

AGENDA

Regular Meeting
Public Service Building 251 A/B
255 Capitol Street NE
Salem, OR 97310
Thursday, December 11, 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. Director's Report

Time: 9:05 AM

C. Break

Time: 9:50 AM

2. Public Comment

Time: 9:55 AM

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

3. Consent Agenda

Time: 10:25 AM

A. Senate Bill 141 (2025) Implementation: Strengthening and Expanding Instructional Materials: OAR 581-011-0090, OAR 581-011-0055, OAR 581-011-0087, and OAR 581-011-0114 25

B. Postponement of High-quality Instructional Materials (HQIM) Adoption for World Languages and The Arts 39

C. House Bill 3007 (2025) Implementation: Accommodations for Students with Brain Injuries: OAR 581-021-3007 65

4. First Readings

A. House Bill 3040 (2025) Bill Implementation: Early Literacy Grants: OAR 581-017-0801 and OAR 581-017-0811 95

Time: 10:30 AM

Angelica Cruz and Sophie Hilton, Office of Teaching, Learning, and Assessment

B. Charter Schools Renewal Request: Four Rivers Community School	116
<i>Time: 10:50 AM</i>	
Christen Kelly and Kate Pattison, Office of Relations, Management, and Support, and Chelle Robins, Four Rivers Community School	
C. 2025 Physical Education: Instructional Materials Criteria	236
<i>Written Report Only</i>	
D. Written Notification and Parent Consent to Access Public Insurance (Medicaid):	265
OAR 581-015-2885, OAR 581-015-2735, OAR 581-015-2530, and OAR 581-015-2090	
<i>Written Report Only</i>	
E. Transportation Grant Non-Reimbursable Mileage Rate Update: OAR	297
581-023-0040	
<i>Written Report Only</i>	
5. <u>Adoptions</u>	
A. Tribal Charter Schools: Temporary Rules	327
<i>Time: 11:25 AM</i>	
Kate Pattison, Office of Relations, Management, and Support	
B. Surrogate Parents and Transfer of Procedural Rights at Age of Majority: OAR	358
581-015-2320 and OAR 581-015-2325	
<i>Time: 11:40 AM</i>	
Abby Wells, Office of Enhancing Student Opportunities	
6. <u>Break for Lunch</u>	
<i>Time: 12:00 PM</i>	
7. <u>Adoptions (continued)</u>	
A. Senate Bill 141 (2025) Implementation: Definitions and Metrics	391
<i>Time: 1:00 PM</i>	
Cassie Medina and Blake Whitson, Office of Education Innovation and Improvement	
8. <u>Informational Reports</u>	
A. Supporting a State Vision for College Credit in High School	433
<i>Time: 3:30 PM</i>	
Kristidel McGregor, Office of Teaching, Learning, and Assessment	
9. <u>Adjourn</u>	
<i>Time: 4:00 PM</i>	



Ontario School District 8C

195 SW 3rd Ave. Ontario, Oregon 97914

Phone: 541-889-5374 Fax: 541-889-8553

November 12, 2025

VIA CERTIFIED MAIL AND EMAIL

Chair and Members, State Board of Education Oregon

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

Email: ODE.StateBoard@ode.oregon.gov

Subject: Formal Request for Charter School Renewal Documentation and Assurance Regarding Enrollment Impact and Future Expansion of Four Rivers Charter School.

Dear Chair and Members of the State Board of Education,

Ontario School District (OSD) formally submits this request concerning the upcoming charter renewal process for Four Rivers Charter School (FRCS).

As the local school district responsible for the education and financial well-being of all students within our geographic boundaries, we have a vested interest in any decision that impacts student enrollment and the equitable distribution of public resources. Given that the financial model for public education is based on per-pupil enrollment, fluctuations caused by charter school activity directly affect our ability to maintain programs and services for our district's students.

To ensure transparency and allow for proper fiscal planning and due diligence on behalf of our community, we respectfully request the following:

1. Provision of Charter Renewal Documentation

We request to be immediately provided with a complete copy of the renewal request, proposal, and all supporting documentation submitted by the governing body of FRCS. This should include, but not be limited to:

- The charter school's annual performance reports as required by statute.
- The annual audit of accounts for the most recent operating period.
- A comprehensive summary of student performance goals and achievements over the current charter term.
- Any proposed changes to the educational program, grade levels served, or facilities usage as part of the renewal.

2. Assurance Regarding Enrollment Limits and Expansion

Our primary concern is that the State Board of Education grants assurances that the renewed charter agreement will not contain any provisions allowing for future expansion, whether in terms of physical facilities, grade levels, or student enrollment cap increases, that would negatively affect the enrollment and operational stability of the FRCS. This was agreed upon when the OSD filed numerous complaints regarding the failure of ODE and the State Board of Education's lack of oversight of Four Rivers and our further claims that Four Rivers had violated their own charter agreements multiple times. OSD was disappointed at that time by the lack of follow through by the board regarding the complaints that were launched by OSD.

This concern is heightened by the recent action by the charter school's governing body to purchase a secondary building to house their high school operations, an expansion that clearly exceeds their currently authorized scope (Again, guaranteed by the state board of education at their last renewal). In addition, FRCS admitted to looking forward to their expansion in recent messaging put out by school officials.

Specifically, we request that the State Board affirm that the renewed charter agreement will:

- Maintain the charter school's current maximum authorized enrollment cap.
- Explicitly prohibit the addition of new grade levels or satellite campuses within the District's boundaries for the duration of the renewed term.
- Require the charter school to adhere strictly to the terms of the renewed charter regarding scope and student population, ensuring a predictable and stable educational landscape for the entire community.

3. Unfunded Mandates and Disproportionate Fiscal Burden

Beyond the direct loss of per-pupil funding, the District is currently forced to bear significant financial and administrative burdens for the Charter School as a non-sponsoring Local Education Agency (LEA). We must formally object to the statutory obligation that requires our District to serve as the fiscal or operational pass-through for certain costs related to the Charter School's students. This includes, but is not limited to, the provision of high-cost special education services (Child Find, Individualized Education Program (IEP) implementation, and related due process) and the administration of expensive, state-mandated assessments and reporting for students who are not directly enrolled in our schools. This results in "stranded costs" for the District, where we lose the per-pupil revenue but retain the disproportionate fixed and administrative costs associated with these services, unfairly redirecting local taxpayer resources away from the students directly enrolled in OSD.

4. Enrollment Equity and Socioeconomic Disparity

We must formally raise a critical concern regarding the demographic composition of the charter school compared to the demographic data of the students residing within the District and County boundaries.

Our District data indicates that over **85%** of our students are classified as low-income (eligible for Free or Reduced-Price Lunch), while data submitted to us directly from FRCS public school percent of poverty is **38.94%**. This dramatic and sustained disparity raises serious concerns regarding the charter school's adherence to the principle of open access required of all public schools, as this level of disproportionate enrollment could be inferred as the charter being selective in nature as it enrolls students.

We request that the State Board thoroughly review this demographic data disparity as part of the

renewal evaluation and mandate specific, verifiable corrective measures, such as a weighted lottery and targeted outreach plan, to ensure that the renewed charter school adheres to equitable, non-discriminatory enrollment practices and reflects the socioeconomic diversity of the community it is intended to serve.

We look forward to receiving the requested documentation and to working collaboratively with the State Board to uphold the statutory requirements for public charter school oversight while protecting the interests and equitable educational access of the students and taxpayers of Malheur County.

Please direct all correspondence regarding this matter to:

Ontario School District, Nicole Albisu, Email: nalbisu@ontario.k12.or.us, Phone: 541-889-5374

Sincerely,

Nicole Albisu, Superintendent Ontario School District



123 NE 3rd Ave.
Suite 208
Portland, OR 97232
betteroregon.org



DATE: December 4, 2025

TO: Oregon State Board of Education

FROM: Nate Waas Shull, Foundations for a Better Oregon

RE: Improving College & Career Readiness Definitions for SB 141 Local Metrics

Dear Chair Scurlock, Vice Chair Montgomery, Second Vice Chair Richardson, and Members of the State Board of Education,

On behalf of Foundations for a Better Oregon (FBO), thank you for your work to build greater shared accountability for the success of Oregon students. FBO is a partnership of five major Oregon philanthropic organizations committed to ensuring Oregon's systems support every child to learn, grow, and thrive.

As you consider administrative rules for SB 141, we strongly support the inclusion of Local Metrics related to Career Technical Education (CTE) and Postsecondary Readiness. The real-world learning provided through CTE and high-quality college readiness opportunities increase student engagement and achievement while preparing students for success in life after high school.

However, the currently proposed Local Metric definitions miss the mark when it comes to measuring meaningful CTE engagement and Postsecondary Readiness.

A STRONGER MEASURE OF CTE

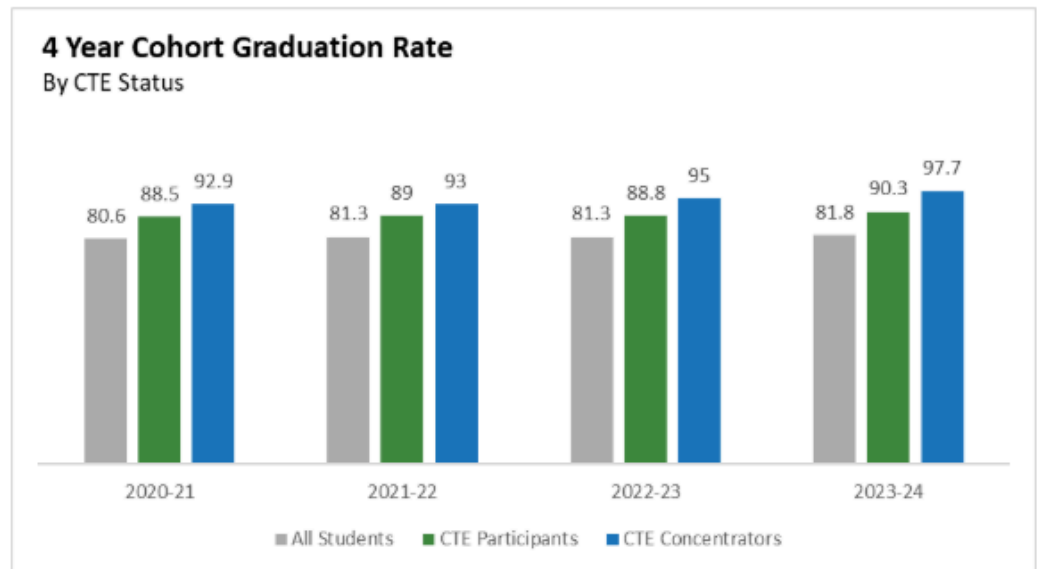
To strengthen the CTE metric from its working draft, **we propose tracking the number of CTE Concentrators** instead of using a composite total that combines CTE Participants and CTE Completers. CTE Concentrators are defined as students who earn at least two credits in a single CTE program, with at least one of those credits coming from intermediate or advanced coursework. While the vast majority of Oregon students become CTE Participants by earning some amount of CTE credit, only about one-quarter of them become CTE Concentrators.¹

National research on CTE course-taking patterns demonstrates that an increased number of CTE credits earned by students in a single program increases their likelihood of graduation and future earnings. It is well within our reach to drive up the number of CTE Concentrators through shared effort and accountability across schools, employers, communities, and state agencies.

As is true across the nation, CTE Concentrators in Oregon graduate at higher rates than both the general population and CTE Participants.² In 2023-24, CTE Concentrators graduated at a rate 15.9 percentage points higher than the general population and 7.4 percentage points higher than CTE Participants.

¹ With a total of 183,190 9th-12th grade students in 2023-24, Oregon reported 161,688 CTE Participants and 45,016 CTE Concentrators. Sources: [Oregon Department of Education](#) and [Perkins Collaborative Resource Center](#).

² [Career & Technical Education: A Summary of the Evidence](#). (MDRC.)



Source: Oregon Department of Education

Additionally, increasing the number of CTE Concentrators in Oregon schools can be a powerful equity strategy, as students of color, Emerging Bilingual students, and students from other focal populations often see even greater gains in graduation rates when they reach CTE Concentrator status.

ALIGNING SB 141 WITH OUR STATE'S VISION FOR CTE

In 2015, through HB 3072, the Oregon Legislature recognized the need for more meaningful CTE programming by establishing the Secondary Career Pathways Fund which provides a financial incentive for schools who build robust CTE programs of study that offer a minimum of three credits, which allows students to become CTE Concentrators.

This strategy has helped drive significant growth in the number of high-quality CTE programs across the state, and SB 141 rules should align with our state's vision to help more students become CTE Concentrators. What we measure matters. Unfortunately, the current proposal to combine CTE Participants and CTE Completers into a composite metric will reveal little about the quality and depth of students' CTE experiences.

ADVANTAGE OF STANDALONE METRICS VERSUS COMPOSITES

The currently proposed definitions include composite measures for both CTE and Postsecondary Readiness. National experts encourage the use of standalone metrics given that composite metrics often create a level of opaqueness and complexity that limits their usefulness.³

According to the Advance CTE and College in High School Alliance, "[t]he advantage of standalone indicators lies in their direct connection to specific outcomes, allowing for easier identification of successes and areas needing

³ [Making Data Work: How Better State Data Can Support Successful Education Transitions.](#) (Data Quality Campaign.)



improvement. These indicators offer clear, actionable insights and highlight trends that external partners, educators, and families can rely on for informed decision-making.”⁴

In conclusion, we encourage the State Board to build on recent progress by adopting CTE Concentrators—a research-based, standalone measure of meaningful CTE engagement. Additionally, we encourage the State Board to select a single, high-quality Postsecondary Readiness metric, such as dual credit.

Sincerely,

Nate Waas Shull
Advocacy Director
Foundations for a Better Oregon

123 NE 3rd Ave.
Suite 208
Portland, OR 97232
betteroregon.org



⁴ Making Career Readiness Count. A 2025 Update: 10 Years of Measuring What Matters. (Advance CTE and College in High School Alliance.)

From: [REDACTED]
To: [StateBoard Public Email](#)
Subject: SB 141 Interim Testing
Date: Tuesday, December 9, 2025 12:38:33 PM

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Dear Members of the Oregon State Board of Education:

I am writing regarding the implementation of SB141 and the requirement that districts use one of only four approved platforms for interim assessments. While I understand and support the intent of the legislation—to promote consistency, quality, and equitable access to assessment tools across the state—the narrow list of accepted platforms creates significant challenges for districts like ours that are already fully in compliance with assessment standards but do so using alternative, effective systems.

Our district has invested considerable time, professional development, and financial resources into an interim assessment platform that aligns with SB141's objectives. Under the current interpretation of the bill, we are being compelled to abandon a system that is already working well for our educators and students and replace it with one of the four approved options. This requirement creates an unfunded mandate that places a substantial financial and operational burden on our district.

Transitioning platforms requires new licensing fees, staff training, instructional adjustments, and technical integrations—not to mention the inevitable disruption to existing assessment workflows. Without additional funding from the state to support such a mandated change, districts are left to absorb costs that strain already limited budgets. This is especially concerning when no performance or equity issue exists that would justify forcing compliant districts to switch tools.

I respectfully request that the Board provide funding to districts that are required to make these transitions or provide feedback to the legislature that this plan is too restrictive for our schools. Expanding the list to include a broader range of validated and widely used platforms—or creating a waiver process for districts already meeting the intent of SB141—would uphold the goals of the legislation without imposing undue financial hardship.

Thank you for your attention to this matter and for your continued commitment to supporting Oregon's students and educators. I urge the Board to address the unintended consequences of this implementation and ensure that districts are not penalized for already doing the work the law intends to promote.

Sincerely,

Gary Sarbacher
Boardmember
Gaston School District 511J

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From: [REDACTED]
To: [StateBoard Public Email](#)
Subject: Reconsideration of SB 141 Implementation as It Applies to Charter and Virtual Charter Schools
Date: Monday, November 17, 2025 9:48:00 AM

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Dear Members of the Oregon Department of Education and the State Board of Education,

I am writing on behalf of West Lane Charter School, a public virtual charter school in Oregon, to respectfully request reconsideration of the current approach to implementing SB 141 as it applies to charter schools—particularly virtual charter schools. It is incredibly disheartened that charter school leaders and advocates had no input and were not included in collaboration in the process of creating this implementation plan. It feels very much like the first steps to eliminate charter schools and has us feeling very fearful.

The entire premise of a charter school is to provide *choice*—an opportunity for students and families to pursue education in a way that is distinct from traditional district models. Charter schools were designed to innovate, to serve students whose needs, learning styles, or circumstances may not align with traditional systems. To hold charter schools to the same metrics, growth targets, and accountability structures as the sponsoring districts undermines the very foundation of what charter education is meant to provide.

While we fully support the intent of SB 141—to promote transparency, continuous improvement, and measurable growth—its current proposed application treats charter schools as extensions of their sponsoring districts rather than independent public schools with unique missions and models. This is especially problematic for virtual charter schools, whose structure, student populations, and methods of instruction are fundamentally different from those of brick-and-mortar schools.

Charter schools should be held accountable for growth, but that accountability must be **independent** of district frameworks. Our growth measures should reflect the innovation and flexibility that define the charter model. Otherwise, the distinction between a charter and a traditional district school ceases to exist, negating the purpose of our work and limiting options for Oregon students and families.

Additionally, the connection between SB 141 requirements and the Student Investment Account (SIA) raises concerns of equity. Virtual charter schools are currently ineligible for SIA funding, yet we are being asked to meet the same reporting, monitoring, and performance goal requirements as those who receive such funds. This creates a clear inequity—charter schools are being asked to meet the same obligations without access to the same resources to meet them.

It is also important to recognize that traditional state testing and interim assessments are not always valid measures of student growth in a virtual or alternative learning environment. Many of the students we serve have turned to virtual education precisely because they struggled in conventional settings—often due to social, emotional, or medical factors that affect engagement in standardized testing. These students' success and growth are reflected in more individualized, meaningful ways—through course completion, credit recovery, post-

secondary readiness, and re-engagement after previous school disengagement.

We have developed rigorous internal systems to track student growth, progress, and engagement that are aligned with our mission and serve our unique population. These measures are deeply personalized. They reflect a holistic understanding of each student's journey—something that standardized district-aligned measures often fail to capture.

For these reasons, I urge the Department and the Board to consider allowing charter schools, particularly virtual charter schools, to demonstrate growth and accountability **independently** of their sponsoring districts. We fully support transparent reporting, continuous improvement, and student success—but these must be measured in ways that are authentic to our model and equitable to the resources we receive.

In closing, I ask that as implementation of SB 141 continues, you preserve what makes charter schools—and especially virtual charter schools—an essential part of Oregon's educational ecosystem: innovation, flexibility, and a commitment to meeting students where they are. We share the same goal—to help all students thrive—but we ask for the professional respect and autonomy to do so in the ways that best serve our unique learners.

Thank you for your consideration and for your ongoing work in support of Oregon's students.

Sincerely,

--

Darci Stuller
Director
West Lane Charter School
24967 Hwy 126
Veneta, OR 97487
Phone 541-935-2101
Fax 541-935-8345

<https://www.westlanecharter.org>

December 10, 2025

To: Chair Scurlock, Vice Chair Richardson, and Members of the State Board of Education,

The Forest Grove School District Board of Directors submits this public testimony regarding the rulemaking process associated with SB 141, the Education Accountability Act. We appreciate the complexity of the work before the Board and the commitment to improving Oregon's accountability system. While we recognize and value the progress being made, particularly in refining local measures that better reflect the work and growth occurring in districts, concerns remain regarding the feasibility, impact, and instructional value of the proposed framework.

Operationalizing SB 141 Across 197 Districts: Ongoing Challenges

The Education Accountability Act requires districts to adopt new performance metrics, utilize interim assessments in grades K-8, and prepare for increased state intervention if targets are not met. Many of these rules are under consideration for adoption as early as December 2025, with full implementation required for the 2026–27 school year.

One of the most significant barriers arises from the limitation to four approved interim assessment tools. This restriction creates a non-trivial burden for many districts that currently rely, and have invested deeply, in assessment systems outside the proposed list. As written, the rule would inevitably force a number of districts to:

- Terminate existing contracts with current providers, often incurring penalties or sunk costs;
- Negotiate new contracts that may be more expensive or less aligned to district needs;
- Build new IT structures to share data with the approved vendor;
- Train administrators, teachers, and support staff in the use, navigation, and interpretation of a new tool;
- Prepare students to access and appropriately interact with an unfamiliar system;

- Re-align MTSS and RTI frameworks currently built around existing assessments;
- Rebuild data dashboards and analytical tools;
- Determine how to maintain longitudinal progress monitoring when transitioning between assessment platforms;
- Develop new family communication tools and resources.

These requirements impose substantial costs that extend beyond direct financial implications. Districts will also bear the weight of systemwide technical and adaptive change, shifts that demand time, capacity, professional learning, and transitions in practice. This level of change management cannot be underestimated.

Concerns with Similar District Groupings

While we recognize that hierarchical cluster analysis is a statistically valid method for grouping districts, the usefulness of the resulting clusters depends heavily on the variables selected. In the current proposal, we are concerned that proximity to a university, a variable with limited connection to instructional conditions, is weighted equally with student poverty levels, one of the most significant predictors of student achievement.

District similarity groupings must reflect meaningful, research-aligned factors if resulting comparisons are to guide effective policy or intervention.

SB 141 and the Absence of Instructional Improvement Mechanisms

The Education Accountability Act clearly outlines expectations for metrics, targets, and interventions, but it remains silent on the most critical factor in improving student outcomes: the quality of teaching and leadership.

Extensive research confirms that *teacher efficacy*, closely followed by *leader effectiveness*, is the **strongest driver of improvements in instruction and student outcomes**. Yet nowhere in SB 141, nor in the rules proposed to date, is there meaningful attention to strengthening instructional practice or building leadership capacity for instructional improvement.

As districts prepare to analyze interim assessment data at both the school and board levels, as required after each administration, we urge the State Board to ask: *Where in this framework does the state directly support the improvement of teaching and learning?* Without explicit investment in instructional capacity, the use of assessments, even high-quality ones, will not lead to improved outcomes for students.



Local Metrics: Appreciated Progress, but Continued Need for Flexibility

We appreciate the continued movement toward authentic local metrics. Replacing four of the five current state metrics with measures that more accurately reflect local priorities, including growth data from interim assessments, creates an opportunity for districts to tell a fuller and more accurate story about student progress and instructional effectiveness. This represents a positive and meaningful shift in Oregon's accountability system.

As you finalize the list of allowable local measures, we urge the Board to ensure that it remains broad enough to reflect the diversity of district contexts, student demographics, and instructional models across Oregon. Direct engagement with district leaders, educators, and instructional teams, the people closest to the work, will help ensure that the measures adopted truly capture the realities of teaching and learning. Before moving forward with a vote on metrics, it is essential that the Board review the full range of options available, especially those already in use by districts to strengthen instruction and accelerate student learning.

The Need for Strong Oversight and Authentic Stakeholder Engagement

We believe it is well within the State Board of Education's purview to direct ODE to prioritize investments that strengthen the factors most closely tied to improved instruction and student outcomes, particularly leader effectiveness and teacher efficacy. Rather than focusing solely on the development of new metrics, we urge the Board to ensure that the accountability system is paired with meaningful supports and resources that build the instructional capacity of educators and leaders across Oregon. Without this investment, even the most carefully crafted metrics will fall short of driving the improvements our students deserve.

We urge the State Board of Education to provide the critical oversight required to ensure that rules associated with SB 141:

1. Support meaningful improvements in instruction and student outcomes, not merely compliance with new measurement systems; and
2. Reflect robust stakeholder engagement across district sizes, regions, and circumstances.

At multiple points throughout this process, rulemaking has been slowed or halted due to the Department of Education advancing proposals without adequate stakeholder involvement or without sufficient consideration of implementation impacts on school districts. Given the



aggressive statutory timeline for implementation, this pattern is increasingly concerning. At a recent State Board of Education meeting, one director noted the importance of gathering more information before making such consequential decisions. We agree, and believe that Board members *can and should* intervene when decisions of this magnitude are before you. These rules will fundamentally reshape Oregon's educational systems, and it is essential that every Board member, and every school district, clearly understands both the expectations and the implications.

We strongly encourage each of you to engage directly with the district leaders in your regions. Cross-check the information provided by state agencies about instructional methodology and systems change with the realities that district leaders are navigating every day. This type of direct engagement will ensure that your decisions are grounded in both policy intent and the lived experience of Oregon's schools. This school board is always available to support your work and would welcome further conversations about how potential decisions will impact our districts.

Districts cannot succeed under SB 141 unless the rules are realistic, instructionally meaningful, and shaped through genuine collaboration with those responsible for carrying them out.

Conclusion

We remain committed to accountability that is fair, meaningful, and anchored in improving student learning. We believe the intent of SB 141 can be achieved, but only if the rulemaking process addresses the operational realities facing districts and places instructional improvement at the center of the system.

Thank you for your consideration and for your service to Oregon's students.

Sincerely,



Kristy Kottkey, Board Chair
Forest Grove School District
kkottkey@fgsd.k12.or.us







OREGON COALITION OF COMMUNITY CHARTER SCHOOLS

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

RE: Support for the Renewal of Four Rivers Community School

Dear Chair Scurlock and Members of the Oregon State Board of Education,

On behalf of the Oregon Coalition of Community Charter Schools (ORC3S), I am writing to express our unequivocal support for the charter renewal of Four Rivers Community School. As one of the founding members of ORC3S, Four Rivers has played a formative role in strengthening Oregon's charter school ecosystem, and we are immensely proud to count them among the schools that helped shape our organization's mission and values.

Since its inception, Four Rivers Community School has exemplified what is possible when innovation, community partnership, and high expectations come together in service of students. The school has persistently leveraged its dual-language model, community-embedded programming, and whole-child approach to create an educational environment that is deeply responsive to the families it serves. These innovations were not adopted as trends—they have been core to the school's identity from the beginning, reflecting a steadfast belief that every student can achieve at the highest levels when provided access to rigorous, culturally responsive learning.

Four Rivers' academic performance reflects the strength of this commitment. Across multiple years, the school has consistently demonstrated high academic outcomes, maintaining achievement levels that meet or exceed statewide benchmarks. Their results show not only strong performance overall but also meaningful growth for students who have historically been underserved. Four Rivers stands as a model of what high-quality, community-driven charter education can accomplish, and Oregon should be especially proud to have a school of this caliber operating in our state.

The charter renewal process exists to ensure that schools are meeting their obligations to students and communities. Four Rivers Community School has done far more—they have set a standard. Their renewal is not only warranted; it is in the best interest of students, families, and the state of Oregon.

We respectfully urge the Oregon State Board of Education to approve the renewal of Four Rivers Community School's charter. ORC3S stands ready to support both the school and the Board in continuing to advance high-quality public charter education across Oregon.

Thank you for your consideration.

Sincerely,

Iris Maria Chávez

Executive Director

Oregon Coalition of Community Charter Schools (ORC3S)



Date: December 11, 2025

To: Oregon State Board of Education

From: Dr. Krista Parent, Coalition of Oregon School Administrators (COSA)
Michael Carter, Oregon Small Schools Association (OSSA)
Sam Breyer, Oregon Association of Education Service Districts (OAESD)
Jackie Olsen, Oregon Association of School Business Officials (OASBO)
Emielle Nischik, Oregon School Boards Association (OSBA)

Subject: Public Comment on the Second Reading of SB 141 Education Accountability Rules

- Agenda Item 3A. Strengthening and Expanding Instructional Materials
- Agenda Item 7A. Definitions and Metrics

Dear Chair Scurlock, Vice Chair Montgomery, Second Vice Chair Richardson, and Members of the State Board of Education:

On behalf of the Coalition of Oregon School Administrators, Oregon Small Schools Association, Oregon Association of Education Service Districts, Oregon Association of School Business Officials, and Oregon School Boards Association, we submit this letter to provide public comment on the second reading of the draft rules relating to:

- **Agenda Item 3A.** Strengthening and Expanding Instructional Materials
- **Agenda Item 7A.** Definitions and Metrics

Our members lead 197 school districts and 19 education service districts that serve over half a million students in Oregon – we recognize the weight of the roles and responsibilities our members hold to ensure the success of each and every student in Oregon, regardless of zip code.

Collectively, our organizations engaged in the Accountability Advisory Committee (HB 2656), in the development of the Education Accountability Act of 2025 (SB 141), and continue to play an active role in the rulemaking process through the Technical Advisory Committee and Ongoing Rules Community Advisory meetings.

We want to express our gratitude and appreciation toward the Oregon Department of Education for making improvements to the engagement process, and actively working alongside our organizations to solicit, gather, and respond to feedback on the draft rules before you.

Agenda Item 3A. Strengthening and Expanding Instructional Materials

We support, and strongly encourage you to adopt, the current draft of the proposed rules relating to strengthening and expanding instructional materials. As required by SB 141, these rules remove the publisher fee system associated with reviewing and evaluating instructional materials.

Eliminating the publisher fee system is long overdue; in doing so, Oregon is taking important steps forward in 1) reducing “pay-to-play” barriers, especially for smaller publishers; 2) expanding the state list of instructional materials reviewed and evaluated; and 3) helping advance efforts to ensure that there are more state-approved instructional materials that can meet the needs of students who are emerging multilingual learners and students with disabilities.

Our hope is that these efforts will continue to support districts in accessing more affordable high-quality instructional materials that meet the needs of students across Oregon.

Agenda Item 7A. Definitions and Metrics

Given all of the provisions covered in this ruleset, we have organized our feedback around a number of key provisions and clauses (see table).

Local Metrics

SB 141 requires the State Board of Education to adopt up to five local metrics. Districts will be required to select one of these local metrics.

Proposed Language (dated 12/4/2025)	Our Position and Feedback
Academic Growth Measurement: Change in a student’s performance over time as measured by interim assessments in Language Arts and Mathematics.	Support: We strongly support the academic growth metric, and the inclusion of interim assessments in Language Arts and Math as a measurement. Given our extensive feedback, we believe that this is a significant development in the proposed rules. The opt out law does not apply to the interim assessments; with that, we would have a more complete set of student growth data to inform our goal setting and continuous improvement work. Additionally, interim assessments are available in other languages. These tools are aligned with the learning standards and help districts accurately measure students’ knowledge, skills, and academic growth throughout the school year. The data from these assessments provide timely and actionable information for educators to help inform instruction and support for students; there are also districts who currently use these assessments in their district accountability work. We look forward to collaborating with ODE more on the implementation of this measure.
Multilingual Proficiency Measurement: The number of students earning the seal of biliteracy or multiliteracy.	Support: We strongly support the multilingual proficiency metric, and the inclusion of the Oregon Seal of Biliteracy/Multiliteracy as a measurement. We believe that the inclusion of this metric will further support students who are emerging bilingual/multilingual learners, and efforts to elevate dual language programs, heritage language retention, and Indigenous language revitalization.

Proposed Language (dated 12/4/2025)	Our Position and Feedback
5th Grade Science Achievement Measurement: The indexed measure of student achievement in Science for fifth grade students using the Oregon Statewide Assessment System.	Recommendation: Given that this metric focuses on testing one grade (fifth grade) and one subject area (science), we believe that it will be important for ODE to monitor whether districts select this metric as one of their local metrics, and consider how this metric shapes conversations and work around continuous improvement and support. Monitoring whether, and how this metric is utilized over time would be helpful in determining how it may shift in the future. Additionally, as part of our longer-term work together, it will be important for the State to consider: • ODE's current capacity and ability to support districts with science achievement; • Districts' and public charter schools' ability to access and afford high-quality curriculum and instructional materials in science; and • Continuity, support, and funding to provide a full year of instruction in science from year to year.
Post-Secondary Readiness Measurement: The composite of students earning dual credit and Advanced Placement and International Baccalaureate completion.	Support: We strongly support this postsecondary readiness metric, and support the change of "and" to "or" in the measurement so that any combination of programs (Dual Credit, Advanced Placement, or International Baccalaureate) can be considered. We believe that the shift is important so that districts and public charter schools can focus on access, participation, and completion of these important programs that help prepare students for post-secondary success.
Career and Workforce Readiness Measurement: The composite total of CTE Participants and CTE Concentrators.	Support: We strongly support this career and workforce readiness metric, as well as the composite measurement to include both CTE participants and concentrators. We believe that including both measures as part of the composite will help support increasing access, participation, and completion in these programs, and further elevate workforce preparation and readiness.

Differentiated Metrics

SB 141 requires the State Board of Education to adopt differentiated metrics for Education Service Districts, Approved Recovery Schools, Youth Corrections and Juvenile Detention Education Programs, Oregon School for the Deaf, and Long Term Care and Treatment Programs.

Proposed Language (dated 12/4/2025)	Our Position and Feedback
Definition of ESDs	Support: We strongly support this definition of Education Service Districts (ESDs) that have enrolled students for specialized services. We appreciate how the definition has evolved to incorporate feedback from ESD leaders and staff across the state. This proposed definition accurately captures the breadth of services and programs ESDs provide for students, while also outlining clear parameters and areas of focus. Definition of ESDs for reference: “Education Service District that has enrolled students in any grade from kindergarten through grade 12 for specialized services” means an Education Service District-operated program or school providing core instruction and supports for students whose needs cannot be met within their resident district. These programs include, but are not limited to, care programs for medically fragile students, life skills programs, functional living skills programs, social-emotional programs, autism-specific programs, and independent schools operated by an Education Service District. This definition excludes approved recovery schools, the Youth Corrections Education Program, the Juvenile Detention Education Program, Oregon School for the Deaf, and day treatment programs as described in ORS 343.961.
Differentiated Metrics for ESDs	Support: We support the evolution of the differentiated metrics section for ESDs. ESDs serve students and youth with significant needs that require highly individualized and tailored educational services, which necessitates a differentiated approach for ESDs. The criteria outlined in this section will allow for the selection of meaningful metrics that reflect the diverse range of needs among students served by each ESD across rural, suburban, and urban communities. Differentiated metrics for ESDs for reference: For Education Service Districts that have enrolled students in any grade kindergarten through grade 12 for specialized services. (A) Up to five metrics developed with the Oregon Department of Education (ODE) that meet the following: (i) Be a measure of student performance outcomes; (ii) Have at least two years of historic data with at least 10 students per year; (iii) Be disaggregated by focal student groups; (iv) Continue data collection using consistent definitions for the duration of the Performance Growth Target span; (v) Provide aggregate data for the metric to ODE in annual reporting; and (vi) Make available student level data to ODE when requested.



As you adopt these rules, and further support the implementation of SB 141, we want to continue to underscore how continuous improvement work should be focused on sustainable change which takes time and involves collective effort; is context specific; and requires constant adaptation, data collection, and learning.

Please continue to count on our organizations as partners in this work. This work cannot be done in silos or isolation, and we look forward to continuing our partnership together at the state, regional, and local levels to ensure the success of each and every student in Oregon.

Thank you again for your unwavering leadership, service, and dedication to Oregon students.

Summary

Meeting Date: 12/11/2025

Title: Strengthening and Expanding Instructional Materials:
Removing Publisher Fees

Status: Second Reading (no changes)

Presentation: No (Written Report Only/Consent)

Key Staff: Sasha Grenier and Vanessa Martinez

Topic Summary: Repealed and amended rules in response to Section 27 of SB 141, which eliminated the publisher fee system that supported ODE's instructional materials program and replaced it with legislative funding.

ODE Education Equity

Stance

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

BACKGROUND AND NEED

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

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

Currently, ODE's instructional materials program runs an evaluation for each content area and recommends a list of materials to the State Board of Education. This evaluation process takes approximately 18 months and begins after the Board adopts content Standards for each content area. During this process, a criteria document is developed by a statewide panel of experts and educators, recruited from across Oregon. ODE then issues a notice to publishers which includes the criteria and an invitation to submit instructional materials. If publishers chose to submit, they pay a fee for their submissions, in alignment with the process and amounts outlined in ORS 337.065 and OAR 581-011-0090. These materials are then reviewed by a statewide panel of educators and experts, using the criteria and instructional materials evaluation tool. The list of instructional materials that passes the panel's evaluation using the scoring rubric, is presented to the Board for adoption, and published to the Instructional Materials Webpage. School districts then have a year to either select from this list or complete an independent adoption before beginning implementation.

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The fees collected from publisher submissions fund this evaluation process, including compensation for evaluator time, the cost of convenings, and instructional materials caravans, and other related expenses.

- 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?**

Section 27 of SB 141, passed in 2025. This section repealed ORS 337.065, the statute that described requirements related to the process of collecting publisher fees for submitting materials, and provided \$500,000 per biennium to the instructional materials program. As a result, the passage of SB 141 eliminated the publisher fee system and replaced it with a program funded by the legislature per biennium. Thus, SB 141 necessitates repealing and amending all Oregon Administrative Rules that rely on the statutory authority of ORS 337.065 and name or regulate the publisher fee system.

- 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 first read was in October, 2025.

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

SB 141 came into effect on June 24, 2025. Section 27 of this statute repealed ORS 337.065, the statute that described requirements related to the process of collecting publisher fees for submitting materials, thus eliminating the publisher fee system. Thus, SB 141 necessitates the immediate repeal and amending of all Oregon Administrative Rules that rely on the statutory authority of ORS 337.065 and name or regulate the publisher fee system.

