320
Surrogate Parents

(1) Each public agency must ensure that the rights of a child and, as determined appropriate under OAR 581-015-2325, adult student with a disability are protected by determining the need for, and when appropriate assigning, a surrogate parent when no parent (as defined in OAR 581-015-2000) with legal rights in respect to a student's educational decision making can be identified or located after reasonable efforts and additionally:

(a) The child is a ward of the state and there is reasonable cause to believe that the child has a disability; or

(b) The child is an unaccompanied homeless youth.

(2) The school district may not appoint a surrogate solely because the parent or adult student to whom rights have transferred is uncooperative or unresponsive to special education needs.

(3) Each ~~Notwithstanding section (1) of this rule, each~~ school district must have a method for determining whether a child or adult student, as determined appropriate under OAR 581-015-2325, needs a surrogate parent and for assigning a surrogate parent to the child or adult student, as determined appropriate under OAR 581-015-2325. The school district must ensure that each person approved to serve as a surrogate:

(a) Is not an employee of the school district or the Department or any other agency that is involved in the education or care of the child or adult student, as determined appropriate under OAR 581-015-2325;

(b) Is free of any personal or professional interest that conflicts with representing the ~~child's~~ child's or adult student's, as determined appropriate under OAR 581-015-2325, special education interests; and

(c) Has knowledge and skills that ensure adequate representation of the child or adult student, as determined appropriate under OAR 581-015-2325 in special education decisions.

(4) For an unaccompanied homeless youth, appropriate staff of emergency shelters, independent living programs and street outreach programs may be appointed as a temporary surrogate parent without regard to subsection (3)(a) until a surrogate can be appointed that meets all of the requirements of subsection (3).

(5) An appointed surrogate parent has all of the special education rights and procedural safeguards available to the parent.

(6) A surrogate is not considered an employee of a school district solely on the basis that the surrogate is compensated from public funds.

(7) The duties of the surrogate parent are to:

(a) Protect the special education rights of the child or adult student, as determined appropriate under OAR 581-015-2325;

(b) Be acquainted with the ~~child's~~ child's or adult student's, as determined appropriate under OAR 581-015-2325, disability and the ~~child's~~ child's or adult student's, as determined appropriate under OAR 581-015-2325, special education needs;

(c) Represent the child or adult student, as determined appropriate under OAR 581-015-2325, in all matters relating to the identification, evaluation, IEP and educational placement of the child or adult student, as determined appropriate under OAR 581-015-2325; and

(d) Represent the child or adult student, as determined appropriate under OAR 581-015-2325, in all matters relating to the provision of a free appropriate public education to the child or adult student, as determined appropriate under OAR 581-015-2325.

(8) A surrogate has the same rights granted to a parent in a hearing under OAR 581-015-2360, and the procedures regarding hearings in OAR 581-015-2340 through 581-015-2385 apply.

(9) A parent, or an adult student to whom rights have transferred, may give written consent for a surrogate to be appointed.

(a) When a parent or an adult student requests that a surrogate be appointed:

(A*i*) The parent or adult student retains all parental rights to receive notice under OAR 581-015-2190, 581-015-2195, 581-015-2310, and 581-015-2315 and all of the information provided to the surrogate.

(B*ii*) The surrogate, alone, is responsible for all matters relating to the special education of the child or adult student unless the parent or adult student revokes consent for the surrogate's appointment.

(b) The parent or adult student may revoke consent at any time by providing a written request to revoke the surrogate's appointment.

(10) The school district may change or terminate the appointment of a surrogate when:

(a) The person appointed as surrogate is no longer willing to serve;

(b) Rights transfer to the adult student ~~or the child~~, unless determined to continue to require a surrogate under OAR 581-015-2325, or the child or adult student, as determined appropriate under OAR 581-015-2325, graduates with a regular diploma;

(c) The child or adult student, as determined appropriate under OAR 581-015-2325, is no longer eligible for special education services;

(d) The legal guardianship of the child or adult student, as determined appropriate under OAR 581-015-2325, is transferred to a person who is able to carry out the role of the parent;

(e) A foster parent is identified who can carry out the role of parent under OAR 581-015-2000(20);

(f) The parent, who previously could not be identified or located, is now identified or located;

(g) The appointed surrogate is no longer eligible;

(h) The child or adult student, as determined appropriate under OAR 581-015-2325, moves to another school district; or

(i) The child or adult student, as determined appropriate under OAR 581-015-2325, is no longer a ward of the state or an unaccompanied homeless youth.

(11) A person appointed as surrogate will not be held liable for actions taken in good faith on behalf of the parent in protecting the special education rights of the child or adult student, as determined appropriate under OAR 581-015-2325.

(12) When it is determined that a surrogate parent is needed to protect the rights of a student with a disability as outlined above, the surrogate must be appointed not more than 30 days after the determination that the student needs a surrogate.

(13) The necessity of a surrogate parent must be reviewed at least every 365 days or when requested by the adult student or surrogate parent.

Statutory/Other Authority: ORS 343.041, 343.045, 343.055 & 343.155

Statutes/Other Implemented: ORS 343.155 & 34 CFR 300.519

History:

ODE 6-2015, f. & cert. ef 3-11-15

Renumbered from 581-015-0099, ODE 10-2007, f. & cert. ef. 4-25-07

ODE 2-2003, f. & cert. ef. 3-10-03

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EB 9-1992, f. & cert. ef. 4-7-92

1EB 5-1980, f. 2-22-80, ef. 2-23-80

1EB 18-1979(Temp), f. & ef. 11-15-79

581-015-2325

Transfer of Procedural Rights at Age of Majority

(1) When a child with a disability reaches the age of majority under ORS 109.510 or 109.520, or is emancipated pursuant to 419B.550 to 419B.558, the rights accorded to the child's parents under the special education laws transfer to the child. A student for whom rights have transferred is considered an "adult student" under OAR 581-015-2000.

(2) Notwithstanding section (1) of this rule:

(a) After considering the adult student's preferences, interests, needs, and strengths based on age appropriate transition assessment, when the IEP team determines it is necessary, a school district shall appoint the parent of an adult student or, if the parent is not available, not willing, or not able, another appropriate individual to serve as a surrogate parent under OAR 581-015-2320 for any adult student who:

(i) has a disability;

(ii) is not able to provide informed consent with respect to their educational program as a result of their disability; and

(iii) is not already subject to a court order depriving them of decision-making authority or otherwise designating another person to make educational decision, as described below.

(b) In considering whether an adult student has the capacity to provide informed consent with respect to their educational program, the school district shall, at minimum, consider whether the adult student:

(i) Has any condition or circumstance that significantly interferes with their understanding of, and ability to participate meaningfully in, the IEP process, even with the use of supplementary aids and services; or

(ii) Experiences any significant limitations in communicating their educational concerns, or expressing their preferences, interests, needs, or strengths regarding their IEP in a way that interferes with their ability to participate meaningfully in the IEP process, even with the use of supplementary aids and services.

(c) In considering whether an adult is suitable to serve as surrogate parent for an adult student, the school district shall consider all of the following:

(i) Any indication of the adult student's preferences about who might serve as a surrogate parent;

(ii) If the parent is not appointed as the surrogate, any input from the parent about who might serve as a surrogate parent;

(iii) Whether the adult student has:

(I) a pre-existing relationship with the proposed surrogate;

(II) a history of positive interactions with the proposed surrogate; and

(III) a demonstrated comfort in the presence of the proposed surrogate;

(iv) Whether the other adult has:

(I) demonstrated an understanding of the responsibilities of a surrogate parent;

(II) demonstrated an understanding of and the willingness to apply the principles of supported decision-making for the benefit of the adult student; and

(III) demonstrated the capacity to reliably act to the benefit of the adult student.

(v) Any disqualifying factors listed in ORS 343.156.

(d) The determination that a surrogate parent is necessary can be made in any IEP meeting for the adult student. A separate meeting does not need to be convened for this purpose, unless requested by a member of the IEP team.

(e) Pursuant to a protective proceeding under ORS Chapter 125, the Probate Court may find the child to be incapacitated to make educational decisions and may appoint a guardian to exercise these rights.

(f) Under ORS 419B.220 or 419C.220, the Juvenile Court may appoint a surrogate parent to exercise these rights if the child is a ward of the state.

~~(3) School districts are~~ (3) If an adult student meets the criteria provided in section (2) of this rule for appointment of a surrogate, the school district must promote the least restrictive means for ensuring adequacy and continuity of educational services. A school district is not responsible for the costs of a protective proceeding unless the school district is the Petitioner.

(4) Pursuant to OAR 581-015-2320(9), a child to whom rights transfer may request that a surrogate be appointed to exercise the child's special education rights.

(5) This rule applies to all students, including students who are incarcerated in a state or local adult or juvenile correctional facility or jail.

Statutory/Other Authority: ORS 343.055 & 343.155

Statutes/Other Implemented: ORS 343.155, 343.181 & 34 CFR 300.520

History:

Renumbered from 581-015-0101, ODE 10-2007, f. & cert. ef. 4-25-07

ODE 2-2003, f. & cert. ef. 3-10-03

ODE 24-1999, f. & cert. ef. 9-24-99

OAR 581-AAA-AAAA (Temporary)

Accommodations for Students with Concussions or Other Brain Injuries

(1) For purposes of this rule:

(a) “Health care professional” means a person who is licensed or registered under the laws of this state as a physician, a chiropractic physician, a naturopathic physician, a psychologist, a physical therapist, an occupational therapist, a physician associate or a nurse practitioner.

(b) “Public education provider” means a school district, a public charter school, or an education service district.

(c) “Written notification” means a written notice from a parent or guardian, supported by medical documentation from a health care professional, informing the public education provider that they are requesting an accommodation for a student who has been diagnosed with a concussion or other brain injury by a health care professional.

(2) When a public education provider receives written notification from a parent or guardian that a student has been diagnosed with a concussion or other brain injury, the public education provider shall follow all procedures developed by the Oregon Department of Education to develop and implement an immediate and temporary accommodation plan.

(3) A public education provider shall use a sample form developed by the department or a district form that includes all content from the department’s sample form when developing the accommodation plan described in section (2) of this rule.

(4) A public education provider shall follow procedures outlined by the department to:

(a) Determine if immediate physical activity limitations are necessary to:

(A) Ensure the safety and recovery of the student; and

(B) Minimize the risk of reinjury or additional injury to the student.