This fundamental change to how the instructional materials program operates also will entail a redesign of the instructional materials evaluation and adoption process. This work will require planning and engagement that will continue through the Spring of 2026.

- 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

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- ☒ 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?

ODE convened a focal group to review proposed language. The group affirmed that the language in the draft rules is clear and would fulfill the statutory requirements of Section 27 of SB 141.

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)

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☐ Other: _____

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

Please enter your answer here

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

- ☒ Northeast Oregon
- ☒ Central and Southeast Oregon
- ☒ Southwest Oregon
- ☒ Willamette Valley and Central Coast
- ☒ Northwest Oregon
- ☐ Tribal lands
- ☐ Other: _____

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

We reached out to external partners including ESDs, OAESD, COSA, and internal ODE partners from multiple offices and teams.

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?

Because the rule changes were simply a response to the statute and straightforward, the focal group that was convened affirmed that the rule changes were clear and aligned with the statutory requirements.

ODE also received questions and input that will inform future instructional materials program strengthening.

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.

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 elimination of the publisher fee system will likely result in there being more options available for districts to choose from. This will result in districts having to conduct fewer independent adoptions, which can lead to greater coherence and will also have a positive fiscal impact on districts. More options on the state board approved lists will also provide more variety, including Open Educational Resources (OER) options, that are at different price points, potentially reducing the costs for districts.

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?

Small businesses and local publishers may be more inclined to submit high quality instructional materials with less of a financial obstacle to do so.

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?

By making it easier and more affordable to submit high-quality materials, ODE will likely receive more comprehensive materials that include multiple titles and texts that better equip educators to provide meaningful, scaffolded grade-level learning throughout a student's school day, which has been shown to be especially effective for multilingual learners and special education students.

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

The rule changes that are in response to Section 27 of SB 141 will have a positive impact on school districts that have fewer resources, including rural districts, and underserved students. By removing publisher fees, smaller publishers, including Open Educational Resources (OER) programs will be able to submit materials, expanding the options for districts to choose from and, consequently, better meeting the needs of their community. As a result, there will be less of a need for districts to do their own independent adoptions, which is time intensive, and a financial and labor cost to districts. Fewer independent adoptions will lead to more districts using the same state-adopted materials and allow ESDs to offer opportunities to support coherent implementation at a regional level.

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?

These rule changes are necessary to align with the statutory change from Section 27 of SB 141.

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

These rule changes are prescribed by statute so are legally required. If the Board does not adopt these rules as proposed, ODE would present to the board during its next session with the proposed changes. If the Board disagrees with the statutory intent, there would have to be legislative action to amend Section 27 of SB 141.

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?

[581-011-0090](#) Repeal

Assessment of Submission Fees

[The following provisions shall govern the payment and collection of submission fees required of publishers who submit instructional materials for adoption. These rules are established pursuant to ORS 337.065.]

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(1) The fee, the retail price or \$50 whichever is greater, will be levied for each title or item of instructional material which is submitted by the publisher for review and possible adoption by the State Board of Education. An "item of instructional material" as used in this subsection is a component, set or kit of instructional materials packaged and sold as a unit. The publisher will indicate on the submission forms and the official proposal forms furnished by the Department of Education only the item(s) proposed for adoption.]

[OAR 581-011-0055](#) Revision

Guidelines for the Selection of Instructional Materials Criteria Committees

(6) Travel, lodging, and meal expenses for committee meetings are to be reimbursed in accordance with state policy. [From review fees collected by the Department of Education from publishers.]

[OAR 581-011-0087](#) Revision

Digital, Electronic, or Web-based Materials and Media

(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.]

[OAR 581-011-0114](#) Revision

Instructional Materials Caravan

(1) The Oregon Department of Education, in cooperation with ESDs and School Districts throughout the state, may conduct an Instructional Materials Caravan.

(a) Publishers or suppliers whose materials were adopted by the State Board of Education in the Subject Matter Cycle may participate in the Caravan.

(b) The Department may require publishers to pay a fee to participate in the caravan. [In addition to the bid submission fee charged for review according to ORS 337.065.]

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 focal engagement group agreed that the rule language proposed above was clear.

- 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.**

Adopt the rule revisions and repeal in response to Section 27 of SB 141.

- 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: ODE will continue to plan and conduct engagement around the strengthening of the high-quality instructional materials program. We will return to the board with more rule changes in spring.

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

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

APPENDIX A: SECOND READING

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?**

Public input has continued to agree that the proposed rule changes clearly meet the requirements of the new statute. The team presented at ORCA again in November.

- 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?**

Additional feedback from the Coalition of School Administrators, the Oregon School Board Association, the Oregon Association of Education Service Districts, the Oregon Association of

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School Business Officials, and a convened focal group affirmed language in the draft rules are clear and reflected anticipation for next phase of program strengthening.

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

Feedback has been consistent with prior feedback.

- 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?**

None.

1) 581-011-0090 **REPEAL**

Assessment of Submission Fees

[(1) The fee, the retail price or \$50 whichever is greater, will be levied for each title or item of instructional material which is submitted by the publisher for review and possible adoption by the State Board of Education. An "item of instructional material" as used in this subsection is a component, set or kit of instructional materials packaged and sold as a unit. The publisher will indicate on the submission forms and the official proposal forms furnished by the Department of Education only the item(s) proposed for adoption.

(2) No fee will be required for teacher's editions of instructional materials which contain the same textual material as students' content for teacher use even though they may be evaluated in conjunction with the basic instructional program to support its strength. However, in those instances in which a teacher's guide in itself constitutes the basic program, the fee will be charged.

(3) An item of instructional material which is submitted in multiple forms (e.g., hardback, softback, electronic, loose-leaf or broken into several parts which are produced as separate units -- unless these parts are submitted for adoption at separate grade levels) which contain the same content and are evaluated essentially as one item will be assessed only one fee for the most costly format. If the materials are submitted as a set or kit for a continuous sequence of grades, a separate fee will be charged for each grade encompassed. If an item of instructional material is submitted in more than one category, a separate submission form and official proposal form must be completed for each category. A separate fee will be assessed for each category.

(4) Official forms for submission of instructional materials by publishing companies for consideration for adoption shall carry instructions and provide columns for entering the retail price and the fee to be paid for each item. Such fees will be checked for accuracy by the Department of Education on receipt of the forms, and the company will be billed for the amount due. The publisher's materials are approved for evaluation for adoption upon receipt of the correct fee. No fees will be refunded once the evaluation has been completed except in cases of fees miscalculation.

(5)(a) The Department of Education may waive the fee described in subsection (1) of this rule for an item of instructional material if the item is:

(A) A teaching and learning resource that resides in the public domain or that has been released under an intellectual property license that permits the free use and/or repurposing by others of the title or item;

(B) A basal instructional program as defined in OAR 581-011-0050; and

(C) Submitted in the format described in paragraph (A) of this subsection.

(b) The Department of Education may determine the number of waivers each year, no later than 90 days prior to the evaluation, based on the annual fee assessment.

(c) *The submitter of instructional materials must request a waiver using forms provided by the Department of Education.*

(d) *The Department of Education shall prioritize waiver requests for materials described in subsection (5)(a) and for materials created by Oregon educators and school districts.*

Statutory/Other Authority: ORS 337.030, 337.035, 337.060, 337.065, 337.075 & 337.260

Statutes/Other Implemented: ORS 337.065]

History:

ODE 21-2022, amend filed 04/26/2022, effective 04/26/2022

ODE 3-2009, f. & cert. ef. 6-29-09

EB 5-1996, f. & cert. ef. 3-29-96

EB 21-1992, f. & cert. ef. 6-23-92

1EB 245, f. & ef. 9-23-76

1EB 215, f. 1-29-76, ef. 2-25-76]

2) 581-011-0055 REVISION

Guidelines for the Selection of Instructional Materials Criteria Committees

(1) Instructional materials criteria committees shall be appointed by and work under the supervision of the Oregon Department of Education.

(2) A criteria committee in each subject area for which state adoptions are planned shall be appointed the year preceding a state adoption. The committee shall recommend categories and draft criteria to be used in evaluating the instructional materials submitted for basal consideration.

(3) Committees shall conduct committee work in time to present the final draft of the criteria to the State Board of Education by the Board's January meeting in the year of the adoption.

(4) Each committee shall be chaired by the Department of Education specialist in the particular subject area for which criteria are being developed. In the event that there is not a staff specialist in a particular subject field, the Department shall obtain a specialist to serve as chair.

(5) Each committee shall include no less than five members selected from among Oregon classroom teachers, curriculum specialists, and others having experience and expertise in the subject area under consideration.

(6) Travel, lodging, and meal expenses for committee meetings are to be reimbursed in accordance with state policy *[from review fees collected by the Department of Education from publishers]*.

Statutory/Other Authority: ORS 337.035

Statutes/Other Implemented: ORS 337.035

History:

ODE 3-2009, f. & cert. ef. 6-29-09
EB 5-1996, f. & cert. ef. 3-29-96
EB 1-1992, f. & cert. ef. 2-21-92
1EB 245, f. & ef. 9-23-76
1EB 215, f. 1-29-76, ef. 2-25-76

3) 581-011-0087 REVISION

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 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.

Statutory/Other Authority: ORS 337.035

Statutes/Other Implemented: ORS 337.035

History:

ODE 31-2025, amend filed 06/16/2025, effective 06/16/2025

ODE 24-2023, amend filed 12/08/2023, effective 12/08/2023

ODE 27-2019, minor correction filed 08/07/2019, effective 08/07/2019

ODE 1-2010, f. & cert. ef. 2-8-10

ODE 3-2009, f. & cert. ef. 6-29-09

4) 581-011-0114 *REVISION*

Instructional Materials Caravan

(1) The Oregon Department of Education, in cooperation with Education Service Districts and School Districts throughout the state, may conduct an Instructional Materials Caravan.

(a) Publishers or suppliers whose materials were adopted by the State Board of Education in the Subject Matter Cycle may participate in the Caravan.

(b) The Department may require publishers to pay a fee to participate in the caravan *[in addition to the bid submission fee charged for review according to ORS 337.065]*.

(2) Publishers shall follow the guidelines of the caravan as established by the Department of Education.

- (a) Only Board adopted materials are to be presented, shown, or included in the Caravan.
- (b) Pupil editions, teacher editions (samplers included) and ancillaries, in any form can be reviewed by attendees but must be returned at the end of the presentation. No gifts, food items, gadgets, “doohickeys” or sample materials which include media are to be given to participants attending the presentations.
- (c) Pamphlets, brochures, catalogues, or two page reports describing the adopted program may be distributed including correlations to the Oregon Standards. Publisher representatives may attach business cards to these items but no personal contact information is to be gathered from caravan participants.
- (d) Publishers may not participate in any other events involving caravan participants during the caravan period.
- (e) Violations of caravan guidelines may result in a publisher being removed from the caravan.

Statutory/Other Authority: ORS 337.035
Statutes/Other Implemented: ORS 337.035
History:
ODE 3-2009, f. & cert. ef. 6-29-09

Summary

Meeting Date: 12/11/2025

Title: Postponement of HQIM Adoption for World Languages and The Arts

Status: Second Reading/Adoption (no changes)

Presentation: No (Written Report Only/Consent)

Key Staff: Vanessa Martinez, Deirdre Banning, Alexa Pearson

Topic Summary: ODE requests to postpone the evaluation and adoption of high-quality instructional materials (HQIM) for World Languages and The Arts due to lack of resources and as part of a larger adoption schedule strategy.

ODE Education Equity

Stance

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

BACKGROUND AND NEED

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

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

In accordance with OAR 581-011-0070, instructional materials are adopted by the State Board of Education on a 7-year subject matter cycle prior to October 31 each year. This results in a 7-year contract with publishers for the content area proposed for adoption (ORS 337.050, OAR 581-011-0070, and 0071). Following adoption by the Board, per Division 11, school districts have the responsibility to either (1) select and adopt from the list (ORS 337.050 and OAR 581-022-2355), (2) independently adopt instructional materials using the state criteria (OAR 581-022-2350), or (3) postpone adoption for up to two years (OAR 581-022-2360).

Under Oregon law, the State Board of Education has the authority to set the Instructional Materials Adoption Schedule and schedule for districts. Currently, instructional materials for World Languages and The Arts are expected to be evaluated and adopted by October 31, 2026.

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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?**

Division 11 of Chapter 581 outlines the Board's authority as well as ODE's responsibilities regarding the HQIM program. The specific OARs that are relevant for this item are:

- OAR 581-011-0070, which sets an October 31 deadline for State Board adoptions, and a seven-year adoption period.
- OAR 581-011-0071, which outlines the State Board's authority to adopt, and to set a content instructional materials schedule, and defines school districts rights and responsibilities in adopting instructional materials.

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

This proposal to postpone the World Languages and the Arts Instructional Materials evaluation and adoption was presented to the State Board of Education in a first reading on October 16th, 2025.

There is precedent for postponing the evaluation of instructional materials, as similar delays have occurred in previous adoption cycles to allow for stronger engagement, adequate funding, and more effective implementation support.

In January 2014, the State Board of Education postponed the mathematics instructional materials review from July 2014 to July 2015. The delay was intended to help districts avoid adopting CCSS-aligned ELA and Mathematics materials in consecutive years. It also provided ODE staff time to revise the adoption process, including the integration of the Instructional Materials Evaluation Toolkit (IMET), which was first used in the 2015 review.

In June 2018, the State Board of Education postponed the World Language instructional materials review from July 2019 to July 2020 to allow additional time for revising the World Language standards. This extension enabled ODE to establish a temporary contract with a World Language education specialist to lead the standards revision process prior to the materials review. The list of materials were adopted by the State Board in 2020 for Spanish, French, and Chinese. These materials hold a contract period of 2021-2028.

In January 2023, the State Board of Education postponed the Physical Education instructional materials review from July 2024 to October 2026. The delay provided ODE staff time to incorporate the updated SHAPE National Physical Education Standards, which were scheduled for revision in 2024.

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The Arts content standards were last revised and adopted in 2007, and 2015. Current Arts standards are based on National Arts Standards. Instructional Materials for The Arts were last adopted by the State Board in 2005 and held in a contract period of 2006 – 2012. Instructional Materials Criteria was developed in 2004.

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

ODE is requesting the Board postpone the evaluation and adoption of high-quality instructional materials (HQIM) for World Languages and The Arts until at least Spring 2026. This will allow the ODE to conduct engagement and consider updates to this process in response to the implementation of Section 27 of Senate Bill 141/House Bill 2009 (2025), the pending repeal of publisher fees, and ODE's own efforts to strengthen and expand instructional materials.

There are a variety of reasons that this is coming before the Board, including:

Limited Staffing and Funding Resources

- ODE does not have funding or position authority for World Languages or the Arts specialists, and recent Policy Option Packages (most recently in 2023) have not resulted in additional funding for positions. Without these positions, ODE does not employ the staff necessary to facilitate these processes.
- To remain aligned with the current adopted schedule and meet the yearlong deadlines specified in administrative rule, ODE would need to present the Instructional Materials Criteria for World Languages and The Arts to the State Board of Education in January 2026. This timeline requires ODE to begin work on the updated criteria in October or November 2025. Due to current staffing limitations and lack of funding to contract external support, ODE is not on track to meet this initial deadline. Missing this first milestone would result in a cascading delay, ultimately impacting the ability to present the recommended list of adopted materials to the State Board of Education by October 31, 2026.
- The content standards for both World Languages and The Arts have not been revised. Historically, standards are updated prior to initiating the instructional materials review process. However, due to limited staffing capacity, this revision did not occur during the 2024–25 school year. As a result, the upcoming instructional materials review will need to proceed using unrevised standards.
- ODE currently lacks the financial resources to contract with an external partner to lead the standards review or instructional materials review process for either World Languages or The Arts. This does not appear to be a viable option in the upcoming biennium.

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2026 Comprehensive Engagement to Improve and Sustain ODE's Instructional Materials Adoption Schedule

- Each year, a new list of approved high-quality instructional materials (HQIM) for a specific content area is approved by the State Board of Education. Districts are required to evaluate and select an HQIM for this content area within one to three years of the State Board Adopted list being published. The subsequent year, districts must select HQIM for the next content area. The current HQIM schedule includes ten required content areas in seven years; after the seventh year, the schedule starts over, and districts are required to select new HQIM for each content area. The current approved 7-year adoption schedule for content areas ends in Fall of 2026. The State Board will need to review and approve a new schedule in 2026.
- Reviewing and revising the HQIM adoption schedule is part of a larger strategy to improve the HQIM program in Oregon. Selecting materials is just the first step in a series of district actions. After selection, districts need to move into the work of implementation, which includes professional learning on the specific HQIM so that educators are prepared to use the resources well. ODE has received feedback that by requiring districts to select materials for a new content area each year, the time to implement these materials well is undermined, especially at the elementary level. In addition, many districts have communicated their struggle to keep up with the selection schedule, often due to staffing and funding challenges. This can lead to districts falling behind in their required adoption schedule, and it can lead to a cumulative effect, requiring districts to select multiple HQIM in the same year compounding the challenge with effective implementation.
- With the passage of SB 141, ODE will be conducting a comprehensive review of Division 11, which is scheduled to be presented to the Board in June 2026. As part of this process, ODE intends to do deep engagement about how the current instructional materials adoption schedule is working for districts, K-12 educators, and how the adoption schedule can prioritize and support the skillful implementation of high-quality instructional materials. ODE is interested in hearing from districts and partners about spacing between adoptions per content area and how to balance well-rounded (all content areas) and instructional materials implementation. Following this engagement, ODE will come to the Board in the Spring of 2026 with a revised Instructional Material Program and adoption schedule.

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

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- ☐ 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?

A range of partners and members of the public stand to be affected by this postponement, including ESDs, Oregon School Districts, K-12 educators, students, and internal operations (especially Division 22 assurances). K-12 educators in visual arts, music, theatre, dance, media arts, and world language instruction stand to be the most impacted.

There are several existing requirements to ensure that students will continue to receive high-quality instruction in both World Languages and The Arts. ORS 329.025 requires school districts to provide "Rigorous academic content standards and instruction in [...] The Arts and world languages." Current Oregon Diploma requirements (described in OAR 581-022-2000 and ORS 329.451) include at least three combined credits (of 24) in World Languages, The Arts, and Career and Technical Education to graduate. Notably, The Arts have been a primary focus area for schools and districts developing Career and Technical Education programming. Additionally ODE five years ago, ODE received a federal grant which included an Arts Education Specialist position. With this grant, supports were developed for the field, including the Arts Access Toolkit and Arts Education newsletter. Funding for this limited duration position ended on September 30, 2025.

As part of the next phase in engagement in the Winter of 2025 and early Spring of 2026, ODE will include World Languages and The Arts educators and content specialists in the engagement process, to ensure that future Instructional Materials Program schedules and design actively reflect the impacted educators, leaders, and partners. Additionally, ODE will require ongoing consultation with a range of specialists and educators in the content areas to inform any standards or instructional materials updates that occur.

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

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

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

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

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

Please enter your answer here

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

- ☐ Northeast Oregon
☐ Central and Southeast Oregon
☐ Southwest Oregon
☐ Willamette Valley and Central Coast
☐ Northwest Oregon
☐ Tribal lands
☐ Other: _____

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

At this time, ODE has initiated engagement with Oregon organizations and partners—including OAESD, ESDs, COSA, TSPC, EAC, and RENs—regarding the instructional materials adoption

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schedule. Additionally, ODE has joined the Instructional Materials Professional Development (IMPD) Network, a national coalition committed to advancing access to high-quality, standards-aligned instructional materials and supporting educators in using them effectively.

Building on these initial efforts, ODE will undertake a broader engagement process during the winter, and spring of 2026 focused on improving and sustaining the Instructional Materials Program and a new adoption schedule. This engagement will include collaboration with TSPC, educator preparation programs, OAESD, ESDs, school districts, administrators, educators, students, and the public.

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?

While no formal external feedback has been presented at this time, informal and ongoing input from school districts and ESDs has largely indicated that districts are unable to maintain the existing adoption schedule due to funding constraints and limited capacity to focus on implementation. The challenge is compounded by the requirement to adopt three content areas in a single year: Physical Education, World Languages, and The Arts, placing significant strain on district resources and 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 will undertake a broader engagement process during the winter, and spring of 2026 focused on improving and sustaining the Instructional Materials Program and a potential new adoption schedule/approach. This engagement will include collaboration with TSPC, educator preparation programs, OAESD, ESDs, school districts, administrators, educators, students, and the public.

Additionally, ODE will intentionally involve World Languages and Arts educators and content specialists to ensure that future IM Program is informed by the experiences and needs of the educators, leaders, and partners they impact.

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 action of postponing will not create fiscal or administrative impacts on ESDs and districts, as they will only be required to purchase, adopt, and implement Physical Education materials by Fall of 2027. Budgets will be a key consideration during engagement to ensure that districts have the necessary resources to effectively implement the adopted materials without undue financial strain.

- 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?**

ODE does not anticipate increased costs for small businesses. If there is no postponement, there will likely be fiscal and administrative impacts to the Instructional Materials team on the Standards and Instructional Support team in the Office of Teaching Learning and Assessment, and to Division 22 compliance work.

Evaluating instructional materials for World Languages and The Arts is considerably more costly and complex than for other content areas, due to the diversity of languages and the breadth of arts disciplines, including music, theatre, and visual arts. Moreover, adoptions in these areas typically require convening multiple evaluation panels, each involving educators with specialized linguistic or discipline-specific expertise.

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 result in a delay in the adoption and implementation of new instructional materials at both the district and classroom levels. However, a rushed or under-resourced adoption process could have long-lasting negative effects on students, as it would place limited or low-quality instructional materials on the state-adopted list, impacting Oregon students for more than seven years.

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Additionally, because this postponement will directly impact the support that Arts and World Languages educators receive from the state, it may also affect the standards-aligned classroom instruction and materials that students receive.

This postponement allows districts to focus on high-quality implementation that directly benefits students who are often most impacted by under-resourced or rushed instructional transitions. This postponement would enable districts to allocate resources—such as time, personnel, and funding—toward the effective implementation of instructional materials in other content areas and reduce the administrative burden of managing two additional adoption processes during a period of significant need and limited capacity.

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 action may result in local district delayed adoption and implementation for World Languages and The Arts materials adoption. K-12 World Languages and Arts educators have historically been impacted by delayed standards and instructional materials adoptions and will continue to be impacted with this decision. Notably, the Arts standards were last revised in 2015, and the most recently adopted Arts Instructional Materials were adopted in October 2005.

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 decisions made in the Instructional Materials Program have widespread and long-term consequences for students, educators, districts, and Oregon's school systems. A postponement will provide sufficient time to engage with affected groups and allow for more intentional planning that ensures sustainable and effective implementation.

By continuing to postpone the State Board adoption of instructional materials for these two content areas, local decisions to adopt The Arts and World Languages materials may be deprioritized.

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

Delayed communication on the instructional materials page, to school districts, ESDs, educators, and publishers.

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 is proposing to postpone the Instructional Materials process for World Languages and The Arts until the spring of 2026, when ODE will return with further information from engagement about the Instructional Materials adoption schedule.

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

ODE's recommended action is meant to recognize the inequitable impacts of the existing instructional materials program and adoption schedule and to set the intention of actively engaging school districts, educators, and content specialists in the engagement sessions, focal groups, and programmatic planning. It is ODE's intent to design the upcoming IM program and schedule (brought to the Board in Spring 2026) based on direct and widespread feedback collected in the winter and spring.

- 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 is committed to a vision of academic excellence, belonging, and wellness, and reimagining accountability. The vision for teaching and learning is to ensure that every student, every day, is engaged in meaningful, affirming, grade-level instruction. In order to realize this vision, ODE is interested in prioritizing a deliberate and well-supported approach to the implementation of instructional materials, ensuring that educators are supported to use them skillfully and effectively to maximize student learning.

As an extension of SB 141, Section 27, ODE will return to the Board with a proposal for an improved and sustainable instructional materials program, and a new materials adoption schedule. This proposal will be developed with deep engagement with all content areas currently listed, in the existing adoption schedule (including both World Languages and The Arts).

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

- ☐ N/A; this item does not require any additional support.
- ☐ Communications plan
- ☐ Technical assistance, professional development, and/or coaching
- ☐ Direct or differentiated support for small, rural, or remote school districts

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- ☐ Corrective Action Processes
- ☐ Safety measures
- ☐ Organizational culture or practice changes (change management)
- ☐ Materials and/or supplies
- ☐ Guidance and/or supplemental resources
- ☒ Other: We are doing engagement to revise our approach to the adoption schedule

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

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

APPENDIX A: SECOND READING

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?

No changes have been made since the first reading.

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?

At the October State Board meeting, Laura Arthur on behalf of the Oregon Music Education Association provided a written public comment, advocating for the restoration of permanent, state-funded arts education specialists at ODE. See agenda for full comment

No additional public comment was received on this item.

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

No changes have been made since the first reading.

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

No changes have been made since the first reading.



Request to Postpone Instructional Materials Adoption for World Languages & The Arts

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State Board of Education, October 16, 2025

Alexa Pearson, Assistant Superintendent Office of Teaching, Learning, and Assessment

Vanessa Martinez, Director Standards & Instructional Support

Deirdre Banning, Instructional Materials Coordinator

Purpose



ODE is requesting the Board revise the current instructional materials adoption schedule ([OAR 581-011-0070](#)) to postpone the evaluation and adoption of instructional materials for World Languages and The Arts.

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This is the second reading to the State Board of Education for this item. The team previously presented in a first reading on October 16, 2025.

World Languages & The Arts Requirements



- [ORS 329.025](#) requires school districts to provide “Rigorous academic content standards and instruction in [...] the arts and world languages.”
- Oregon Diploma requirements (described in [OAR 581-022-2000](#) and [ORS 329.451](#)) include at least three combined credits (of 24) in World Languages, the Arts, and Career and Technical Education to graduate.

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Our Time Today



1. Current Instructional Materials Adoption schedule
2. Postponement for World Languages and The Arts
3. Upcoming SB 141 Phase 2 Engagement
4. Instructional Leadership Capacity

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Authority



Division 11 of Chapter 581 outlines the Board's authority, and ODE's responsibilities regarding the HQIM program.

The OARs that are relevant for this item are:

1. [OAR 581-011-0070](#): Sets an October 31 deadline for State Board adoptions, and a seven-year adoption period.
2. [OAR 581-011-0071](#): Outlines the State Board's authority to adopt, and to set a content instructional materials cycle, and defines school districts rights and responsibilities in adopting instructional materials.

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The schedule and contract periods may be amended at the discretion of the State Board.

Precedent for Postponement of Instructional Materials

- **January 2014:** Postponed the Mathematics instructional materials review from July 2014 to July 2015.
 - *To help districts avoid adopting CCSS-aligned ELA and Mathematics materials in consecutive years.*
- **June 2018:** Postponed the World Language instructional materials review from July 2019 to July 2020
 - *To allow additional time for revising the World Language standards.*
- **January 2023:** Postponed the Physical Education instructional materials review from July 2024 to October 2026.
 - *To incorporate the updated SHAPE National Physical Education Standards, scheduled for revision in 2024.*

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Instructional Materials Adoption Schedule

- Oregon currently reviews and adopts **9 subjects on a 7-year cycle**.
- Districts are required to adopt Instructional Materials **annually** to remain compliant with Division 22 standards.
- Implementation can take four or more years, leading to a compounding effect.

Subject Area	Adoption Year
English Language Arts English Language Proficiency	2021
Math	2022 56
Science	2023
Health	2024
Social Sciences	2025
PE World Languages The Arts	2026

World Languages & The Arts Background

WL Standards: Adopted 2019

Temporary contract with WL Education Specialist to lead revision

WL Instructional Materials: Last reviewed in 2020.

- Postponed from July 2019 to revise standards first
- Spanish, French, Chinese
- Contract period February 1, 2021-February 1, 2028



Arts Standards: Adopted 2015

Based on 2014 National Arts Standards (revision in 2026)

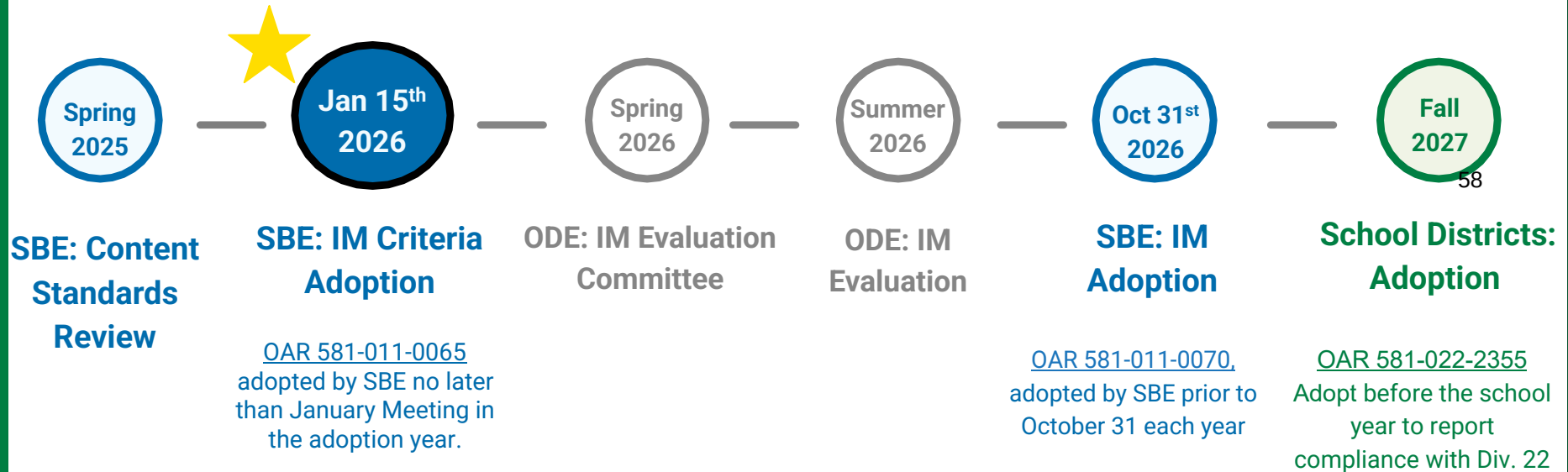
Arts Instructional Materials: Last Reviewed in 2005.⁵⁷

- Contract period 2006-2012
- The Arts were removed from the previous instructional materials cycle.

Well Rounded Access Program Grant: 5-year federal grant- Arts specialist and resources (ended 9/30/2025)



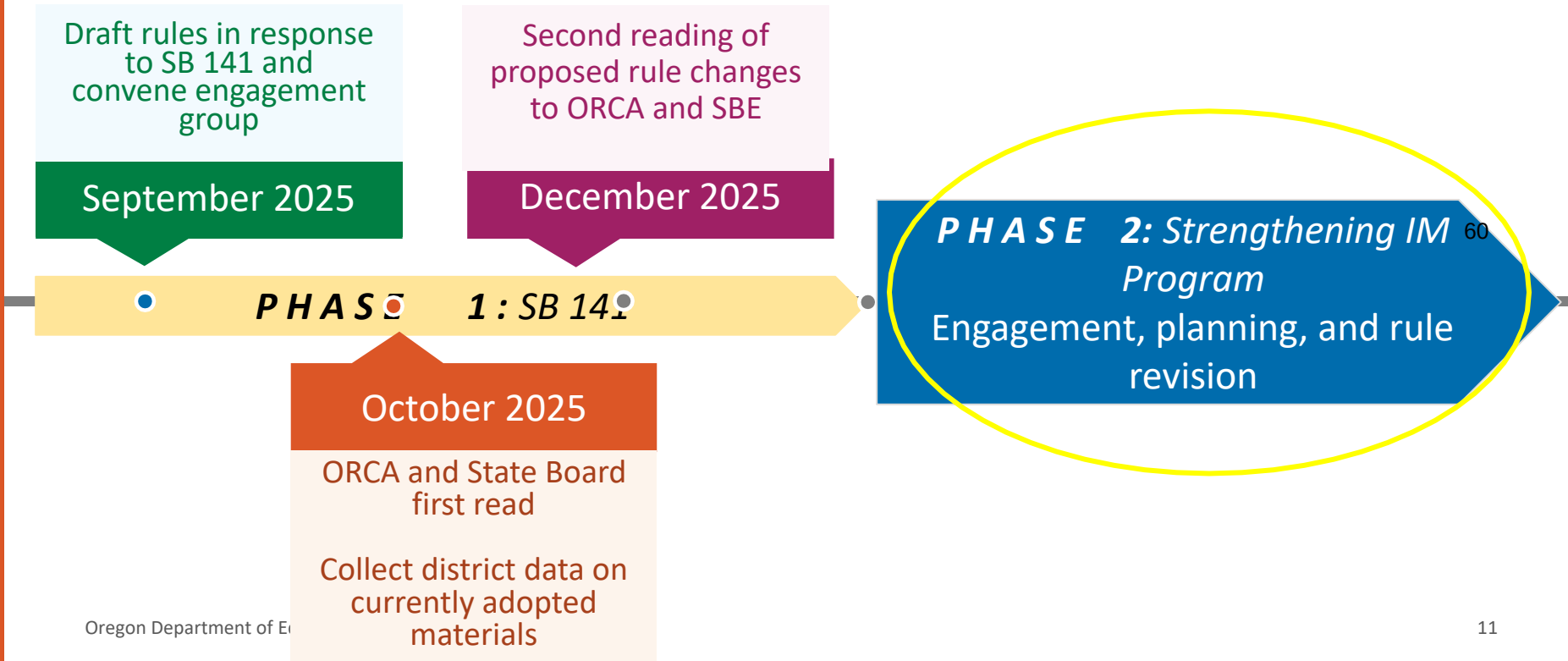
World Languages & The Arts Instructional Materials Timeline



Limited Staffing and Funding Resources

Dedicated ODE Staff with Subject Matter Expertise	Subject Area	Adoption Year
Yes	English Language Arts	2021
Yes	English Language Proficiency	2021
Yes	Math	2022
Yes	Science	202359
Yes	Health	2024
Yes	Social Sciences	2025
Yes	PE	2026
No	World Languages	2026
No	The Arts	2026

Strengthening and Sustaining the Instructional Materials Program Timeline



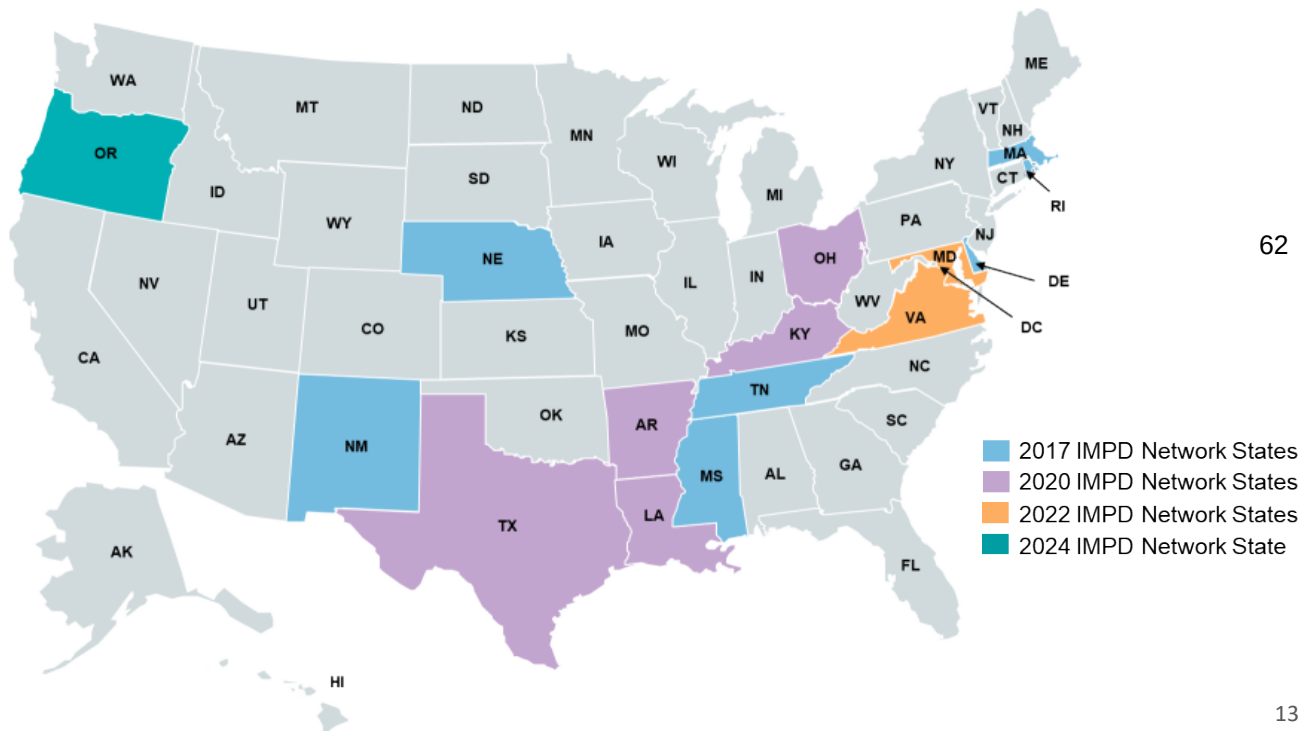
Comprehensive Engagement to Strengthen & Sustain ODE's Instructional Materials Program

- With the passage of SB 141, ODE will be conducting a comprehensive review and engage in rule-writing of Division 11.
- Reviewing and revising the Instructional Materials adoption schedule is part of a larger strategy to improve the program in Oregon.



Oregon & the Instructional Materials Professional Development Network (IMPD)

Helps Oregon learn from other states about how to build from a focus on selection to full support of High-quality instructional materials as an instructional strategy.



Next Steps



- Approval of the Postponement
- Engagement
- Rule-Writing for Division 11
- Re-design Instructional Materials Program
- Return to the State Board of Education in spring 2026

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Questions & Comments

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Summary

Meeting Date: 12/11/2025

Title: Accommodations for Students with Concussions or Other Brain Injuries (OAR-581-021-3007)

Status: Second Reading/Adoption (no changes)

Presentation: No (Written Report Only/Consent)

Key Staff: Ely Sanders, School Health Services Specialist

Topic Summary: Recommendation to adopt Temporary OAR 581-021-3007 as a permanent OAR. Temporary OAR 581-021-3007 requires public education providers to follow ODE procedures for immediate accommodations when notified of a student's concussion or brain injury. Making OAR 581-021-3007 permanent is required to clarify ongoing school district requirements of HB 3007.

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 **did 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.

The passage of [House Bill 3007](#) (June 2025) and the adoption of [Temporary OAR 581-021-3007](#) (June 2025) established a consistent and timely process for addressing student needs following a health event. Through significant engagement with education and health partners, the Oregon Department of Education (ODE) developed required procedures, the Immediate Temporary Accommodations Plan (ITAP) form, and related implementation resources. These measures serve students by ensuring that:

- Schools can provide prompt and equitable access to necessary academic accommodations while longer-term supports, such as Section 504 or IEP plans, are considered.

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- Procedures are standardized statewide, promoting consistency and reducing variability in how schools respond to students experiencing temporary health-related barriers to learning.
- School staff receive training and technical assistance from ODE, strengthening local capacity to implement the law effectively.
- Students remain engaged in their education with minimal disruption during recovery or transition periods.

Collectively, these actions promote educational continuity, equity, and student well-being through coordinated and timely support systems across Oregon schools.

ODE's School Health Services Specialist, positioned in the Office of Equity, Diversity, and Inclusion, 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.

Temporary OAR 581-021-3007 expires December 14, 2025. ODE is recommending that the State Board of Education adopt Temporary OAR 581-021-3007 as permanent with no changes to the temporary OAR language.

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 State Board of Education adopted Temporary OAR 581-021-3007 on June 12, 2025.
- This item was presented for First Read to the State Board of Education on 10/16/2025

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

A Permanent OAR is necessary to meet requirements in HB 3007. HB 3007 established new requirements for ODE and public education providers but requires further specification in rule to support effective initial public education program implementation. ODE is recommending that the State Board of Education adopt Temporary OAR 581-021-3007 as permanent with no

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changes to the temporary OAR language. Temporary OAR 581-021-3007 expires December 14, 2025. A permanent OAR will ensure that the following components of Temporary OAR 581-021-3007 don't expire:

- Clarification of use of "Sample form."
- Clarification 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.
- Clarification of terms and mandates in HB 3007.
- Clarification of 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
- ☐ 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?

ODE conducted engagement with key knowledgeable partners including the Oregon Health Authority and the Oregon Department Education's Brain Injury Work Group, School Nurse Concussion work group, ESD administrators, the Coalition of School Administrators (COSA), Oregon School Board Association (OSBA), Oregon School Athletic Association (OSAA), and ODE's Ongoing Rules Committee Advisory (ORCA).

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ODE utilized the Equity Decision Equity Tree as the agency reviewed Temporary OAR language, developed required procedures, sample form, guidance, and training.

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

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

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

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

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

ODE 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 and permanent 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: OAR is applicable to school districts across all of Oregon. ODE did look specifically at impact in relation to small/rural school districts as well as large/urban districts.

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

ODE recommends the permanent adoption of temporary OAR 581-021-3007. ODE did extensive engagement with statewide partners including included OHA and the ODE's Brain Injury Work Group, School Nurse Concussion work group, ESD administrators, COSA, OSBA, OSAA, ODE's small school specialist, and ORCA.

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?

Engagement revealed that the OAR 581-021-3007 should be made permanent to ensure consistent and effective implementation within public education programs. 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

ODE presented this rule to ORCA on June 5, 2025, as part of the Temporary OAR process and on October 2, 2025 and November 13, 2025 for the Permanent OAR process. Key points and concerns from these 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 has addressed this in procedures and guidance.
- **Role of School Nurse/Athletic Trainer Assessment:** The initial temporary rule draft 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. ODE included parent notification requirements related to ITAP implementation.

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- **Medical Documentation Requirement:** The 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 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.

ODE made no changes to the Temporary OAR language. ODE is recommending that the State Board of Education Adopt Temporary OAR 581-021-3007 as permanent.

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

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.

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

Short-term effects:

- Implement new procedures for developing accommodation plans when students are diagnosed with concussions

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- Train staff in 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?

ODE anticipates the following fiscal or administrative impacts:

State agencies:

- ODE has developed and will need to 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 will 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

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- 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 HB 3007 requirements for the 2025-2026 school year and beyond
- 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 receive 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
- 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?

ODE is recommending that the State Board of Education adopt Temporary OAR 581-021-3007 as permanent with no changes to the temporary OAR language. 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 partner engagement, OAR 581-021-3007 includes 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 is recommending that the State Board of Education adopt Temporary OAR 581-021-3007 as permanent with no changes to the temporary OAR language. This will allow the Board to fulfill its responsibility to implement HB 3007 and ensure consistent district implementation of new requirements.

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

- ☒ N/A; this item does not require any additional support.
- ☐ Communications plan
- ☒ Technical assistance, professional development, and/or coaching
- ☐ Direct or differentiated support for small, rural, or remote school districts

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- ☐ Corrective Action Processes
- ☐ Safety measures
- ☐ Organizational culture or practice changes (change management)
- ☒ Materials and/or supplies
- ☒ Guidance and/or supplemental resources
- ☒ Other: ODE has developed required [Brain Injury Procedures](#) as well as a sample [Immediate and Temporary Accommodations Plan \(ITAP\) Form](#)

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

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

APPENDIX A: SECOND READING

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 presented this rule to ORCA on October 2, 2025, and again on November 13, 2025. In addition, more than 200 district representatives attended ODE office hours held on October 28 and 29, 2025. ODE held these office hours to hear from district representatives about their experience implementing requirements HB 3007 and OAR 581-021-3007.

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?

Team heard no feedback that required changes to OAR language.

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

Team's overall learning was that districts are actively implementing new requirements related to HB 3007 and OAR 5891-021-3007. Challenges the team heard included administrative burden related to developing new process and policy, confusion in relation to other concussion protocols related to school athletics, and concern related to establishing and end accommodations.

ODE is drafting a FAQ that will include questions received from the office hour sessions.

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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 are no changes to this item from the First Reading.

581-021-3007

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 & ORS 336.495

Statutes/Other Implemented: ORS 326.051 & ORS 336.495

History:

[ODE 41-2025, temporary adopt filed 06/18/2025, effective 06/18/2025 through 12/14/2025](#)

IMMEDIATE AND TEMPORARY ACCOMMODATIONS PLAN (ITAP) FOR TRAUMATIC BRAIN INJURY

Student: _____ DOB _____ ID# _____ School _____ Gr. _____

TBI sustained on: _____ Date Written Notification Received: _____

Return to School Anticipated: _____ Date ITAP completed on: _____ By: _____

List other team members consulted _____

Parent/Guardian Name: _____ Contact _____

Medical Provider Name: _____ Contact _____

A concussion or other brain injury can significantly affect a student's ability to participate in learning by impacting physical, cognitive, emotional, and behavioral functioning. Each student's recovery is unique and may include periods of progress and setbacks. A timely, symptom-based response, including temporary physical, cognitive, and social-emotional accommodations is critical to ensuring safety, supporting recovery, and promoting continued access to education. In accordance with House Bill 3007 (2025) and OAR 581-021-3007 public education providers are required to follow [ODE's brain injury procedure](#) and use this Immediate and Temporary Accommodations Plan (ITAP) upon receiving written notification that a student has been diagnosed with a concussion or other brain injury. Plan components may be adjusted or discontinued by the Brain Injury Management Team as needed and must remain in effect until formally revised/discontinued.

Medical Documentation Date: _____ Notes: _____

Abbreviated Day Recommended? Y/N Notes: _____

Related Medication in the Health Room Y / N Notes: _____

The student reports the following signs and symptoms:

(See: [ODE's Symptom-Based Accommodation Guide](#))

PHYSICAL:

- ☐ Headache or head pressure ☐ Light sensitivity ☐ Sound sensitivity ☐ Smell sensitivity ☐ Fatigue
☐ Dizziness, ☐ Balance problems ☐ Nausea and vomiting ☐ Numbness or Tingling ☐ Ringing in ears ☐
Impaired sleep (more, less, or fragmented) ☐ Blurry or double vision ☐ Trauma associated seizures
☐ Other: _____ ☐ Other _____

COGNITIVE:

- ☐ Slowed information processing ☐ Difficulty with Attention and concentration ☐ "Brain fog" ☐ Difficulty with memory ☐ Trouble learning new information or retaining it ☐ Unable to follow instruction ☐ Inability to multitask or organize ☐ Difficulty tracking conversations ☐ Feeling "slowed down"
☐ Other: _____ ☐ Other _____

SOCIAL-EMOTIONAL:

- ☐ Poor emotional regulation ☐ Irritability or quick to anger ☐ Unusual sadness ☐ Decreased motivation, ☐ Anxiety or depression ☐ Post-traumatic stress disorder ☐ Grief ☐ Loss of social skills ☐ Withdrawal from friends and family ☐ Other: _____ ☐ Other _____

Activity Restrictions: Y/N Describe: _____

Medical instructions from Provider or Athletic Trainer for Activity Modification: Y / N Date: _____

Return to full physical activity during school. Y/N Date: _____

Accommodations

(See: [ODE's Symptom-Based Accommodation Guide](#))

PHYSICAL

- ☐ Allow rest breaks with low light and noise at _____
- ☐ Wear sunglasses and/or hat in class, seating away from bright sunlight
- ☐ Allow hearing protection or unplugged, noise-reducing headphones during class
- ☐ Limit screen time by offering assignments by book and paper, when possible.
- ☐ Provide a lunchtime space away from crowded areas.
- ☐ Leave class 5 minutes early or late to avoid crowding in halls
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

COGNITIVE

- ☐ Preferential seating and provide immediate feedback
- ☐ Break down assignments and tests into shorter segments
- ☐ Shorten in-class and homework assignments to key concepts and critical tasks only
- ☐ Reduce or slow down verbal information and check for comprehension
- ☐ Teacher generated class notes and/or recorded lecture
- ☐ Allow extended time to complete coursework, assignments, and tests if requested
- ☐ Stagger testing so that the student only needs to prepare for one exam/quiz per day
- ☐ Alternatives to written output for demonstrating understanding: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

SOCIAL-EMOTIONAL

- ☐ Teacher/staff to provide reassurance about accommodations and workload reduction
- ☐ Permit lunchtime in a quiet space with 1-2 friends
- ☐ Allow student to work with a peer or peer group for selected assignments
- ☐ Give non-verbal cues to stay on task or change behavior
- ☐ Pass to wellness room or counseling center to regroup when upset
- ☐ Utilize an emotional and behavioral support plan
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

Date of first review (within 5 days of ITAP implementation): _____ Completed Date: _____

Date of next review (no later than two months): _____ Completed Date: _____

Evaluation under ☐ Section 504, or ☐ IDEA initiated? Y / N Date: _____ Eligible: Y/N

ITAP shared with parent/guardian and required school staff? Y / N Date: _____

Date Temporary Accommodations Plan Discontinued: _____

Notes: _____

Directions for Completing the ITAP Form

Complete this form in accordance with House Bill 3007 (2025) and OAR 581-021-3007 upon receiving written notification from a qualified health care provider that a student has a concussion or other brain injury. It should be completed promptly and reviewed regularly by the Brain Injury Management Team.

Student Information

- **Student / DOB / ID# / School / Grade:** Enter student's full name, birth date, ID, school, and grade.
 - **TBI Sustained On:** Date of injury.
 - **Date Written Notification Received:** Date the school received notification from parent/guardian.
 - **Return to School Anticipated:** If known, note date.
 - **Date ITAP Completed On / By:** Date completed and name of lead staff.
 - **Other Team Members Consulted:** List all consulted.
 - **Parent/Guardian & Contact** and **Medical Provider & Contact:** Fill in names and best contacts.
-

Medical Documentation & Initial Needs

- **Medical Documentation Date / Notes:** Enter date and summarize notes.
 - **Abbreviated Day Recommended?** Circle **Y** or **N** and explain if "Yes."
 - **Related Medication in Health Room?** Circle **Y** or **N** and list medication if applicable.
-

Signs and Symptoms

- Check all that apply under **Physical**, **Cognitive**, and **Social-Emotional** based on student or provider input.
 - Use "Other" lines for symptoms not listed.
-

Activity Restrictions

- Circle **Y/N** for restrictions, describe if "Yes."
 - Note medical instructions for activity modification and date received.
 - Record clearance date for full physical activity.
-

Accommodations

- Check all that apply using ODE's Symptom-Based Accommodation Guide under **Physical**, **Cognitive**, and **Social-Emotional**:
 - Use "Other" lines for additional accommodations.
-

Review and Follow-Up

- **First Review:** Within 5 school days of implementation.
 - **Next Review:** No later than 2 months after implementation.
 - **504/IDEA Evaluation:** Indicate Y/N, initiation date, eligibility.
 - **ITAP Shared with Parent/Staff:** Circle Y/N, note date.
 - **Plan Discontinued:** Date
 - **Notes:** Add any additional notes needed to track implementation and progress of student.
-

Key Reminders

- The plan must remain in effect until formally revised or discontinued by the Brain Injury Management Team.
- Adjustments must be made as symptoms change—progress may not be linear.
- Keep a copy in the student's record, share with parent/guardian and with all staff responsible for implementation.

Required Procedures for Student Concussion or other Brain Injury

August 2025



OREGON
DEPARTMENT OF
EDUCATION

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Introduction

A timely and coordinated school response to a concussion or other brain injury is essential to ensuring student safety, supporting recovery, and maintaining academic progress. As school staff, you play a critical role in recognizing symptoms, initiating communication with families and healthcare providers, and implementing supports. Brain injuries can result in a wide range of physical, cognitive, and social-emotional symptoms that affect thinking, memory, attention, and behavior in the classroom. Early identification and the use of temporary accommodations can help reduce symptom severity, prevent further injury, and promote a smoother recovery. Returning to school as soon as medically appropriate, often with accommodations, helps students stay connected, emotionally supported, and cognitively engaged.

It is important to understand that behaviors observed after a brain injury may be a result of the injury, rather than defiance or misconduct. School staff should avoid exclusionary discipline in these cases and instead assess whether the behavior could be a manifestation of the injury. Focus should be placed on trauma-informed strategies, positive behavioral supports, and proactive interventions. This approach helps ensure that students are not penalized for symptoms beyond their control and reinforces a safe, inclusive, and supportive school environment for all learners.

Every brain injury is different, and students recover at different rates. Symptoms can vary throughout the day or change depending on the environment or the phase of recovery. A symptom-based return-to-school approach allows educators to adjust academic expectations and classroom activities based on the student's current tolerance and needs. Tasks such as screen use, reading, or problem-solving may need to be limited temporarily. Regular communication and collaboration between classroom teachers, specialists, school nurses, counselors, administrators, and families are key to supporting a successful and gradual reintegration into full school participation.

Legal Framework: Immediate Action for Student Brain Injuries

[House Bill 3007 \(2025\)](#) and [OAR 581-021-3007](#) established that the Oregon Department of Education (ODE) develop procedures and an [Immediate and Temporary Accommodation Plan \(ITAP\)](#) for public education providers to follow upon receiving written notification that a student has been diagnosed with a concussion or other brain injury.

Key Timelines Upon Receipt of Written Notification

- **Immediate:** Physical activity restrictions upon determination
- **Within 10 school days:** Full ITAP implementation
- **Within 5 school days of implementation of the ITAP:** First review
- **Every 2 months maximum:** Subsequent reviews after first review

Definitions

Health care professional: A person who is licensed or registered under Oregon laws as a physician, a chiropractic physician, a naturopathic physician, a psychologist, a physical therapist, an occupational therapist, a physician associate, or a nurse practitioner.

Public education provider: A school district, a public charter school, or an education service district.

Written notification: 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 accommodations for a student who has been diagnosed with a concussion or other brain injury by a health care professional.

Brain Injury Management Team: A multidisciplinary group responsible for coordinating academic and health-related supports for students recovering from a concussion or other brain injury. The team determines accommodations, monitors progress, adjusts accommodations as needed, and ensures consistent communication among school staff, the student and their family, and healthcare providers.

Medical documentation: Documentation from a healthcare professional that confirms a diagnosis of a concussion or other head injury. This may include:

- Health care professional letter/note
- Discharge summary from hospital or clinic
- Medical office visit summary

Step-by-Step Process

Per [OAR 581-021-3007](#), public education providers are required to implement the following procedures:

Step 1: Receive Written Notification

Upon receiving written notification from a parent or guardian with medical documentation, the school must:

- Document the date received.
- Notify the School Brain Injury Management Team within 24 hours.
- Begin the ITAP process immediately.

Step 2: Convene Brain Injury Management Team

Within 2 school days of notification:

- Schedule a team meeting.
- Invite student and parent/guardian to participate.
- Gather relevant information about the student.

Step 3: Develop Immediate and Temporary Accommodations Plan

The team must:

- Review medical documentation and recommendations.
- Assess current symptoms and their impact.
- Determine necessary physical activity restrictions (implement immediately).
- Identify physical, cognitive, and social-emotional accommodations.
- Complete the ITAP form.

Step 4: Implement and Communicate Plan

- Share the completed ITAP with the parent/guardian on the day it is developed.
- Notify all staff who have responsibilities under the ITAP of their responsibilities within 24 hours.
- Ensure accommodations are implemented as soon as possible and, in no case, more than 10 school days from receiving written notification.

Step 5: Monitor and Review

- Conduct first review within 5 school days of implementation.
- Schedule subsequent reviews at least every 2 months.
- Adjust accommodations based on student symptom progression.
- Document service provision (if applicable), and all reviews and changes.

These procedures do not limit public education providers from supporting students who lack a formal diagnosis. Schools have a legal and ethical obligation to take immediate and appropriate action to protect the health and safety of any student suspected of sustaining a concussion or other brain injury. This includes implementing appropriate accommodations, regardless of whether a formal medical diagnosis has been provided. Public education providers must ensure that their policies and practices are aligned with all applicable state and federal laws.

School Building Brain Injury Management Team

Every public education provider must have policies and practices in place to ensure all students have access to a Brain Injury Management Team and receive appropriate accommodations following a brain injury. Concussion and brain injury policies help ensure a coordinated and consistent response across all schools to support student safety and recovery. These policies and practices must include provisions for staff training, team coordination, and oversight to ensure proper response when a student sustains a concussion or other brain injury. Policies and practices must ensure:

- A symptom-based return-to-school approach that adjusts academic expectations and supports in response to the student's current symptoms and stage of recovery.
- Implementation and training of concussion protocols across all school buildings.
- Oversight and consultation are provided for Brain Injury Management Teams.

- Public education provider-wide documentation is maintained, and use of ODE's Immediate Temporary Accommodations Plan (ITAP) form and procedures are regularly reviewed.
- Public education provider policies are updated and aligned with current state and medical guidelines.

Team Composition

Team membership may vary depending on the student's needs but should always include individuals who can support the student's medical, academic, and social-emotional recovery. At a minimum, a School Brain Injury Management Team must include individuals who collectively meet the following qualifications and areas of expertise. In some cases, a single individual may meet multiple qualifications and fulfill more than one role on the team, provided that the team maintains a collaborative, student-centered approach.

Required Expertise:

1. At least one person who is qualified to interpret medical information and determine necessary health related services and accommodations.
2. At least one person who is knowledgeable about brain injuries and concussions including the physical, cognitive, and social-emotional symptoms a student may experience.
3. At least one person who is qualified to determine physical, cognitive, and social-emotional accommodations based on the student's circumstances.
4. At least one person who is knowledgeable of the student's baseline functioning.
5. Other school personnel, if not already included, as appropriate (i.e. counselors, behavioral support staff, athletic trainers, school psychologists, or administrators.)

Team Responsibilities

- Initiate ITAP process upon notification of a concussion or other brain injury.
- Using the ITAP, Identify symptoms and impacts on learning, and determine appropriate accommodations
- Monitor student progress and adjust supports.
- Ensure compliance with all timelines.
- Coordinate with public education provider-level support.
- Include the student in planning when developmentally appropriate.

Parent/Guardian Participation

The participation of a parent or guardian on the Brain Injury Management Team is strongly encouraged to ensure a comprehensive, student-centered approach to recovery. Parents and guardians offer valuable insight into the student's medical history, symptoms, and behavior outside of school, which helps the team develop more accurate and effective supports. Their

involvement also promotes consistent communication between home, school, and healthcare providers, ensuring that accommodations are well-coordinated and aligned across settings.

The team must:

- Provide timely notification and invitation to participate.
- Offer multiple ways to participate (in-person, phone, video).
- Document efforts to include parents/guardians.
- Share completed ITAP and provide clear instructions for input.
- Meaningfully consider parent/guardian input regarding accommodations.

As applicable, public education providers must ensure alignment with parent involvement requirements of other Federal and state regulations including but not limited to the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and Abbreviated School Day Program (ASDP) requirements.

Immediate and Temporary Accommodations Plan (ITAP)

The Brain Injury Management Team must use a collaborative, data-informed, student-centered approach to determine appropriate supports following a concussion or other brain injury. The team shall work toward consensus decisions firmly grounded in available assessment data, medical information, educational records, and observed student needs. Guided by ODE procedures and the Immediate Temporary Accommodations Plan (ITAP) form, the team gathers and analyzes input from key members including educators, healthcare providers, the school nurse, the student (when appropriate), and the family to identify and implement immediate and temporary accommodations.

The Brain Injury Management Team is responsible for determining immediate physical activity restrictions and establishing immediate and temporary accommodations for a student who has sustained a concussion or other brain injury. This process must follow ODE procedures and utilize the ODE ITAP form. Key team responsibilities include:

- Discuss medical recommendations, school observations, parent/guardian insights, and student input (when appropriate).
- Determine whether immediate physical activity limitations are necessary to protect the student's safety, support recovery, and reduce the risk of reinjury.
- Use the ITAP form to review the student's current symptoms and their academic and functional impacts.
- Use the ITAP form to identify appropriate temporary physical, cognitive, social-emotional and other necessary accommodations that support the student's meaningful participation in educational activities, based on their stage of recovery.
- Share the completed ITAP form with the parent or guardian, all instructional staff, and any school personnel responsible for the student's supervision or health, including school administrators, school nurses, counselors, teachers, bus drivers, coaches, athletic trainers, and recess or physical activity supervisors.

- Conduct a follow-up review of the student and revise the ITAP within 5 school days of implementation, and subsequently at intervals not to exceed every two months.
- Implement any necessary physical activity limitations (including but limited to recess, physical education, school sponsored after and before school activities) immediately upon determination or as soon as practicable—no later than the next scheduled course or activity requiring such restrictions.
- Ensure that the accommodations outlined in the student’s ITAP are implemented as soon as possible and no later than 10 school days after written notification of the concussion or brain injury is received by the public education provider.

In the absence of complete information or documentation, the team shall continue to determine accommodations using this collaborative, student-centered process, documenting the basis for decisions with available evidence. This responsibility includes implementing necessary accommodations promptly, monitoring their effectiveness through data collection, and making timely adjustments as the student’s recovery progresses. This same evidence-based, collaborative approach must also guide decisions to adjust or discontinue accommodations as the student’s needs evolve, with consistent documentation of the rationale for changes.

Documentation and Records

Public education providers are responsible for maintaining clear and consistent documentation throughout the brain injury management process to ensure compliance with ODE procedures and to support student recovery. All documentation related to the Immediate Temporary Accommodations Plan (ITAP) and associated actions must be treated as part of the student’s education record and maintained in accordance with state and federal student record requirements. Key documentation and recordkeeping requirements include:

- **Written Notification:** Record the date written notification of a suspected or diagnosed concussion or brain injury is received from a parent or healthcare provider.
- **ITAP Form Completion:** Complete and retain the ODE Immediate Temporary Accommodations Plan (ITAP), including symptoms, accommodations, physical activity restrictions, and team input.
- **Medical and Supporting Documentation:** Maintain copies of relevant medical documentation, provider recommendations, and any additional supporting information used to guide team decisions.
- **Communication Log:** Document when and with whom the ITAP was shared (e.g., parent/guardian, instructional staff, health and supervision personnel).
- **Follow-Up and Implementation Records:** Record follow-up reviews, ITAP revisions, and verification that accommodations and restrictions were implemented in a timely manner.

Intersection with Other Laws and Regulations

Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973

The brain injury management process may intersect with federal obligations under the IDEA and Section 504 of the Rehabilitation Act of 1973, particularly in relation to Child Find responsibilities. School districts must actively identify, locate, and evaluate students who may require special education or related services due to a disability, including those who have sustained a concussion or other brain injury. While the ITAP provides immediate and short-term support, ongoing symptoms or functional impairments may indicate the need for further evaluation under IDEA or Section 504. The Brain Injury Management Team must monitor the student's progress and, when appropriate, refer the student for evaluation to determine eligibility for an Individualized Education Program (IEP) or a Section 504 Plan. Coordination between ITAP implementation and existing evaluation and eligibility procedures ensures that students with longer-term needs are identified in a timely manner and receive appropriate, legally required supports.

For students already eligible under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, the ITAP form must be completed by the student's existing IEP team or 504 team. These teams possess comprehensive knowledge of the student's educational history, baseline functioning, strengths, and needs, positioning them to develop the most appropriate and effective accommodations. When developing the ITAP, teams must consider both the acute effects of the concussion or other brain injury and the student's existing disabilities, for which they were already eligible under IDEA or Section 504, to ensure accommodations adequately address all areas of need. The IEP or 504 team must include individuals who meet the brain injury expertise requirements outlined in these procedures and must adhere to all ITAP timelines, including implementation within 10 school days and reviews within 5 school days and every 2 months thereafter. The ITAP serves as a temporary support layer that complements, rather than replaces, the services and accommodations in the student's IEP or 504 plan.

State Laws and Regulations

The development and implementation of an ITAP must align with applicable state laws and regulations to ensure students receive appropriate support following a concussion or other brain injury. The following policies provide important guidance related to school day modifications and health service requirements that public education providers must follow when supporting student recovery.

- **Abbreviated School Day Program (ASDP).** The use of an ITAP for students recovering from a concussion or other brain injury must be clearly distinguished from Oregon's ASDP requirements, as defined in ORS 343.321 to ORS 343.333 and related ODE guidance. While temporary adjustments to a student's school day or schedule (i.e. less

than 10 school days) may be appropriate as part of symptom-based recovery planning under an ITAP, these short-term accommodations are not considered an ASDP. However, if a student's school attendance or instructional time is reduced on a long-term basis (i.e., more than 10 days), a public education provider must follow the formal abbreviated school day process, including proper notification, documentation, and parent consent. The Brain Injury Management Team must ensure that any temporary schedule modifications remain aligned with the student's medical needs and recovery stage, are reviewed regularly, and do not result in unlawful or prolonged exclusion from a full educational program. See ODE's [Abbreviated School Day website](#) for additional information.

- **OAR 581-021-0222 (Health Services).** The implementation of an ITAP must align with [OAR 581-022-2220](#), which requires public education providers to have a process for assessing and determining a student's health service needs when a new medical diagnosis impacts access to education. This includes ensuring the availability of a licensed nurse to assess nursing needs upon, during, and following enrollment, and to implement an Individual Health Plan (IHP) prior to the student attending school. When a student sustains a concussion or other brain injury, the school nurse plays a key role in evaluating the student's health-related needs and coordinating care. The IHP, developed in response to the student's diagnosis, should be implemented in tandem with the ITAP to ensure that both medical and academic supports are aligned, timely, and responsive to the student's stage of recovery. See [ODE's OAR 581-022-2220 \(Health Services\) Resources website](#) for additional information.

Procedural Safeguards

If parents/guardians disagree with proposed accommodations:

1. Meaningfully consider parent/guardian input regarding accommodations.
2. Document concerns and attempt resolution at school level.
3. Involve school district-level administrator.
4. Provide information about formal school district complaint processes.

Resources and Contact Information

Additional information is available on the [ODE Concussions and Other Brain Injuries website](#), including:

- The ODE Immediate and Temporary Accommodations Plan (ITAP) form
- ODE's *Accommodations Guide for Symptom-Based Return to School*

For questions, contact:

Ely Sanders

Required Procedures for Student Concussion or other Brain Injury - 2025

School Health Services Specialist

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Summary

Meeting Date: 12/11/2025

Title: Early Literacy Success School District Grant OAR Updates

Status: First Reading

Presentation: Yes

Key Staff: Angelica Cruz, Sophie Hilton

Topic Summary: House Bill 3040 expands the allowable uses of Early Literacy Success School District Grant funds by broadening professional development and coaching eligibility to include instructional assistants and additional staff. HB 3040 also extends the allowable use of funds for purchasing and implementing research-aligned curriculum from Pre-K–3 to include grades 4 and 5. ODE is updating OAR 581-017-0801 and OAR 581-017-0811 to ensure the rules accurately reflect current legislative requirements.

ODE Education Equity

Stance

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

BACKGROUND AND NEED

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

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

The Early Literacy Success School District grant is a non-competitive, formula-based grant administered to districts and public charter schools for a total of \$90 million for the 2023-2025 biennium and \$93 million for the 2025-2027 biennium. For 2025-27, there are a total of 246 grantees in Oregon receiving these funds.

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 3040 passed in the 2025 legislative session and amends ORS 327.829, requiring the State Board to approve the identification of *other staff* that may receive professional development and coaching in rule. The additional changes are prescriptive and must be updated based on the statutory changes.

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

The Early Literacy Success School District Grant brought OARs to the SBE in the spring of 2025 to update rules based on the first year of grant implementation and the OAR updates were adopted. The Board had previously adopted permanent OARs 581-017-0801 through 581-017-0811 for the Early Literacy Success Initiative in March 2024.

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

These rule amendments are necessary to align with the statutory changes enacted by HB 3040. The bill expanded the allowable uses of Early Literacy Success School District Grant funds by broadening professional development and coaching eligibility to include instructional assistants and additional staff. HB 3040 also extended the allowable use of funds for purchasing and implementing research-aligned curriculum from Pre-K-3 to permanently include grades 4 and 5. These updates ensure the rules accurately reflect current legislative requirements.

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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The Equity Decision Tree guided ODE to engage those most directly affected by the OAR updates, especially staff who support literacy instruction across diverse communities. We engaged the Literacy Advisory Roundtable early in the process because it represents educators, community partners, and leaders from all regions of the state. Roundtable members reviewed draft rule language, surfaced equity concerns, and offered suggestions that directly informed revisions. ODE also provided multiple pathways for input, including live discussion and asynchronous feedback to reduce barriers to participation.

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.

Our Office of Teaching, Learning and Assessment collaborates closely with the Department of Early Learning and Care (DELIC) through bi-monthly meetings. During these meetings, we reviewed and discussed relevant OARs. In addition, DELIC, the Educator Advancement Council, HECC, and TSPC all have representatives on the Literacy Advisory Roundtable to ensure their perspectives are represented in our engagement efforts.

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)?

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

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

The primary feedback centered on clarifying the definition of “additional staff” to ensure it would include community partners, student teachers, and volunteers, who are often key partners in providing literacy support to students. This input led us to revise the draft definition to more clearly encompass all individuals who support literacy instruction within a school. When perspectives differed, we considered the range of equity impacts and chose language that maintained both clarity and alignment with statutory requirements.

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 presented to the Ongoing Rules Community Advisory before presenting to the State Board.

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.

Yes. The Board action may create both fiscal and administrative impacts for grantees (districts and public charter schools). Grantees may choose to reallocate Early Literacy Success School District Grant funds during the biennium to include instructional assistants and additional staff in professional development and coaching, and/or to purchase instructional materials for 4th and 5th grade. While this flexibility does not create new requirements, it may influence local budgeting decisions and how grantees prioritize funds.

The expanded eligibility for PD/Coaching may provide meaningful long-term benefits by increasing access to training for staff who play critical roles in literacy instruction in all regions and especially in small and rural communities with fewer personnel.

Over time, the adoption of high-quality, K–5 aligned curriculum leads to improved literacy outcomes, more efficient use of resources, and greater clarity for educators and families regarding expectations for literacy instruction across elementary grades. In small/rural communities, this helps ensure all students have access to high-quality instruction materials.

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 Board action is not anticipated to create new fiscal burdens for state agencies, local governments, the public or increase costs associated with compliance for small businesses. The changes reflected in the updated rules fall under the overall allowable uses of existing Early Literacy Success School District Grant, so the administrative burden to the state will be the same.

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?

Expanding professional development to include instructional assistants and additional staff will strengthen support for all students. This will improve instructional consistency across classrooms and positively impact student outcomes.

Expanding the allowable use of funds to include curriculum purchases for fourth- and fifth-grade materials will strengthen instructional alignment across pre-K through grade 5. This

adjustment also more closely reflects the grade-band structure used by ODE to evaluate instructional materials (K–2 and 3–5). Because districts typically review, adopt, and purchase curriculum according to these same grade bands, extending eligibility to these grades is operationally consistent with existing practices. In addition, this expansion increases access to high-quality instructional materials for all elementary grade levels.

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?

More staff members, including those who often have the least access to training, will now have opportunities to receive professional learning in research-aligned literacy practices. This change is intended to ensure that **all** adults supporting literacy instruction, not just licensed teachers, are equipped, valued, and included in Oregon’s statewide literacy efforts. Ultimately, these efforts promote more equitable learning conditions for students and more equitable professional conditions for the adults who serve them.

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 are direct professional development and coaching for all staff, which can happen immediately, along with paying for K-5 instructional materials to ensure alignment across all grades. Over time, these changes will contribute to more consistent, research-aligned literacy practices, a better-supported literacy workforce, and more equitable access to high-quality instruction for students across the state.

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

The consequences of inaction would be continued inequitable access to professional learning, disproportionately impacting paraprofessionals, community-based staff, and adults in rural/remote areas who are often closest to students and leading to weaker instructional alignment across K–5, ultimately impacting student learning trajectories and hindering district improvement efforts.

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.

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- 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 is adding the following definition for "Additional Staff" to OAR 581-017-0801: Early Literacy Definitions: "For Early Literacy Success School District Grants, established in ORS 327.829, 'Additional staff' means individuals in a school, other than teachers, administrators, or instructional assistants, who are directly involved in delivering, supporting, or coordinating literacy instruction for students."

To ensure all allowable groups may participate in Professional Development and Coaching, ODE is adding the following line into our Allowable Uses of Funding OAR 581-017-0811: "Professional Development and Coaching may be provided to teachers, administrators, instructional assistants, and additional staff as established in ORS 327.829."

In the Allowable Uses of Funding OAR 581-017-0811, ODE is changing the grade levels to now permanently include 4th and 5th grade materials as allowable expenditures.

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

ODE updated the additional staff definition to ensure it includes all individuals involved in supporting literacy instruction and removes any barriers to participating in PD/Coaching, should a district choose to offer those opportunities to additional staff.

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

Our team is recommending that the State Board adopt updates to OAR 581-017-0801 and OAR 581-017-0811 to align existing rules with the statutory changes enacted in HB 3040.

This action reflects the Department's commitment to academic excellence by ensuring that all adults who support student literacy receive high-quality, research-aligned training. It advances belonging and wellness by recognizing and valuing the full range of individuals who contribute to students' literacy journeys, particularly those in roles that have historically not had access to training. Finally, it supports reimagining accountability by strengthening coherence across the literacy system, reducing gaps in training and support, and ensuring that implementation is consistent, equitable, and aligned with Oregon's long-term vision for improving literacy outcomes statewide.

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

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

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

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

APPENDIX B: GRANT CONSOLIDATION

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?

The Early Literacy Success School District grant program is aligned and integrated into the Integrated Programs application and reporting requirements to reduce administrative impacts

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on districts. The Literacy team works closely with ESD liaisons to support small and rural school districts.