(b) In considering the requirements of section (3)(a) of this rule, the public education provider shall consider all physical activities occurring while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities, including but not limited to physical education, recess, unstructured play and similar activities provided by or sponsored through the public education provider that involve running, jumping, climbing, throwing, catching or other movements that pose a risk of falls, collisions or physical injury.

(c) Describe present challenges and symptoms associated with the student's concussion or other brain injury.

(d) Identify and implement immediate and temporary academic, social-emotional, behavioral or other necessary accommodations determined to be appropriate for the student to support meaningful participation in educational activities at a level that is appropriate for the student's recovery.

(e) Communicate accommodations identified under paragraph (c) of this subsection with:

(A) The parent or guardian;

(B) All teachers who provide instruction to the student; and

(C) Other employees of the public education provider who have regular responsibilities for the student's supervision or health, including school administrators, school nurses, counselors, physical education teachers, coaches, athletic trainers and staff supervising recess or other physical activities.

(f) Ensure that any physical activity limitations determined to be necessary are immediately implemented upon the determination, or as soon as practicable thereafter and not later than the next scheduled course or activity that requires physical activity limitations.

(g) Ensure that the accommodations identified under paragraph (c) of this subsection are:

(A) In effect as soon as possible but no later than 10 school days after written notification has been received by the public education provider regarding the concussion or other brain injury; and

(B) Reviewed as needed, but no later than every two months, based on the student's recovery.

(5) Nothing in this rule prohibits a public education provider from determining that a student needs an immediate and temporary accommodation plan without receiving written notice from the parent or guardian that the student has been diagnosed with a concussion or other brain injury.

Statutory/Other Authority: ORS 326.051 & 336.495

Statutes/Other Implemented: ORS 326.051 & 336.495

Summary

Meeting Date: 6/12/2025

Title: Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR)

Status: Adoption (no changes)

Presentation: Yes

Key Staff: Ely Sanders, School Health Services Specialist

Topic Summary: Recommendation to adopt a Temporary OAR requiring public education providers to follow ODE procedures for immediate accommodations when notified of a student’s concussion or brain injury. This rule is needed to implement HB 3007 (2025) by the start of the 2025-2026 school 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?**

[ORS 336.495](#) (2020), known as Jenna’s law, requires the Oregon Department of Education (ODE) to develop a form for public education programs to use when a student has been diagnosed with a concussion or other brain injury. ODE was required to make the form available for use by educators and other program employees, students, parents, or guardians. ORS 336.495 **does not** have a requirement for public education programs to use the ODE form or follow ODE procedures when a student is diagnosed with a concussion or other brain injury.

ODE currently has a form available on ODE’s school health services website. ODE’s School Health Services Specialist, positioned in the Office of Enhancing Student Opportunities, is available to answer questions and support districts in use of the form.

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?**

House Bill 3007 (2025) establishes that when a public education provider receives written notification from a parent or guardian that a student has been diagnosed with a concussion or other brain injury, the public education provider shall follow all procedures developed by ODE to develop and implement an immediate and temporary accommodation plan. In addition, a public education provider shall use a sample form developed by the department or a district form that includes all content from the department’s sample form when developing the accommodation plan. ODE believes this provides authority for the State Board of Education to take action on this item.

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?

Temporary rules are necessary to implement House Bill 3007 by the start of the 2025-2026 school year. House Bill 3007 establishes new requirements for ODE and public education providers, but requires further specification in rule to support effective initial public education program implementation:

- A temporary OAR is required to clarify use of “Sample form.”
- A temporary OAR is necessary to clarify that procedures developed by the Department must be used by public education providers to develop and implement an immediate and temporary accommodations plan for a student who has been diagnosed with a concussion or other brain injury.
- A temporary OAR is necessary to clarify terms and mandates in HB 3007.
- A temporary OAR is necessary to clarify district requirements regarding components of an accommodation plan.

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

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- 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?

Due to the short timeline to recommend adoption of a temporary OAR, ODE conducted limited engagement with key knowledgeable partners including the Oregon Health Authority and the Oregon Department Education’s Brain Injury Work Group, School Nurses, ESD administrators, and the Coalition of School Administrators. and ODE’s Ongoing Rules Committee Advisory (ORCA).

ODE intends to utilize the Equity Decision Equity Tree as the agency develops required procedures, guidance, and throughout the permanent rule making process in the Fall.

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.

ODE met directly with OHA representatives individually and as part of a larger engagement session. OHA representatives reviewed temporary rule language, provided their input, and support the temporary 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
- Tribal lands
- Other: _____

Due to the short timeline to recommend adoption of a temporary OAR office/team did not do specific geographic outreach.

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

ODE recommends the adoption of temporary OARs. Due to the short timeline, ODE conducted limited engagement. This engagement included ODE's Ongoing Rules Community Advisory (ORCA), the Oregon Health Authority and the Oregon Department Education's Brain Injury Work Group, School Nurses, ESD administrators, and the Coalition of School Administrators.

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 recommends the adoption of temporary OARs. Due to the short timeline, ODE conducted limited engagement. This engagement included the Oregon Health Authority and the Oregon Department Education's Brain Injury Work Group, School Nurses, ESD administrators, and the Coalition of School Administrators. These conversations revealed that the temporary rule should be established to support consistent effective implementation within public education programs by the start of the 2025-2026 school year. Specific key points discussed in these conversations included:

- Need for written notification to include evidence of diagnosis of a concussion or other brain injury
- Role of a school nurse and/or other medically licensed school staff

Oregon State Board of Education Docket



ODE also brought this rule before ORCA on June 5, 2025. Key points and concerns from that discussion relevant to the Board’s consideration of this rule included the following:

- **Recipient of Notification:** Participants were concerned that parents may lack clarity on who within a “public education provider” should receive concussion notification and forms; ODE will address this in procedures and guidance.
- **Role of School Nurse/Athletic Trainer Assessment:** The initial temporary rules had a requirement for an assessment by a school nurse or athletic trainer as part of the accommodations plan development process to determine and immediately implement necessary physical activity limitations and accommodations, with a focus on safety and recovery. A participant shared concern that this could hinder a public education program’s ability to develop an accommodations plan and ultimately cause a delay in providing necessary accommodations to impacted students. These procedures would have involved evaluating all school-related physical activities, identifying current symptoms, and providing temporary academic, behavioral, and emotional supports. This provision was removed from the temporary rule and will be further considered during the development of procedures by ODE over the summer and in the permanent rulemaking process planned for Fall 2025.
- **Accountability:** Participants were concerned about implementation of the accommodation plans required under HB 3007 and procedures to be followed if implementation does not occur. HB 3007 requires parent notification of the accommodations plan but does not contemplate an enforcement mechanism.
- **Medical Documentation Requirement:** The proposed temporary rule includes a requirement for medical documentation to support the parent’s notification of the concussion or other brain injury. Medical documentation enables the public education program to ensure appropriate planning based on the student’s health condition(s). However, participants shared that requiring medical documentation could present access barriers for families.

Based on this engagement, ODE revised the proposed temporary rules to ensure sufficient information was included to support the effective implementation of HB 3007, while prescribing the fewest possible requirements for public education programs until further engagement can be completed during permanent rule making.

All other feedback was positive, and no other concerns related to the draft temporary rule language were raised.

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

Not applicable. ODE is recommending the State Board of Education adopt a temporary rule.

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, Board action will create administrative impacts on districts and ESDs. The proposed temporary rules will require public education providers to:

Short-term effects:

- Implement new procedures for developing accommodation plans when students are diagnosed with concussions
- Train staff on the new requirements and procedures
- Allocate staff time to complete required documentation and accommodation plans
- Adapt existing practices to comply with the new requirements

Long-term effects:

- Maintain ongoing compliance with accommodation plan requirements
- Continue staff training on concussion protocols and accommodation planning
- Monitor implementation of accommodation plans

Differential impacts on small, rural, or remote communities:

- These communities may face greater challenges due to limited access to specialized staff (such as school nurses or athletic trainers).
- Rural areas may have fewer resources to implement new administrative requirements.
- Families in remote areas may face barriers to obtaining required medical documentation due to healthcare access limitations.
- Smaller districts may need to assign additional responsibilities to existing staff who already have multiple roles.

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?

State agencies:

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- ODE will need to develop and maintain sample forms, procedures, and guidance materials.
- ODE staff will need to provide technical assistance to districts implementing the requirements.
- Oregon Health Authority may face increased consultation requests related to concussion management.

Units of local government:

- School districts will face administrative burdens as outlined in Question 13.
- ESDs may need to provide additional support to their member districts.

The public:

- Parents/guardians will need to provide written notification when their child is diagnosed with a concussion.
- Families may need to obtain medical documentation, potentially incurring healthcare costs.
- The public may benefit from improved concussion management for students.

Small businesses:

- Small businesses are unlikely to face direct compliance costs.

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?

Board action on this item will have significant impacts on students with concussions and brain injuries, with both benefits and potential challenges for systemically marginalized communities:

Benefits:

- Creates standardized procedures ensuring all students receive appropriate accommodations after brain injuries
- Establishes clear expectations for schools to respond promptly to concussion diagnoses
- Supports student recovery through structured accommodation plans
- May reduce educational disruptions during recovery periods

Impacts on marginalized communities:

- The medical documentation requirement could create disproportionate barriers for students from low-income families, rural communities, and communities of color who face healthcare access challenges.
- Families with limited English proficiency may struggle to navigate notification procedures without adequate translation/interpretation support.
- Families experiencing housing instability or transportation barriers may face additional challenges obtaining required documentation.

The rule ultimately aims to improve outcomes for all students with brain injuries, but implementation will require careful attention to ensure equitable access to accommodations across communities. The permanent rulemaking process will need to address these potential disparities through inclusive engagement and development of accessible procedures.

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?

Board action on this item will impact school district employees and volunteers in several ways:

General impacts on staff and volunteers:

- Creates new procedural responsibilities for developing and implementing accommodation plans
- Requires familiarity with concussion protocols and documentation requirements
- Adds administrative workload, particularly for those who receive concussion notifications
- Necessitates coordination between classroom teachers, administrators, and support staff

Impacts on systemically marginalized employees and volunteers:

- Staff in schools with fewer resources may shoulder additional responsibilities without adequate support.