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

While the Integrated Programs application is differentiated for small and rural districts, the Early Literacy Success School Districts grant requirements are not differentiated, largely due to what is named in statute. We work with small and rural school districts to support their needs and have updated OARs where we can to reduce burden when possible.

Below, are the proposed changes to the Oregon Department of Education’s rules relating to the Early Literacy Success Initiative: OAR 581-017-0801 and OAR 581-017-0811. The proposed new text is bold, and the proposed text to remove is in bracketed italics.

Current Rule Link: Oregon Administrative Rule [\(OAR\) 581-017-0801](#)

Rule Number: 581-017-0801

Rule Title: Early Literacy Grants: Definitions

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

(1) For Early Literacy Success School District Grants, established in ORS 327.829, “Additional staff” means individuals in a school, other than teachers, administrators, or instructional assistants, who are directly involved in delivering, supporting, or coordinating literacy instruction for students.

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

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

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

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

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

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

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

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

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

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

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

(a) Building on each child’s strengths;

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

(c) Considering what is known about:

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

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

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

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

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

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

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

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

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

[(14)] **(15)** For Early Literacy Success School District Grants, established in ORS 327.829, “Eligible Applicant” means a school district or public charter school that serves students in grades prekindergarten/preschool through third grade. This can include districts and public charter schools that serve students in grades prekindergarten/preschool through eighth grade or prekindergarten/preschool through twelfth grade, given the application focuses on specific grade levels named in ORS 327.825. Per ORS 327.825 and ORS 327.831, virtual public charter schools are not eligible applicants for this grant.

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

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

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

- (a) Tribal consultation, recommendations, and experiences of American Indian/ Alaska Native community members or Tribes.

(b) Community-driven, culturally-responsive/sustaining/specific, non-dominant and non-Western ways of knowing, being, and researching.

[(17)] **(18)** “Extended Learning Program” means literacy programming which shall:

(a) Use “Research-aligned literacy strategies” as defined in ORS 327.825 and is based on “Science of reading and writing” as defined in ORS 327.825 and meets the criteria established by the Department in OAR 581-017-0811;

(b) Occur outside of the traditional school day, which could include, but is not limited to afterschool and summer; and

(c) Be administered either by a licensed teacher of any subject area or by a qualified tutor, which is defined for School District Grants as a person who has the training necessary to implement the research-aligned tutoring model effectively or a high-dosage tutoring provider from the Qualified List for High-Dosage Tutoring established in section 20.

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

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

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

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

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

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

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

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

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

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

(a) Is provided outside of the school day;

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

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

(d) Is provided to four or fewer students;

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

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

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

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

[(24)] **(25)** “Literacy coaches” means a licensed educator who:

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

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

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

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

(D) Provided by a school district or ESD;

(b) Has a literacy-focused licensure endorsement;

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

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

[(25)] **(26)** “Literacy specialists or interventionists” means a licensed educator who:

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

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

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

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

(D) Provided by a school district or ESD;

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

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

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

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

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

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

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

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

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

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

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

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

[(34)] **(35)** “Student Groups that have Historically Experienced Disparities” includes:

(a) “Students Experiencing Poverty,” which means students who meet one or more of the following qualifications:

(A) Are participating in Supplemental Nutrition Assistance Program funded by the United States Department of Agriculture;

(B) Are participating in the Temporary Assistance for Needy Families program as defined in Title IV of the Social Security Act;

(C) Are foster students; or

(D) Are migrant students.

(b) “Students from Racial or Ethnic Groups that Have Historically Experienced Academic Disparities,” which includes, but is not limited to American Indian and Alaska Native students, Black and African American students, Hispanic and Latino students, Asian students, Native Hawaiian and Pacific Islander students, and multiracial students and any other racial or ethnic group identified by the eligible applicant as historically experienced academic disparities.

(c) “Students with Disabilities,” which means a child with a disability as defined in ORS 343.035(1) and ORS 343.035(14)(b).

(d) “English Language Learners,” which means or “English learners,” which means a student who has limited English language proficiency because English is not the native language of the

student or the student comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency.

(e) "Foster Students" as defined in ORS 30.297(5)(c).

(f) "Students who are Homeless" has the same meaning as in section 725 of the McKinney-Vento Act, 42 USC § 11434a (2).

(g) Students who attend an elementary school that:

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

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

(h) "LGBTQ2SIA+ Students," which means students who may have one or multiple gender identities and/or sexual orientations including lesbian, gay, bisexual, pansexual, transgender, nonbinary, queer, questioning, two-spirit, intersex, and asexual. The plus sign ("+") recognizes and includes the myriad ways to describe marginalized gender identities and sexual orientations.

(i) "Students Recently Arrived," which means a student who was NOT born in any state or US Territory and who has not been attending one or more schools in any one or more state for more than three full academic years.

(j) "Migratory Students," which means a student whose is a migratory worker or whose parent or guardian is a migratory worker in the agricultural, dairy, lumber, or fishing industries and who has moved due to economic necessity between school districts in the last thirty six months, and is eligible to be a part of the Title 1-C Migrant Education Program.

(k) "Justice involved youth" means a student who is pre or post adjudication, been or currently detained in a secure juvenile justice facility, and/or been or currently placed in a community juvenile justice program.

Statutory/Other Authority: ORS 327.829

Statutes/Other Implemented: ORS 327.825 - 327.845

History:

[ODE 27-2025, amend filed 05/22/2025, effective 05/22/2025](#)

Current Rule Link: Oregon Administrative Rule [\(OAR\) 581-017-0811](#)

Rule Title: Early Literacy Success School District Grants: Allowable Uses of Funding

Rule Number: 581-017-0811

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

(2) Professional Development and Coaching may be provided to teachers, administrators, instructional assistants, and additional staff as established in ORS 327.829.

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

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

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

(c) The Oregon Department of Education shall, at least once every two years, develop or revisit a list of qualified high-dosage tutoring program providers, should grant recipients choose to use external providers. To be included on the list, the provider must meet the qualifications in

section (a) and (b) of this rule if providing a program and tutors or just (b) if providing a program only and must include content to be determined by the Department.

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

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

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

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

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

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

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

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

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

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

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

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

(A) Early literacy practices;

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

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

(D) Culturally responsive practices in literacy instruction;

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

(F) Supporting students who are experiencing disabilities.

(c) Effective January 1, 2025, funds from this grant used for the adoption and implementation of K-[3] **5** core instructional materials may only be used for materials from the State Board of Education adopted list for ELA. If core instructional materials are adopted from the State Board of Education list at the time of application, they meet the criteria for this grant.

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

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

Statutory/Other Authority: ORS 327.829 & ORS 327.833

Statutes/Other Implemented: ORS 327.825 to 327.837

History:

[ODE 27-2025, amend filed 05/22/2025, effective 05/22/2025](#)

ODE 23-2024, minor correction filed 05/02/2024, effective 05/02/2024

ODE 13-2024, adopt filed 03/22/2024, effective 03/22/2024



Four Rivers Community School

CHARTER RENEWAL APPLICATION

Submitted to:

Oregon Department of Education

October 22, 2025

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RENEWAL QUESTIONS

I. Executive Summary

Provide the enrollment and demographic information for the current school year (Table A). Then provide a brief (one to two page) description of the school, including an overview of the mission and vision, educational program, community and local connections, and leadership and governance.

School Overview

Four Rivers Community School (FRCS), established in 2003, is a state-sponsored K–12 dual language immersion charter school located in Ontario, Oregon. With a current enrollment of 369 students and a waiting list of 194, FRCS serves a diverse and vibrant learning community where 83% of students identify as Hispanic/Latino and 100% qualify for free and reduced lunch.

Mission:

Four Rivers Community School is dedicated to providing progressive dual-language instruction and whole family education. Our students and staff demonstrate Pride, Purpose, and Performance through everyday classroom activities and community involvement. We embrace diversity and cultural appreciation through instruction and practice.

Vision:

To build generations of bi-literate and culturally engaged learners who envision a future of possibilities.

Grounded in this mission and vision, Four Rivers empowers students to achieve academic excellence, bilingualism, and cultural competence. Through strong family engagement, community partnerships, and a focus on the whole child, FRCS nurtures learners who are confident, connected, and prepared to thrive in a multilingual world.

Educational Program and Student Outcomes

FRCS delivers a rigorous, research-based dual language program that develops bilingualism, biliteracy, and cross-cultural understanding from kindergarten through high school graduation. Students graduate with advanced language proficiency and cultural literacy, positioning them for success in college and career pathways.

Academic Achievement and Recognition:

Four Rivers' holistic approach to education has earned distinction at the local, state, and national levels. U.S. News & World Report (2023–24) ranked FRCS as the 14th Best High School in Oregon and the 2nd Best Charter School statewide—remarkable achievements for a school serving predominantly historically underserved populations.

FRCS students meet or exceed local district averages in English Language Arts (ELA) for grades 3–8 and 11. While math scores currently trail the district, the school has implemented targeted professional learning, evidence-based interventions, and data-driven instruction to sustain continuous growth, showing more than 6% improvement over the past two years.

Attendance and Engagement:

Student engagement and attendance are central to Four Rivers' mission. Regular attenders have increased from 70% in 2021–22 to 99% in 2024–25, achieving Level 5 status across all student groups. This success reflects a commitment to the whole child—supported by a bilingual social worker, physical wellness programs, and mental health supports that foster safety, connection, and belonging.

College and Career Readiness:

FRCS's early college partnership with Treasure Valley Community College (TVCC) provides students with extensive opportunities to earn college credit and explore career pathways.

- Accelerated Learning participation: 79% (vs. 29% statewide)
- 2023 graduates: 421 college credits earned (n=21)
- Class of 2025: projected to earn 700+ credits (n=23)¹⁸
- Graduation rate: 95% (14 points above the state average)

- Latino graduation rate: 93% (vs. 80% statewide)

Students also earn Oregon Seals of Biliteracy (66% of graduates) and certificates in Community Interpreting, affirming the school's mission to develop bilingual leaders.

Whole-Child and Extracurricular Opportunities:

Inclusion and accessibility define student life at FRCS. The school's no-cut athletics program—now including 12 varsity sports—promotes teamwork, confidence, and equity. Students also engage in clubs such as SMILE (in partnership with OSU), National Honor Society, Academic Bowl, Japanese Garden Club, and Oregon Migrant Leadership.

Financial and Organizational Health

FRCS demonstrates long-term financial stability and sound stewardship. The five-year projected budget employs conservative revenue assumptions, sustainable staffing plans, and a 1% contingency reserve. The school consistently meets all financial obligations and is in good standing in every category of the authorizer's Performance Framework.

Strong board governance ensures oversight, transparency, and alignment with the school's mission. Through its Grow Your Own program, FRCS supports alumni, paraprofessionals, and teachers in earning advanced degrees and leadership credentials. This intentional succession planning sustains the school's culture and leadership pipeline well into the future.

Facilities and Future Plans

FRCS currently operates two campuses:

- Main Campus (K–8): 2449 SW 4th Ave, Ontario — owned by FRCS
- High School Campus (9–12): 676 SW 5th Ave, Ontario — leased space adjacent to TVCC

In 2025, Four Rivers initiated the purchase of a dedicated high school facility near TVCC, with plans to close in December 2025 and launch a capital campaign for renovations.

Looking forward, FRCS will:

- Continue to serve grades K–12 under the same educational mission and model
- Requests to maintain sibling and staff lottery waivers supporting recruitment and retention
- Requests to retain the 2.5% administrative fee for small high school funding
- Explore remote learning options aligned with Oregon Department of Education guidance to support students who travel or seek continued access to dual language learning and will implement upon school board approval.

Conclusion

For over two decades, Four Rivers Community School has embodied its mission of Pride, Purpose, and Performance—cultivating bilingual, biliterate, and culturally confident graduates who contribute to their families and communities.

With a proven record of academic excellence, financial integrity, and organizational strength, FRCS stands as a model for equitable and innovative education in Oregon. The school's vision—to build generations of bi-literate and culturally engaged learners who envision a future of possibilities—continues to guide its next chapter with optimism, stability, and purpose.

CURRENT YEAR ENROLLMENT & DEMOGRAPHIC INFORMATION	
Total Enrollment	
Grades Served	K-12
# of Students Enrolled	369
# of Students on Waiting List	194
Gender	
# Male	186
# Female	183
Ethnicity/Race *	
# White	55 (15%)
# Black	4 (1%)
# Hispanic	302 (83%)
# Asian	
# Other	4 (1%)
Special Populations *	
# Students with Disabilities	36 (10%)
# Ever English Language Learners	153 (42%)
# Homeless Students	4 (.01%)
# Eligible for Free and Reduced Lunch	364 (100%)
PROJECTED ENROLLMENT & GRADES SERVED	
Total Enrollment	
Projected Grades Served	K-12
Maximum Projected Enrollment	369

*Ethnicity/Race & Special Populations Data is from the Validated Data for 24-25, not current enrollment

II. Looking Back: The Record of Performance

Section II is the school's opportunity to supplement or augment the performance record. Schools should use the Performance Framework and the annual reports produced by the school as a guide for this section. Responses should reference the specific criteria, expectations, and data in the Performance Framework and local assessment data used by the school.

Responses may include, but are not limited to, information about interim assessments or progress reports; evidence of performance on school- or mission-specific goals; and improvements undertaken at the school along with evidence of progress for any areas in which the school has not previously met or is not currently meeting the performance standard.

Responses should not include anecdotal information or evidence that is not relevant to the school's academic, financial, and organizational performance and the school's performance expectations as defined by the authorizer's Performance Framework and the school's charter contract.

Renewal Recommendations will be based on all evidence of school performance in the record, including but not limited to the school's responses in this section.

A. Academic Performance

1. Using the results contained in the Performance Framework, explain whether or not the school has met its performance expectations.

2. Provide any academic performance-related evidence, supplemental data, or contextual information that may not be captured in authorizer records.

Submissions may include supplements related to the Renewal Performance Report. Please reference the specific Performance Framework measures to which the information applies, as appropriate.

Four Rivers' wholistic approach and student success has been noted at the local, state, and national level as FRCS was recently rated by U.S. News & World Report 2023-2024 as the 14th Best High School in Oregon and the 2nd Best Charter School in Oregon. These accolades are most notable, as FRCS students are predominantly from historically and educationally underserved populations. Four Rivers provides a unique dual language experience as well as access to supportive services and cultural activities that are not available to them at public schools in the area.

Four Rivers Community School participates in many State of Oregon initiatives including: Early Literacy, Student Investment Act, Charter Equity, High School Success, and Title programs. Using these programs, FRCS has designed strategies and expected outcomes that focus on: attendance, physical safety, mental health support, physical health, academic assistance, and accelerated learning opportunities. Student engagement, beginning with attendance, has been our highest priority. Four Rivers knows that attendance matters and is the key to academic achievement. FRCS has increased our Regular Attenders percentages every year (21/22 = 70%, 22/23 = 85%, 23/24 = 96%, 24/25 = 99%). Over the past four years, Four Rivers has moved from Level 2 on the Accountability Detail Report for Regular Attenders to a Level 5 across all student groups.

As we support the whole child at Four Rivers in mental and physical wellness, we count on our bilingual social worker and physical education teacher. Through the implementation of these resources and opportunities, we have seen an increase in student engagement and a decrease in disruptive student behavior, particularly at the K-5 level. We know that attendance and providing a healthy learning environment for the whole child is essential for the academic outcomes we are working to improve.

While FRCS is experiencing a lot of success for our graduates, it is important to bring attention to our challenge with the data at the primary grades. While dual language learners are advancing academically in two languages, setting state level performance targets for 3rd-grade reading remains challenging. Current literacy research on 3rd-grade reading focuses primarily on English-only schools and doesn't

account for multilingual students in dual language programs. Although the Oregon Department of Education (ODE) has shown support for dual language models, the standardized growth targets do not align with the unique needs of these programs. Based on best practice and research, dual language schools should not be evaluated on 3rd-grade reading in direct comparison to students in English-only schools, as this can lead to misunderstandings and unintended consequences for stakeholders who may not fully grasp the model, research, and time required for language acquisition.

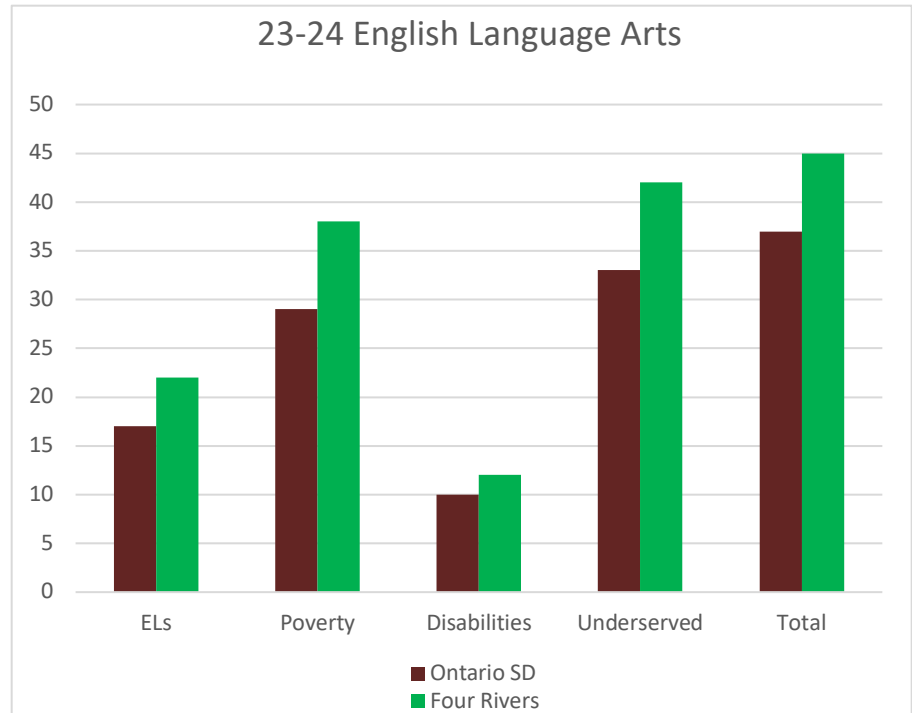
Beyond the challenges of using 3rd-grade reading as an indicator in dual language programs, schools with small class sizes also experience significant year-to-year score fluctuations. At Four Rivers, with only one class per grade level, the sample size is small—typically around 26 students. This small cohort means that the overall score can shift by 10% or more based solely on the class composition each year, making it challenging to set consistent annual targets. In our small school, a single teacher's results represent the entire measure, placing considerable weight on the performance of just 26 students. As a result, the 3rd-grade reading indicator is not a reliable measure of progress in a small dual language school.

As we move ahead and explore the success of high school students we can examine the [Accelerated Learning Data \(AL\)](#). During the 2022-23 school year, participation in Accelerated Learning by FRCS students in grades 9-12 was nearly three times the participation rate for grade 9-12 students statewide: out of all Oregon students in these grades during this time, 29% participated in at least some AL, whereas 79% of FRCS' students in these grades participated in AL. Further, of all students of color at FRCS, the participation rate was even higher: 84%. The total AL credits earned by FRCS' graduating class in 2023 was 421 college credits (n=21) and for the graduating class of 2025 was 700+ college credits (n=23).

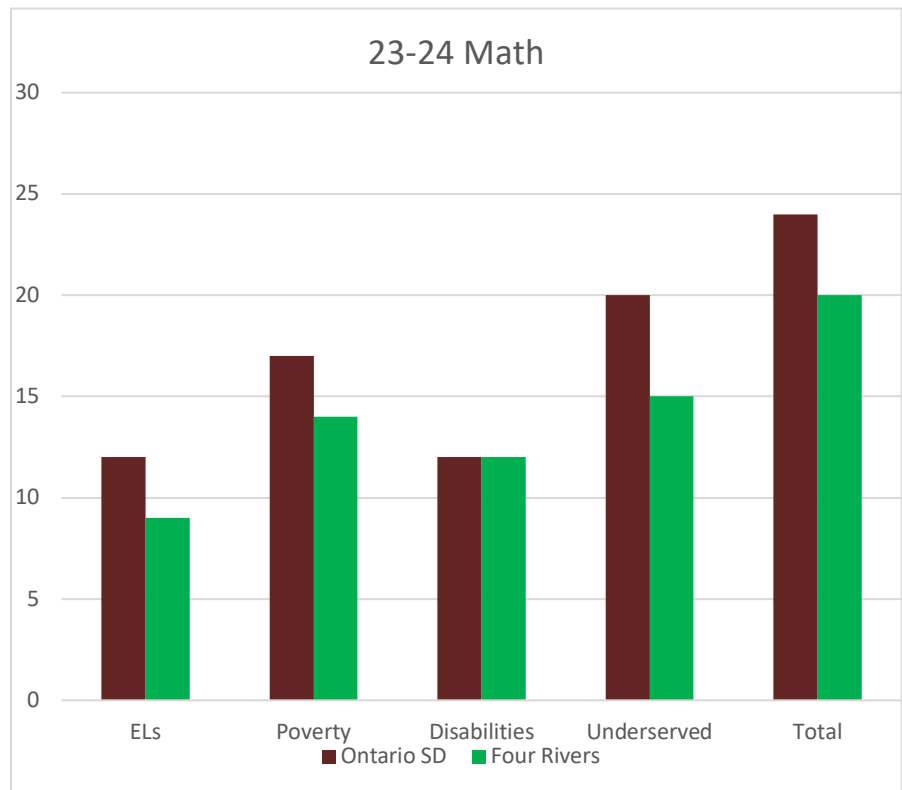
Through a long-running partnership with Treasure Valley Community College (TVCC), students may also pursue interests through career and technical education (CTE) courses as part of our early college model; these are direct-enrollment classes, where students join traditional TVCC students in the classroom. In 2023 two FRCS seniors each completed three welding certificates. In the summer of 2025, seven students took coursework and clinicals in a quest to obtain their Certified Nursing Assistant certificates.

Attendance statistics for FRCS have been steadily increasing post-pandemic, and currently also greatly exceed statewide stats on the "School Environment" section of Oregon Department of Education "Report Cards" for each school: 92 percent of students at FRCS show as "regular attenders" (i.e. they attended more than 90% of their enrolled school days) compared to 66 percent statewide. FRCS' on-time graduation rate is 95%--a full 14 percentage points higher than the statewide rate of 81%. For Latinos, the graduation rate for FRCS is also 93%, compared to the statewide rate for Latinos of 80%. Similar numbers show for FRCS students' five-year completion rate (earning a high school diploma or GED within five years) of 93%, compared to the Oregon average of 87%. Finally, FRCS' 2023-24 report card to ODE shows that 95% of FRCS students are on-track to graduate (i.e., earning one-quarter of graduation credits in their 9th grade year) compared to the Oregon average of 85%.

Using the Performance Framework and analyzing data from the Oregon State Assessment System, Four Rivers Community School is meeting and exceeding academic expectations in the area of English Language Arts (ELA) for grades 3-8 and 11. The framework requires a comparison between the charter and the local district. As referenced in the chart below, FRCS student scores are exceeding the local district for ELA.



Using the Performance Framework and analyzing data from the Oregon State Assessment System, Four Rivers Community School did not meet the academic expectations in the area of Math for grades 3-8 and 11. The framework requires a comparison between the charter and the local district. As referenced in the chart below, FRCS student scores were below the local district in math. Four Rivers has been making steady growth gains, >3% per year, over the past two years. Additional professional development, research-based math initiatives, and data teams have been fully implemented. While the 24-25 data has not been publicly released at the time of the application, the results demonstrating the growth can be added to the application at a later date.



Accessible opportunities are key to every decision we make. In an effort to bring accessible athletic programs to our students, Four Rivers joined the Oregon School Activities Association in 2016 with one sport. FRCS does not hold team tryouts, but instead provides opportunities for all students that wish to join; thus, every student can be part of a team without the need of a tryout or threat of a cut. Since that initial year, students have actively participated and asked for more options. To date, Four Rivers has middle level athletics and twelve Varsity sports. The programs are so popular that some sports now have junior varsity teams. This is an exciting testament for our accessible model and participation numbers. Our programs are experiencing tremendous success with several state qualifying teams, numerous appearances on Academic All-State, and collegiate-signed athletes. In the 2024-25 school year, Four Rivers had seven collegiate-signed athletes.

In addition to academics and athletics, Four Rivers hosts a variety of clubs including: Japanese Garden Club, Yearbook, Game Strategy, Oregon Migrant Leadership, Associated Student Body, Science and Math Investigative Learning Experiences (SMILE) in collaboration with Oregon State University, Academic Bowl, and National Honor Society.

3. Provide evidence of outcomes related to any mission-specific academic goals and measures established in the charter contract.

As a dual language charter school, Four Rivers is proud of the progress students have made through their K-12 experience in the area of language acquisition. High school students at Four Rivers are graduating with college credits in Spanish Language, Certificates of Community Interpreting and the State of Oregon Seal of Biliteracy. While some students enroll in Four Rivers later in their K-12 journey and may not meet this language achievement, a majority of the K-12 dual language students graduate with these accolades. Sixty-six percent of the total graduates have received the State of Oregon Seal of Biliteracy.

B. Financial Performance

1. Provide evidence that the school is current in meeting its liabilities, including but not limited to payroll taxes, debt service payments, and employee benefits.

2. Provide any financial performance-related evidence, supplemental data, or contextual information that may not be captured in authorizer records. Submissions may include, but are not limited to, updated financial records and other updates. Please reference the specific Performance Framework measures to which the information applies, as appropriate.

Financial Overview

The proposed five-year budget reflects a plan for continued financial stability. Budget assumptions are grounded in historical performance and conservative projections for enrollment, revenue, and expenditures. The plan prioritizes sustainable staffing levels, which will support high-quality instruction, and operational efficiency.

Revenue Assumptions

1. State School Fund (SSF)
 - The budget assumes stable enrollment with similar weights for ESL and poverty throughout the five-year period.
 - Funding levels are projected at 90% of ADMw for grades K-8 and 95% of ADMw for grades 9-12.
 - The Charter School SSF rate is modeled to decrease by 2.5% annually in Years 2 and 3. Modest growth is projected thereafter, with a 2% increase from Year 3 to Year 4 and a 6% increase from Year 4 to Year 5. This approach ensures conservative forecasting in early years with recovery built in during the later years.
2. Other Revenues
 - All other sources of revenue are estimated to increase by 2.5% annually with the exception of interest which is anticipated to increase by 4.24%.

Expenditure Assumptions

1. Personnel
 - Salaries, representing the largest portion of the budget, are projected to increase by approximately 3% annually.
 - Staffing levels remain consistent with projected revenues and enrollment, with adjustments in year 2 & 3 to ensure minimal disruption to student learning outcomes.
2. Benefits and Payroll Costs
 - Payroll-related expenses are projected to increase by an average of 3.4% per year.
3. Operational and Programmatic Costs
 - Non-personnel expenditures are projected to increase by 2.5% annually.
 - The budget prioritizes maintaining current service levels while still allowing for incremental investments necessary curriculum renewal, technology upgrades, and student supports.
4. Contingency
 - A contingency reserve equal to 1% of projected SSF revenue is maintained each year to mitigate unexpected financial fluctuations or emergency expenditures. It is anticipated that Four Rivers Community School will not need to utilize the contingency fund and will add the contingency to the school's fund balance at the end of each fiscal year.

Conclusion

The five-year financial plan positions the school for long-term viability. Even with projected declines in the SSF rate during Years 2 and 3, the conservative approach gives the school the ability to maintain a balanced budget. The projected increases in Years 4 and 5 will allow for modest reinvestment in personnel and programs, ensuring stability and continuous improvement in student outcomes. The school is supported by the strong oversight and responsiveness of the Board of Directors which further strengthens its financial resilience and gives the school the ability to respond quickly to emerging needs and opportunities.

C. Organizational Performance

1. Provide any organizational performance-related evidence, supplemental data, or contextual information that may not be captured in authorizer records. Submissions may include evidence of current compliance in areas for which the school was found previously to be non-compliant or other updates relevant to the Renewal. Please reference the specific Performance Framework measures to which the information applies, as appropriate.

Four Rivers Community school is meeting the Organizational Performance standards in all areas as measured by the Performance Framework.

2. Provide evidence of outcomes related to any school-established organizational goals, as appropriate.

Four Rivers has been seeking a long-term facilities solution for our Sr. Prep students in grades 9-12. In August 2025, Four Rivers made an offer to purchase a facility that is near Treasure Valley Community College. The school anticipates closing on the facility in December and will begin a capital campaign for renovations.

III. Looking Forward: Plans for the Next Charter Term

Section III is the school's opportunity to discuss plans for the next charter term. Schools should identify any anticipated changes to the school's educational program, governance model, and financial outlook and must identify any proposed changes that would require modification of a material provision in the school's charter contract or that are likely to impact the school's academic or organizational success or its financial sustainability. As a general rule, the school should identify any changes that are relevant or significant with respect to the performance outcomes that the school has agreed to meet or are otherwise relevant to the school's renewal and continued authorization and operation as a public charter school. The authorizer reserves the right to request additional information so that it may sufficiently assess the impact and planning for such changes. Even if proposed changes would occur several years into the next charter term, the authorizer strongly encourages applicants to outline them here.

NOTE: Consistent with ORS 338.065 and the terms of the charter contract, the authorizer will make its renewal decisions based on the school's track record of performance, and not on promises of future performance or improvement. Responses to the questions in Section III will not be the basis for the authorizer's decision for renewal or non-renewal. Any anticipated changes to the school's educational program, governance model, and financial outlook and any proposed material modifications to the school's current charter contract must be proposed below and are subject to successful contract negotiations with the authorizer consistent with authorizer policy and state law. If the school has any questions about whether particular information or a proposed change should be included, please contact the authorizer prior to submission of this application.

A. Educational Program

- 1. Describe any significant changes to the essential terms of the school's educational program. Essential terms are those included, either directly or by incorporation, in the school's existing charter contract that relate to its educational program, including but not limited to the school's mission, course of study, instructional program, grade levels served, and, if applicable, any mission-specific goals.**

Four Rivers Community School will continue serving students in grades K-12. The essential terms of the existing charter will remain the same in regard to mission, course of study, grade levels and instructional program. In the next charter term, FRCS seeks to: continue waivers for siblings and staff children, retain the 2.5% administrative cost for the small high school funding, and explore/implement options for remote learning.

Waivers that include sibling and staff children have been a part of the Four Rivers Community School lottery system for the past two decades. These waivers are part of the school's employee recruitment and retention plan.

In May 2025, FRCS received the small high school weighting for the first time. This critical funding supports the higher costs of comprehensive programming at a small high school. In the new charter contract FRCS respectfully requests that this additional funding would not be subject to the 2.5% administrative costs to the Oregon Department of Education. As this is a new weight to our general fund that has not been part of our funding formula from 2003-2024, we believe this to be a reasonable strategy to keep the intent of the small high school funding with the high school students that it serves.

When exploring new and innovative practices that serve students, Four Rivers has explored the option of remote learning. Four Rivers has many students that travel with their families for more than 10 days over holiday breaks. The option of providing students with a remote learning opportunity would

decrease lost instructional time and improve educational continuity. In addition, there are some students that would like to access or would like to continue enrollment in a dual language model, but are unable to attend in person. Access to remote learning through Four Rivers could provide that opportunity. FRCS has explored options to fulfill the requirements of remote learning in Oregon using the Oregon Department of Education's Remote Learning guidance in alignment with Four Rivers' educational model and may pursue remote learning in the future.

B. Financial Plans

1. Provide a five-year projected budget for the next charter term. The budget narrative should make clear the assumptions on which the school bases its key revenue and expenditure projections. In addition, the budget and narrative should describe any anticipated changes to the school's financial position and clearly articulate the financial impact of any proposed modifications on other aspects of the school's education program and operations (e.g., new curriculum or instructional materials, modified staffing structure, decreased or increased enrollment, etc.).

Appendix A Balance Sheet

Appendix B 5-Year Budget Projection

C. Organizational Plans

1. Describe any anticipated changes to the governance of the school, including but not limited to board composition, committee structure, and/or amendments to by-laws.

Four Rivers Community School does not anticipate any changes to governance.

2. Describe any anticipated changes to the school leadership or staffing model and any proposed changes to the management of the school, including any changes to the school's relationship with a third-party education service provider, if one exists. If the school does not currently contract with an Education Service Provider (ESP) but intends to do so during the next charter term, if the school currently contracts with an ESP.

Four Rivers is continuously planning for succession. The Board of Directors and current school leadership understands the importance of succession planning for the long-term vitality of the school. FRCS has been actively supporting a Grow Your Own program that includes alumni, paraprofessionals, and teachers. With the support of our local Regional Educator's Network (REN) and grant funds, many of our employees have received scholarships to continue their education and grow to the next level of their educational goals. Four Rivers employs many alumni, and has financially supported teachers that are seeking additional degrees as well as administration licensure. While change in leadership is inevitable, Four Rivers has intentionally fostered programs to elevate existing personnel to preserve and protect the mission and vision of the school into the future.

does not intend to continue to do so during the next term, or if the school intends to make material modifications to its existing management agreement, the school must contact the authorizer for additional information prior to the submission of this application.

3. Describe the current status of the school facility and discuss any anticipated changes in facilities needs or location. *Ensure that the budget narrative in section B explains how the school's facilities plans are reflected in the budget.*

Four Rivers Community School has two campuses. The main campus is located at 2449 SW 4th Ave. Ontario, OR. 97914 and hosts the K-8 program. This campus is owned by Four Rivers Community School and has two instructional buildings, a gymnasium, an administrative services building, and a physical conditional/mental wellness building. The second campus, grades 9-12, is located at 676 SW 5th Ave. Ontario, OR 97914 at the Four Rivers Cultural Center. This is leased space is adjacent to Treasure Valley Community College and provides accessibility for our early college students. Four Rivers Community School is in the process of purchasing a building for the high school students. This transaction is set to conclude in December 2025. Renovations will need to be made to the new building before the high school could be relocated. A projected move date has not been set.

RENEWAL APPLICATION SIGNATURES

By signing this application, you assure the information provided is accurate to the best of your knowledge and you affirm your intent to continue operating a public charter school if approved for renewal.

Charter School Director/Administrator

Date

Charter School Board Chairperson/President

Date

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Appendix A Balance Sheet

Four Rivers Community School Inc.

Account Level Balance Sheet As of 07/31/2025

Fiscal Year: 2025-2026

Year To Date

ASSET

		YTD
100.0000.9101.000.000.0000	US Bank Checking	\$1,518,945.69
100.0000.9102.000.000.0000	US Bank Savings	\$1,403,503.27
100.0000.9103.000.000.0000	Petty Cash	\$550.00
100.0000.9104.000.000.0000	Rogue Credit Union Checking	\$3,426.65
100.0000.9105.000.000.0000	Rogue Credit Union Savings	\$31,461.29
100.0000.9153.000.000.0000	Accounts Receivable	\$7,959.22
100.0000.9153.000.000.2904	Accounts Receivable	\$25.38
100.0000.9172.000.000.0000	Inventory - Uniforms/School Gear	\$52,888.50
100.0000.9198.000.000.0000	Subscription Asset	\$31,428.00
100.0000.9199.000.000.0000	Leased Assets	\$146,023.00
100.0000.9211.000.000.0000	Sites	\$320,187.00
100.0000.9231.000.000.0000	Building and Building Improvements	\$4,683,984.10
100.0000.9232.000.000.0000	Accumulated Depreciation on Buildings and Building	(\$1,542,673.00)
100.0000.9241.000.000.0000	Machinery and Equipment	\$1,079,955.76
100.0000.9242.000.000.0000	Accumulated Depreciation on Machinery and Equipmen	(\$916,949.00)
100.0000.9243.000.000.0000	Kitchen Equipment	\$128,194.81
100.0000.9244.000.000.0000	Accumulated Depreciation Kitchen Equipment	(\$90,070.00)
211.0000.9101.000.000.0000	Title I (1) - Cash Account	(\$8,424.07)
213.0000.9101.000.000.0000	Title III (3) - Cash Account	(\$270.00)
213.0000.9153.000.000.2137	Title III - AR Adrian	\$270.00
251.0000.9101.000.000.0000	SIA - Cash Account	(\$23,197.77)
252.0000.9101.000.000.0000	M98/HSS - Cash Account	(\$778.91)
261.0000.9101.000.000.0000	CSEG - Cash Account	(\$10,740.48)
266.0000.9101.000.000.0000	MENTE - Cash Account	(\$282.41)
266.0000.9153.000.000.2661	Accounts Receivable	\$282.41
267.0000.9101.000.000.0000	SMILE - Cash Account	\$400.00
267.0000.9153.000.000.0000	SMILE - AR	(\$2,821.15)
267.0000.9153.000.000.2671	SMILE - Accounts Receivable	\$2,821.15
268.0000.9101.000.000.0000	OCF - Cash Account	\$13,541.68
269.0000.9101.000.000.0000	STEM - Cash Account	(\$641.48)
269.0000.9153.000.000.2691	Accounts Receivable	\$641.48
270.0000.9101.000.000.0000	Miller - Cash Account	\$10,555.20
271.0000.9101.000.000.0000	WMG - Cash Account	\$383.16
272.0000.9101.000.000.0000	Meyer - Cash Account	\$83,828.38
274.0000.9107.000.000.0000	Jr. Prep Student Council/ASB, Columbia Bank	\$735.69
275.0000.9108.000.000.0000	NHS - Columbia Bank	\$3,198.93
276.0000.9110.000.000.0000	Sr. Prep Student Council, Columbia Bank	\$197.62
277.0000.9109.000.000.0000	Yearbook. Columbia Bank	\$282.02
279.0000.9101.000.000.0000	Food Pantry - Cash Account	\$3,531.19
282.0000.9101.000.000.0000	Trailblazers - Cash Account	\$2,107.83
299.0000.9101.000.000.0000	CNP - Cash Account	\$156,657.76
299.0000.9153.000.000.0000	CNP - AR	(\$1,376.94)

ASSET

\$7,089,741.96

LIABILITY

		YTD
100.0000.8421.000.000.0000	GF Liab - Accounts Payable	(\$3,682.40)
100.0000.8457.000.000.0000	GF Liab - PERS EE	(\$11,291.09)
100.0000.8459.000.000.0000	GF Liab - PERS ER	(\$53,153.08)
100.0000.8460.000.000.0000	GF Liab - Health Insurance	(\$46,491.40)
100.0000.8467.000.000.0000	GF Liab - PMFLA	(\$0.07)
100.0000.8470.000.000.0000	GF Liab - Workmans Comp	(\$683.30)
100.0000.8471.000.000.0000	GF Liab - Flex Medical and Flex Child	(\$202.37)

Four Rivers Community School Inc.

Account Level Balance Sheet As of 07/31/2025

Fiscal Year: 2025-2026

		Year To Date
100.0000.8523.000.000.0000	GF Liab - US Bank Capital Loan	(\$1,136,878.73)
100.0000.8531.000.000.0000	GF Liab - Lease Obligations	(\$146,023.00)
100.0000.8590.000.000.0000	Subscription Liability	(\$31,428.00)
100.0000.8591.000.000.0000	GF Liab - Loan Fee US Bank	\$16,950.05
100.0000.8592.000.000.0000	GF Liab - Loan Fee Amortization	(\$6,498.00)
267.0000.8481.000.000.0000	SMILE - Deferred Revenue	(\$400.00)
268.0000.8481.000.000.0000	OCF - Deferred Revenue	(\$17,708.40)
270.0000.8481.000.000.0000	Miller - Deferred Revenue	(\$10,555.20)
271.0000.8481.000.000.0000	Wal Mart - Deferred Revenue	(\$383.16)
272.0000.8481.000.000.0000	Meyer - Deferred Revenue	(\$83,828.38)
275.0000.8481.000.000.0000	NHS - (Default)	(\$2,445.11)
276.0000.8481.000.000.0000	Sr. Prep SC - Deferred Revenue	(\$164.37)
279.0000.8481.000.000.0000	Food Pantry - Deferred Revenue	(\$225.14)
282.0000.8481.000.000.0000	Trailblazers - Deferred Revenue	(\$2,107.83)
LIABILITY		(\$1,537,198.98)
FUND BALANCE		
		YTD
100.0000.5400.000.000.0000	Beginning Fund Balance	(\$5,791,510.87)
100.0000.5400.000.000.2111	GF TI Match Beginning Fund Balance	\$18,421.21
100.0000.5400.000.000.2671	GF SMILE Match Beginning Fund Balance	\$6,514.74
100.0000.5400.000.000.2771	Beginning Fund Balance	\$1,235.56
100.0000.5400.000.000.2902	GF Art Sale Beginning Fund Balance	(\$1,297.31)
100.0000.5400.000.000.2903	GF Uniform School Gear Beginning Fund Balance	\$47,146.61
100.0000.5400.000.000.2904	GF Concession Beginning Fund Balance	\$1,910.90
213.0000.5400.000.000.2131	Title III (3) - Fund Balance	(\$2,758.82)
213.0000.5400.000.000.2136	Title III (3) Vale Fund Balance	\$2,758.82
260.0000.5400.000.000.0000	Outdoor School: Beginning Fund Balance	\$130.99
260.0000.5400.000.000.2601	Outdoor Sch - Fund Balance	(\$130.99)
265.0000.5400.000.000.0000	Beginning Fund Balance	\$1,195.78
265.0000.5400.000.000.2651	MwD - Fund Balance	(\$1,195.78)
266.0000.5400.000.000.0000	MENTE Beginning Fund Balance	\$282.41
266.0000.5400.000.000.2661	MENTE - Fund Balance	(\$282.41)
269.0000.5400.000.000.0000	STEM Beginning Fund Balance	\$641.48
269.0000.5400.000.000.2691	STEM - Fund Balance	(\$641.48)
273.0000.5400.000.000.0000	MESD Beginning Fund Balance	\$5,979.83
273.0000.5400.000.000.2731	MESD - Fund Balance	(\$5,979.83)
274.0000.5400.000.000.2741	Jr. Prep Student Council/ASB - Fund Balance	(\$735.69)
275.0000.5400.000.000.2751	NHS - Fund Balance	(\$1,180.20)
276.0000.5400.000.000.2761	Sr. Prep Student Council/ASB - Fund Balance	(\$33.25)
277.0000.5400.000.000.2771	Yearbook - Fund Balance	(\$282.02)
279.0000.5400.000.000.0000	Food Pantry - Fund Balance	(\$3,306.05)
282.0000.5400.000.000.0000	Trailblazers - Fund Balance	(\$1,442.17)
282.0000.5400.000.000.2821	Trailblazer Beginning Fund Balance	\$1,442.17
299.0000.5400.000.000.0000	CNP - Fund Balance	\$194,491.27
299.0000.5400.000.000.2991	CNP Breakfast - Fund Balance	(\$134,458.19)
299.0000.5400.000.000.2992	CNP Lunch - Fund Balance	(\$216,140.53)
299.0000.5400.000.000.2993	CNP Snack - Fund Balance	(\$12,797.02)
299.0000.5400.000.000.2996	SCA Breakfast Beginning Fund Balance	(\$8,961.84)
299.0000.5400.000.000.2997	SCA Lunch Beginning Fund Balance	\$8,961.84
FUND BALANCE		(\$5,892,020.84)
Total Liability & Fund Balance		(\$7,429,219.82)
Total (Income)/Loss		\$339,477.86
Total Liability and Equity		(\$7,089,741.96)

Four Rivers Community School Inc.

Account Level Balance Sheet As of 07/31/2025

Fiscal Year: 2025-2026

Year To Date

End of Report

Appendix B 5 Year Projected Budget

ASSUMPTIONS					
	Y1 - FY27	Y2 - FY28	Y3 - FY29	Y4 - FY30	Y5 - FY31
K-8 Student Count	250.8	250.8	250.8	250.8	250.8
K-8 ESL Weight	38	38	38	38	38
K-8 Poverty Weight	14.7475	14.7475	14.7475	14.7475	14.7475
K-9 Total ADMw	303.5475	303.5475	303.5475	303.5475	303.5475
Charter School Rate	\$ 10,784	\$ 10,514	\$ 10,724	\$ 11,368	\$ 11,595
Charter Adjustment	90%	90%	90%	90%	90%
K-8 Funding	\$ 2,945,974.02	\$ 2,872,324.67	\$ 2,929,771.16	\$ 3,105,557.43	\$ 3,167,668.58
9-12 Student Count	107.1	107.1	107.1	107.1	107.1
9-12 ESL Weight	7	7	7	7	7
9-12 Poverty Weight	6.3625	6.3625	6.3625	6.3625	6.3625
9-12 SHS	72.33	72.33	72.33	72.33	72.33
9-12 Total ADMw	192.7925	192.7925	192.7925	192.7925	192.7925
Charter School Rate	\$ 10,784	\$ 10,514	\$ 10,724	\$ 11,368	\$ 11,595
Charter Adjustment	95%	95%	95%	95%	95%
9-12 Funding	\$ 1,975,029	\$ 1,925,653	\$ 1,964,166	\$ 2,082,016	\$ 2,123,657
Total SSF - GENERAL SUPPORT	\$ 4,921,003	\$ 4,797,978	\$ 4,893,938	\$ 5,187,574	\$ 5,291,325
INCOME					
	Y1 - FY27	Y2 - FY28	Y3 - FY29	Y4 - FY30	Y5 - FY31
SSF - General Support	\$ 4,921,003	\$ 4,797,978	\$ 4,893,938	\$ 5,187,574	\$ 5,291,325
Interest	\$ 3,158	\$ 3,292	\$ 3,432	\$ 3,577	\$ 3,729
Adult Meals	\$ 570	\$ 584	\$ 599	\$ 614	\$ 629
Admissions	\$ 4,013	\$ 4,114	\$ 4,217	\$ 4,322	\$ 4,430
Uniform & School Gear	\$ 54,246	\$ 55,602	\$ 56,992	\$ 58,417	\$ 59,878
Activity Fees	\$ 6,891	\$ 7,063	\$ 7,240	\$ 7,421	\$ 7,606
Contributions, Donations & Gen Fundraising	\$ 2,245	\$ 2,301	\$ 2,358	\$ 2,417	\$ 2,478
Art Sale	\$ 2,563	\$ 2,627	\$ 2,692	\$ 2,760	\$ 2,829
Athletic Fundraiser, Sponsorship, Donations	\$ 23,299	\$ 23,882	\$ 24,479	\$ 25,091	\$ 25,718
Reimbursements	\$ 436	\$ 447	\$ 458	\$ 470	\$ 481
Total Income	\$ 5,018,424	\$ 4,897,890	\$ 4,996,404	\$ 5,292,662	\$ 5,399,103
EXPENSE					
	Y1 - FY27	Y2 - FY28	Y3 - FY29	Y4 - FY30	Y5 - FY31
INSTRUCTION					
Salaries	\$ 1,540,544	\$ 1,549,248	\$ 1,572,042	\$ 1,658,509	\$ 1,707,503
PERS	\$ 541,073	\$ 557,305	\$ 557,306	\$ 574,025	\$ 574,025
Payroll Tax	\$ 158,673	\$ 164,068	\$ 169,645	\$ 175,414	\$ 181,378
Benefits	\$ 381,788	\$ 394,646	\$ 407,942	\$ 421,689	\$ 435,905
Instructional Services	\$ 15,478	\$ 15,091	\$ 16,261	\$ 16,668	\$ 17,084
Travel	\$ 76,643	\$ 77,434	\$ 78,233	\$ 79,041	\$ 79,858
Supplies, Materials, and Textbooks	\$ 67,176	\$ 57,153	\$ 65,266	\$ 67,568	\$ 69,257
Dues and Fees	\$ 21,700	\$ 21,158	\$ 22,799	\$ 23,369	\$ 23,953
TOTAL INSTRUCTION	\$ 2,803,075	\$ 2,836,103	\$ 2,889,494	\$ 3,016,283	\$ 3,088,963
SUPPORT SERVICES					
Salaries	\$ 659,460	\$ 666,204	\$ 673,791	\$ 698,770	\$ 716,430
PERS	\$ 212,308	\$ 218,677	\$ 218,677	\$ 225,237	\$ 225,237
Payroll Tax	\$ 69,436	\$ 71,797	\$ 74,238	\$ 76,762	\$ 79,372
Benefits	\$ 100,369	\$ 103,743	\$ 107,232	\$ 110,840	\$ 114,570
PD and Improvement Services	\$ 14,274	\$ 12,000	\$ 12,000	\$ 14,500	\$ 14,563
Repairs and Maintenance	\$ 151,251	\$ 149,729	\$ 155,049	\$ 159,611	\$ 164,311
Rentals	\$ 9,710	\$ 9,766	\$ 9,822	\$ 9,880	\$ 9,939
Electricity/Gas/Water/Sewage/Garbage/Security	\$ 75,997	\$ 77,896	\$ 79,843	\$ 81,839	\$ 83,885
Student Transportation	\$ 91,421	\$ 93,949	\$ 95,567	\$ 97,219	\$ 98,904
Other Travel	\$ 18,469	\$ 10,060	\$ 10,060	\$ 19,267	\$ 19,546
Internet & VOIP	\$ 28,778	\$ 29,133	\$ 29,496	\$ 29,868	\$ 30,250
Communications/Printing/Advertising	\$ 26,271	\$ 25,966	\$ 27,026	\$ 28,291	\$ 28,998
Professional Services (Audit, Legal, Other)	\$ 35,264	\$ 35,796	\$ 43,695	\$ 44,437	\$ 45,198
Supplies and Materials	\$ 76,730	\$ 65,548	\$ 71,290	\$ 76,896	\$ 78,819
Uniforms/School Gear	\$ 49,906	\$ 51,154	\$ 52,433	\$ 53,744	\$ 55,087
Technology	\$ 88,646	\$ 77,098	\$ 78,775	\$ 94,259	\$ 96,615
Improvements	\$ 158,538	\$ 13,736	\$ 13,813	\$ 94,871	\$ 84,173
Dues and Fees	\$ 92,412	\$ 93,443	\$ 95,797	\$ 97,544	\$ 99,327
Insurance and Judgements	\$ 47,890	\$ 49,089	\$ 50,314	\$ 51,572	\$ 52,861
TOTAL SUPPORT SERVICE	\$ 2,007,130	\$ 1,854,784	\$ 1,898,918	\$ 2,065,407	\$ 2,098,085
ENTERPRISE					
Supplies and Materials	\$ 1,695	\$ 1,710	\$ 1,739	\$ 1,783	\$ 1,828
TOTAL ENTERPRISE	\$ 1,695	\$ 1,710	\$ 1,739	\$ 1,783	\$ 1,828
OTHER					
Commercial Loan	\$ 157,314	\$ 157,314	\$ 157,314	\$ 157,314	\$ 157,314
TOTAL OTHER	\$ 157,314	\$ 157,314	\$ 157,314	\$ 157,314	\$ 157,314
CONTINGENCY					
CONTINGENCY	\$ 49,210	\$ 47,980	\$ 48,939	\$ 51,876	\$ 52,913
TOTAL CONTINGENCY	\$ 49,210	\$ 47,980	\$ 48,939	\$ 51,876	\$ 52,913
TOTAL EXPENSES	\$ 5,018,424	\$ 4,897,890	\$ 4,996,404	\$ 5,292,662	\$ 5,399,103

**State Board of Education
Public Charter School Performance Framework
And Annual Evaluation Report**

**Four Rivers Community
School
2024-25**



**Oregon Department of Education
255 Capitol St NE
Salem, OR 97310**

**Prepared by Christen Kelly
Charter School Specialist
Oregon Department of Education**

Introduction

Across Oregon, public charter schools provide additional options for students and families. The State Board of Education is a public charter school authorizer, or “sponsor” in the state as an appellate governing body. If an application to establish a public charter school is denied by a local school district, the charter school developers may appeal the district decision to the State Board of Education. If the application is deemed to meet the criteria, it is possible for the charter school to be authorized by the State Board of Education. While the state provides oversight and support to its sponsored charters, each charter school has autonomy over its budget, hiring, and the development and implementation of its educational program.

The State Board of Education is responsible for maintaining high standards for its sponsored charter schools, and for ensuring that charter schools are not only compliant with all applicable laws, but that their academic programs are successful, they are financially viable, and their organizations are effective and responsibly managed. The State Board of Education is particularly interested in analyzing equity issues within public charter schools and may continue to refine the tools with which it uses to evaluate a public charter school’s effectiveness and quality.

In so doing, the State Board of Education has established the following performance framework, which is largely derived from the Core Performance Framework and Guidance developed by the National Association of Charter School Authorizers (NACSA). This performance framework is designed to measure each charter school’s academic, financial, and organizational performance, and to “...guide practice, assess progress, and inform decision-making over the course of the charter term and at renewal”.¹

Because each charter school’s story and perspective on its own performance are critical to a balanced evaluation process, each measure includes space for narrative explanation and/or further description from both the State Board and the charter school. It is our hope and goal that each charter school will fully engage in the process of program evaluation each year and at the renewal period, and that this process contributes to the continuous improvement of each State Board of Education public charter school.

Christen Kelly
Charter School Specialist
SCORE Team
Oregon Department of Education

¹ From NACSA’s Core Performance Framework and Guidance.

Academic performance: data elements and sources

The purpose of the Academic Performance section of the Annual Report is to evaluate whether or not the charter school's educational program is showing success with its students.

Many of the indicators for this section are adopted from the National Association of Charter School Authorizers' "Core Performance Framework and Guidance", while the performance targets and ratings are aligned with the targets and ratings in the Oregon Report Card.

The following data elements and sources are used to complete the Academic Performance analysis:

- The charter school's Oregon Report Card
- The charter school's contract
- The charter school's whole school growth and performance on standardized tests in ELA and MATH
- The charter school's subgroup growth and performance on standardized tests in ELA and MATH
- The district's Oregon Report Card (for the district in which the charter school is located)
- Performance and growth information for comparison schools, as defined by the Oregon Department of Education
- The school's graduation rate (where applicable)
- The district's graduation rate (where applicable)
- The school's completion rate (where applicable)
- The district's completion rate (where applicable)
- The school's dropout rate (where applicable)
- The district's dropout rate (where applicable)
- The graduation, completion, and dropout rates of comparison schools, as defined by ODE (where applicable)
- The charter school's alignment to Common Core State Standards as evidenced by course syllabi, course descriptions, curriculum alignments, etc. (where applicable)

Academic Performance

1. Oregon School Rating System

Measure 1a Is the school meeting acceptable standards according to the Oregon State school rating system?
Exceeds standard: ☐ School received the highest rating from the state accountability system.
Meets standard: ☐ School received the highest rating from the state accountability system.
Does not meet standard: ☐ School did not receive passing rating from the state accountability system.
Falls far below standard: ☐ School identified for intervention or considered failing by the state accountability system.
State Board of Education comments: N/A
School comments:

Measure 1b Is the school meeting state designation expectations as set forth by the state and federal accountability system?
Exceeds standard: ☐ School was identified as a "Model" school.
Meets standard: ☐ School does not have a designation.
Does not meet standard: ☐ School was identified as a "Focus" school.
Falls far below standard: ☐ School was identified as a "Priority" school.
State Board of Education comments: N/A
School comments:

Measure 1c

How are **Students Experiencing Poverty** achieving on state assessments in ELA compared to the **Students Experiencing Poverty** in the district?

Exceeds standard:

☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.

Meets standard:

☒ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.

Does not meet standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.

Falls far below standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.

State Board of Education comments: FRCS score was 37.6 and OSD score was 28.1

School comments:

Measure 1d

How are **Students Experiencing Poverty** achieving on state assessments in MATH compared to the **Students Experiencing Poverty** in the district?

Exceeds standard:

☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%

Meets standard:

☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.

Does not meet standard:

☒ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.

Falls far below standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.

State Board of Education comments: FRCS score was 18.3 and OSD score was 19.8

School comments:

Measure 1e

How are **English Learners** achieving on state assessments in ELA compared to the **English Learners** in the district?

Exceeds standard:

☒ School's average subgroup achievement rate exceeds the average district performance of students

in the same subgroup in the same grades by at least 10%.
Meets standard: ☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.
Does not meet standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.
Falls far below standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.
State Board of Education comments: FRCS score was 31.4 and OSD score was 16.8
School comments:

Measure 1f How are English Learners achieving on state assessments in MATH compared to the English Learners in the district?
Exceeds standard: ☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.
Meets standard: ☒ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.
Does not meet standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.
Falls far below standard: ☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.
State Board of Education comments: FRCS score was 17.1 and OSD score was 12.3
School comments:

Measure 1g

How are **Students with Disabilities** achieving on state assessments in ELA compared to the **Students with Disabilities** in the district?

Exceeds standard:

☒ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.

Meets standard:

☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.

Does not meet standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.

Falls far below standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.

State Board of Education comments: FRCS score was 26.7 and OSD score was 8.7

School comments:

Measure 1h

How are **Students with Disabilities** achieving on state assessments in MATH compared to the **Students with Disabilities** in the district?

Exceeds standard:

☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.

Meets standard:

☒ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.

Does not meet standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.

Falls far below standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.

State Board of Education comments: FRCS score was 13.3 and OSD score was 8.7

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: FRCS score was 39.5 and OSD score was 26.7

School comments:

Measure 1j

How are **Students of Underserved Races/Ethnicities** achieving on state assessments in MATH compared to the **Students of Underserved Races/Ethnicities** in the district?

Exceeds standard:

☐ School's average subgroup achievement rate exceeds the average district performance of students in the same subgroup in the same grades by at least 10%.

Meets standard:

☐ School's average subgroup achievement rate meets or exceeds the average district performance of students in the same subgroup in the same grades by up to 10%.

Does not meet standard:

☒ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 1-10%.

Falls far below standard:

☐ School's average subgroup achievement rate is less than the average district performance of students in the same subgroup in the same grades by 10% or more.

State Board of Education comments: FRCS score was 17.8 and OSD score was 18.7.

School comments:

2. Student Academic Growth

Measure 2a

Are All students making expected annual academic growth in ELA compared to their peers? (3-year Average Combined Median Growth Percentile-CMGP)

Exceeds standard:

☐ Combined median growth percentile of 60 or more.

Meets standard:

☒ Combined median growth percentile of between 45 and 59.5.

Does not meet standard:

☐ Combined median growth percentile of between 40 and 44.5.

Falls far below standard:

☐ Combined median growth percentile of lower than 40.

State Board of Education comments: FRCS's 3-year average for ELA is 44.9. The state classifies this average as Level 3. The change in average gap score for this measure is 14, which is classified as level 5. This score is up 3 points from last year.

School comments:

Measure 2b

Are students making expected annual academic growth in MATH compared to their peers? (3 -year Average Combined Median Growth Percentile)

Exceeds standard:

☐ Combined median growth percentile of 60 or more.

Meets standard:

☐ Combined median growth percentile of between 45 and 59.5.

Does not meet standard:

☐ Combined median growth percentile of between 40 and 44.5.

Falls far below standard:

☒ Combined median growth percentile of lower than 40.

State Board of Education comments: FRCS's 3-year average for MATH is 20. The state classifies this average as Level 2. The change in average gap score for this measure is 11, which is classified as level 4. This score is up 2 points from last year.

School comments:

3. Subgroup Growth

Measure 3a Is the school increasing academic performance in ELA over time for Students Experiencing Poverty? (3-year Average Combined Median Growth Percentile)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 45 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 40 and 44.5.
Falls far below standard: ☒ Combined median growth percentile of lower than 40.
State Board of Education comments: FRCS's 3-year average for ELA is 38.2. The state classifies this average as Level 2. The change in average gap score for this measure is 17, which is classified as level 5. This score is up a point from last year.
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)
Exceeds standard: ☐ Combined median growth percentile of 60 or more.
Meets standard: ☐ Combined median growth percentile of between 45 and 59.5.
Does not meet standard: ☐ Combined median growth percentile of between 40 and 44.5.
Falls far below standard: ☒ Combined median growth percentile of lower than 40
State Board of Education comments: FRCS's 3-year average for MATH is 15.7. The state classifies this average as Level 2. The change in average gap score for this measure is 7, which is classified as level 3. This score is up 2 points from last year.
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)

Exceeds standard:

☐ Combined median growth percentile of 60 or more.

Meets standard:

☐ Combined median growth percentile of between 45 and 59.5.

Does not meet standard:

☐ Combined median growth percentile of between 40 and 44.5.

Falls far below standard:

☒ Combined median growth percentile of lower than 40.

State Board of Education comments: FRCS's 3-year average for ELA is 27.4 The state classifies this average as Level 2. The change in average gap score for this measure is 21, which is classified as level 5. This score is up 4 points from last year.

School comments:

Measure 3d

Is the school increasing academic performance in MATH over time for **English Learner** students? (3-year Average Combined median Growth Percentile)

Exceeds standard:

☐ Combined median growth percentile of 60 or more.

Meets standard:

☐ Combined median growth percentile of between 45 and 59.5.

Does not meet standard:

☐ Combined median growth percentile of between 40 and 34.5.

Falls far below standard:

☒ Combined median growth percentile of lower than 40.

State Board of Education comments: FRCS's 3-year average for MATH is 13.2. The state classifies this average as Level 2. The change in average gap score for this measure is 8, which is classified as level 3. This score is up 3 points from last year.

School comments:

Measure 3e

Is the school increasing academic performance in ELA over time for **Students with Disabilities?** (3-year Average Combined Median Growth Percentile)

Exceeds standard:

☐ Combined median growth percentile of 60 or more.

Meets standard:

☐ Combined median growth percentile of between 45 and 59.5.

Does not meet standard:

☐ Combined median growth percentile of between 40 and 44.5.

Falls far below standard:

☒ Combined median growth percentile of lower than 40.

State Board of Education comments: FRCS's 3-year average for ELA is 16.3. The state classifies this average as Level 1. The change in average gap score for this measure is 5, which is classified as level 3. This score is up 2 points from last year.

School comments:

Measure 3f

Is the school increasing academic performance in MATH over time for **Students with Disabilities?** (3-year Average Combined Median Growth Percentile)

Exceeds standard:

☐ Combined median growth percentile of 60 or more.

Meets standard:

☐ Combined median growth percentile of between 45 and 59.5.

Does not meet standard:

☐ Combined median growth percentile of between 40 and 44.5.

Falls far below standard:

☒ Combined median growth percentile of lower than 40.

State Board of Education comments: State Board of Education comments: FRCS's 3-year average for MATH is 12.2. The state classifies this average as Level 2. The change in average gap score for this measure is -12, which is classified as Level 2.

School comments:

Measure 3g

Is the school increasing academic performance in ELA over time for students of **Underserved Races/Ethnicities**? (3-year Average Combined Median Growth Percentile)

Exceeds standard:

☐ Combined median growth percentile of 60 or more.

Meets standard:

☐ Combined median growth percentile of between 45 and 59.5.

Does not meet standard:

☒ Combined median growth percentile of between 40 and 44.5.

Falls far below standard:

☐ Combined median growth percentile of lower than 40.

State Board of Education comments: FRCS's 3-year average for ELA is 40.3. The state classifies this average as Level 2. The change in average gap score for this measure is 14, which is classified as level 5. This score is up 2 points from last year.

School comments:

Measure 3h

Is the school increasing academic performance in MATH over time for students of **Underserved Races/Ethnicities**? (3-year Average Combined Median Growth Percentile)

Exceeds standard:

☐ Combined median growth percentile of 60 or more.

Meets standard:

☐ Combined median growth percentile of between 45 and 59.5.

Does not meet standard:

☐ Combined median growth percentile of between 40 and 44.5.

Falls far below standard:

☒ Combined median growth percentile of lower than 40.

State Board of Education comments: FRCS's 3-year average for MATH is 15.5. The state classifies this average as Level 2. The change in average gap score for this measure is 8, which is classified as level 3. This score is up 1 point from last year.

School comments:

4. Alignment of Curriculum to Common Core State Standards

Measure 4a Is the school aligning curriculum to Common Core State Standards?
Meets standard: ☒ School is offering all required core subjects and has aligned all classes in core subjects to Common Core State Standards and has articulated this through detailed syllabi, course descriptions, curriculum alignments, or other methods.
Does not meet standard: ☐ School is offering all required core subjects but has not fully aligned all classes in core subjects to Common Core State Standards, and/or has not provided evidence of this through detailed syllabi, course descriptions, curriculum alignments, or other methods.
Falls far below standard: ☐ School is not offering all required core subjects and/or has not aligned all classes in core subjects to Common Core State Standards, and has not provided evidence of this through detailed syllabi, course descriptions, curriculum alignments, or other methods.
State Board of Education comments: FRCS has developed comprehensive opportunities for staff to continually work on aligning curriculum to CCSS.
School comments:

5. Graduation and post-secondary readiness (high schools only)

Measure 5a What percentage of students is graduating within four years of entering high school as compared to other schools in the district?
Exceeds standard: ☒ School's average graduation rate exceeds the average district graduation rate by at least 10%.
Meets standard: ☐ School's average graduation rate meets or exceeds the average district graduation rate by up to 10%.
Does not meet standard: ☐ School's average graduation rate is less than the average district graduation rate by 1-10%.
Falls far below standard: ☐ School's average graduation rate is less than the average district graduation rate by 10% or more.
State Board of Education comments: FRCS's four year graduation rate for 2024-25 was 100%. Ontario SD was 84.2%
School comments:

Measure 5b

What percentage of students is graduating within four years of entering high school as compared to their peers in like schools?

Exceeds standard:

☐ School's average graduation rate exceeds the average graduation rate of their peers in like schools by at least 10%.

Meets standard:

☐ School's average graduation rate meets or exceeds the average graduation rate of their peers in like schools by up to 10%.

Does not meet standard:

☐ School's average graduation rate is less than the average graduation rate of their peers in like schools by 1-10%.

Falls far below standard:

☐ School's average graduation rate is less than the average graduation rate of their peers in like schools by 10% or more.

State Board of Education comments: N/A

School comments:

Measure 5c

What percentages of students receive a regular, modified, extended, or adult high school diploma or complete a GED within five years of entering high school as compared to other schools in the district?

Exceeds standard:

☒ School's average completion rate exceeds the average district completion rate by at least 10%.

Meets standard:

☐ School's average completion rate meets or exceeds the average district completion rate by up to 10%.

Does not meet standard:

☐ School's average completion rate is less than the average district completion rate by 1-10%

Falls far below standard:

☐ School's average completion rate is less than the average district completion rate by 10% or more.

State Board of Education comments: FRCS's five year completion rate for 2024-25 was 100%. Ontario SD was 84.4%

School comments:

Measure 5d

What percentages of students receive a regular, modified, extended, or adult high school diploma or complete a GED within five years of entering high school as compared to their peers in like schools?

Exceeds standard:

☐ School's average completion rate exceeds the average completion rate of their peers in like schools by at least 10%.

Meets standard:

☐ School's average completion rate meets or exceeds the average completion rate of their peers in like schools by up to 10%.

Does not meet standard:

☐ School's average completion rate is less than the average completion rate of their peers in like schools by 1-10%.

Falls far below standard:

☐ School's average completion rate is less than the average completion rate of their peers in like schools by 10% or more.

State Board of Education comments: N/A.

School comments:

Measure 5e

What percentage of students dropped out during the school year and did not re-enroll as compared to other schools in the district?

Exceeds standard:

☐ School's average dropout rate is less than the average district dropout rate by 4% or more.

Meets standard:

☐ School's average dropout rate meets or is less than the average district dropout rate by up to 4%.

Does not meet standard:

☐ School's average dropout rate exceeds the average district dropout rate by 1-4%.

Falls far below standard:

☐ School's average dropout rate exceeds the average district dropout rate by 4% or more.

State Board of Education: As of 12/2/2025, this information has not been published.

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: N/A

School comments:

COMMENDATIONS: ACADEMIC PERFORMANCE

- Continuing to make steady gains post-pandemic with 3 year average growth score. In sections 2 and 3, all but one category made marked improvements in scores by 2-4 points on average.
- Improving ELA and Math performance over time through dual language program.
- Hispanic/Latino students far exceed the state performance in ELA with 39.9% of students meeting standard vs 26.4% for the state average.
- More than 95% of the students attend school regularly even in grades 9-12.
- FRCS had 100% of students graduate within 4 years and a 100% 5 year completion rate.

RECOMMENDATIONS: ACADEMIC PERFORMANCE

- Continue to focus on early literacy in native language pre-K with families.
- Continue to prioritize interventions and supports for students struggling with Math. FRCS students' Math performance for 2024-25 was recorded as 23.1% meeting standard, which is below both the state and district performance levels.

Financial Performance: data elements and sources

The purpose of the Financial Performance section of the Annual Report is to evaluate whether or not the charter school is financially viable.

Many of the indicators, performance targets, and ratings for this section are adopted from the National Association of Charter School Authorizers' "Core Performance Framework and Guidance".

The following data elements and sources are used to complete the Financial Performance analysis:

- The charter school's contract
- The charter school's audited balance sheet and notes for the last three years
- The charter school's projected enrollment and actual enrollment
- The charter school's board-adopted budget
- The charter school's audited income statement and audited cash flow statement
- Annual principal and interest obligations
- Quarterly financial statements, including budget-to-actuals, profit and loss, balance sheet

Financial Performance

7. Near-Term Measures

Measure 7a

Current ratio: Current assets divided by current liabilities.

Meets standard:

☒ Current ratio is greater than or equal to 1.1.

Does not meet standard:

☐ Current ratio is between .9 and 1.0 or equals 1.0.

Falls far below standard:

☐ Current ratio is less than or equal to .9.

State Board of Education comments: FRCS ratio for 2024-25 is 7.45

School comments:

Measure 7b

Unrestricted days cash: Unrestricted cash divided by ((total expenses minus depreciation expense) / 365).

Meets standard:

☒ 60 days cash.

Does not meet standard:

☐ Days cash is between 15 and 30 days.

Falls far below standard:

☐ Fewer than 15 days cash.

State Board of Education comments: FRCS's unrestricted day's cash for 2024-25 is 181 days

School comments:

Measure 7c

Enrollment variance: actual enrollment divided by enrollment projection in charter school board-approved budget.

Meets standard:

☐ Enrollment variance equals or exceeds 95% in the most recent year.

Does not meet standard:

☐ Enrollment variance is between 85-95% in the most recent year.

Falls far below standard:

☐ Enrollment variance is less than 85% in the most recent year.

State Board of Education comments: N/A. This was not evaluated in 2024-25

School comments:

Measure 7d

Default

Meets standard:☒ School is not in default of loan covenant(s) and/or is not delinquent with debt service payments.**Falls far below standard:**☐ School is in default of loan covenant(s) and/or is delinquent with debt service payments.

State Board of Education comments: The school has not reported any default or delinquent debts.

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: FRCS' aggregated 3 year total margin is positive and the total margin for 2024-25 is positive 10%.

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: FRCS' debt to asset ratio is .73

School comments:

Measure 8d & 8e

Cash flow:

Multi-year cash flow = Year 3 total cash - Year 1 total cash.

One-year cash flow: Year 2 total cash - Year 1 total cash.

Meets standard:

☒ Multi-year cumulative cash flow is positive and cash flow is positive each year.

Does not meet standard:

☐ Multi-year cumulative cash flow is positive, but trend does not “meet standard” (above).

Falls far below standard:

☐ Multi-year cumulative cash flow is negative.

State Board of Education comments: FRCS' multi-year cash flow and one-year cash flow are both positive.

School comments:

Measure 8f

Debt service coverage ratio: (net income + depreciation + interest expense) / (annual principal, interest, and lease payments)

Meets standard:

☐ Debt service coverage ratio is equal to or exceeds 1.1.

Does not meet standard:

☐ Debt service coverage ratio is less than 1.1.

State Board of Education comments: N/A. Not reported and evaluated in 2022-23

School comments:

Measure 8g

Is the school meeting financial reporting and compliance requirements?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to financial reporting requirements, including, but not limited to:

- Complete and timely submission of financial reports, including: annual budget, revised budgets (when applicable), quarterly financial reports, and annual municipal audit
- All other reporting requirements related to the use of public funds

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to financial reporting requirements, including, but not limited to:

- Complete and timely submission of financial reports, including: annual budget, revised budgets (when applicable), quarterly financial reports, and annual municipal audit
- All other reporting requirements related to the use of public funds

State Board of Education comments: All required reports were either submitted on time or with an approved extension.

School comments:

Measure 8f

Is the school following Generally Accepted Accounting Principles (GAAP)?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to financial management and oversight expectations by an annual independent audit, including, but not limited to:

- An unqualified audit opinion
- An audit devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses
- An audit that does not include a going concern disclosure in the notes or an explanatory paragraph within the audit report

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to financial management and oversight expectations by an annual independent audit, including, but not limited to:

- An qualified audit opinion
- An audit containing significant findings or conditions, material weaknesses, or significant internal control weaknesses
- An audit that included a going concern disclosure in the notes or an explanatory paragraph within the audit report

State Board of Education comments: FRCS' annual audits meet all of the criteria.

School comments:

COMMENDATIONS: FINANCIAL PERFORMANCE

1. Impressive current ratio well above target.
2. Positive multi-year cash flow.
3. Impressive 160 days cash on hand – the highest number over the past 3 years.
4. Stable short term and long term financial indicators

RECOMMENDATIONS: FINANCIAL PERFORMANCE

1. Positive multi-year cash flow, however the school should continue to monitor the flow and aim for an increase each subsequent year.

Organizational Performance: data elements and sources

The purpose of the Organizational Performance section of the Annual Evaluation is to evaluate whether or not the charter school as an organization is effectively governed and well run.

Many of the indicators, performance targets, and ratings for this section are adopted from the National Association of Charter School Authorizers' "Core Performance Framework and Guidance".

The following data elements and sources are used to complete the Organizational Performance analysis:

- Site visit observations (both formal and informal)
- The charter school's contract
- Required reporting by the charter school, including all deliverables
- The school's adherence to deliverable and reporting due dates
- Feedback from parents, students, charter school staff, and other community stakeholders
- Student accounting reports
- The charter school's internal accountability systems
- Student enrollment forms
- The charter school's adopted board policies
- The charter school's parent/student/staff handbooks
- TSPC
- Assurances by the charter school and governing board that it is compliant with all applicable requirements

Organizational Performance

10. Education Program

Measure 10a

Is the school implementing the material terms of the education program as defined in the current charter contract?