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 consequences:

- Initial implementation challenges as schools develop systems to comply with the new requirements
- Increased administrative workload for staff responsible for accommodation planning
- Learning curve for educators to understand and implement appropriate concussion accommodations
- Immediate need for communication systems between families, medical providers, and schools

- Potential inconsistencies in implementation as districts interpret temporary rules differently

Long-term consequences:

- Standardized protocols for addressing student concussions across all Oregon public education programs
- Improved support for students recovering from brain injuries
- Increased awareness among educators about concussion impacts on learning
- Development of expertise within schools for managing concussion accommodations
- Better coordination between health providers and education systems around brain injury management

Cumulative effects:

- Adds to the growing body of specialized accommodation requirements that schools must implement
- May exacerbate resource and staffing challenges in districts already struggling with capacity
- May highlight inequities in healthcare access among student populations
- Will contribute to the evolution of Oregon’s approach to supporting students with temporary medical needs
- Could strengthen overall systems for responding to student health needs in educational settings

The combined effect will be a more structured approach to concussion management in schools, though implementation quality will likely vary based on district resources and capacity.

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

Short-term consequences of inaction:

- Public education providers would lack clear guidance on implementing HB 3007 requirements for the 2025-2026 school year
- Inconsistent implementation of concussion accommodation processes across the state
- Confusion among districts about their legal obligations regarding form usage and accommodation plan development
- Delayed implementation of required concussion protocols
- Non-compliance with the legislative mandate in HB 3007
- Students with concussions receiving inconsistent support depending on their district's interpretation of the law

Long-term consequences of inaction:

- Prolonged variability in concussion management practices across Oregon
- Potential harm to students whose recovery needs aren’t adequately accommodated

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- Increased liability risks for districts operating without clear regulatory guidance
- Erosion of trust between families and schools regarding health accommodation needs
- Missed opportunities to establish effective brain injury management protocols in educational settings

Who would experience these consequences:

- Students with concussions would face the most direct impact, potentially experiencing inadequate accommodations that could affect their recovery and academic success
- Families would bear the burden of advocating for appropriate accommodations without standardized processes

Inaction would particularly disadvantage students and families with limited resources to advocate for themselves within complex educational and medical systems.

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 temporary OAR language closely mirrors the language of HB 3007 except for the following areas where ODE recommends new clarifying language.

- ***(1)(c) "Written notification" means a written notice from a parent or guardian, supported by medical documentation from a health care professional, informing the public education provider that they are requesting an accommodation for a student who has been diagnosed with a concussion or other brain injury by a health care professional.***

Language is aligned with the intent of HB 3007 that a diagnosis of a concussion or other brain injury has occurred and will ensure medical documentation is available to verify diagnosis, inform determination of accommodations and ensure safety of student.

- ***(2) When a public education provider receives written notification from a parent or guardian that a student has been diagnosed with a concussion or other brain injury, the public education provider shall follow all procedures developed by the Oregon Department of Education to develop and implement an immediate and temporary accommodation plan.***

Language is aligned with the intent of HB 3007 and clarifies that public education providers are required to follow all procedures developed by ODE.

- ***(3) A public education provider shall use a sample form developed by the department or a district form that includes all content from the department’s sample form when developing the accommodation plan described in section (2) of this rule.***

Language is aligned with the intent of HB 3007 and clarifies that public education providers shall use a sample form developed by ODE. New language clarifies that districts may use a district form as long as it includes all content from ODE’s sample form.

- ***(4)(b) In considering the requirements of section (3)(a) of this rule, the public education provider shall consider all physical activities accruing while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities, including but not limited to physical education, recess, unstructured play and similar activities provided by or sponsored through the public education provider that involve running, jumping, climbing, throwing, catching or other movements that pose a risk of falls, collisions or physical injury.***

Language clarifies that public education providers must consider physical activities outside of class time. This is aligned with OAR 581-021-0037 (Medication Administration) and OAR 581-022-2220 (Health Services).

- ***(5) Nothing in this rule prohibits a public education provider from determining that a student needs an immediate and temporary accommodation plan without receiving written notice from the parent or guardian that the student has been diagnosed with a concussion or other brain injury.***

Language clarifies that nothing in this OAR prevents a public education provider from determining and implementing immediate and temporary accommodations for a student for whom they have not received written notification of a concussion or brain injury. Public education providers continue to have the discretion to limit a student’s physical activity if they suspect a student has a concussion or other brain injury.

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](#)?

Based on stakeholder engagement, ODE revised the proposed temporary rules to include sufficient information to support effective implementation of HB 3007, while minimizing requirements for public education programs until further engagement can occur during permanent rulemaking. ODE believes this approach aligns with the Board’s Mission, Vision, and Values by allowing time for broader input to ensure procedures are developed in an inclusive, equitable manner that reflects Oregon’s diversity.

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 temporary rules as presented. This will allow the Board to fulfill its responsibility to implement HB 3007 by the start of the 2025–26 school year while providing additional time for continued engagement in the development of procedures and permanent rulemaking.

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.



Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR)

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Ely Sanders (He/Him)

Office of Enhancing Student Opportunities

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Link to draft temporary rule: [Accommodation for Students with Concussions or Other Brain Injuries](#)

Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR): Overview

What is in place now:

[ORS 336.495](#) (2020), known as Jenna's law, requires:

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- The Oregon Department of Education (ODE) to develop a form for public education programs to use when a student has been diagnosed with a concussion or other brain injury.
- ODE to make the form available for use by educators and other program employees, students, parents or guardians.
- Public education programs to make the form available as soon as practicable to an educator, a program employee, a student, a parent or guardian.

ORS 336.495 **does not** have a requirement for education programs to use the ODE form or follow ODE procedures when a student is diagnosed with a concussion or other brain injury.

Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR): Overview

Summary of what's new:

HB 3007 (2025) requires ODE to:

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- Establish a procedure for public education providers to use to develop and implement an immediate and temporary accommodation plan for a student who has been diagnosed with a concussion or other brain injury.
- Prepare a sample form, and include written instructions for the sample form, to assist public education providers in following the procedure to develop and implement an immediate and temporary accommodation plan.

HB 3007 (2025) Requires Public Education Providers to:

- Upon receiving written notification from a parent or guardian that a student has been diagnosed with a concussion or other brain injury by a health care professional and that accommodations are being requested, a public education provider shall initiate procedures developed by ODE to develop and implement an immediate and temporary accommodations plan.

Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR): Justification

HB 3007 establishes new requirements for ODE and public education providers and requires a temporary OAR:

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- OAR is necessary to clarify that procedures developed by the Department must be used by public education providers to develop and implement an immediate and temporary accommodations plan for a student who has been diagnosed with a concussion or other brain injury.
- OAR is required to clarify use of “Sample form.”
- OAR is necessary to clarify terms and mandates in HB 3007.
- HB 3007 applies to the 2025-2026 school year.

Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR): Summary of Key Text

*(1)(c) “Written notification” means a written notice from a parent or guardian, **supported by medical documentation from a health care professional**, informing the public education provider that they are requesting an accommodation for a student who has been diagnosed with a concussion or other brain injury by a health care professional.*

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Justification: Language is aligned with the intent of HB 3007 that a diagnosis of a concussion or other brain injury has occurred and will ensure medical documentation is available to verify diagnosis, inform determination of accommodations, and ensure safety of student.

Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR): Summary of Text

(2) When a public education provider receives written notification from a parent or guardian that a student has been diagnosed with a concussion or other brain injury, the public education provider shall follow all procedures developed by the Oregon Department of Education to develop and implement an immediate and temporary accommodation plan. 291

Justification: Language is aligned with the intent and language of HB 3007 and clarifies that public education providers are required to follow all procedures developed by ODE.

Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR): Summary of Text

(3) A public education provider shall use a sample form developed by the department or a district form that includes all content from the department's sample form when developing²⁹² the accommodation plan described in section (2) of this rule.

Justification: Language is aligned with the intent of HB 3007 and clarifies that public education providers shall use a sample form developed by ODE. New language clarifies that districts may use a district form if it includes all content from ODE's sample form.

Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR): Summary of Text

*(4)(b) In considering the requirements of section (3)(a) of this rule, the public education provider shall consider all physical activities **occurring while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities**, including but not limited to physical education, recess, unstructured play and similar activities provided by or sponsored through the public education provider that involve running, jumping, climbing, throwing, catching or other movements that pose a risk of falls, collisions or physical injury.* ²⁹³

Justification: Language clarifies that public education providers must consider physical activities outside of class time. This is aligned with OAR 581-021-0037 (Medication Administration) and OAR 581-022-2220 (Health Services).

Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR): Summary of Text

(5) Nothing in this rule prohibits a public education provider from determining that a student needs an immediate and temporary accommodation plan without receiving written notice from the parent or guardian that the student has been diagnosed with a concussion or other brain injury.

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Justification: Language clarifies that nothing in this OAR prevents a public education provider from determining and implementing immediate and temporary accommodations for a student for whom they have not received written notification of a concussion or brain injury. Public education providers continue to have the discretion to limit a student's physical activity if they suspect a student has a concussion or other brain injury.