Meets standard:

☒ The school implemented the material terms of the education program in all material aspects and the education program in operation reflects the material terms as defined in the charter contract, or the school has gained approval for a modification to the material terms.

Does not meet standard:

☐ The school failed to implement the material terms of the education program in all material aspects and the education program in operation does not reflect the material terms as defined in the charter contract, or the schools implemented a modification to the material terms without approval and/or a mutually agreeable amendment to the contract.

State Board of Education comments: Four Rivers is demonstrating integrity with all elements of the education program as spelled out in its charter. The focus of Four Rivers is dual language instruction and all evidence supports that this educational philosophy is the focal point of the school's curriculum, staffing, budget and schedule.

School comments:

Measure 10b

Is the school complying with applicable education requirements?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to education requirements, including but not limited to:

- Instructional days and/or minutes requirements
- Graduation and promotion requirements
- Content standards, including Common Core State Standards
- The administration of state assessments
- Implementation of mandated programming as a result of state or federal funding

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to education requirements, including, but not limited to:

- Instructional days and/or minutes requirements
- Graduation and promotion requirements
- Content standards, including Common Core State Standards
- The administration of state assessments
- Implementation of mandated programming as a result of state or federal funding

State Board of Education comments: Four Rivers has complied with all applicable education requirements. Four Rivers is faithful to the dual language model.

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: The Special Education students are served by Ontario SD staff. Four Rivers' collaborates with Ontario SD and offers additional support in classrooms through instructional aides. The school handbook, board policies, staff handbook, schedule and facility are all in compliance with all applicable laws, rules, regulation and provisions of the charter contract.

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: Four Rivers has an approved EL plan on file at ODE and administers Title III funds as a consortium lead. The school has developed plans and supports for serving new arrivers in secondary grades.

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: Four Rivers' Board membership has represented a wide range of expertise and community support. The Board and administration have worked with OSBA for policy development and currently has Board, financial, staff and student/parent policy handbooks.

The school should consider making its Board policies available on the school website.

School comments:

Measure 11b

Is the school holding its administration accountable?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, provisions of the charter contract, and its own internal policies and practices relating to oversight of school administration, including but not limited to:

- Board oversight of school administration that includes holding it accountable for performance expectations which may or may not be agreed to under a written performance agreement
- The board conducting an annual evaluation of the administrator's performance

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, provisions of the charter contract, and its own internal policies and practices relating to oversight of school administration, including but not limited to:

- Board oversight of school administration that includes holding it accountable for performance expectations which may or may not be agreed to under a written performance agreement
- The board conducting an annual evaluation of the administrator's performance

State Board of Education comments: The Board has a process for evaluating the administrator and should continue to update and improve the process as implemented.

School comments:

Measure 11c

Is the school complying with reporting requirements?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to relevant reporting requirements to the district, and the Oregon Department of Education, including but not limited to:

- Accountability planning and performance
- Attendance and enrollment reporting
- Compliance with the charter contract and all applicable laws
- Timely submission of all deliverables
- Additional information as requested by the district

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to relevant reporting requirements to the district, and the Oregon Department of Education, including, but not limited to:

- Accountability planning and performance
- Attendance and enrollment reporting
- Compliance with the charter contract and all applicable laws
- Timely submission of all deliverables
- Additional information as requested by the district

State Board of Education comments: Four Rivers has complied with all reporting requirements.

School comments:

12. Students and Employees

Measure 12a

Is the school protecting the rights of all students?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to the rights of students, including but not limited to:

- Policies and practices related to admissions, lottery, waiting lists, fair and open recruitment, and enrollment (including rights to enroll or maintain enrollment)
- The collection and protection of student information
- Due process protections, privacy, civil rights, and student liberties requirements, including First Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction
- Conduct of discipline (discipline hearings, and suspensions and expulsion policies and practices)

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and/or provisions of the charter contract relating to the rights of students, including, but not limited to:

- Policies and practices related to admissions, lottery, waiting lists, fair and open recruitment, and enrollment (including rights to enroll or maintain enrollment)
- The collection and protection of student information
- Due process protections, privacy, civil rights, and student liberties requirements, including First Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction
- Conduct of discipline (discipline hearings, and suspensions and expulsion policies and practices)

State Board of Education comments: Four Rivers complies with protecting the rights of all students as evidenced by board policy, family handbook, staff handbook, professional development, enrollment process and the education program.

School comments:

Measure 12b

Is the school meeting teacher and other staff credentialing requirements?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to state certification requirements, including the federal Highly Qualified Teacher and Paraprofessional requirements, charter school licensure and registry requirements, and background check and fingerprinting requirements for all staff and volunteers.

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and provisions of the charter contract relating to state certification requirements, including the federal Highly Qualified Teacher and Paraprofessional requirements, charter school licensure and registry requirements, and/or background check and fingerprinting requirements for all staff and volunteers.

State Board of Education comments: Four Rivers complies with all applicable laws, rules, regulations and provisions related to staff certification requirements.

School comments:

13. School Environment

Measure 13a

Is the school complying with facilities and transportation requirements?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to the school facilities, grounds, and transportation, including, but not limited to:

- Americans with Disabilities Act
- Fire inspections and related records
- Viable certificate of occupancy or other required building use authorization
- Documentation of requisite insurance coverage
- Student transportation

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and provisions of the charter contract relating to the school facilities, grounds, and transportation, including, but not limited to:

- Americans with Disabilities Act
- Fire inspections and related records
- Viable certificate of occupancy or other required building use authorization
- Documentation of requisite insurance coverage
- Student transportation

State Board of Education comments: Four Rivers has current occupancy and insurance certification.

School comments:

Measure 13b

Is the school complying with health and safety requirements?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to safety and the provision of health-related services, including, but not limited to:

- Appropriate nursing services and dispensing of pharmaceuticals
- Food service requirements

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and provisions of the charter contract relating to safety and the provision of health-related services, including, but not limited to:

- Appropriate nursing services and dispensing of pharmaceuticals
- Food service requirements

State Board of Education comments: Four Rivers complies with all health and safety requirements. This is evidenced by the Family and Staff Handbook, Board policy. The school has been proactive in submitting all new reports required by ODE.

School comments:

Measure 13c

Is the school handling information appropriately?

Meets standard:

☒ The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to the handling of information, including, but not limited to:

- Maintaining the security of and providing access to student records under the Family Educational Rights and Privacy Act (FERPA) and other applicable authorities
- Accessing documents maintained by the school under the state's Freedom of Information law and other applicable authorities
- Transferring of student records
- Proper and secure maintenance of testing materials

Does not meet standard:

☐ The school was materially out of compliance with applicable laws, rules, regulations, and provisions of the charter contract relating to the handling of information, including, but not limited to:

- Maintaining the security of and providing access to student records under the Family Educational Rights and Privacy Act (FERPA) and other applicable authorities
- Accessing documents maintained by the school under the state's Freedom of Information law and other applicable authorities
- Transferring of student records
- Proper and secure maintenance of testing materials

State Board of Education comments: Four Rivers complies with all laws, rules, regulations and provisions of the charter contract relating to the handling of information. This is evidenced by the Handbooks, Board policy.

School comments:

14. Additional Obligations**Measure 14a**

Is the school complying with all other obligations?

Meets standard:

☒ The school materially complies with all other applicable legal, statutory, regulatory, or contractual requirements contained in the charter contract that are not otherwise explicitly stated herein, including, but not limited to requirements from the following sources:

- Revisions to state charter law
- Intervention requirements required by the district
- Action items assigned by the district
- Requirements by other entities to which the charter school is accountable (e.g. ODE)

Does not meet standard:

☐ The school was materially out of compliance with applicable legal, statutory, regulatory, or contractual requirements contained in the charter contract that are not otherwise explicitly stated herein, included, 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: The school was responsive to additional requests and updates to the law.

School comments:

COMMENDATIONS: ORGANIZATIONAL PERFORMANCE

- Leadership is strong and stable.
- Multigenerational staffing and grow-your-own model is serving the school and students well.
- Students are at the center of conversations around strategic planning and school improvement.
- Facilities investments for junior and senior prep school students create a strong sense of place and pride for students.
- Clear pathways of growth and connection for students create a sense of solidarity and community.
- FRCS continues to be a pillar in the community, having strong partnerships with the City of Ontario, TVCC, and FRCC.
- Strong communication team to promote the school and provide messaging for families.

RECOMMENDATIONS: ORGANIZATIONAL PERFORMANCE

- Formalize agreements with OSD in writing.
- Continue to promote full school weeks for students when possible.

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				
Economically Disadvantaged-ELA		X		
Economically Disadvantaged-MATH			X	
ELL-ELA	X			
ELL-MATH		X		
Students with Disabilities-ELA	X			
Students with Disabilities-MATH		X		
Underserved-ELA	X			
Underserved-MATH			X	
All Student Growth-ELA		X		
All Student Growth-MATH				X
Growth: Economically Disadvantaged-ELA				X
Growth: Economically Disadvantaged-MATH				X
Growth: ELL-ELA				X
Growth: ELL-MATH				X
Growth: Students with Disabilities-ELA				X
Growth: Students with Disabilities-Math				X
Growth: Underserved-ELA			X	
Growth: Underserved-MATH				X
Alignment to CCSS		X		
Graduation/post-secondary readiness	X			
Graduation percent	X			
School completion/Diploma	X			
Drop out percentage				
Current Ratio: Assets/Liabilities		X		
Unrestricted Cash		X		
Enrollment Variance				
Loan Default		X		
Total Margin (income /revenue		X		
Debt to Asset Ratio		X		
Cash Flow		X		
Debt Service Coverage Ratio				
Reporting and Compliance		X		
GAAP		X		
Education Program Implementation		X		
Education Requirement Compliance		X		
Rights of Students with Disabilities		X		
Rights of ELL		X		
Governance Compliance		X		
Administration Accountability		X		
Reporting Requirement Compliance		X		
Rights of All Students		X		
Staff Credentialing Requirements		X		
Facilities and Transportation Requirements		X		
Health and Safety Requirements		X		
Student Information		X		
Other Obligations		X		

Commendations:

- Continuing to make steady gains post-pandemic with 3 year average growth score. In sections 2 and 3, all but one category made marked improvements in scores by 2-4 points on average.
- Improving ELA and Math performance over time through dual language program.
- Hispanic/Latino students far exceed the state performance in ELA with 39.9% of students meeting standard vs 26.4% for the state average.
- More than 95% of the students attend school regularly even in grades 9-12.
- FRCS had 100% of students graduate within 4 years and a 100% 5 year completion rate.
- Impressive current financial ratio well above target.
- Positive multi-year cash flow.
- Impressive 160 days cash on hand – the highest number over the past 3 years.
- Stable short term and long term financial indicators
- Leadership is strong and stable.
- Multigenerational staffing and grow-your-own model is serving the school and students well.
- Students are at the center of conversations around strategic planning and school improvement.
- Facilities investments for junior and senior prep school students create a strong sense of place and pride for students.
- Clear pathways of growth and connection for students create a sense of solidarity and community.
- FRCS continues to be a pillar in the community, having strong partnerships with the City of Ontario, TVCC, and FRCC.
- Strong communication team to promote the school and provide messaging for families.

Recommendations:

- Continue to focus on early literacy in native language pre-K with families.
- Continue to prioritize interventions and supports for students struggling with Math. FRCS students' Math performance for 2024-25 was recorded as 23.1% meeting standard, which is below both the state and district performance levels.
- Positive multi-year cash flow, however the school should continue to monitor the flow and aim for an increase each subsequent year.
- Formalize agreements with OSD in writing.
- Continue to promote full school weeks for students when possible.



Oregon

Tina Kotek, Governor



OREGON
DEPARTMENT OF
EDUCATION

Oregon achieves . . . together!

Dr. Charlene Williams

Director of the Department of Education

BEFORE THE OREGON STATE BOARD OF EDUCATION

PUBLIC HEARING: Renewal Request for Four Rivers Community School

PUBLIC HEARING REPORT

The Department held a public hearing on November 20, 2025 from 5:00 – 6:15PM (PST), to receive public comment on the renewal request for Four Rivers Community School. Notice of hearing was published in a timely manner and was sent to interested parties and persons who requested notice. The public hearing was necessary to comply with ORS 338.065(5)(c). The hearing was held online via Zoom before Christen Kelly, Charter School Specialist; Jennifer Scurlock, Chair of the Oregon State Board of Education; Shimiko Montgomery, Vice Chair of the Oregon State Board of Education and Cynthia Richardson, 2nd Vice Chair of the Oregon State Board of Education. Kate Pattison, Director of the School Choice, Options and Recovery Education Team and Corey Rosenberg, State Board of Education Administrator, also represented the Department at the hearing.

A sign-up form was shared with interested parties with notice of the hearing and allowed members of the community to provide written testimony or indicate interest in speaking at the hearing.

- 48 members of the Four Rivers community attended the public hearing.
- 16 people spoke at the public hearing. Everyone who spoke was in favor of the renewal of the charter school.
- 68 people submitted written testimony through the sign-up form for the public hearing. No one provided written testimony that was opposed to the renewal.
- 58 people indicated support for the renewal through the sign-up form for the public hearing but did not speak or submit further written testimony.
- 13 people submitted written testimony via e-mail to the Charter School Specialist directly.

Participant testimonies overwhelmingly express strong support for renewing the charter of Four Rivers Community School. Parents, staff, students, alumni, and community members consistently highlight the school's unique role in providing high-quality, dual-language education in a safe, inclusive, and culturally affirming environment. Many families emphasize that Four Rivers offers opportunities unavailable elsewhere in the region, such as bilingual instruction from kindergarten through high school, early college programs, and individualized attention in small classes. These features are credited with helping students achieve academic success, develop confidence, and prepare for college and careers. Parents and alumni also note the school's impact on fostering respect, resilience, and leadership skills, while staff describe a collaborative culture that prioritizes student growth and family engagement.

Community partners and educators underscore the broader benefits of Four Rivers, including its commitment to diversity, equity, and college readiness, as well as its strong partnerships with local organizations and

Written Testimony Regarding Four Rivers Community School Renewal

colleges. Testimonies repeatedly frame the school as a vital resource for Ontario and Malheur County, particularly for bilingual and bicultural families, and as a model for bridging cultural divides. Many contributors share personal stories of transformation—students thriving academically and socially, families feeling supported during hardships, and graduates using bilingual skills to succeed in higher education and professional careers.

Across all perspectives, the Four Rivers is portrayed as a safe, supportive, and transformative environment that not only benefits individual learners but also enriches the broader community.

Report compiled by Christen Kelly, Charter School Specialist

Christen Kelly

December 4, 2025

Name: Guadalupe L Martinez Zapata

Relationship to the school: College Instructor; Past Director and Chair, Oregon State Board of Education

Do you support the renewal? Yes

Testimony: Esteemed Chair Scurlock, Vice Chair Montgomery, Second Vice Chair Richardson, and Directors of the Board,

Bilingual education is not just an opportunity or benefit; it is a responsibility that must be advanced by all education leaders in our State. For this reason and because I have witnessed the social and academic impact of Four Rivers Community School, I am writing to advocate for the renewal and continued support of their charter by the State Board of Education.

I have publicly expressed the challenges I see with charter school in general. A controversial history and the advantage that charter schools can present to communities which are already engulfed in privilege, are the principal reasons for my common and frequent reservations. Then there are those few charter initiatives that have grown out of efforts to counteract the precise adverse impact of academic and social privileges that have historically disadvantaged children of non-traditional backgrounds. The footprint of these schools, in my experience, is compelling. Four Rivers Community School is one of these latter.

Eastern Oregon, while being the seat of deep Hispanic and Chicanx roots, is also a difficult place to belong for heritage Spanish-speaking children. I'm painfully familiar; I was raised on those prairies of wafting bovine, potato, and onion aroma. As fondly as I remember some of my teachers, neighbors, friends, and the land that my father lovingly tended, it was also a deliberate endeavor in overcoming language and ethnic exclusion.

I had many emotional reactions witnessing landmark decisions and momentous changes while serving on Oregon's State Board of Education, one being during my first visit to FRCS. Having children actively becoming and nurturing their bilingual brain gave me life. In the same SBE tenure, I learned of schools in our State with a near majority Latinx population where bilingual education programs have been cancelled, where children are still admonished for speaking their familial languages, where their parents are still being told that speaking anything other than English will prevent their children from assimilating and academic success. There are schools with a near majority Latinx population in our State where children don't participate in most sports because, "they're not interested." During a visit to Four Rivers, I watched kids honing their skills at playing tennis and reading, speaking, and knowing their bilingual brain is an asset and not a deficit. While there are fervent critics of affirming a child's whole self, the evidence points in the

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direction that more confident, capable, and excelling students are a product of both validation and plentiful resources. FRCS has afforded validation. The school's upward performance trend, while a long way from ideal (and a titanic curve to improve within historical systemic barriers), is an encouraging sign especially in contrast with the performance of other schools where similar target demographics continue to flail.

My path has unexpectedly intersected with Four Rivers Community School on other occasions, including in my role as adjunct professor of Chicana/Latina Studies at Portland State University. I was heartened to witness the journey of students from FRCS through the university environment, to the university graduation stage. I have been eager for the opportunity to share the pride of witnessing this trajectory. It is here.

I whole heartedly believe FRCS is a model to follow in our State, and I urge the Board to approve the renewal of their charter.

With gratitude and respect,

Guadalupe L Martinez Zapata

College Instructor

Past Director and Chair, Oregon State Board of Education

Name: Angelene Mendez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I would like to voice my support for Four Rivers Community School and the opportunities that they have provided for our community. We live in such a small community and do not have many options for our children regarding education opportunities and I love the fact that Four Rivers Community School is available. The curriculum, the teachers, the attention and the support they offer is one of a kind. I am very thankful to Four Rivers and their staff for supporting our children throughout their grade school years and for showing them educational options beyond grade school. Four Rivers Community School has been such a blessing to us and our children for providing such a safe, caring and supportive environment.

Name: Jennifer Jimenez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: To Whom It May Concern, I am writing to express my full and enthusiastic support for the renewal of Four Rivers Community School. Four Rivers plays a vital role in our community by offering a high-quality, student-centered educational option that continues to meet the needs of families in the Ontario area. Four Rivers Community School provides a safe, supportive and culturally rich learning environment where students are encouraged to grow academically and personally. The school's commitment to dual-language education and strong family engagement sets it apart as a model of innovation and community partnership. Students and families benefit from a dedicated staff who consistently demonstrate professionalism, compassion and a deep investment in student success and family involvement. I chose the Four Rivers because it offers an educational experience that reflects the values of diversity, inclusion and academic excellence. Its continued presence offers educational alternative opportunities in our region and provides families with meaningful choice within the public school system. I strongly support the renewal of Four Rivers Community School's charter. The school has proven its value through consistent community engagement, strong relationships with families and a demonstrated commitment to student achievement. Thank you for your time.

Name: Sheridon Dionne

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

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Testimony: I absolutely love this school and how they care for my children. They teach with care and are able to help my kids learn the best way possible. My older son was not really into speaking Spanish nor read it but he is doing such an amazing job with it.

Name: Juana López García

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: Mi nombre es Juana López. Cuando supe que existía la escuela 4 ríos , me interesó que estuvieran mis hijos aquí. Ellos aprenden 2 idiomas y me gusta que usen uniforme. La escuela ofrece ayuda a los niños que la necesiten y son siempre amables con las familias. Gracias por esta oportunidad de seguir con la renovación, es importante para todas las familias.

My name is Juana López. When I learned about the Four Rivers school, I was interested in having my children attend. They are learning two languages, and I like that they wear uniforms. The school offers support to children who need it and is always kind to families. Thank you for this opportunity to continue with the renovations; it's important for all the families.

Name: Thomas Segal

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I am writing to urge you to renew the Four Rivers Community School Charter. Both of my children attend Four Rivers and we have nothing but good things to say about the education and support that our children have received from the staff at Four Rivers. Our children are receiving a quality education and becoming proficient in Spanish, something that is very important to us. Please, vote yes to renew this important community fixture.

Name: Jorge Mendieta

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: Mi nombre es Jorge Alberto Mendieta Tolentino, y he tenido el privilegio de trabajar en la escuela de Cuatro Ríos desde el 2017, cuando fui contratado para enseñar Biología en español e inglés para la recién formada preparatoria. Desde entonces, mi labor se ha expandido y hoy enseño todas las ciencias, además de algunas clases electivas que me permiten explorar otras pasiones con los estudiantes.

Escribo esta carta para expresar mi firme apoyo a Cuatro Ríos y su modelo educativo bilingüe. Como docente que ha sido parte de la comunidad escolar desde sus inicios, puedo dar testimonio del impacto positivo que la escuela tiene en los estudiantes, sus familias y en toda la comunidad. Esta carta refleja mi compromiso con la misión de la escuela y mi convicción de que Cuatro Ríos es un lugar que fomenta la excelencia académica, la identidad cultural y el desarrollo integral de los alumnos.

Soy originario de la Ciudad de México, donde recibí mi formación profesional en el Instituto Politécnico Nacional, en la Escuela Superior de Ingeniería y Arquitectura. Ahí completé un programa de cinco años y obtuve el título de Ingeniero Arquitecto. Paralelamente, me formé como docente a través de la Secretaría de Educación Pública, y más adelante estudié inglés en la Universidad Brigham Young, lo cual abrió muchas puertas en mi carrera.

A lo largo de mi trayectoria he tenido la oportunidad de enseñar una amplia variedad de materias: Física, Dibujo Técnico, Computación, Topografía, Diseño de Instalaciones, y Dibujo Arquitectónico con software especializado. Colaboré como docente en el Colegio Nacional de Educación Profesional Técnica y, más

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tarde, en la Universidad Politécnica Metropolitana de Hidalgo, donde enseñé matemáticas avanzadas, Física, Fotografía y Artes, todo en inglés. Cada una de estas experiencias fue moldeando mi identidad como maestro y preparándome para lo que vendría después.

Buscando un mejor futuro para mi familia, me mudé a los Estados Unidos. Fue entonces cuando Cuatro Ríos me abrió sus puertas, reconociendo en mi perfil una oportunidad para brindar representación y servir como modelo a seguir para una población estudiantil mayoritariamente latina. El modelo bilingüe de la escuela permite a los estudiantes conservar la lengua y las tradiciones de sus familias, algo que considero invaluable para cualquier joven que esté construyendo su identidad entre culturas.

Al pensar en mis años en Cuatro Ríos, recuerdo momentos que realmente marcan la diferencia: ver a nuestros estudiantes participar con orgullo en la celebración anual del Día de los Veteranos, colaborar en actividades de voluntariado durante las festividades de Halloween, y al mismo tiempo honrar tradiciones como el Día del Niño o el Día de los Muertos. Como inmigrante latino, me conmueve ver cómo la escuela crea un espacio donde ambas culturas pueden convivir sin borrarse una a la otra. En eventos como la Bienvenida o el Baile de Graduación, me encanta ver la pista llena, con estudiantes de distintos orígenes bailando canciones en inglés y en español, como si las fronteras culturales simplemente no existieran.

También me llena de orgullo ver a nuestros exalumnos cursando estudios universitarios, graduándose o integrándose al mundo laboral, muchos de ellos usando su bilingüismo como una herramienta poderosa para servir mejor a nuestra comunidad diversa. Ese tipo de impacto es precisamente lo que me hace creer tanto en el modelo de Cuatro Ríos.

La escuela ofrece un camino sólido para el éxito académico y personal: desde oportunidades de colegio temprano hasta programas de formación técnica como soldadura o enfermería. He visto a estudiantes graduarse de la preparatoria con un Associate's degree en mano, algo que cambia vidas y expande horizontes.

Trabajar aquí también me ha permitido crecer profesionalmente. He recibido apoyo continuo para desarrollo docente, incluyendo la oportunidad de cursar una maestría en educación superior para servir mejor a nuestros estudiantes.

Aunque no he trabajado en otra escuela dentro de esta área, no tengo duda de que Cuatro Ríos es el lugar donde debo estar. Aquí puedo ser un referente para jóvenes que están definiendo quiénes son y quiénes quieren llegar a ser. Veo el orgullo con que nuestros alumnos hablan de la escuela, y siento ese mismo orgullo cuando digo que pertenezco al cuerpo docente de Cuatro Ríos. Este no es solo mi lugar de trabajo; es una extensión de mi propia familia.

Sinceramente
Jorge A Mendieta

My name is Jorge Alberto Mendieta Tolentino, and I have had the privilege of working at Cuatro Ríos High School since 2017, when I was hired to teach Biology in both Spanish and English for the newly established high school. Since then, my role has expanded, and today I teach all the sciences, in addition to some elective courses that allow me to explore other passions with the students.

I am writing this letter to express my strong support for Cuatro Ríos and its bilingual educational model. As a teacher who has been part of the school community since its inception, I can attest to the positive impact the school has on students, their families, and the entire community. This letter reflects my

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commitment to the school's mission and my conviction that Cuatro Ríos is a place that fosters academic excellence, cultural identity, and the holistic development of its students.

I am originally from Mexico City, where I received my professional training at the National Polytechnic Institute, in the Higher School of Engineering and Architecture. There, I completed a five-year program and earned a degree in Architectural Engineering. Simultaneously, I trained as a teacher through the Ministry of Public Education, and later studied English at Brigham Young University, which opened many doors in my career.

Throughout my career, I have had the opportunity to teach a wide variety of subjects: Physics, Technical Drawing, Computer Science, Surveying, Building Services Design, and Architectural Drafting using specialized software. I also taught at the National College of Professional Technical Education and, later, at the Metropolitan Polytechnic University of Hidalgo, where I taught advanced mathematics, Physics, Photography, and Art, all in English. Each of these experiences shaped my identity as a teacher and prepared me for what was to come.

Seeking a better future for my family, I moved to the United States. That's when Cuatro Ríos opened its doors to me, recognizing in my background an opportunity to provide representation and serve as a role model for a predominantly Latino student body. The school's bilingual model allows students to preserve their families' languages and traditions, something I consider invaluable for any young person building their identity across cultures.

Thinking back on my years at Cuatro Ríos, I recall moments that truly made a difference: seeing our students proudly participate in the annual Veterans Day celebration, volunteer during Halloween festivities, and simultaneously honor traditions like Children's Day and Day of the Dead. As a Latino immigrant, I'm deeply moved to see how the school creates a space where both cultures can coexist without one erasing the other. At events like Welcome Day or the Prom, I love seeing the dance floor packed with students from diverse backgrounds dancing to songs in English and Spanish, as if cultural boundaries simply didn't exist.

It also fills me with pride to see our alumni pursuing university studies, graduating, or entering the workforce, many of them using their bilingualism as a powerful tool to better serve our diverse community. That kind of impact is precisely what makes me believe so strongly in the Cuatro Ríos model.

The school offers a solid path to academic and personal success: from early college opportunities to technical training programs like welding or nursing. I have seen students graduate from high school with an Associate's degree in hand, something that changes lives and expands horizons.

Working here has also allowed me to grow professionally. I have received ongoing support for teacher development, including the opportunity to pursue a master's degree in higher education to better serve our students.

Although I haven't worked at another school in this area, I have no doubt that Cuatro Ríos is where I belong. Here, I can be a role model for young people who are defining who they are and who they want to become. I see the pride with which our students speak about the school, and I feel that same pride when I say that I belong to the Cuatro Ríos faculty. This isn't just my workplace; it's an extension of my own family.

Sincerely, Jorge A. Mendieta

Name: Brenda Barba

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I have really seen progress in my son's education. He tells me he enjoys going to school at Four Rivers and really likes his teachers and classmates. The staff there care very much about the students and their education. I could not imagine sending my kid to another school.

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Name: Sugey Benitez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I am a Four Rivers alumni from the class of 2021, and my younger sibling is currently enrolled. I attended this Charter school from k-12 and I would not change it if I could. Four Rivers's community and bilingual opportunities helped me grow personally, into someone who is mission driven to achieve my college studies further and even pursue a career in international business and learn a third language. With their support I was given the opportunity to tackle these studies amongst a pandemic and uncertainty. I wish to continue seeing this school thrive and grow as someone who was there from the very start.

Name: Janie Mendez

Relationship to the school: Other: Director OCDC Malheur

Do you support the renewal? Yes

Testimony: Oregon Child Development Coalition in Malheur County provides Early Childhood Education services to prenatal moms up to children of pre-kinder age (children: 0-5.) The majority of our funding is dedicated to serving families who work in agricultural industries. Our agency also embraces dual language literacy in all aspect of our services: in the classroom, home visits, parent trainings, and professional development of our staff.

The partnership OCDC has established with Four Rivers Community School is critical to Head Start's best practices of Caregiving and Continuity of Care. "Kindergarten Transition" is a monumental phase of care for our children and their families. Four Rivers has championed the importance of fostering our partnership to ensure this transition is welcoming and intentional. The staff at Four Rivers have been responsive with engaging in opportunities to meet our families, initiate meaningful dialogues with our preschool teachers and family advocates, and we can always count on them to be present at parent events, community resource fairs and parent and staff trainings. Their dedication exemplifies community and commitment to successful and proven educational practices.

Name: Zach Glen

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: I graduated from Four Rivers, a school that has given me opportunities I wouldn't have had anywhere else. The smaller classes, supportive teachers, friendly environment and flexibility helped me stay motivated and genuinely enjoy my experience throughout school. Not only did I grow academically, but personally, gaining confidence in my bilingual abilities, discipline, and a clear direction for success in my future. I am grateful that I attended this school for 12 years of my life, and I believe that it is continuing to impact the next generation of students for years to come.

Name: Patrick Barfield

Relationship to the school: Other

Do you support the renewal? Yes

Testimony: I attended and spoke at the Veterans Day Assembly on 11/11/2025 and wish to express my admiration for the faculty, students and support staff for their school, their respect for one and all and for the remarkable gift they all are for our community. Thank you.

Name: Sarah Weatherspoon

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: I have the privilege of serving as the yoga instructor for elementary students (K-5) at Four Rivers Community School. Each week, I work with students to supplement their PE curriculum by teaching

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emotional regulation skills through mindfulness and meditation, along with classic yoga poses that support balance, strength, flexibility, and healthy movement.

I have been consistently impressed by the school's commitment to providing a well-rounded education—one that values not only academics, but also students' physical and emotional well-being. The opportunity for young learners to explore multiple tools for regulation, resilience, and self-awareness is truly special, and I see firsthand the positive impact this has on them.

For these reasons, I strongly support the renewal of Four Rivers Community School. I believe the school plays an essential role in offering students in our area an enriching educational experience.

Thank you for your time and consideration. Warmly, Sarah Weatherspoon, Yoga Instructor

Name: Matthew Stringer

Relationship to the school: Community Member

Do you support the renewal? Yes

Testimony: My name is Matthew Stringer. I grew up here in the Western Treasure Valley, moved to New York for 29 years and returned to my community. I was the Executive Director of the Four Rivers Cultural Center for 11 years, where I connected with FRCS. I am presently a governor appointed commissioner on the Oregon Arts Commission.

I have worked and engaged with Four Rivers Community School for 14 years now. I stay so impressed with their faculty, curriculum, insistence on parent engagement, and their proven record of success in getting their students to move on to college.

I worked with Superintendent Chelle Robbins to make a space for the school to start Senior Prep, their high school at the cultural center. Because the center is adjacent to Treasure Valley Community College, it put these students on a college campus, allowing kids to conveniently attend classes on the TVCC campus. Having the school in our facility is a wonderful thing. The kids learn the value of local non-profit organizations, volunteer as museum docents, theatre ticket takers/escorts, Japanese garden labor and help set up rooms for conferences.

College preparedness is a huge priority for the school. They have many exemplary students, bright, young pillars of the community and very capable scholars. On average there are 25 seniors every year, and a large percentage of them leave high school with an associates degree and go on to a four years school.

I attend all their award assemblies, sporting events, and other extracurricular activities and always attend graduation. I give a yearly scholarship to a deserving student, which is my way of supporting the school. I celebrate their success.

The children are remarkable, extremely capable, show respect, behave, speak well and are always more than presentable. It is a blessing that Ontario has a bilingual charter school. Ontario is a dramatically disadvantaged community. It is the poorest community in Oregon, with a one dimensional agriculture economy. It has the states highest crime rate, the most minimum wage jobs per capita of any community in Oregon. Drug use, single parent households and homelessness (including high schools students) is rampant. Ontario has the designated poorest neighborhood in Oregon, a neighborhood where many of these students live. FRCS students thrive with the support and solid teaching and nurturing of their teachers and administrators. There are so many single parent homes, children living in severe poverty. FRCS stand with the parents to not only educate their children, but to nurture the students and build their set of life skills. Still these kids stand proud, many carry a lot of burden, but with the support of the school, and hopefully a parent or parents they truly thrive.

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Four Rivers Community school is REMARKABLE.

Thank you for your attention. If you would like to speak to me personally, please do. My phone is 917 705 4264 and my email address is mattwstringer@gmail.com

Name: Leticia Gonzalez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: As a parent, I am deeply committed to my children's education. I believe that Four Rivers Community School offers the best opportunity for my children to not only receive a great education but also to develop as well-rounded individuals in a community that shares our family's values and cultural goals.

Name: Annie Whinery

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: 4 Rivers has been a blessing to my kids and our family. The staff is wonderful to work with, from the front office, teachers, custodial staff, and support staff. Everyone shows compassion, dedication, and confidence in what they do. My kids have thrived being here and learning a second language has helped them in leaps and bounds. I look forward to many more years of being part of the 4 Riv family.

Name: Glenda Portukalian-Lewis

Relationship to the school: Other

Do you support the renewal? Yes

Testimony: In the six years that I've substituted at Four Rivers Community School I see an increasing need for this charter school to continue in educating the youth of Mahlheur County. The need for the state of Oregon to have a rising generation of fluent, bilingual, well-educated individuals is imperative to the success of meeting the needs of all its residence.

Four Rivers Community School has and will continue to provide the education needed to raise up leaders for the state of Oregon. The small classes, the tailored education (close working-relationship with TVCC) and the overwhelming individual attention and support by both the staff and teachers, makes this school unique. Not only does the local community benefit from the quality of student graduating from Four Rivers, but I believe Oregon at large benefits as well.

I fully support this institution and believe that extending its charter status will in the long run, strengthen our state and improve the quality of life for all.

Name: Carlos Nunez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I have witnessed the positive impact that Four Rivers Community School has had in my kids and community first hand. I have had 3 kids and lots of close family members attend Four Rivers from kinder to high school and have seen how all of them have become productive members of society because of Four Rivers. At 4 rivers, my children have learned to respect their teachers and other members of the community. They have also learned how to seek and achieve their full academic potential. My kids have taken advantage of attending a small and family friendly environment by taking courses that have helped them shape their future in a positive way. My children have grown up in an environment that not only have encouraged them to have dreams but also that has given them the tools to achieve them. Having this said, my kids and close relatives have become fully bilingual, are currently attending college, have attained

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multiple scholarships, are enrolled in leadership programs and all because of Four Rivers Community School. What Four Rivers can offer in our community has no match and I always hear positive comments about Four Rivers in the community and about the positive impact that it has had in the small community of Ontario Oregon. We need to keep supporting Four Rivers Community School because it helps our children achieve their full potential in sports, in community involvement and academic achievement.

Name: Alison Castro López

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: I am a student here at Four Rivers Sr prep and I've been attending to this school since kinder. My first language is Spanish and I've learned how to read, talk, and write in English. I agree on the renewal for the school.

Name: Juan Rodriguez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: From the moment you step through the doors at Four Rivers Community School, you are greeted with immediate kindness and a welcoming atmosphere. There is a clear sense that both your child and you, as a parent, belong here. The staff consistently goes the extra mile to meet every student's needs. Given all that Four Rivers offers, I am confident my child will be safe, respectful, and fully prepared for a successful future.

Name: Sonia Gonzalez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: Actualmente mis 3 hijos asisten a esta escuela y estoy muy satisfecha con la educacion que han recibido a lo largo de su crecimiento siento a todo el personal de trabajadores tanto maestros como el grupo administrativo y el personal de apoyo como si fuéramos una familia. Me siento muy tranquila cada dia de que mis hijos están en Cuatro Rios recibiendo educacion bilingüe.

Currently, my three children attend this school, and I am very satisfied with the education they have received throughout their development. I feel like all the staff—teachers, administrative team, and support personnel—are like family. I feel very at ease every day knowing that my children are in Cuatro Rios receiving a bilingual education.

Name: Ariana N Gastelum

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: It is a privilege to have a school that serves our dual bilingual community. Four Rivers Community School (FRCS) supports both the academic and real-world development of students by equipping them with bilingual skills that empower them to pursue their goals with confidence. Unlike traditional monolingual schools, FRCS does more than simply enroll students—it provides a strong, continuous foundation from kindergarten through twelfth grade and graduation. Each student receives individualized support, and ongoing communication with families creates a collaborative partnership essential to every child's success.

Ontario is fortunate to have a community dedicated to supporting FRCS. Over the past 23 years, the school has earned our respect, and I have personally witnessed its impact as my own children grew into educated, confident adults prepared for life's challenges. FRCS strengthens our ability to learn, communicate, and connect through two languages and cultures, enriching students and families from diverse backgrounds.

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As a mother of three bright students and a member of the teaching team, I am proud to continue being part of the FRCS community.

Name: Lacey Edmunson

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I have 2 children who have attended Four Rivers Community School since they started Kindergarten. My youngest is currently in 8th grade. My children and I have experienced nothing but success. We've always felt supported, especially going back to Covid. Our teachers did the very best they could and I felt like it was a organized as it could've been.

My kids have developed positive bonds with their teachers and coaches. They've been successful at having Spanish as their second language, at a very early age. My son likes the story I tell of him being in 1st grade, ordering his food in Spanish at a Mexican Restaurant and a Hispanic lady overhearing this lil Caucasian red head speaking Spanish clear as day, who then began talking to him in Spanish. This couldn't have ever happened, if they hadn't attended Four Rivers.

When there have been behavioral problems, school staff have communicated with me in a professional manner and have held my children accountable. They were fair and consistent. It is very apparent their teachers have high expectations of all the students, academically and behaviorally which has benefitted my family.

In March of this year, my family experienced a traumatic circumstance and unfortunately it occurred at a school function. Many other families also experienced it, along with teachers and coaches. Again, my family had nothing but positive support after this. Parents of other students, teachers and other faculty checking in with me, and with my kids, showing support and checking in, in regards to their mental health. For all these years, this school has been a 2nd family to us, thanks to the school events, Family Fridays, field trips and sporting events.

Because of my employment, I also work with school faculty on a professional level within the community. They've never hesitated to reach out if they have concerns for other families who attend Four Rivers. They ask questions on how they can best handle situations. They reach out if they have questions on how to best assist families. They also advocate strongly for those they work with.

I've always been grateful that my children have had the opportunity to attend Four Rivers Community School.

Name: Kelly Gekeler

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: Although I am not available for public comment, I support renewing the charter for Four Rivers Community School. I have 3 children who all attend Four Rivers. Currently they are in 10, 9 and 2 grade. I respect and appreciate the educators at Four Rivers. I am grateful for those who have supported my children and helped them be successful not just as students in the classroom or members of the team, but as individuals who will grow up to be capable, confident adults that lead and serve in our community.

My children have had some struggles finding a place they fit in with their peers, but they've each had teachers who have encouraged them and helped them recognize and appreciate their strengths. They have become true mentors in every sense of the word and I will be forever grateful to them. I hope Four

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Rivers continues to prioritize highly qualified, compassionate educators who will be able to support future students in this way.

Name: Michelle Glen

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: Both of my children have had the privilege to attend Four Rivers Community School since kindergarten. My oldest child graduated from FRCS four years ago. He had some challenges (being disruptive in class) in kindergarten and the school was able to identify the barrier and ensure his education was being met. The steps they took was moving him into Little First for English and kept him in kindergarten for Spanish. This helped him succeed and be successful in school. He graduated with his Seal of Biliteracy and a certified interpreter. With encouragement from the school, he continued onto college and obtained his associate's degree. Even though he graduated four years ago, administration has continued to connect with him to see how he is doing. I know that the school played a major role in him being successful with his education and he is now a bilingual employee with the Federal Government.

My youngest child is a Senior this year and has attended FRCS since kindergarten. Kindergarten through Third Grade was far from easy, he was "the runner." He did not want to get out of the car, did not want to go or stay in class and would kick, scream and may at one point in time swung and hit the Superintendent. The school could have easily terminated him from the school or put the ball in my hands to figure it out, but they did not. They took it in their hands and told me they would handle it and not worry and they did! Administration came to school in their tennis shoes, knowing they may be getting some exercise by ensuring my son was safe at school and obtaining the education they knew he needed. During his kindergarten year, the school expressed their concerns with moving my son directly into Big First and believed he needed to attend Little First and then Big First the year after. I was concerned with this decision and did not necessarily agree, but I put my trust in the school and followed their recommendation. BEST DECISION EVER! My son is a straight A student, a member of National Honor Society and participates in the SMILE Program. He has had the privilege to attend college classes during high school and will have over half of his credits towards his associate's degree.

Communication from the school is amazing. When there have been concerns with my children, they would immediately call. When I have brought concerns to the school's attention, they have always handled the matters appropriately and professionally in a timely manner. They then followed up surrounding the outcome and steps they took to address the concern. The teachers and staff have been a positive role model to the students, they show pride in the work they do and follow the school motto of pride, purpose, and performance for the students to be successful.

The teachers, staff and administration at FRCS are dedicated to the work they do and are passionate and affectionate to see the children succeed. I work with other school districts in Malheur County, and I can tell you by far that FRCS goes over and beyond to encourage diversity, allowing students to be who they are, teachers, staff and administration are kind, caring and strive to ensure the students receive the education they deserve.

FRCS has been dedicated in establishing their sports program, so students have the same opportunity to participate in extracurricular activities as the larger schools have. They encourage and pay for high school students to attend college classes. For those families who struggle financially in our community, they are giving those students the opportunity to be more successful and have an opportunity to obtain their Associates at the same time they graduate high school. This is a school and program that needs to stay within our community.

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This is not just a school in our rural community; it is the future for the youth in Malheur County to be successful in their education. This is not just a school to me and my children; they are and always will be a part of our family. By not renewing FRCS license with the State Board of Education, would be a disservice not only to the community, but to the youth in our community that deserve a chance in life to be successful.

Thank you.

Name: Frances Halcom

Relationship to the school: Community Member

Do you support the renewal? Yes

Testimony: Four Rivers Community School is absolutely the best thing that happened for our education of children in our community. The involvement of the school in the community is critical. The children in our community gain, such an education from not only the school, but attending the college and being allowed to graduate with dual credits. I can't see our community without having the school. I've been personally involved with the school. They are consistently asking how to be involved in the community volunteering at the cultural center. It is amazing to see the children that attend, and the growth that happens within our community because of the school. truly, this is one of the best things that happened to Ontario.

Name: Aniiiah Zacarias

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: As a student this school has helped me a lot with getting a head with my education especially with my dual credit in college so I feel that this school has helping me a lot with that.

Name: Alexa Martinez

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: This school matters to me because I've been going here since kindergarten and to me it's like a family. The benefits I have gotten from attending this school is that my English improved a lot since attending this school. I also have the opportunity to take college classes like HDEV and Health and fitness.

Name: Jakhary Cooke

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: They accepted me for who I am. To make new friends and get to graduate with a college degree.

Name: Alison Castro López

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: I Am a student here at Four Rivers Sr prep and I've been attending at this school since kindergarten. My first language is Spanish and I learned how to talk, read, and write. Getting to Sr prep, it offers free College classes and earn college credit. This helps a lot because I want to go to college but it would be hard if I had to pay. I am also in ASB and NHS and it makes me feel like a leader and looks great on resumes. Teachers and staff and really supportive about what we want to do and have classes. It feels a like family.

Name: AnnaSophia Moreno

Relationship to the school: Student

Do you support the renewal? Yes

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Testimony: This school matters to me because it helps share the Hispanic culture. This school matter because since kindergarten all the way till now I am able to feel the support. I never have to feel like im struggling in a class because the teachers are always able to help out. Because of this school it was able to help me find what I want to do after high school.
Name: Januel Perez Relationship to the school: Student Do you support the renewal? Yes Testimony: During my years of four Rivers since first grade it has changed a lot even for middle school and now that I'm in high school i hope things will turn out the same for high school.
Name: Eimmy Mora Relationship to the school: Student Do you support the renewal? Yes Testimony: This school is inspiring because they care about students. They always make sure kids grades are good, and if they're not they try to help you. This school us important to me because it really helped me with my bilingualism when I was struggling. This school also gives us free college classes which helps me with my education and finances.
Name: Elijah Grimaldo Relationship to the school: Student Do you support the renewal? Yes Testimony: I love Four Rivers!
Name: Mark Redmond Relationship to the school: Other Do you support the renewal? Other Testimony: I would just like to say that Malheur ESD has a great working relationship with Four Rivers Community School, as we do with all our districts. We support them and the students at Four Rivers to the best of our abilities, and treat them just like we do every other district in our region, providing technical assistance and support as requested.
Name: Estevan Madera Relationship to the school: Alumni Do you support the renewal? Yes Testimony: Hello, My name Is Estevan, I am a Four Rivers Community School alumni. I graduated in the senior class of 2024, after attending Kindergarten through 12th grade. Four Rivers was one of the most important parts of my life. All of the staff made sure I always felt safe, welcomed, and encouraged to do well in my studies. There were times where I was struggling with personal and family issues, and I can undoubtedly say that I was always asked about or checked up on. With the class sizes being small, it has made a huge impact on my education and communication skills. With the smaller classrooms I felt like a group member not just a number on a list. I was able to ask teachers questions without feeling ignored or judged. Four Rivers has not only made me feel like I belonged, but it prepared me for my future and future education. It encourages students to be active members in the school and the community. It does community service events and presents opportunities for community service. It also helps students prepare for college. Not only by giving speeches and having guest speakers, but actually walking students through the process and offering to write letters of recommendation. Most of all the school is set on a foundation of respect and professionalism. The way we presented ourselves as individuals, inside or outside of school was important. It was heavily encouraged to take pride in our actions and to perform and present ourselves to the best of our abilities. Uniform is a requirement for all students. Some years back I

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really disliked putting on the uniform, but as the years went on I realized that it was a way to practice discipline and being proud of the amazing school that we attended. Although my parents did educate me on how to dress and how to carry myself, because of Four Rivers I know how to tie a tie, how to help my peers tie ties, and to keep myself and my peers in check regarding our uniform. It may not seem like much but all of the small things that we were taught add up and help us become more professional young people. I now attend Oregon State University and am pursuing a bachelor's degree in Architectural Engineering. I have no doubt in my mind that Four Rivers is the reason I decided to set such big goals for my future. All of the motivation, help, and guidance the school and the staff have offered me is unmeasurable. Thank you, Estevan Madera

Name: Ashley Hicks

Relationship to the school: Staff/Parent

Do you support the renewal? Yes

Testimony: I am writing in strong support of the renewal of Four Rivers Charter School, both as a parent and as a staff member who works in the classroom. This school has been an important part of my children's education, and it has also been a place where I have seen firsthand how deeply students are supported.

As a parent, Four Rivers has provided my children with the academic help, communication, and genuine care they have needed to succeed. The staff takes time to truly understand each child, and my kids have benefited not only from strong teaching but also from opportunities such as building a foundation in a second language. Their background in Spanish has allowed them to excel in additional Spanish classes outside of Four Rivers, which is a testament to the school's commitment to meaningful learning.

As a classroom assistant, I see every day how impactful it is for students to have more than one adult available to guide them. Having assistants in the classroom ensures that support is shared among many students rather than concentrated on only one. This structure allows more children to receive attention, clarification, and confidence-building help throughout the day. I have witnessed how this makes a real difference in both academic progress and student well-being.

Another reason this renewal matters so much to me is the environment Four Rivers creates. My children feel safe, comfortable, and equal to their peers. This sense of belonging is something I have not always seen in traditional public school settings, and it is one of the greatest strengths of this charter school. Students know they are valued here—not just as learners, but as people.

Additionally, continuing to have another strong education option in our county is incredibly valuable. Families deserve choices that fit their children's needs, and Four Rivers offers a unique and supportive approach that benefits many students who may not thrive in other settings.

For all these reasons, I strongly support renewing Four Rivers Charter School. As both a parent and a staff member, I see the positive impact this school has on students from every angle. Four Rivers provides a safe, supportive, and effective learning environment, and continuing this charter is in the best interest of both current and future families.

Thank you - Ashley Hicks

Name: Viola White

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: I have been teaching at Four Rivers for 21 years. Four Rivers has always supported students, families, and teachers, creating a community that works together for the success of every student. We

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work hard every day to engage students and help them grow into respectful individuals who feel empowered to reach their goals.

I have had the great pleasure of teaching a generation of students who now bring their own children to Four Rivers because they appreciate how deeply the school has impacted their lives. They believe in us, and as a result, former students—now in college—are returning as practicum students, student teachers, and even full-time teachers. I have been blessed to witness this and am excited to see future generations continue to be part of such an important mission.

As colleagues, we collaborate closely because we share the same purpose: to help students become bilingual and biliterate in English and Spanish. Our leadership is strong and supportive, guiding us and helping us grow as educators.

As a team at Four Rivers, we have worked tirelessly to build our school into what it is today. I respectfully ask that you support our community by granting a renewal of the Charter School contract for another 10 years. Thank You, Viola White, 2/3 Grade Teacher

Name: Marc Wilson

Relationship to the school: Professor of English and Philosophy, Treasure Valley Community College

Do you support the renewal? Yes

Testimony: I am writing to express my strong support for the charter renewal of Four Rivers Community School, an institution that has become an invaluable educational asset to our region.

As a professor at Treasure Valley Community College, I have had the privilege of teaching several FRCS students in my college-level courses. Their academic preparedness reflects the school's values in cultivating well-rounded and culturally aware young adults. Students from FRCS consistently enrich the classroom environment. Their bilingual foundations form the basis of a broader capacity for empathy and communication. These students are adept at navigating cultural nuance and at helping to foster inclusive and respectful learning communities. Their presence in the classroom benefits their own educational paths and elevates the learning of their peers.

In addition to the wonderful educational opportunities FRCS provides, I would also like to speak to the broader significance of FRCS in our community. I have lived and worked in this region long enough to witness both the beauty and the challenges of a community with large Spanish-speaking and English-speaking populations. Too often, these communities live parallel lives: close in proximity but separated by language barriers that can inadvertently limit understanding and shared civic life. What FRCS provides is more than bilingual instruction. It offers a bridge. It gives families a place where their home languages are respected, where children learn to communicate across differences, and where linguistic diversity becomes a strength rather than an obstacle. I have seen the impact of this work firsthand. The students I meet in my classroom are confident cultural learners, and, through their presence, they help stitch together a more cohesive and compassionate classroom community.

Moreover, the school plays a vital role in our community environment. It provides families with access to high-quality bilingual education in an era when linguistic and cultural competence are increasingly essential but rarely adequately funded. At a time when Oregon continues to grow in linguistic and cultural diversity, the mission of FRCS is not only relevant but essential. The school is doing the work that strengthens neighborhoods and future generations. Its graduates arrive at college or in the workforce as young people who have already practiced what many adults still strive for, namely the ability to listen across differences, to communicate graciously, and to understand others deeply.

It is for these reasons I enthusiastically support the renewal of FRCS's charter. The school continues to fulfill a vital role in our community and in our public education system. Its contributions should be

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measured by the lived experience of a community better connected through shared languages, respect, and understanding.

Thank you for your consideration, and please contact me if you require further explanations or follow-up. All the best, Marc Wilson

Name: Tara Lopez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: My experience here at Four Rivers has been absolute heaven sent, the staff, the community the school and the education. My father was born in Mexico and is full Hispanic and I know no Spanish. It was definitely a blessing to have a school that is committed to teaching the kids a second dual language that is very needed in our society today. I have been in Four Rivers now for 10 years and i have had 8 total girls go through the Four Rivers charter and the different levels needed have been met on every level. I have a dyslexic daughter who attended public school and was failing pretty bad. Since coming she had gained confidence in herself she never had and is able to read aloud now. I lost my husband 5 years ago and this school and the support and structure it carries is what got us through some of our very hard days. They are compassionate and understanding. Not all my girls learned at the same pace and some of them struggle and the after school program that allows the children extra help is absolutely amazing. My 5th grader is soooo proud of herself now for being able to do a 2 minute time test and get a good score before she wasn't completing them. The accountability of our students action is handled promptly and accordingly. As a mom of a lot of girls this school has shown up for us in ways u can't even pay someone for. My girls are confident in their studies and the teachers believing in them makes them stronger as people. The smaller classrooms and the one on one time the teachers are able to give the students is something u pray for as a mom. To make sure no one is left behind is pretty to see all the class on the same level. The girls have faced their struggles in life but the structure here allow them to hold themselves to a higher level of achievements. They know how to show up for each other and aren't afraid to ask for help due to embarrassment from being behind or doesn't understand, to me as a mom is huge. Asking for help isn't easy but if you are somewhere u feel safe and heard it does make it easier for the kid to get the help they need. OHANA was huge for my late husband which means no one is left behind and he lays said this school definitely leads with those values. The extra time and effort put into some days for the kids to just have a good day is awesome .. even in the high school I have had a couple girls with some serious mental health issues where hospitalization was required for saving them from there thoughts, this school never made me feel less than or like the kids were screwed up because they were having problems, instead they showed up with me to support them an make sure they felt safe and understood and that no matter what when i can't be there that the community we have as a whole here helps step in to help me while I am away from them. It truly takes a village and as a widow mom of 9 girls 6 of whom I adopted when times are tough they truly are the greatest team I have to get through the moments. The school is the perfect thing for every kid to have a voice to be heard to be understood to be valued for them as a person not as a number. I grew up in public schools and by far I prefer the structure efforts and time this school puts into our children. Our kids are our future not only our babies and making good accountable responsible reliable humans is a good goal. I am willing to speak on behalf of the school if needed.

Name: Clint Benson

Relationship to the school: Fire Chief, Ontario Fire and Rescue

Do you support the renewal? Yes

Testimony: I want to express my strong support for the renewal of Four Rivers Community School's charter renewal. I have seen the value of this school both as a parent and as a supervisor of student firefighters from Four Rivers Community School (FRCS) who have come through our Junior Firefighter Program.

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My daughter, Leah, completed all twelve grades at FRCS, graduating with the Biliteracy Certification and over a year of completed college credits. She reads, writes, and speaks fluent English and Spanish. Leah has greatly benefited from her time at FRCC and obtained valuable education and life skills that will serve her and others well for many years to come.

At Ontario Fire and Rescue, we have had the privilege of several FRCC high school students taking part in our Junior Firefighter Program. Currently, we have one FRCC student enrolled in the program. Through my work in other schools in the area, I've noticed distinct characteristics like respect and professionalism from FRCC students. This stands out to me and shows that FRCC cares about the kids' character. Graduates from FRCC's program have bright futures with the skills, knowledge, and abilities learned while attending the school and serving the public.

Renewing FRCC's charter school license will ensure that the vital work being done by FRCC with the youth in our community continues.

Sincerely, Clint Benson Fire Chief

Name: Toby Baigrie

Relationship to the school: SRCI Minimum Facility, Institution Work Program Coordinator, Oregon Department of Corrections

Do you support the renewal? Yes

Testimony: It is with great joy I write to display the utmost support of the Four Rivers Community School. Their school has been chosen as the beneficiary of one of our Opening Minds of the Communities Club's (OMCC) fundraisers in each of the last three years. After hearing about the how FRCS passionately works to innovatively exceed not only the academic needs of its students but also the needs of the diverse families enrolled and the greater community as a whole there was never any doubt for the adult in custody run club to target this great school for outreach. The OMCC has donated \$6,727.47 to FRCS since 2023. These donations have specifically been used to support the FRCS food pantry, a food drive, school supplies, and seed money for a stand alone senior prep building!

With each donation the FRCS staff has graciously accepted invitations to come to the Snake River Correctional Institution Minimum (SRCM). The FRCS staff, Chelle Robins and Tanya Navarrete have given presentations to around thirty OMCC members each time. In every presentation, interaction with individuals, and declaration of gratitude you can see the passion FRCS has in sharing the intentionality, sacrifice and hard work that is poured into creating a thriving community ... no family, at Four Rivers Community School. This willingness to in-reach to our prison community is inspiring others to change their motivation, their narrative, their direction, their community, their family, their future!

We are grateful that FRCS is part of our local community and look forward to a continuing partnership long into the future. Sincerely, Toby Baigrie, SRCI Minimum Facility Institution Work Program Coordinator

Name: Eric Caldwell

Relationship to the school: SRCI Minimum Facility, Opening Minds of the Communities Club President, Oregon Department of Corrections

Do you support the renewal? Yes

Testimony: The Opening Minds of The Communities Club has worked with the Four Rivers Community School family on multiple occasions, and every time it's a pleasure. This last visit and donation on October 28, 2025, were by far the most meaningful. During that visit we were told that not only did our donation support a food drive for local families, but half the donation was being put forth as seed money for a new school building! It really put into perspective how anyone really can help. It was huge to learn that our club has done something so tremendously huge from inside these walls.

To some, the fish on the wall of donors may not seem much, but to us, knowing that our mission to make an impact/difference is truly working is a real humbling experience. Having an organization like Four Rivers

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Community School truly is a blessing, it gives another option other than public schools, and puts more focus on each student's wellbeing and success for the future. It offers another option that if didn't exist some of these students may not even be enrolled in school at all due to demographics. It's huge what Four Rivers Community School is doing, and on behalf of the Opening Minds of The Communities we'd like to thank the staff involved in making things like this happen and for the school continuing to work with us. Thank you, Eric Caldwell, SRCI Minimum Facility, Opening Minds of the Communities Club President

Name: Michael Gonzalez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I am writing to strongly support the renewal of Four Rivers Community School charter contract. The opportunities, the guidance, and the structure I have observed are definitely helping the youth in our community. The numerous paths and bilingual education they offer for students really set them up for a successful future. MG

Name: Dathan Villanueva

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: I started Four Rivers halfway through the 6th grade but in just that short amount of time to now I feel like I'm a part of the Four Rivers family and I feel like I can learn so much more with all the support that I have from my Falcon family.

Name: Priscilla Valero Hernandez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I am a parent of children currently attending Four Rivers Community School.

As a Four Rivers parent, I have seen firsthand the impact Four Rivers has on my children. My kids are growing academically, socially, and culturally because they are learning in an environment that values and integrates two languages. The values and beliefs of our heritage are taught and celebrated. This would not be possible in another school. Their confidence has grown, their problem-solving skills have strengthened, and they are developing a deep appreciation for the diverse community they are part of with friends from similar backgrounds.

Four Rivers doesn't just teach language, it broadens students' perspectives, opens doors for future opportunities, and creates a learning space where different cultures are celebrated rather than overlooked.

At Four Rivers, we are part of a family and the student-centered curriculum, takes teachers and myself in helping my children grow, which otherwise would not be possible in a bigger school.

I support the continued growth and availability of Four Rivers Community School because I've seen how transformative it can be for kids and families. My children are proof of that.

Thank you for your time and I am in support of the renewal for Four Rivers Community School.

Name: Belinda Riojas

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: Dear Members of the Oregon Department of Education,

I am writing to you as both a school social worker at Four Rivers Community School and as a sister of a fourth grader in our Community School (K-5). I am deeply passionate about our school, and I strongly urge you to approve the renewal of Four Rivers' charter license.

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Every day, I see firsthand how our staff go above and beyond to ensure that students are not only supported academically, but also recognized as full individuals with strengths, challenges, and rich personal stories. In my role, I work closely with students and families, and I am continually impressed by the way our teachers, administrators, and support staff collaborate to meet academic, social-emotional, and cultural needs. The culture at Four Rivers is rooted in respect, empathy, and inclusion—fully aligned with the school’s mission to provide progressive dual-language instruction and its vision of creating bi-literate, culturally engaged learners.

My brother’s experience is a powerful reflection of that mission in action. Spanish is his first language, yet at his previous school he often felt embarrassed and unwelcome when speaking it. When he transferred to Four Rivers in second grade, everything changed. Here, his bilingualism was celebrated, not discouraged. He felt accepted by peers and adults, and for the first time he began to recognize the value of speaking Spanish. Over time, he has grown not only more confident academically, but also more proud of his heritage. He now willingly speaks Spanish—something he once felt ashamed to do—and this transformation speaks directly to Four Rivers’ commitment to affirming students’ cultural identities.

Four Rivers is more than a school; it is a community that lifts families, honors home languages, and creates learning environments where every student can belong and thrive. The staff’s dedication to whole-child development is exceptional, and it is the reason so many children—including my brother—experience growth that extends far beyond the classroom.

Renewing the charter of Four Rivers Community School means sustaining a place where students are supported academically, emotionally, and culturally. It means preserving a school that truly lives its mission and makes a meaningful difference in the lives of students and families.

Thank you for your time and thoughtful consideration. Please feel free to reach out if you would like additional insight. Sincerely, Belinda Riojas, CSWA

Name: Tomasa Tello de Riojas

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I am writing to express my wholehearted support for the renewal of Four Rivers Community School’s charter license. As a parent of a student who attends the school, I have seen firsthand the positive impact it has had on my child, and I believe it is important to highlight the growth he has made since starting at Four Rivers Community School.

My son continues to face some challenges with behavior, at times, but the difference in his experience at Four Rivers has been remarkable. At his previous school, he often struggled to feel confident and supported in the classroom. At Four Rivers, however, the staff have been incredibly understanding, working closely with me to develop strategies that help him succeed. While there are still ups and downs, I can see that the environment at Four Rivers is truly helping him to make progress, and he now approaches each day with a more positive attitude.

What stands out to me most about Four Rivers is the sense of community and partnership. It truly feels like a family or a team. I have worked closely with his teachers to ensure that we are all aligned in supporting his growth, and I always feel like they are genuinely invested in his success. The communication is open, and I know that if I ever have any concerns, the staff is always willing to listen and work with me to find the best solutions for my son. This collaborative approach has been invaluable to me as a parent and has made all the difference in my son’s experience at school.

Additionally, my son has made significant strides in his language skills, particularly in Spanish. He has become much more confident in speaking Spanish, something he struggled with in the past. He now looks

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forward to using his bilingual skills, and I know that Four Rivers has played an important role in fostering this positive attitude toward his cultural identity.

Four Rivers Community School has created an environment where my son not only feels supported but also truly valued. I am grateful for the incredible work the school does for all of its students, and I believe it is essential that the school's charter be renewed so it can continue to make a meaningful impact.

Thank you for your time and consideration. I fully support the renewal of Four Rivers Community School's charter and believe it is deserving of the opportunity to continue its important work.

Sincerely, Tomasa Tello de Riojas; Nickolas Riojas 4th Grade

Name: Judy Snyder

Relationship to the school: Four Rivers Community School Board Member

Do you support the renewal? Yes

Testimony: I am currently a Board member at Four Rivers Community School and prior to that I audited the finances of the School. I have experienced the administration when they started out in a warehouse and their funds were limited. The administration still has the same beliefs and attitudes as before. The administration is very budget minded. The School and the administration care for the kids and giving them the best education they can get. Another experience I have had while auditing at the School was a kindergarten student came into school and then turned to run out the door, because they were new there. The Superintendent, Chelle, took his hand and talked to him and walked him to his class. That student will graduate this year from Senior Prep (from Four Rivers Community School high school). Judy Snyder, Board Member

Name: Osvaldo Benitez

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: Four Rivers Community School has become a staple to my family. I got to see aunts and uncles become teachers and have the privilege to educate students at Four Rivers. Among those students are three of my siblings and a long list of cousins.

I truly feel that this school kept my family close because they got to grow with the school. I have some cousins and two of my siblings that were part of the school when it was in its infancy. They got to see its first building, the expansion of the playground, development of sports and so many other events. I remember when my two older sisters were excited because the school was getting its new building and that it was going to have an "elevator". That is a priceless memory that I will forever hold.

I didn't get the chance to be a student at Four Rivers Community School, but I now hold a role as an educator and a coach at Senior Prep. I got the opportunity to see many of my younger cousins graduate from Senior Prep and move on to college. I have a sister that graduated with a marketing degree and a cousin with an engineering degree.

These are many examples of the success that Four Rivers Community School has had in the educational development of the students and its positive impact in the community.

Name: Jackquelyn Felix Romulo

Relationship to the school: Student

Do you support the renewal? Yes

Testimony:

I am a part of the Four Rivers Community School as a student. The benefits of me attending four rivers from what I have seen for us is for the Hispanic community that do not attend the school is that they often do not speak Spanish that well compared to four rivers students. My understanding of why this is that they

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do not speak Spanish often with their peers thus they don't speak it at all. This is why Four Rivers Community school is impotent for students like me.

Name: Ana Espinoza

Relationship to the school: Community Member

Do you support the renewal? Yes

Testimony: My son went to school at Four Rivers Community School and graduated in 2012/2013.

Name: Alexxis Ponce

Relationship to the school: Other

Do you support the renewal? Yes

Testimony: There are so many reasons that this school is important to me. Not only do my children attend, but I did (as well as their dad) and I learned and perfected my second language, Spanish. I created lifelong best friends and built some of my most important relationships not only with friends but staff members as well. This school was my home for 9 years and I can only try to explain how important the school and programs truly are to me.

The school is even more important to me now that my children attend for the same reasons that it was important for me to attend. They are learning a second language, building lifelong relationships, and as they get older, they will be offered so many academic opportunities and experiences. I am especially grateful to have this school for each of my kids. For my son who needs extra help and the progressive first grade class is something that was extremely helpful to him. For my daughter who attended a different school until 5th grade and had a hard transition but was welcomed with the warmest arms by her new classmates and my old teachers. Lastly, for my youngest who is in a kindergarten class that is only Spanish which has helped her learn so much in such a small amount of time.

The flexibility and wide range of diverse classes that the school is able to offer by being a charter is extremely important to so many families in our community and we hope to see it continue. By learning the second language of Spanish and becoming biliterate, my kids get to stay connected to their roots and will have so many lifelong opportunities. Without this charter certificate this experience and success would not be attainable for our children.

Four Rivers has the kindest and warmest sense of community within, and I am so proud to be former student and so grateful for my kids to now be a part of the same community.

Sincerely, Alexxis Ponce

Name: Alfredo Ponce

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I was born and raised here in Ontario. I went to school on the other side of the tracks, you know, where all the brown kids go to school and the select few white kids. Now during that time it was frowned upon that we speak in a different language than English. So a lot of my generation has grown up having lost that part of our culture. Four Rivers Community School (FRCS) changed all that. They were the first full-time immersion dual language school on this side of the state. What, a school that encourages that speaking in both English and Spanish and doesn't care what nationality you are.

Since the inception of Four Rivers Community School, I have seen it grow from its first building where they used partition dividers to separate the classes and teach all the little students. All through the building the classrooms were filled with kids learning in two different languages. That was almost twenty years ago, when my daughters attended FRCS. Now I have three grandchildren who attend FRCS. And I can say that the same caring, nurturing and fostering belief in the dual immersion program is still alive and well. All three of my grandkids had their doubts because they knew no Spanish and now they are all picking it so fast. Thank you for your time, Alfredo Ponce

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Name: Hanna Swanson

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: How can we begin to explain Four Rivers Community School? The impact of the program sends shock waves through our town because we are the epitome of why school choice is important. When you walk through our halls you see no doors but open pathways where students feel secure, safe and supported. You hear two languages being taught equitably, culture celebrated and dreamers building a foundation of possibilities.

I have been working at Four Rivers for 14 years and truly would not live in this town where I grew up, if Four Rivers wasn't an option. Ontario's Hispanic community is typically underserved, but at Four Rivers it is embraced, celebrated and thriving. I've spent my career with Jr. Prep (6th - 8th grade students) and if you know middle school aged kids, you know that 14 years is quite a long time to stay in one school and I don't take this work lightly. We are providing a middle school experience that is building strong caring leaders, who then get to continue their High School career in the school that helped raise them. The Jr. Prep students would say they are "6-7" and I would say that they are all inspiring.

Today, I am lucky enough to work alongside former students who have become incredible colleagues and friends. I am also fortunate enough to have my daughters attend school here, where they are learning compassion for language, culture and have Latinx leaders as their role models. As native English speakers, my daughters play with Barbie's in Spanish at home together and get to understand and honor a culture that has too often been marginalized.

The work teachers and staff are doing is vital and Superintendent Robins' vision for this charter school should easily be replicated and modeled. I am confident that the Oregon Department of Education already knows the strength of this program but I appreciate the chance to speak for our small but mighty Falcon nest.

Name: Rhiannon Raymond

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: I like going to school here. I can't wait to graduate as a person who has been here since kindergarten.

Name: Brian Navarrete

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: I would like to express my full support for the renewal of Four Rivers Community School in Ontario, Oregon. Four Rivers has consistently demonstrated a strong commitment to providing quality education through its excellent staff, who go above and beyond to ensure every student succeeds. The school fosters a tight-knit, caring community where families, staff, and students feel connected and supported.

As a parent of a student, I have seen firsthand the careful attention, easy accessibility, and outstanding communication from the staff. They truly take the time to understand each child's needs and keep families informed and involved, which makes a tremendous difference.

Four Rivers offers an exceptional learning environment—one that encourages curiosity, growth, and confidence in all students. The atmosphere is positive, inclusive, and built around helping each child reach their full potential. This school is an invaluable asset to our community, and its continued success is essential for the students and families who rely on it.

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I strongly affirm and support the renewal of Four Rivers Community School.

Name: Easton Barahona

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: Hello, I'm Easton Barahona. I'm an 8th grader and I have been going to this school since kindergarten. I used to go to Aiken. This school has changed me and made me more confident. When I talk I love my teachers here. They have supported me through speaking and being more confident in what I do, my parents wanted me to go here to have a better education and to learn a new language. My dad is also bilingual so my mom wanted me and my brother to come here. He graduated from Four Rivers Community School. A special moment I have had here is making best friends, and when I went on my 6th grade field trip staying with my friends and playing games. The best part was when we played shaving cream baseball, the teachers put shaving cream in a wilful ball and we had the best time ever. This school definitely pushes you to your full potential and to be confident in what you do. They're by your side and are there to help when in need of assistance.

Name: Elena Ramirez

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: Four Rivers matters to me because it gives students a lot more opportunities than an average public school. I have been here since kindergarten and my two older siblings have been in school as well. I feel as if I have benefited in this school by not having to worry about my safety. First of all, all the doors in 4RCS are locked, and they don't let random people in. Plus, since this school is smaller you know everyone around you, so you don't have to worry about acts of bullying.

What I like about this school and the reason my parents enrolled me is because they adjust to your learning level, and they are bilingual. Plus, our school offers college classes in the high school. Lastly, I love how all the teachers and coaches are friendly, help out a lot and feel as if you can talk to them. Thank you, Elena Ramirez

Name: Gerald Whinery (winner-ee)

Relationship to the school: Other

Do you support the renewal? Yes

Testimony: My testimony comes from two different perspectives: a teacher, and a parent.

As a teacher, Four Rivers Community School offered me a place to work where I truly felt seen and respected as a teacher. I had an opportunity to work at a local high school and the differences in how I felt are incomparable. The administration values what I bring to the table as a teacher who can teach multiple subjects and they are willing to work with me to help meet my needs and goals. The teachers and admin have come through for me during some challenging moments in my time as a teacher and instead of replacing me like a cog in a machine they saw my value and worked to build on something better.

As a parent, the dual language model has helped to immerse my family into a culture that they otherwise would not be exposed to at the public schools in Ontario. My children are provided with a content rich education that is grounded in student-first teaching. Each teacher works to make a connection with my children and they care about doing what is best for them. This school matters to my family.

Without sounding potentially generic, it is important to recognize the power of choice within our community. Just as we as consumers love to have freedom of choice in purchases, so to should we have a freedom to choose where our children go to school. Four Rivers Community School as been an amazing

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piece of diversity and equity within Ontario. More and more people are choosing FRCS as their home because they want something different than what our public schools are offering. Though there are limitations on student numbers, I would be willing to bet that a majority of families would choose FRCS over the public schools in the area based on the rigor, and the high standards that each of us have for this school. We are different. Families are noticing. And we love it.

Name: Oliver McDowall

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: Four Rivers is like a second home to me. I have been going here since kindergarten and the staff and my classmates feel like family. The atmosphere is very welcoming and everyone knows each other by name. The support I receive through sports is great, the entire school signing a poster for me for state, and getting congratulated not only from fellow students, but also teachers and staff. If I ever have a problem I never feel afraid to go up to a teacher and ask for help or advice. not only am I able to take advanced Spanish, but also, I get the privilege of taking college classes as a high school student. In conclusion, I feel proud to call myself a falcon.

Name: Mary Clark

Relationship to the school: Other

Do you support the renewal? Yes

Testimony: Four Rivers is very valuable to our community- great atmosphere & the children learn a dual language which is needed for students future. My granddaughter is doing very well.

Name: Idalia Stam

Relationship to the school: Community Member

Do you support the renewal? Yes

Testimony: I support the renewal.. this school has been a great influence to our community. Kids have exceeded their expectations over the years.

Name: Daney Peña

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: I am writing to provide my formal testimony regarding my experience as an educator at Four Rivers Community School, where I have proudly served for more than eight years. During this time, Four Rivers has become far more than my workplace—it has become my second home. This community has supported me through some of the most challenging moments in my life with unparalleled compassion, understanding, and encouragement. I have never worked in an environment where I felt as deeply valued, respected, and connected as I do here. Whenever I am asked where I work, I share with pride that I am part of Four Rivers Community School; the consistently positive feedback I receive from others is a testament to the exceptional reputation our school has earned.

Four Rivers Community School is rooted in a truly student-centered mission. Every decision made reflects a commitment to creating a safe, inclusive, and enriching learning environment. Our administration wholeheartedly supports teachers by providing the resources, guidance, and professional development opportunities necessary for us to excel. They seek our input, value our expertise, and cultivate genuine collaboration. I can say with confidence that I would not be the educator I am today without their outstanding leadership. The positive, caring culture they have established empowers both students and staff to thrive.