Engagement and Feedback

Informal Engagement

- Anticipate Passage of House Bill 3007
- Alerted ODE to Need for Temporary Rules
- Provided Initial Draft Language
- Petitioned for Rulemaking Process

Engagement

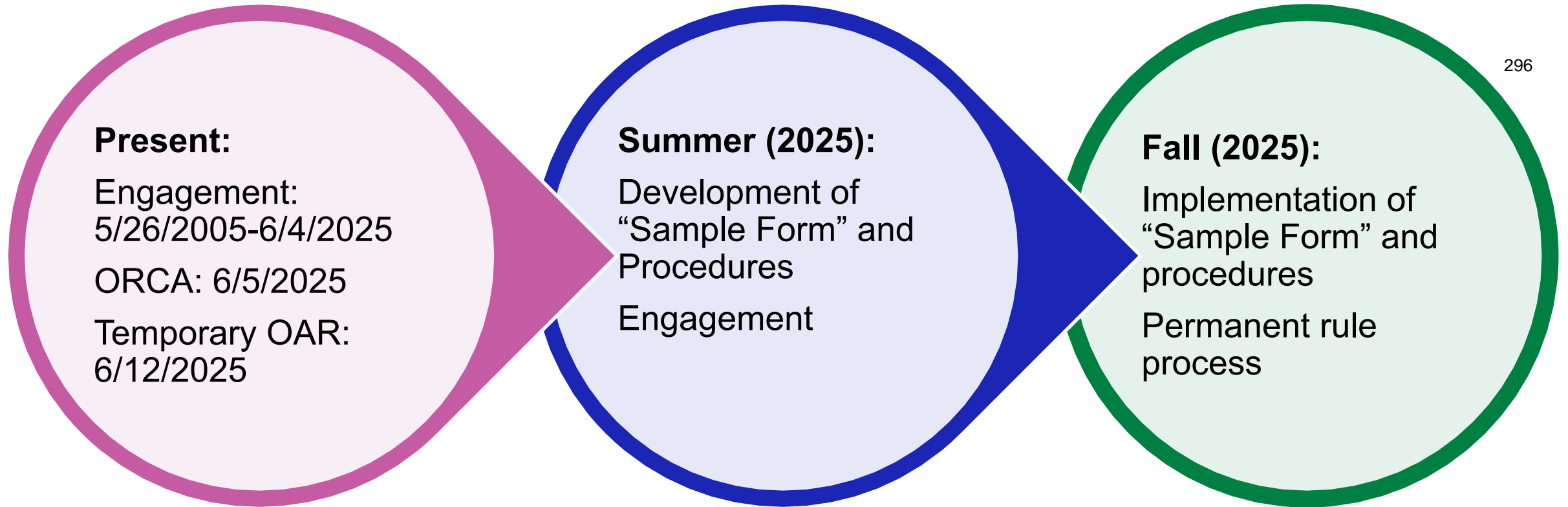
- OHA/ODE Brain Injury Workgroup, School Nurse Advisory Group, ORCA:**
- Recipient of Notification
 - Role of School Nurse/Athletic Trainer Assessment
 - Accountability
 - Medical Documentation Requirement

Response

ODE revised proposed temporary rules to ensure effective implementation of HB 3007, while prescribing the fewest possible requirements for public education programs until further engagement can be completed

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Accommodations for Students with Concussions or Other Brain Injuries (Temporary OAR): Timeline & Engagement



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Thank You

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Office of Enhancing Student Opportunities

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Link to draft temporary rule: [Accommodation for Students with Concussions or Other Brain Injuries](#)

Summary

Meeting Date: 6/12/2025

Title: Student Records and Conditions for Disclosure

Status: Second Reading/Adoption (item has changed)

Presentation: Yes

Key Staff: Karin Moscon, Thea Conbere

Topic Summary: ODE has received concerns from schools and districts about a disconnect between Oregon student record collection and disclosure and the Oregon Sanctuary Promise Act. These amendments will help align school practices with sanctuary laws.

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?**

Under current ODE rules, districts may collect and disclose sensitive student information, including a student’s place of birth, address, and contact information, to any party, for any purpose, unless a parent knows to request that such information not be shared. Additionally, place of birth is information included in a student’s permanent record, which implies that districts should or can collect place of birth information from students.

Additionally, current OARs allow for the disclosure of student place of birth, citizenship status, or other information pursuant to a subpoena from a non-judicial source for the purpose of enforcement of federal immigration laws, which does not align with Oregon Sanctuary Promise laws.

- 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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ORS 180.805 (Sanctuary Promise Act, HB 3265 (2021)): prevents local government agencies, including school districts, from requesting information concerning a person’s citizenship or immigration status or disclosing certain information for the purpose of enforcing federal immigration laws without a judicial order.

ORS 326.565 (Standards for student records): gives the State Board of Education authority to adopt rules for the creation, use, and disclosure of student education records.

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

Yes. The Board passed a temporary rule on this item at the March 13, 2025, meeting.

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

School, district, and ODE staff requests for clarification on what student information is allowed to be collected and disclosed in compliance with Oregon regulations and Sanctuary Promise laws.

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?

This is based on a request from school districts who are asking for guidance/clarification. We reached out to student success specialists, the Office of Indian Education, staff working with emergent multilingual students as representatives of the communities they work with, as well as staff from OSBA and COSA, representing the interests of school districts. We are currently preparing engagement with students and families who will be impacted by this rule change.

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: State Archives

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.

The State Archives provides definitions and retention rules around student records. They have communicated they are currently reviewing rules regarding student records and are planning changes that would align with this proposed rule. We met with staff from State Archives to explain our changes and worked with them on a proposed timeline.

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

- Northeast Oregon

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- 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 change would have a statewide impact.

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 our engagement for the temporary rule, some key pieces of feedback included keeping student photographs in the definition of directory information so as not to disrupt the distribution of yearbooks, play bills, etc. We decided to keep photograph in the definition in the temporary rule and conduct additional engagement on the subject for the permanent rule.

Other feedback included suggesting updates to further alignment with FERPA and suggestions to explicitly limit immigration and citizenship information from directory information and permanent record. In response to concerns we received during ORCA, we removed some minor changes in this amendment for concerns not directly connected to the language of the Sanctuary Promise laws and provided an extended date for the changes to the definition of a permanent record.

Lastly, we have engaged with additional groups since the First Reading and collected additional insights, see Appendix A.

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 further engagement intended, see Appendix A.

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?

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- 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.

A small administrative impact is expected as districts adjust their policies around enrollment and student information collection. Additionally, districts will need to ask for parent or eligible student consent to disclose certain information. Districts may need to meet with SIS vendor to alter enrollment forms.

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?

None predicted.

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 amendment will help protect the privacy rights of all students, but particularly the rights of immigrant students. A recent Department of Homeland Security memo rescinded schools' protection from ICE activity, which can have a chilling effect on immigrant students enrolling and attending school. These rule changes will help ensure that districts are not collecting or disclosing student information relating to citizenship or immigration status in order to align with Oregon Sanctuary laws.

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

No impact predicted.

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 cumulative effect would be the ways schools and districts collect and share student information.

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 would continue confusion among school districts around what information they are allowed to collect from students and disclose to third parties or in response to non-judicial subpoenas. This confusion would have a chilling effect on students enrolling and attending school as well as put immigrant students in danger of having their sensitive information unlawfully disclosed to federal immigration authorities.

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 581-021-0220 is amended to remove information from the list of what may be included in directory information. Additionally, this amendment removes a student's place of birth and social security number from the definition of a student's permanent record. It also makes a minor change to clarify that online attendance in a school counts as attendance.

OAR 581-021-0371 is amended to state that an educational agency or institution may not disclose certain student information (primarily, a student's address, contact information, citizenship, and immigration status) to comply with a subpoena issued for the purpose of enforcement of federal immigration laws unless required by state or federal law, a court order, or a warrant authorized by a court.

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 amendment aligns with the board mission, vision, and values because what brought this to our attention in the first place was recognizing the chilling effect on immigrant students current district and ODE practices have on enrollment and the sharing of student records.

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 recommending the board adopt these rules to ensure ODE regulations continue to be in alignment with Oregon Sanctuary laws after the approval of the temporary rule in order to support schools and districts as they create safe environments for students to attend school.

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 conducted additional engagement with the following groups by meeting with representatives, giving presentations and holding conversations, or by sending an online survey: OSBA, COSA, OAESD, Latino/a/x Student Success Advisory Group, LGBTQ2SIA+ Student Success Advisory Group, African American/Black Student Success Advisory Group, Native Hawaiian/Pacific Islander Student Success Advisory Group, Immigrant and Refugee Student Success Advisory Group, and the ODE Data Governance Committee. Our focus was primarily on Latino/a/x and immigrant students, as the communities most likely to be impacted by the federal immigration actions that prompted this rulemaking. We also wanted to get a wide variety of perspectives to ensure we were not inadvertently creating barriers or obstacles for other communities. We also reached out to staff who work with data at ODE to ensure that we would not be disrupting necessary ODE data collection processes, and communicated with

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OSBA/COSA/OAESD, as representatives of districts and ESDs, to understand any potential concerns with the rule from their perspective.

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?

Yes. We received comments from our survey, which had 117 total responses. 12% of responders identified as parents/caregivers, 49% as school/district employees, 6% as community members, 18% as ODE employees, and 14% as other. Respondents in the survey were very supportive of removing student address, telephone number, email address, date and place of birth, and most recent previous educational agency or institution attended (86% in favor).

Respondents were also in favor of removing student photograph from the definition of directory information (88% in favor), removing weight and height of student athletes (75% in favor), and removing student's participation in school activities/sports (61% in favor).

Some respondents did share concerns about how certain student information would be reported or how partners that provide support for students might be impacted, as well as concerns around the timeline for the implementation of these rule changes. Lastly, some respondents had concerns about how districts would be held accountable for failing to follow the 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?

The primary learning that occurred was that respondents to our survey and participants in our presentations would consider it harmful or an invasion of privacy if a district shared student photographs without parental consent and that districts had significant administrative concerns needing parental consent to share photographs, primarily regarding ensuring student photographs were allowed in school yearbooks. We decided to keep photographs in the definition of Directory Information because the Sanctuary Promise Act does not mandate removal of student photographs from the rule and we intend to release guidance around student records that clarifies that, regardless of its inclusion in the definition of Directory Information, schools may not provide student photographs to federal immigration authorities for the purpose of enforcing federal immigration laws unless required by a court order.

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 removed the word "may" from the definition of Directory Information in OAR 581-021-0220(2) in order to clarify that the list in that definition is exclusive and that schools may not

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add their own items. This change was in response to a question from a school district that expressed confusion over whether the list was intended to be inclusive or exclusive.

581-021-0220:

Definitions

As used in OAR 581-021-0220 through 581-021-0440, the following definitions apply:

(1) "Attendance" includes, but is not limited to:

(a) Attendance in person, ~~or~~ by correspondence, or through online and remote learning; and

(b) The period during which a person is working under a work-study program.

(2) "Directory Information" means those items of personally identifiable information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Directory information ~~may~~ includes the student's name, photograph, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, and degrees and awards received.

(3) "Disclosure" means to permit access to or the release, transfer, or other communication of education records, or the personally identifiable information contained in those records, to any party, by any means, including oral, written, or electronic means.

(4) "Disciplinary action or proceeding" means the investigation, adjudication, or imposition of sanctions by an educational agency or institution with respect to an infraction or violation of the internal rules of conduct applicable to students of the agency or institution.

(5) "Educational Agency or Institution" means any public or private school, education service district, state institution, private agency or youth care center providing educational services to students birth through age 21, and through Grade 12, that receives federal or state funds either directly or by contract or subcontract with the Department under any program administered by the U.S. Secretary of Education or the Department.

(6) "Education Records":

(a) The term means those records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution;

(b) The term does not include:

(A) Records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the

record, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;

(B) Records of the law enforcement unit of an educational agency or institution, subject to the provisions of OAR 581-021-0225.

(C) Records relating to an individual who is employed by an educational agency or institution, that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student are education records and not excepted under this subsection;

(D) Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:

(i) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;

(ii) Made, maintained, or used only in connection with treatment of the student; and

(iii) Disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.

(E) Records that only contain information relating to activities in which an individual engaged after he or she is no longer a student at that agency or institution;

(F) Medical or nursing records which are made or maintained separately and solely by a licensed health care professional who is not employed by the educational agency or institution, and which are not used for education purposes of planning.

(7) "Eligible Student" means a student who has reached 18 years of age, or a student who is attending only an institution of postsecondary education and is not enrolled in a secondary school.

(8) "Institution of Postsecondary Education" means an institution that provides education to students beyond the secondary school level; "secondary school level" means the educational level (not beyond Grade 12) at which secondary education is provided.

(9) "Parent" means a parent of a student and includes a natural parent, a guardian, an individual authorized in writing to act as a parent in the absence of a parent or a guardian, or a

surrogate parent appointed to represent a student with disabilities. The term does not include the state if the child is a ward of the state and the student is eligible for special education services or is suspected of being eligible for special education services under state and federal law.

(10) "Party" means an individual, agency, institution, or organization.

~~(11) Until July 31, 2025, "permanent record" means the educational record maintained by the educational agency or institution which includes:~~

~~(a) Name and address of the educational agency or institution;~~

~~(b) Full legal name of the student;~~

~~(c) Student's birth date and place of birth;~~

~~(d) Name of parents/guardians;~~

~~(e) Date of entry into the school;~~

~~(f) Name of school previously attended;~~

~~(g) Courses of study and marks received;~~

~~(h) Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;~~

~~(i) Credits earned;~~

~~(j) Attendance;~~

~~(k) Date of withdrawal from school;~~

~~(l) Social security number, subject to subsection (1)(j) of this rule; and~~

~~(m) Such additional information as the educational agency or institution may prescribe.~~

(112) Beginning August 1, 2025, "permanent record" means the educational record maintained by the educational agency or institution which may include:

(a) Name and address of the educational agency or institution;

(b) Full legal name of the student;

(c) Student's birth date;

- (d) Name of parents/guardians;
- (e) Date of entry into the school;
- (f) Name of school previously attended;
- (g) Courses of study and marks received;
- (h) Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- (i) Credits earned;
- (j) Attendance; and
- (k) Date of withdrawal from school.

(1~~23~~) "Personally Identifiable Information" is information as defined in the Family Educational Rights and Privacy Act (FERPA) ~~and OAR 581-015-2000(24), this includes but is not limited to:~~

- ~~(a) The student's name;~~
- ~~(b) The name of the student's guardian, parent, or other family member;~~
- ~~(c) The address of the student or student's family;~~
- ~~(d) A personal identifier, such as the student's social security number or student number;~~
- ~~(e) A list of personal characteristics that would make the student's identity easily traceable; and~~
- ~~(f) Other information that would make the student's identity easily traceable.~~

(1~~34~~) "Record" means any information recorded in any way including, but not limited to, handwriting, print, electronically, tape, film, microfilm and microfiche.

(1~~45~~) "Student" means any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records.

(1~~56~~) "Substitute care program" means family foster care, family group home care, parole foster care, family shelter care, adolescent shelter care and professional group care.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 326.565 & 34 CFR § 99.3

Statutes/Other Implemented: ORS 326.565

History:

ODE 1-2025, amend filed 01/16/2025, effective 01/17/2025

ODE 14-2018, minor correction filed 05/02/2018, effective 05/02/2018

ODE 14-2012, f. 3-30-12, cert. ef. 4-2-12

ODE 8-2007, f. & cert. ef. 3-1-07

EB 20-1995, f. & cert. ef. 7-25-95

EB 5-1994, f. & cert. ef. 4-29-94

EB 31-1993(Temp), f. 10-6-93, cert. ef. 11-6-93

OAR 581-021-0371:

Conditions for Disclosure of Information to Comply with Judicial Order or Subpoena

(1) Under this section, unless required by a court order or a warrant authorized by a court, the educational agency or institution may not disclose, for the purpose of enforcement of federal immigration laws, the following information concerning a student, whether current or otherwise:

(a) The student's address;

(b) The student's workplace or hours of work;

(c) The student's school or school hours;

(d) The student's contact information, including telephone number, electronic mail address or social media account information;

(e) The identity of known associates or relatives of the student;

(f) The date, time or location of the student's hearings, proceedings or appointments with the educational agency or institution that are not matters of public record;

(g) The student's citizenship or immigration status; or

(e) Information described in paragraphs (a) through (g) of this subsection with respect to known relatives or associates of the student.

(2) The agency or institution must make a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of disclosure, so that the parent or eligible student may seek protective action except as provided below.

(3) Notice to the parent or eligible student under paragraph (2) is not required if the disclosure is in compliance with:

(a) A federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or

(b) Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

Statutory/Other Authority: ORS 326.565, ORS 180.805, 34 CFR § 99.31

Statutes/Other Implemented: ORS 326.56

History:

ODE 8-2007, f. & cert. ef. 3-1-07

Summary

Meeting Date: 6/12/2025

Informational Title: Supporting Grade-Level Instruction through High Quality Instructional Materials

Presentation: Yes

Key Staff: Alexa Pearson

Informational Summary: ODE has joined the Chief Council of State School Supervisors' Instructional Materials Professional Development (IMPD) Network as of 2025. In this informational session, we will share what we've learned this year and highlight the key points of our strategic plan to prepare the board for a proposal in the fall to revise Oregon's Instructional Materials adoption schedule

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.

OVERVIEW

The State Board of Education has dedicated itself to challenging the status quo and sharing responsibility for every student's academic and lifelong success. Its members are volunteers, with unique professional and lived experiences. Using plain language, this section should provide context for this informational presentation, including any needed overviews of relevant programs or initiatives

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

Chapter 337 of Oregon Revised Statute, Division 11, and three Division 22 standards outline Oregon's High-Quality Instructional Materials (HQIM) program. Each year HQIM are evaluated by a panel of trained educators and approved by the SBE. As a result, districts are required to select a new HQIM program annually to remain compliant with Division 22 standards. This presentation provides evidence-based information on the importance of HQIM, describes Oregon's involvement in the Chief Council of State School Supervisors (CCSS) Instructional Materials Development (IMPD) Network, outlines ODE's current HQIM program, and provides a preview of potential changes.

- 2. Are there any rule(s), statute(s), or recently passed legislation related to this topic, program, or initiative? If so, please list and describe each.**

SB 141, the Governor's accountability bill, states: "SECTION 27. ORS 337.065 is repealed" [the publisher fee system that currently funds the HQIM program.]

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3. **Has this topic, program, or initiative been presented to the Board before? If so, when, and how has it evolved since then?**

Office of Teaching, Learning, and Assessment (OTLA) staff presented to the Board about the instructional materials program at the August Board retreats in 2023 and 2024. This presentation will reflect the new learning, vision, and strategic planning that has resulted from Oregon's participation in a national network formed in collaboration with the Council of Chief State School Officers (CCSSO). This is the first informational session that includes research related to HQIM implementation and the impacts on student learning.

4. **Was this presentation at the request of the Board or at the request of Department staff? Who was involved in preparing this presentation? Did it involve collaboration with external partners?**

This is presented at the request of Department staff. OTLA leadership, including Assistant Superintendent Alexa Pearson and Director of Standards and Instructional Support Vanessa Martinez, are responsible for leading the presentation. The presentation did involve collaboration with our coaches from the IMPD Network.

5. **What is the purpose of this presentation? Why is this presentation coming before the Board now? How can this information be used by the Board?**

This year ODE was invited to join 16 other states in the **High-Quality Instructional Materials and Professional Development (IMPD) Network**; this network focuses on leveraging HQIM and Curriculum-Based Professional Learning to improve student outcomes in literacy, math, and science. As part of that membership, ODE has developed a strategic plan that will address the problems of practice around ODE's current instructional materials process and policy. The purpose of this presentation is to inform the Board about current research related to HQIM as a key lever for improving student academic outcomes and to share ODE's strategic planning for strengthening the instructional materials program.

Strong implementation of HQIM is a multi-year process. ODE has heard feedback that our current instructional materials cycle lacks flexibility and inhibits districts from providing sufficient time and support to teachers, so they learn to skillfully use the materials with students. Additionally, the time between implementing standards and adopting HQIM is too short and there is not an opportunity to add newly published HQIM to the list of adopted HQIM due to the 7-year cycle.

Together these factors:

- limit districts' decision making about which subjects and grade bands to adopt and when
- limit districts' ability to respond to local educational priorities and needs

- result in districts feeling like they are always in the process of selecting materials without any time to focus on implementation because the following year, they are adopting materials for a new content area.

The State Board of Education is responsible for setting the instructional materials adoption schedule. ODE plans to bring forth a proposal to the Board to consider in the fall to address the barriers that districts have named that prevent them from being able to lead for quality implementation.

6. How has this presentation been informed by an equity lens? How does it account for historical and current patterns of neglect and oppression? How does it reflect the unique realities faced by Oregon’s small, rural, and remote communities?

Joining the CCSSO Instructional Materials Professional Development (IMPD) Network has been a strategic move grounded in equity, recognizing that access to HQIM is a critical lever for improving educational outcomes for all students, and particularly those who have been historically underserved. Participation in the IMPD Network supports states in building systems and professional learning structures that address inequities in curriculum access and implementation. By engaging with this network, states are better equipped to ensure that materials reflect rigorous academic standards, cultural responsiveness, and inclusivity. This intentional focus acknowledges that instructional materials have the power either to reinforce systemic inequities or to actively disrupt them.

HQIM counter historical and current patterns of neglect and oppression by embedding content that includes diverse voices, accurate histories, and anti-bias principles. These materials challenge deficit-based narratives and instead affirm students’ identities, languages, and experiences. Evaluation tools used in the selection of HQIM, such as the Oregon Instructional Materials Evaluation Tool (OR-IMET), incorporate non-negotiable criteria that assess cultural relevance, inclusiveness, and the potential to promote equitable student engagement. They are designed to help educators create learning environments that validate and empower all students.

Because HQIM are developed with adaptability and accessibility in mind, they are particularly valuable in rural and remote communities, where resources and infrastructure may be limited. Materials are often available in multiple formats, including print and low-bandwidth digital options, ensuring that students and educators are not disadvantaged by geographic isolation or technology gaps. Furthermore, HQIM can be contextualized to reflect local cultures, histories, and community values, making learning more relevant and engaging for rural students. These materials frequently include embedded professional learning supports, which are essential in settings where access to instructional coaching or content-area expertise may be limited. In this way, HQIM not only elevate the quality of instruction but also honor and support the diverse realities of rural education.

Focusing on grade-level learning and centering instruction on HQIM provides a strong foundation for coherence and consistency across classrooms. When all educators anchor their instruction in aligned, research-based resources, it ensures that students are engaging with rigorous, grade-appropriate content regardless of the teacher or school. This approach creates a vertical spine of learning—an aligned, progressive structure that supports students as they build knowledge and skills year after year. With HQIM as the backbone, teachers can collaborate more effectively, gaps in learning are minimized, and students benefit from a more equitable and predictable academic experience.

7. How does this presentation reflect the Department’s commitment to academic excellence, belonging and wellness, and reimagining accountability? How does it advance [the Board’s Mission, Vision, and Values](#)?

A commitment to improving ODE’s HQIM program directly strengthens the broader goals of academic excellence, belonging and wellness, and shared accountability. At its core, HQIM ensure that every student has access to rigorous, standards-aligned materials that support deep, culturally relevant learning and critical thinking. By investing in the continuous improvement of ODE’s HQIM program, ODE signals its commitment to academic excellence and equitable instruction across the state. HQIM serve as a foundation for instruction that provides students with high expectations, coherent learning progressions, and content that prepares them for college, career, and civic life.

Simultaneously, HQIM play a critical role in cultivating a sense of belonging and supporting student wellness. When students see themselves, their cultures, and their communities reflected accurately and respectfully in educational materials, they are more likely to feel valued and engaged in their learning. HQIM that are culturally responsive and engaging for every student help to create inclusive classrooms where all learners feel safe, seen, and supported. In this way, the HQIM program becomes a vehicle not just for delivering content, but for affirming students' identities and fostering healthy learning environments that promote both academic and emotional development.

Finally, improving the HQIM program reinforces ODE’s commitment to shared accountability. By establishing clear expectations for the quality of instructional materials as well as equitable access, the Department supports districts, educators, and instructional leaders in making informed decisions that align with Oregon’s vision for education. It creates a common foundation from which school districts can work together to close opportunity gaps and monitor progress. This shared commitment ensures that responsibility for student success is distributed across the system and supported by a coherent framework that includes HQIM, curriculum-based professional learning, and collaborative decision-making. Through a strengthened HQIM program, ODE demonstrates how instructional quality can be a unifying force in driving excellence, equity, and collective responsibility across Oregon’s public education system.

ATTACHMENTS

All documents submitted for Board presentations must meet the Department's accessibility standards for publicly posted documents. We cannot post a document on BoardBook that is not accessible.

- 8. Please list any additional materials (for example, a separate slide deck, report, or memo) that have been submitted as part of this presentation. For each, please provide a brief summary of the material and describe why it has been included.**

A slide deck has been submitted.



Leading for Learning

Improving Instruction Across Oregon *by Focusing on* Effective High-Quality Instructional Materials Implementation

SBE June 12, 2025

Alexa Pearson, Assistant Superintendent Office of Teaching, Learning, and Assessment
Vanessa Martinez, Director Standards and Instructional Support
Aujalee Moore, Standards Guidance Program Analyst

Learning Goals




- I can explain how a focus on high-quality instructional materials supports ODE's Vision for Teaching and Learning.
- I can understand research related to instructional materials and academic outcomes.
- I can describe the current practices in Oregon that support the use of HQIM, as well as what challenges exist.
- I can name the leadership actions ODE is taking now to move this work forward and achieve the vision.

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Vision for Teaching and Learning



To ensure that every student, every day, is engaged in meaningful, affirming, grade -level instruction.

High-quality learning experiences.

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Aligned & focused educational systems.

Engaged partners & communities.

Safe & inclusive schools.

Committed & supported staff.



If We Want Every Student To Experience...

- Consistent **engagement** with grade-level learning that supports deep thinking.
- Opportunities to build and demonstrate understanding through **speaking, writing, problem-solving, and discussion.**
- **Instruction that builds knowledge and skills over time** through a coherent curriculum that connects ideas across subjects and grade levels.
- **Learning materials and experiences** that reflect and respect students' cultures, identities, and perspectives—and are designed to be accessible and affirming for multilingual learners and students with disabilities.
- **Belonging** that allows them to take risks with their learning and engage in rich discussions, building on background knowledge.
- **Agency** in their learning through collaboration and reflection.

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High-Quality Instructional Materials Are...

A key lever to support consistent and coherent learning experiences in Oregon.



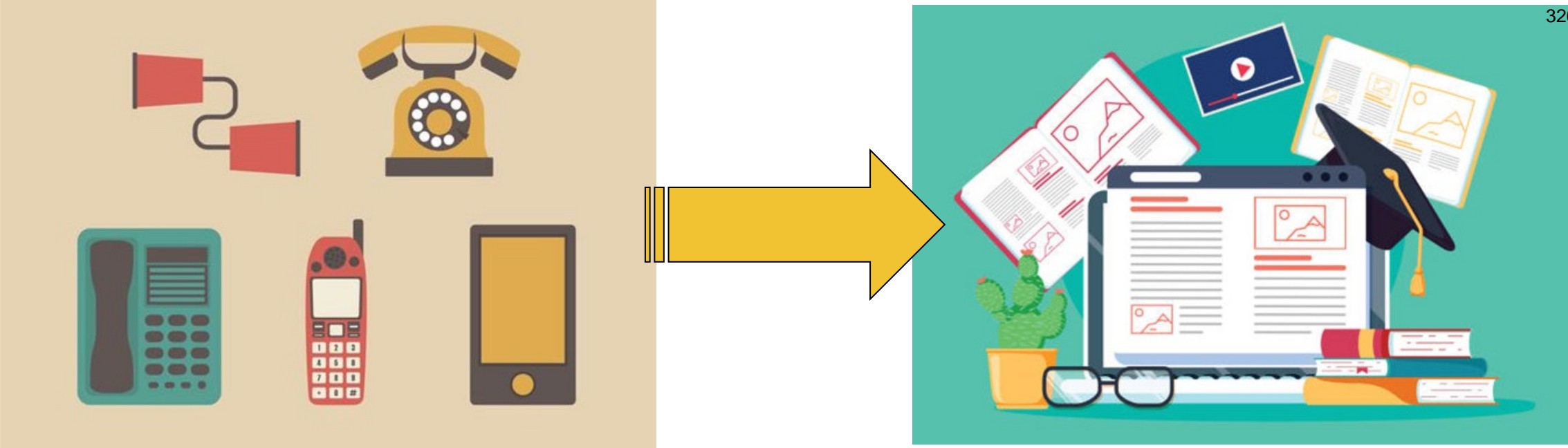
324



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What are High-Quality Instructional Materials?

The definition of what “high quality” has evolved



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High-Quality Instructional Materials are...

...evidence-based curricular materials that help teachers effectively teach grade-level standards, **AND** center students in the learning process.

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To ensure that every student, every day, is engaged in meaningful, affirming, grade-level instruction.



Benefits of Effectively Implementing High-Quality Instructional Materials

When teachers don't have access to HQIM, they spend **hours each week** looking for them...



7 hours

searching for free or paid instructional materials

+

5 hours

creating their own instructional materials

...leading to inconsistent and incoherent instruction.

Source: [Goldberg \(2016\)](#)

More Effective Teaching

When middle school teachers use high-quality instructional materials...



...it can significantly improve student learning outcomes.

A 2017 study shows that the effect on learning is the same as moving an average performing teacher to one at the 80th percentile.

HQIM raises the bar for learning for ALL students

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Source: [Jackson & Makarin \(2016\)](#)

Better Student Outcomes

A 2016 Harvard study showed using a top ranked program in 4th or 5th grade math can lead to...

Sources: [Kane et al. \(2016\)](#)
[Taylor et al. \(2015\)](#)



...student achievement gains of 3.6 percentile points.

Larger than the improvement of a typical teacher's effectiveness in their first three years on the job when they are learning to teach.

Great materials in the hands of an effective teacher can double the impact on students.

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Belonging, Consistency, and Coherence

To begin to create paths of opportunity for all young people, let's learn from what's *already working*.

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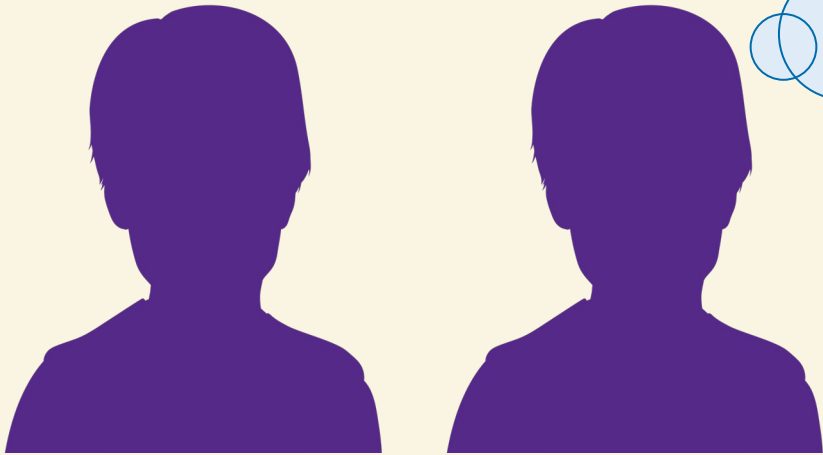
- Study of seven schools delivering *exceptional levels of learning*.
- Common focus on three areas to transform trajectories for all students.
 - **Belonging:** Creating an emotional climate for learning that activates students' ability to excel.
 - **Consistency:** Delivering consistently good teaching and grade-level content for all students.
 - **Coherence:** Building a unified instructional program and setting priorities that are clear to all.



TNTP. (2024) *The Opportunity Makers: How a Diverse Group of Public Schools Helps Students Catch Up—and How Far More Can*

A Day in 3rd Grade:

*Morgan (without HQIM)
& Mirabel (with HQIM)*



As you listen:

Consider how Morgan's learning experience without HQIM could limit her ability to get the most from the supports

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Morgan's Day (without HQIM)



Oregon Department of Education

3rd Grade Literacy Block

Mrs. Fields is teaching her favorite unit, "Holidays Around the World," that she has perfected over many years. She even has a related Pinterest art project that will double as a holiday gift!

Literacy Intervention

Morgan practices identifying the main idea using a text passage about seals at the zoo.

ELD Pull-out

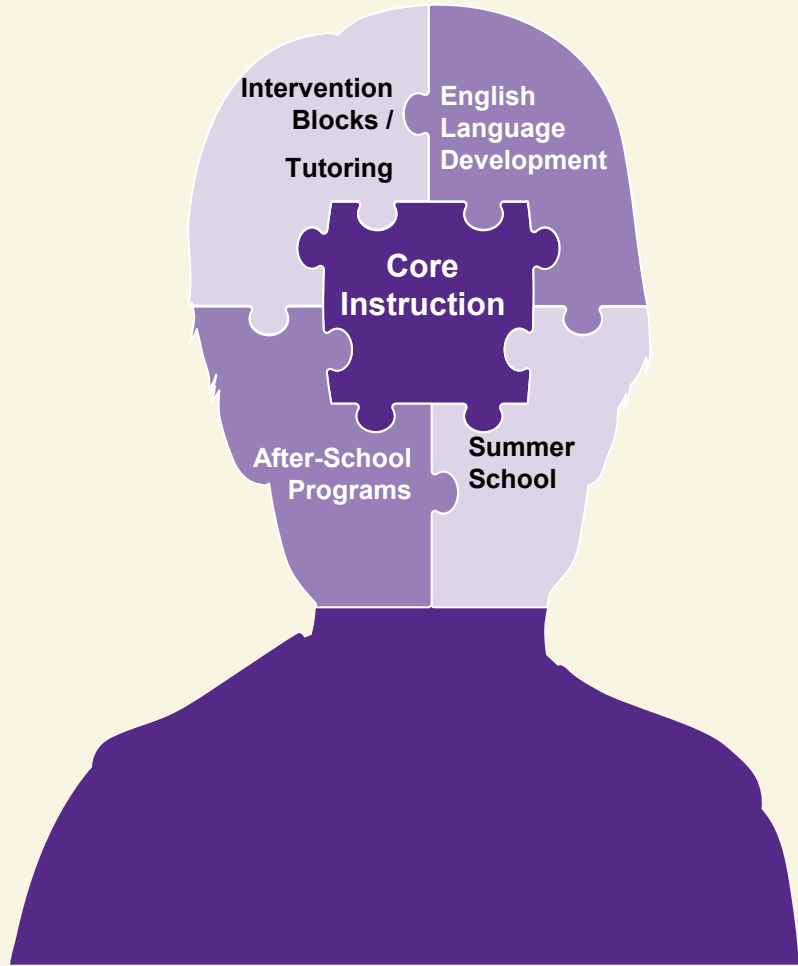
Mr. Baker is teaching a lesson on the function of connectors (e.g., first, then, finally) using baking recipes.

After School Program

Morgan reads from a collection of books of varied lexile levels in a "station rotation" for 20 minutes.

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Mirabel's Day (with HQIM)



Oregon Department of Education

3rd grade Literacy Block

Mirabel's class is learning about outer space. Students ask and answer text-dependent questions. They use the text, illustrations, photos, and text features in informational texts to locate and use information efficiently.

Literacy Intervention

Mirabel practices decoding multisyllabic words. Mirabel then works on reading fluency using a decodable reader about the Mars Rover.

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ELD Push In

Mr. Kingsley pre-teaches academic vocabulary about space. The vocabulary will be found in future lessons taught by the classroom teacher.

After School Program

Mirabel receives High Dosage Tutoring and works on encoding multisyllabic words learned that week in literacy block. Mirabel writes paragraphs sharing an opinion about Mars.

Benefits for Teachers

Great teaching needs great tools.

Strong instructional materials may not be perfect, but they give teachers a powerful head start—saving time, reducing burnout, and helping them focus on what matters most: *teaching students well*.

With consistent HQIM, teachers can adapt and relate the materials to their students and immediate community.

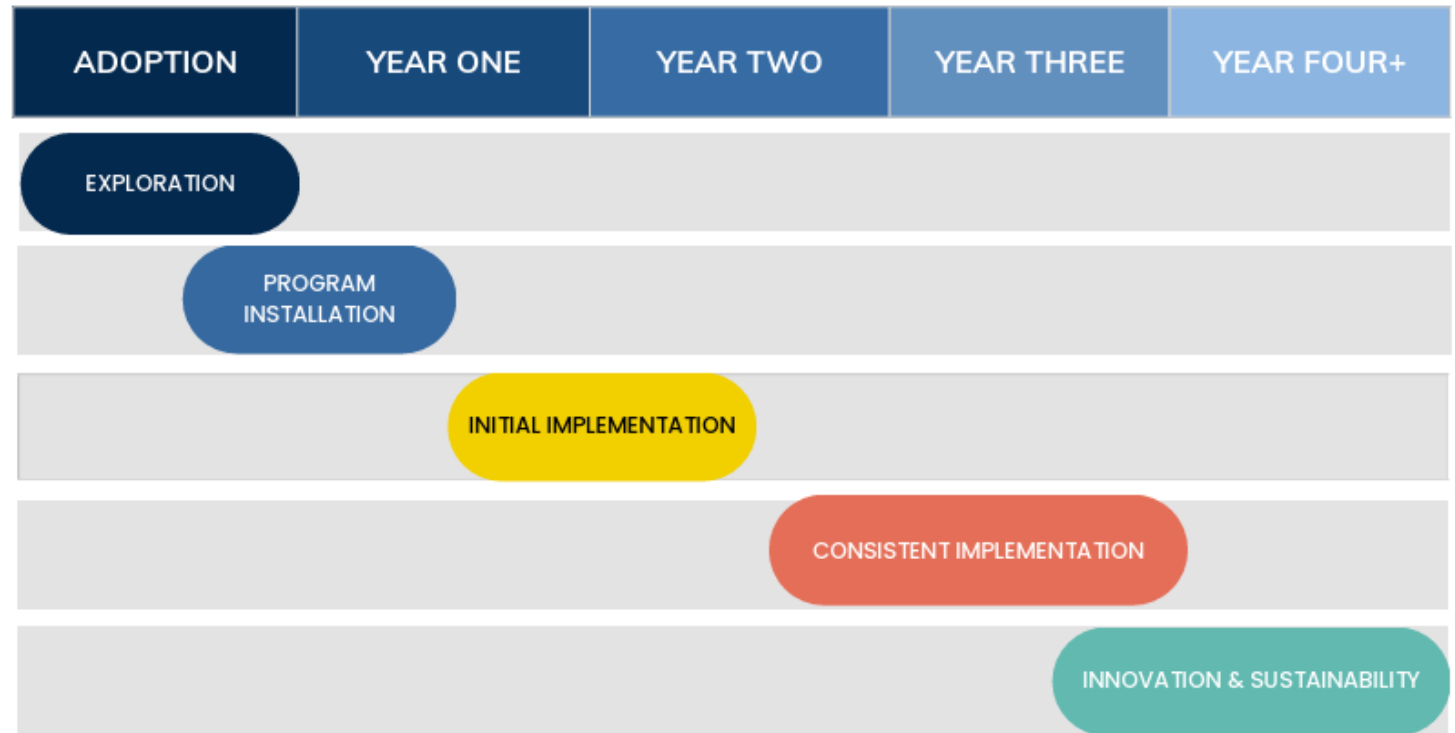


Chefs start with a recipe...

Implementation Matters

High-quality implementation efforts often take four or more years to complete.

This leads to a “stacking” effect where districts are navigating up to four adoptions in a given year.



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[Rivet Education Instructional Materials Implementation Tool](#)

Oregon Department of Education

EXPLORATION
School systems review and select HQIM with key staff and relevant groups.

PROGRAM INSTALLATION
Teachers have access to HQIM; leaders establish or revise systems and structures for support.

INITIAL IMPLEMENTATION
Leaders set and monitor expectations for implementation; teachers use the HQIM as intended.

CONSISTENT IMPLEMENTATION
Leaders ensure HQIM are integrated into regular practices, policies, and procedures; teachers skillfully use HQIM.

INNOVATION & SUSTAINABILITY
Instructional staff facilitates and supports teachers in making smart adaptations to the HQIM so all students can access grade-appropriate content based on their needs and performance.



Oregon's Current HQIM Program

Focus on HQIM Selection



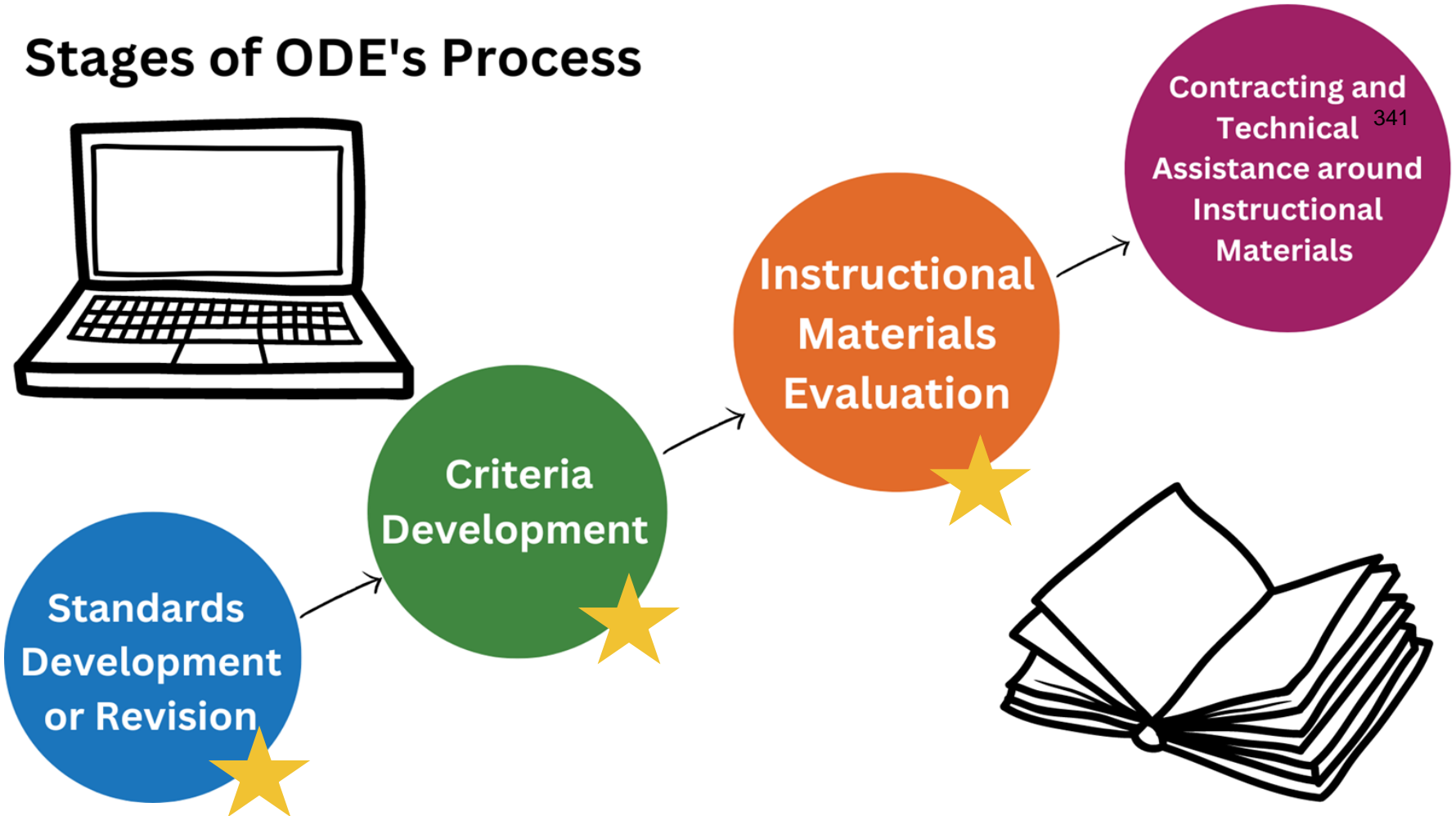
Oregon has a long history of state support for selecting materials, evaluating and recommending instructional materials since...

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ODE's HQIM Adoption Process

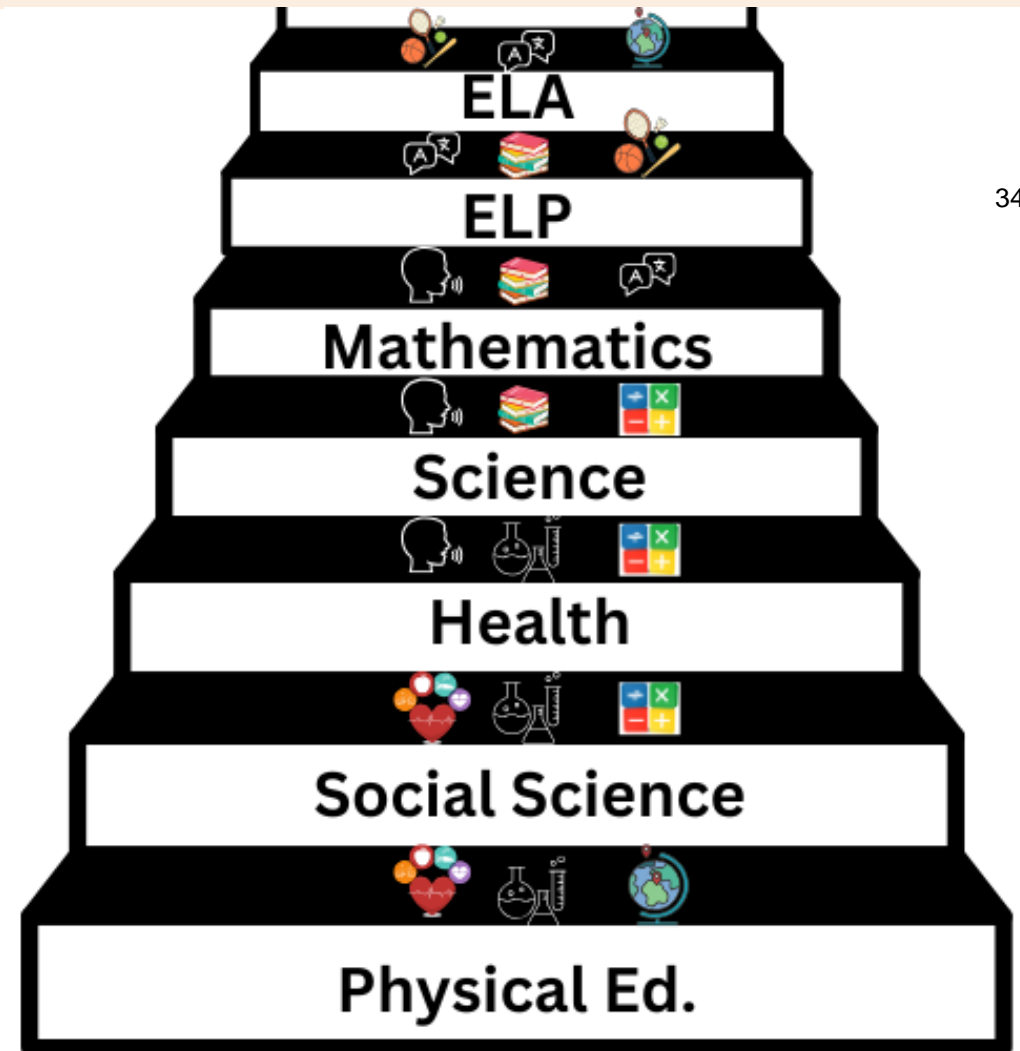
Stages of ODE's Process

★ State Board Adopts after process complete



HQIM Evaluation and Adoption Schedule

- Chapter 337 of Oregon Revised Statute, **Division 11**, and three **Division 22** standards outline Oregon's High-Quality Instructional Materials (HQIM) program
- Oregon currently reviews and adopts **9 subjects on a 7-year cycle**.
- Implementation can take four or more years, leading to a compounding effect.
- Districts are required to adopt a new HQIM program **annually** to remain compliant with Division 22 standards.



What We've Heard from Districts

"Our elementary teachers have supported **four consecutive years of adoptions with no break. They are trying to master content in Social Sciences, Language Arts, Math, and Science.** Pausing on Health will support their workloads." *(North Marion ESD, 5/2023)*

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"The implementation of two core academic areas, English Language Arts and Math, K-12, has had a significant impact on teachers, particularly on K-6 buildings. **...we need to allow our staff time to develop a strong understanding of ... both ELA and Math before adding an additional core content area.**" *(Coquille ESD, 10/2023)*



ODE's HQIM Leadership

IMPD Network

Instructional Materials Professional Development (IMPD) Network

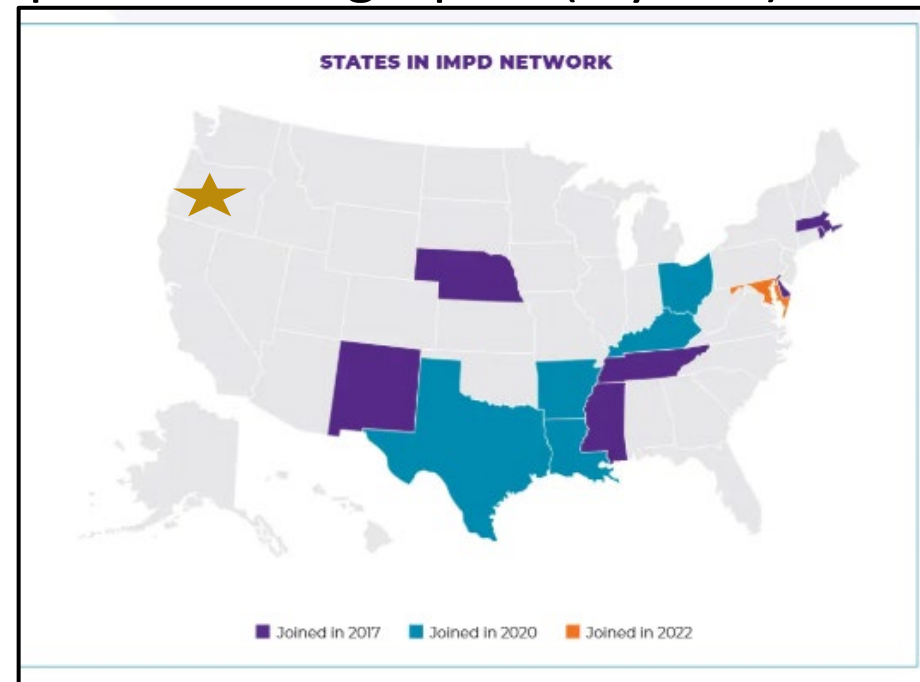
Joined in 2024 after auditing for several years.

- State coach through Education First
- Resources and learning from other states
- Convenings twice a year
- Required strategic plan (3 years)

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Next Steps

- Engagement **surveying district needs** regarding implementation of HQIM.
- Internal and external **professional learning opportunities to build coherence** around the importance of HQIM adoption *and* implementation.
- Return to SBE with a proposal to **update the HQIM adoption schedule** no later than December 2025.



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Resources

IMPD

- [CCSSO's High-Quality Instructional Materials and Professional Development \(IMPD\) Network](#)
- [Oregon's Draft Plan](#)
- [CCSSO SEA Guide to CBPL Internal FINAL.docx.pdf](#)

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HQIM

- [What We Teach Matters: How Quality Curriculum Improves Student Outcomes \(Learning First\)](#)
- [Failing by design: How we Make Teaching Too Hard for Mere Mortals \(Fordham Institute\)](#)

HQIM-focused professional learning

- [Practice What You Teach: Connecting Curriculum and Professional Learning in Schools \(Aspen Institute\)](#)
- [How Instructional Materials Are Used and Supported in U.S. K–12 Classrooms \(RAND\)](#)
- [Don't Give Up on Curriculum Reform Just Yet: What the Research Does \(and Doesn't\) Say about Curriculum \(Kane & Steiner\)](#)

Questions?



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