As a teacher in our dual language program, I am proud to contribute to a learning model that develops

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bilingual, biliterate, and culturally confident students. Each day, I witness the ways in which we embrace families as partners in learning and celebrate the cultural and linguistic diversity that makes our school community so vibrant. Watching students grow and excel in two languages—gaining academic, cognitive, and social advantages that will benefit them throughout their lives—is one of the greatest privileges of my career.

Our dual language program does more than teach languages; it brings our community together. It strengthens cultural understanding, builds meaningful connections across diverse backgrounds, and prepares students to succeed in an increasingly interconnected world. I am grateful to work at a school that fully embraces bilingualism and fosters an environment where every student and family feels included, valued, and supported. It is an honor to be part of such a nurturing, uplifting, and forward-thinking community.

Thank you for the opportunity to provide this testimony.

Respectfully, Daney Peña

Name: Leslie Serrano

Relationship to the school: Other

Do you support the renewal? Yes

Testimony: La escuela comunitaria Cuatro Ríos siempre ha sido un lugar de apoyo, seguridad y bondad. Desde el primer día que puse un pie aquí como estudiante, hace trece años, sentí la calidez y el respaldo de una familia. Siendo apenas mi segundo año en este país y sin saber inglés, la escuela se encargó de brindarme las herramientas necesarias para aprender y salir adelante.

Algunos de los mejores recuerdos de mi adolescencia nacieron en estos pasillos. La cultura y la diversidad que ofrece FRCS fueron lo que más me ayudó en ese tiempo, haciéndome extrañar un poco menos mi hogar en México. La comunidad que ofrece esta escuela no la encuentras en muchos lugares.

Aparte de eso, me preparó académicamente para convertirme en alguien importante en mi futuro. En tan solo tres años aprendí bastante del idioma, y de una manera bilingüe, lo cual me abrió muchísimas puertas. También me enseñó la disciplina necesaria para ser una estudiante fuerte. Y, sobre todo, me enseñaron que todo se puede lograr mientras luchas con dedicación y perseverancia.

Ahora me encuentro de regreso en esta escuela con un papel doble que me llena de orgullo: no solo como maestra, sino también como madre de familia. Este año cumpla cuatro años de haber vuelto a ser parte de esta increíble familia. En estos cuatro años he sido testigo de lo que realmente sucede dentro de nuestras paredes. Cuatro Ríos se encarga de brindar a nuestros estudiantes una formación completa en cada aspecto. Cada maestro se esfuerza para que cada niñ@ esté listo y preparado para ser exitoso en su vida. Como maestra, me enorgullece ser parte de este equipo y del trabajo que hacemos cada día.

Esto es lo que nuestra comunidad necesita: un lugar donde nuestros niños se sientan libres de ser ellos mismos. Un lugar que les ofrezca aprendizaje, un espacio lleno de cultura y diversidad. Un lugar donde estén seguros. Un lugar donde nuestros niños no sean solo un número, sino personas con un futuro exitoso. Y les puedo asegurar que nuestra escuela marca cada una de esas casillas.

En esta generación, lo que nuestros estudiantes necesitan es guía y apoyo. Por eso, nuestra escuela tiene que mantenerse abierta.

Cuatro Ríos Community School has always been a place of support, safety, and kindness. From the first day I set foot here as a student, thirteen years ago, I felt the warmth and support of a family. Being only my second year in this country and not knowing English, the school took it upon itself to provide me with the necessary tools to learn and succeed.

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Some of my best teenage memories were born in these halls. The culture and diversity that FRCS offers were what helped me the most during that time, making me miss my home in Mexico a little less. The community this school offers is unique.

Besides that, it academically prepared me to become someone important in my future. In just three years, I learned a great deal of the language, and bilingually, which opened countless doors for me. It also taught me the discipline necessary to be a strong student. And, above all, it taught me that anything is possible with dedication and perseverance.

Now I find myself back at this school with a dual role that fills me with pride: not only as a teacher, but also as a parent. This year marks four years since I returned to be part of this incredible family. In these four years, I have witnessed what truly happens within our walls. Cuatro Ríos is committed to providing **our** students with a well-rounded education in every aspect. Each teacher strives to ensure that every child is ready and prepared to succeed in life.

As a teacher, I am proud to be part of this team and the work we do every day.

This is what our community needs: a place where our children feel free to be themselves. A place that offers them learning, a space full of culture and diversity. A place where they are safe. A place where our children are not just a number, but individuals with a successful future. And I can assure you that our school ticks every one of those boxes.

In this generation, what our students need is guidance and support. That is why our school must remain open.

Name: Mariah Whinery

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: Hello, My name is Mariah and I'd love to share a little about the importance of what having a biliterate school in our community means to my family.

I had the unique opportunity to attend Aiken Elementary through grades K-5, here in Ontario, back when it offered a bilingual program. Unfortunately, that program is no longer active for some reason despite the value that it offered the students and community. Because of that program, I was able to find success in continuing my education in Spanish while in middle school, high school, and college.

However, that didn't come without challenge. The program, as it was designed, failed me personally in a lot of ways. I may be able to understand and read the language, but speaking as well as writing correctly in Spanish is of extreme challenge for me. That is why the Four Rivers biliterate program is of so much more value to not only our community but our state. It includes bilingual teaching to learn to understand and speak another language but it also allows for communication with complex written content. I lament in sharing that I don't recall ever being corrected in conjugation as a child so having to unlearn something that I practiced incorrectly for years has taken perseverance to undo. Still when I speak, I sound illiterate. I do not wish that for my kids or any of their peers.

My husband and I feel very passionate about Four Rivers Community School because we see the great effort put in by the teachers to instruct the children correctly in both languages. For the kids, it's so immersive it becomes inherent that by the end they are set up for success having unlocked their brain to a world of opportunity. The students have had practice in critical thinking at a whole new level that the two years of high school second language courses many take simply cannot be compared to.

Having a school that is K-12 with an emphasis on earning a biliterate seal AND being an early college model is of great value to the community. In my personal opinion, this sets each student up to be a forever

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learner, which is exactly what I want as a parent. I want kids who seek understanding, truth, wisdom, and value critical thinking. I want kids who can explore both sides of a conversation without resorting to violence because they feel misunderstood. I want empathetic kids who celebrate differences and see the value in them. The different schools in our town should be celebrated for their diversity rather than looked at as rivals. There is so much to learn from one another.

After all, the phrase is it takes a village. And in our case here in Ontario, at least on the Four Rivers campuses, it takes a community. The community school atmosphere is so unique. Parents show up to volunteer and assist the staff. One of the goals is to all work together to raise these children up to be honorable, filled with integrity, service-driven human beings who go out into the world and are noticeably different.

As someone who went through all of K-12 in Ontario School District schools, I rarely saw a parent after 3rd grade inside the classroom or school beyond a conference or sporting event. Four Rivers is in the business of raising the bar. The school is different for the better and it is in my humble opinion that the community needs this school. What it offers is immeasurable.

Thank you so much for your time, Mariah Strobeck-Whinery

Name: Kelvin Rivera

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: Taught me how to read and write in Spanish better

Name: Jaime Grimaldo

Relationship to the school: Four Rivers Community School Board Member

Do you support the renewal? Yes

Testimony: I have served on the 4RCS board for about four years. I am honored to be able to provide input and insight from the parent perspective. The other board members bring such a wealth of knowledge and experience to the table. We all believe in the mission of Four Rivers and are invested in seeing the school continue to succeed in preparing its students for success beyond its walls.

As a parent of two Falcons- one graduated and one currently a Sophomore- I hold the school in the highest of regards. The faculty and staff take great pride and ownership in the school. They build meaningful relationships with the students. Senior Prep students being able to take college courses through TVCC gives them a huge advantage- both in terms of educational value and preparing students to succeed in a college setting. There are several extracurricular activities and clubs to participate in. The sports programs are routinely competitive and have qualified for State in multiple sports. Earlier this year, our oldest son was one of 12 in-state, and 24 total nationally, to be named as a University of Oregon Stamps Scholars Program recipient. Receiving the university's most prestigious and generous scholarship can directly attributed to the impact and totality of opportunities that Four Rivers Community School provides their students. My wife and I are forever grateful to the faculty, staff, and administration for putting their hearts and souls into the students and the school.

Name: Ana Martinez

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: Hello my name is Ana, I am in 8th grade here at 4riv. I have been here since kindergarten. My parents have me here because all of my siblings have come here. Now my little brother is coming to this school. They picked this school because it is bilingual. They liked that we switched languages every other week. It helps me because I can talk to anyone I need to specifically to people who only speak Spanish I am

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able to communicate to them. Something we do that not other schools do is for example like Dia de los niños. Another thing is that four river schools let us express ourselves even with uniforms. For example we are allowed to dye our hair and we don't get in trouble. We can wear nails and show interest in what we like. Recently my friends and I have made a kindness group called manos amables. We recently went to a facility home to go play bingo with elderly people. This is special because no other schools have something like this. That can spread kindness and make bonds with them.

Thank you for your time and I hope you put this in consideration

Name: Estrella Cruz Santiago

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: Por medio de este presente, deseo expresar mi sincero agradecimiento por la experiencia que he tenido en esta institución. Llegar a Estados Unidos desde México representó un gran cambio en mi vida, especialmente por la adaptación a un idioma nuevo y a un sistema escolar diferente. Sin embargo, desde el primer día, la escuela me brindó un ambiente de apoyo y comprensión que hizo este proceso mucho más accesible.

El modelo bilingüe fue una ayuda fundamental para mí, ya que me permitió continuar aprendiendo mientras fortalecía mi inglés poco a poco. Los profesores jugaron un papel muy especial en mi adaptación. No solo me enseñaron los contenidos académicos, sino que también me ofrecieron paciencia, orientación y motivación cuando más lo necesité. Gracias a su dedicación, pude sentirme incluida, avanzar con confianza y superar los desafíos que enfrenté al llegar a un país nuevo.

Quiero reconocer también el ambiente positivo que caracteriza a esta escuela. El respeto, la comunicación abierta y el compromiso con el bienestar de los estudiantes crean un entorno donde todos podemos crecer, independientemente de nuestro origen o nivel de idioma. Me siento profundamente agradecida por formar parte de una comunidad educativa que valora la diversidad y se preocupa genuinamente por el éxito de cada alumno.

Agradezco de corazón todo el apoyo que la escuela y sus profesores me han brindado. Llevaré conmigo las lecciones aprendidas y el impacto positivo que esta institución ha dejado en mi vida.

Atentamente, Estrella Cruz Santiago.

Through this letter, I wish to express my sincere gratitude for the experience I have had at this institution. Arriving in the United States from Mexico represented a significant change in my life, especially due to adapting to a new language and a different school system. However, from the very first day, the school provided me with a supportive and understanding environment that made this process much more manageable.

The bilingual program was a fundamental help to me, as it allowed me to continue learning while gradually strengthening my English. The teachers played a very special role in my adjustment. They not only taught me the academic content but also offered me patience, guidance, and motivation when I needed it most. Thanks to their dedication, I was able to feel included, move forward with confidence, and overcome the challenges I faced upon arriving in a new country.

I also want to acknowledge the positive atmosphere that characterizes this school. Respect, open communication, and a commitment to student well-being create an environment where we can all grow, regardless of our background or language level. I am deeply grateful to be part of an educational community that values diversity and genuinely cares about the success of every student.

I sincerely appreciate all the support the school and its teachers have given me. I will carry with me the lessons I have learned and the positive impact this institution has had on my life. Sincerely, Estrella Cruz Santiago.

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Name: Samuel Lopez

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: Throughout my time of more than 11 years at FRCS, I witnessed notable achievements such as the opening of grades 9th through 12th early college model, and numerous times of students reflecting both their academic progress and confidence. Collaborating with the FRCS team enhanced my instructional methods, underscoring the importance of adaptive teaching, ongoing professional development, and cross-disciplinary teamwork to better support diverse learners. The continuation of FRCS is essential, as it provides a structured, nurturing environment that enables students to reach their fullest potential and enriches the broader community with a culture of learning and engagement.

Name: Zayden Glenn

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: Hello my name is Zayden Glenn and I'm a senior at four rivers community school Sr. Prep and I have been attending this school scene kindergarten. Four Rivers is a bilingual school and I have been learning Spanish for almost my whole life and I'm grateful for that opportunity. I can get my biliteracy seal while graduating and this is a big opportunity and can help with my future. I have never really liked school, when I was a kid I just didn't want to be there, while I may not like going to school I do love this school with all my heart. It has helped me so much in life. Mrs. Robins is an amazing principle and has done everything in her power to help the students in any way possible she was the one that encouraged me to take certain collage classes to help with my future. I'm grateful for Mrs. Robins and the school for all they have done to help me reach my goals and have a bright future. This school has an amazing environment everyone is friendly and welcoming. There is no bullying that I know of, I know that it is rare to find a school without bullying and this school is that, or in my experience it has been.

I support the renewal because this school has done a lot for me and other kids and when you get down to it this school is not just a school we are a family we help each other, bring each other up and while I am graduating this year I will always and forever be a Four Rivers Falcon.

Name: Alan Maxfield-Okuda

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: Four Rivers Community School is such a good place for everyone involved. The parents are involved and experience a welcome environment. The staff are all friendly and helpful, and the students are well-behaved and learning. And, there are almost never any quarrels between students, as due to the smaller size of the school, everyone knows each other and everyone is friendly with each other. This kind of dynamic helps the overall vibe of the building, which contributes to the aforementioned learning experience. Though, I've never been to other schools, I've heard of many frequent issues that occur at the other schools in the area. That kind of thing never happens at Four Rivers Community School, so I believe it should be able to stay open so that students are able to learn in a healthy environment.

Name: Adriana Lopez

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: My time at Four Rivers has truly been the best. From kindergarten through becoming part of the first graduating class, I learned so much. I was taught from a young age to acknowledge people with kindness, from a simple "good morning" to "have a good day!" My Spanish has evolved tremendously, and

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Four Rivers shaped me not only as a student but also as an educator. I loved this school so much that I came back to give to others what was given to me.

During the winter of 2015, my family and I went through a life-changing experience. My sisters and I were removed from a basement, and my school was there for me every step of the way. It was one of the hardest things we had ever faced. On Christmas morning, I woke up on an air mattress with all seven of my sisters, and my father—who had tears in his eyes—told me that people were there to see us. I was greeted by all of my teachers and Mrs. Robins, who brought gifts because our whole lives had been turned upside down and they wanted us to still have a Christmas. Seven little girls' dreams came true that morning because of Four Rivers. They never had to remind me that I was loved—I could feel it.

A couple of years later, my father passed away, another life-changing experience. Mrs. Robins and the Four Rivers staff came to the hospital to be there for us. This might be a bit TMI, but at that moment I was so lost. I walked outside the hospital, not knowing what to do, and I was so overwhelmed I started getting sick. I felt a hand on my back, and once again, it was my Four Rivers family there to support us.

This school will always hold a special place in my heart. No matter where I go, I know that Four Rivers will always be a part of my life. Even now, as a staff member, I have close relationships with my former teachers—who have become close friends. Sincerely, Adriana Lopez

Name: Leonel Dionicio Martinez

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: Nos sentimos muy orgullosos de que mis hijos pertenecen a este plantel educativo.

We are very proud that my children belong to this educational institution.

Name: Cathy Yasuda

Relationship to the school: Community Member

Do you support the renewal? Yes

Testimony: As a community member and the Executive Director of the Treasure Valley Community College Foundation, I have seen the tremendous growth and transformation that Four Rivers Community School has undergone. FRCS and TVCC have formed a partnership to provide high school students at FRCS to take college levels courses right on our campus. We have enjoyed having these students on our campus and having the opportunity to earn college credits while they are still in high schools. The benefits are great and many of these students have matriculated to TVCC after graduation and some have even earned their two- year associate's degree while still in high school.

FRCS provides a welcoming and supportive environment for students to learn in a bilingual setting that is high quality, engaging and well-rounded. Four Rivers is active in the community providing their students with outreach and ways in which to contribute and give back through community service and other projects.

I fully support the renewal of the charter for Four Rivers Community School. They are an integral part of our education system and our community.

Name: Amanda Villagómez

Relationship to the school: Other

Do you support the renewal? Yes

Testimony: I was a teacher at Four Rivers Community School from 2008-2011 and 2012-2013, as well as a parent from 2008-2013. As a teacher, I loved working alongside colleagues who thought deeply about literacy and language development, as well as community. The students and families formed a tight-knit community with many siblings and cousins within the small school environment. As a parent, I loved the

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care that teachers provided my daughters, as well as the way my students invested in the younger students' development. Innovation was a focus at the school and Director Chelle Robins was supportive of opportunities for on-going professional development in order to better meet the needs of our students. Four Rivers was the hardest aspect of leaving the Ontario community when we decided to move back home to Union County for both my daughters and me. It has been my great joy to have some of my former Four Rivers' students as students at the university level and to continue to see them thrive. I highly support the renewal of Four Rivers' charter so that it can continue to impact generations to come.

Name: Katelyn "Katie" Tensen

Relationship to the school: Student

Do you support the renewal? Yes

Testimony: My education at Four Rivers Community School started in the fall of 2006 and continued through the 8th grade in 2015. My nine years in the classroom at Four Rivers will forever hold a special place in my heart. Numerous peers, teachers, and administrators at Four Rivers became my lifelong friends. I was recently the maid of honor in the wedding of a fellow classmate and it was so special to think of where our friendship started all of those years ago. Four Rivers gave me the opportunity to tour 6+ colleges and universities before I was even in high school. I was able to think critically about my future education thanks to the time Four Rivers spent preparing us for that next step. Unfortunately, I have lost most of my fluency in speaking Spanish during the last 10 years but I am still thankful for that education and hold a forever love of the Spanish language and culture that we celebrated. I credit my time at Four Rivers for helping me succeed in public high school and at a 4-year university. I graduated Valedictorian with an Honors Diploma and served as an FFA chapter officer for 3 years in high school. Last year, I completed my Bachelors of Science in Animal Science from Montana State University. I fully support renewing Four Rivers Community School for the next 10 years. Katelyn Tensen, FRCS Alumni

Name: Martin Mendoza

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: Hello, My name is Martin Mendoza, and I am a parent of two students at Four Rivers Community School, Elijah (5th grade) and Aracely (3rd grade). I wanted to share my support for the school's charter renewal and offer my view as a parent who has seen a positive impact on both of my kids.

Since enrolling at the school, both of my kids have grown tremendously academically. Their confidence in reading, math, and problem solving has improved and I credit a lot of that to the school's smaller class sizes. Teachers are able to give students more one on one attention and it shows.

Communication between teachers and parents is also excellent. When something comes up, big or small, teachers reach out quickly and directly. I always feel informed, respected, and included in my children's learning. As a parent with a very busy schedule, that kind of communication helps so much.

The school also does a wonderful job supporting families and building community. Their family events are welcoming and enjoyable for students and parents. My son Elijah loves the after school "Smile Club," which has been a huge positive for him. My daughter Aracely loves everything about school and I am very impressed with her Spanish speaking skills (second language).

Another positive is the school's diversity. Students come from many different backgrounds and the environment is inclusive, respectful, and enriching. It's important for my kids to grow up in a setting that reflects the diversity of our community and FRCS does that.

In short, this school has helped my children thrive both academically and personally. The teachers and culture make a real difference for students and families. I strongly support the renewal of their charter and believe continued operation of this school is a huge benefit to our community. Please feel free to contact me if you need any other information. Thank you, Martin Mendoza Jr.

Written Testimony Regarding Four Rivers Community School Renewal

Name: Jeaneth & Martin Mendoza Sr.

Relationship to the school: Parent, Family Member, Guardian

Do you support the renewal? Yes

Testimony: We are writing to share our support for renewing the charter for Four Rivers Community School. Our family has been part of FRCS for many years, and we've seen firsthand how much the school helps students succeed.

Two of our children graduated from FRCS and received opportunities that truly set them up for the future. Our son, Alejandro, earned college credits while he was still in high school and is now attending Oregon State University, where he is working toward his bachelor's degree and will graduate in 2026. Our daughter, Gabriella, graduated this year and also earned many college credits while attending FRCS. She is now attending Oregon State as well and started her first year.

We believe the strong academic foundation and support they received at FRCS played a big part in where they are today.

Now, our grandchildren, Janessa, Elijah and Aracely are students at FRCS too. It means a lot to see the next generation thriving in the same positive environment. They are growing academically, supported by caring teachers and benefitting from the same community focused school that helped their uncle and aunt succeed.

We will soon have another grandchild, Aaron, starting kindergarten next year and we are very excited for him to join FRCS as well.

FRCS has made a meaningful difference for our family and we want to see it continue serving students in our community. Thank you for your time, Jeaneth & Martin Mendoza Sr.

Name: Four Rivers Community School K-5 Teachers

Relationship to the school: Staff

Do you support the renewal? Yes

Testimony: Good evening members of the Board,

Thank you for the opportunity to speak on behalf of the elementary teaching staff of Four Rivers Community School. We are here in strong support of our charter renewal because we deeply believe in the mission, values, and life-changing impact of this school.

Many of us have dedicated decades of our lives to Four Rivers. One teacher was a student here for six years, volunteered for four more, and has now taught here for seven years—seventeen years invested in the school that raised her. Another has been part of the community since 2005 as a volunteer, substitute, and teacher—twenty years of service. Our kindergarten teacher first joined as a parent, then an instructional assistant for seven years, and now teaches—thirteen years in total. One of our bilingual Spanish teachers has taught here for eighteen years while raising her bicultural children in this community. One teacher has been teaching for twenty-one years, shaping multiple generations of students who now return as parents, student teachers, and staff. Another bilingual Spanish teacher has been part of this school for sixteen years as a parent, assistant, and teacher. Another teacher has been part of Four Rivers for over eight years, describing the school as her second home and highlighting the support, care, and professional growth it provides.

Altogether, the elementary teaching staff represents over 130 years of dedication to Four Rivers—a true testament to our stability and commitment.

As one teacher shared:

"Four Rivers has always supported students, families, and teachers, creating a community that works together for the success of every student. We collaborate closely to help students become bilingual and

Written Testimony Regarding Four Rivers Community School Renewal

biliterate, and we see generations of families choosing this school because they know the difference it makes."

Four Rivers takes pride in hiring from within our community, creating a close-knit culture of trust and investment. Our students celebrate their bilingual, bicultural identities, developing empathy, equity, and understanding in a multilingual world. Our dual-language program empowers students to become bilingual, biliterate, and culturally confident, while fostering strong partnerships with families and preparing students to thrive in a global society.

Our message is clear: Four Rivers changes lives. It strengthens families. It builds opportunity and hope. And it is worth investing in. We respectfully ask for your support in renewing our charter so this vital work may continue.

The Elementary Teaching Staff of Four Rivers Community School

Written Testimony: 81

Students in support of renewal for Four Rivers Community School who did not provide additional written testimony:

- 1.) Dustin Mason
- 2.) Alexis Sorensen
- 3.) Eduardi Navarro
- 4.) Estrella Cruz Santiago
- 5.) Oliver McDowall
- 6.) Daniela Mendoza
- 7.) Bailey Bueno
- 8.) Guadalupe Martinez
- 9.) Sophie Cheatham
- 10.) Alexander Martinez
- 11.) Andy Villa
- 12.) Dominic Hernandez
- 13.) Jose Luna
- 14.) Aubriana Montoya
- 15.) Alivia Lopez
- 16.) Alexia Castro
- 17.) Tylor Ishida
- 18.) Perla Alonso

Staff Members in support of renewal for Four Rivers Community School who did not provide additional written testimony:

- 1.) Kim McDowall
- 2.) Aaron Alder
- 3.) Tori Wilson
- 4.) Kelly Tolman
- 5.) Leslie Serrano
- 6.) Samantha Reynolds
- 7.) Rhonda Flores
- 8.) Chelle Robins
- 9.) Gisela Lopez

Written Testimony Regarding Four Rivers Community School Renewal

Four Rivers Community School Board Members in support of renewal for Four Rivers Community School who did not provide additional written testimony:

1. Ramon Palomo
2. Pam Wettstein
3. Penny Walters

Parent, Family Member, Guardians in support of renewal for Four Rivers Community School who did not provide additional written testimony:

- 1.) Erlinda Carpio
- 2.) Monica Flores
- 3.) Misael Salazar
- 4.) Rhonda Hawker
- 5.) Estevan Madera
- 6.) Alma smith
- 7.) Olivia Gutierrez
- 8.) Dustie Villalobos
- 9.) Katy Lopez
- 10.) Leonardo Canchola
- 11.) Jahmel Cooke
- 12.) Lili Clayton
- 13.) Margarita Cheatham
- 14.) Joseph Cheatham
- 15.) Nick Cheatham
- 16.) Anthony Montoya

Community Members in support of renewal for Four Rivers Community School who did not provide additional written testimony:

- 1.) Ana Aguilar
- 2.) Joceline Avalos
- 3.) Dan P Joyce
- 4.) Marcy Sundquist
- 5.) Zuri Montoya
- 6.) Jace Carpenter
- 7.) Monique Herrera

People in support of renewal for Four Rivers Community School who did not list a specific relationship to the school and did not provide additional written testimony:

1. Joel Sandoval
2. Isabel Brito
3. Jacob Wilson
4. Michelle Clinton
5. Simon Wilson



Ontario School District 8C

195 SW 3rd Ave. Ontario, Oregon 97914

Phone: 541-889-5374 Fax: 541-889-8553

November 12, 2025

VIA CERTIFIED MAIL AND EMAIL

Chair and Members, State Board of Education Oregon

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

Email: ODE.StateBoard@ode.oregon.gov

Subject: Formal Request for Charter School Renewal Documentation and Assurance Regarding Enrollment Impact and Future Expansion of Four Rivers Charter School.

Dear Chair and Members of the State Board of Education,

Ontario School District (OSD) formally submits this request concerning the upcoming charter renewal process for Four Rivers Charter School (FRCS).

As the local school district responsible for the education and financial well-being of all students within our geographic boundaries, we have a vested interest in any decision that impacts student enrollment and the equitable distribution of public resources. Given that the financial model for public education is based on per-pupil enrollment, fluctuations caused by charter school activity directly affect our ability to maintain programs and services for our district's students.

To ensure transparency and allow for proper fiscal planning and due diligence on behalf of our community, we respectfully request the following:

1. Provision of Charter Renewal Documentation

We request to be immediately provided with a complete copy of the renewal request, proposal, and all supporting documentation submitted by the governing body of FRCS. This should include, but not be limited to:

- The charter school's annual performance reports as required by statute.
- The annual audit of accounts for the most recent operating period.
- A comprehensive summary of student performance goals and achievements over the current charter term.
- Any proposed changes to the educational program, grade levels served, or facilities usage as part of the renewal.

2. Assurance Regarding Enrollment Limits and Expansion

Our primary concern is that the State Board of Education grants assurances that the renewed charter agreement will not contain any provisions allowing for future expansion, whether in terms of physical facilities, grade levels, or student enrollment cap increases, that would negatively affect the enrollment and operational stability of the FRCS. This was agreed upon when the OSD filed numerous complaints regarding the failure of ODE and the State Board of Education's lack of oversight of Four Rivers and our further claims that Four Rivers had violated their own charter agreements multiple times. OSD was disappointed at that time by the lack of follow through by the board regarding the complaints that were launched by OSD.

This concern is heightened by the recent action by the charter school's governing body to purchase a secondary building to house their high school operations, an expansion that clearly exceeds their currently authorized scope (Again, guaranteed by the state board of education at their last renewal). In addition, FRCS admitted to looking forward to their expansion in recent messaging put out by school officials.

Specifically, we request that the State Board affirm that the renewed charter agreement will:

- Maintain the charter school's current maximum authorized enrollment cap.
- Explicitly prohibit the addition of new grade levels or satellite campuses within the District's boundaries for the duration of the renewed term.
- Require the charter school to adhere strictly to the terms of the renewed charter regarding scope and student population, ensuring a predictable and stable educational landscape for the entire community.

3. Unfunded Mandates and Disproportionate Fiscal Burden

Beyond the direct loss of per-pupil funding, the District is currently forced to bear significant financial and administrative burdens for the Charter School as a non-sponsoring Local Education Agency (LEA). We must formally object to the statutory obligation that requires our District to serve as the fiscal or operational pass-through for certain costs related to the Charter School's students. This includes, but is not limited to, the provision of high-cost special education services (Child Find, Individualized Education Program (IEP) implementation, and related due process) and the administration of expensive, state-mandated assessments and reporting for students who are not directly enrolled in our schools. This results in "stranded costs" for the District, where we lose the per-pupil revenue but retain the disproportionate fixed and administrative costs associated with these services, unfairly redirecting local taxpayer resources away from the students directly enrolled in OSD.

4. Enrollment Equity and Socioeconomic Disparity

We must formally raise a critical concern regarding the demographic composition of the charter school compared to the demographic data of the students residing within the District and County boundaries.

Our District data indicates that over **85%** of our students are classified as low-income (eligible for Free or Reduced-Price Lunch), while data submitted to us directly from FRCS public school percent of poverty is **38.94%**. This dramatic and sustained disparity raises serious concerns regarding the charter school's adherence to the principle of open access required of all public schools, as this level of disproportionate enrollment could be inferred as the charter being selective in nature as it enrolls students.

We request that the State Board thoroughly review this demographic data disparity as part of the

renewal evaluation and mandate specific, verifiable corrective measures, such as a weighted lottery and targeted outreach plan, to ensure that the renewed charter school adheres to equitable, non-discriminatory enrollment practices and reflects the socioeconomic diversity of the community it is intended to serve.

We look forward to receiving the requested documentation and to working collaboratively with the State Board to uphold the statutory requirements for public charter school oversight while protecting the interests and equitable educational access of the students and taxpayers of Malheur County.

Please direct all correspondence regarding this matter to:

Ontario School District, Nicole Albisu, Email: nalbisu@ontario.k12.or.us, Phone: 541-889-5374

Sincerely,

Nicole Albisu, Superintendent Ontario School District

2024-25 ESSA Accountability Details Report

Public Version - November 20, 2025

District: Oregon Department of Education

School: Four Rivers Community School

The Accountability Details Report displays the data for indicators used to identify schools for comprehensive or targeted supports as required by Oregon's State Plan under the Every Student Succeeds Act (ESSA). The accountability system uses nine indicators for combined schools. For more information concerning indicators and their definitions and calculations, please refer to the [Accountability Details Policy and Technical Manual](#). Arrows (up ↑ or down ↓) indicate the change in the rating level of the indicator from the previous year.

Indicator Ratings Table

Student Group	ESSA Supports	ELA Achievement	ELA Change	Math Achievement	Math Change	Regular Attenders	On Track to ELP	9th Grade On-Track	Four-Year Cohort	Five-Year Complete
All Students	Not Identified	Level 3 ↑	Level 5 ↑	Level 2	Level 4 ↑	Level 5 ↑	Level 3	Level 5	Level 5	Level 4
Students Experiencing Poverty	Not Identified	Level 2	Level 5	Level 2	Level 3	Level 5 ↑		Level 5	Level 5	Level 3 ↓
English Learners	Not Identified	Level 2	Level 5	Level 2	Level 3 ↑	Level 5 ↑	Level 3	Not Rated	Not Rated	Not Rated
Students with Disabilities	Not Identified	Level 1	Level 3	Level 2	Level 2	Level 5 ↑		Not Rated	Not Rated	Not Rated
Underserved Race/Ethnicity	Not Identified	Level 2	Level 5 ↑	Level 2	Level 3 ↑	Level 5 ↑		Level 5	Level 5	Level 4
American Indian/Alaska Native	Not Identified	Not Rated	Not Rated	Not Rated	Not Rated	Not Rated		Not Rated	Not Rated	Not Rated
Native Hawaiian/Pacific Islander	Not Identified	Not Rated	Not Rated	Not Rated	Not Rated	Not Rated		Not Rated	Not Rated	Not Rated
Black/African American	Not Identified	Not Rated	Not Rated	Not Rated	Not Rated	Not Rated		Not Rated	Not Rated	Not Rated
Hispanic/Latino	Not Identified	Level 2	Level 5 ↑	Level 2	Level 3 ↑	Level 5 ↑		Level 5	Level 5	Level 4
Asian	Not Identified	Not Rated	Not Rated	Not Rated	Not Rated	Not Rated		Not Rated	Not Rated	Not Rated
White	Not Identified	Level 4 ↑	Level 5 ↑	Level 3 ↑	Level 5 ↑	Level 5 ↑		Not Rated	Not Rated	Not Rated
Multi-racial	Not Identified	Not Rated	Not Rated	Not Rated	Not Rated	Not Rated		Not Rated	Not Rated	Not Rated

Suggested Level of Support: **Not Identified**

Year Identified: **Not Identified**

Met ELA and Math Participation target (95%) for all student groups: **Yes** (details on pages 4 and 7)

Received Title I Funds in 2024-25: **Yes**

Please note the following:

- Indicator ratings that display 'Not Rated' refer to student groups that do not meet the minimum n-size of 20 to receive a rating.
- The Students Experiencing Poverty student group includes students that received SNAP/TANF benefits, were in foster care, experienced homelessness, or received migrant services. Students Experiencing Poverty replaced the formerly used Economically Disadvantaged student group.
- The English Learner student group has different inclusion rules depending on the indicator.
- The Underserved Race/Ethnicity student group consists of the following racial/ethnic groups: American Indian/Alaska Native, Black/African American, Hispanic/Latino, and Native Hawaiian/Pacific Islander.
- Impact of adjustments made to the English Language Arts and Math Average Gap Score Change indicators will take effect for the 2025-26 Accountability Details.

English Language Arts Academic Achievement Details

District: Oregon Department of Education

School: Four Rivers Community School

The English Language Arts (ELA) Achievement indicator displays the percentage of students meeting the ELA achievement standard, the adjusted denominator, and the corresponding rating for each student group. The data table shows three years of data and the three-year average. Student groups are assigned a rating based on the three-year average. '*' means data was hidden to protect student confidentiality and 'Not Rated' refers to student groups that do not meet the minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged student group.

English Language Arts Achievement Level	Cut
Level 5	80
Level 4	62
Level 3	43
Level 2	18
Level 1	<18

State Long Term Goal: 80%

Student Group	2022-23	2023-24	2024-25	3-year Average	Level
All Students - Percent	43.9	45.4	45.3	44.9	Level 3
All Students - Adjusted Denominator	180	185	181	546	
Students Experiencing Poverty - Percent	39.3	37.6	37.6	38.2	Level 2
Students Experiencing Poverty - Adjusted Denominator	107	93	93	293	
English Learners - Percent	28.0	22.4	31.4	27.4	Level 2
English Learners - Adjusted Denominator	75	67	70	212	
Students with Disabilities - Percent	11.8	11.8	26.7	16.3	Level 1
Students with Disabilities - Adjusted Denominator	17	17	15	49	
American Indian/Alaska Native - Percent	*	*	*	*	Not Rated
American Indian/Alaska Native - Adjusted Denominator	*	*	*	*	
Black/African American - Percent	*	*	*	*	Not Rated
Black/African American - Adjusted Denominator	*	*	*	*	
Hispanic/Latino - Percent	39.9	41.6	39.5	40.3	Level 2
Hispanic/Latino - Adjusted Denominator	153	154	152	459	
Native Hawaiian/Pacific Islander - Percent	*	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Adjusted Denominator	*	*	*	*	
Underserved Race/Ethnicity - Percent	39.9	41.6	39.5	40.3	Level 2
Underserved Race/Ethnicity - Adjusted Denominator	153	154	152	459	
Asian - Percent	*	*	*	*	Not Rated
Asian - Adjusted Denominator	*	*	*	*	
White - Percent	65.2	62.1	77.8	69.2	Level 4
White - Adjusted Denominator	23	29	27	78	
Multi-racial - Percent	*	*	*	*	Not Rated
Multi-racial - Adjusted Denominator	*	*	*	*	

English Language Arts Average Gap Score Change Details

District: Oregon Department of Education

School: Four Rivers Community School

The English Language Arts (ELA) Average Gap Score Change indicator uses the difference between a student's score and the cut score for the assessment, called a gap score. The table displays the average gap score by the school years listed, the change in the average gap score, the count of students tested, and the corresponding rating for each student group. '*' means data was hidden to protect student confidentiality and 'Not Rated' refers to student groups that do not meet the minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged student group.

ELA Average Gap Score Change	Cut
Level 5	14
Level 4	7
Level 3	0
Level 2	-20
Level 1	<-20

Student Group	Average Gap 2021-22 & 2022-23	Average Gap 2023-24 & 2024-25	Change in Average Gap	Level
All Students	-32	-18	14	Level 5
All Students - Denominator	320	317		
Students Experiencing Poverty	-47	-30	17	Level 5
Students Experiencing Poverty - Denominator	193	168		
English Learners	-63	-42	21	Level 5
English Learners - Denominator	146	131		
Students with Disabilities	-88	-83	5	Level 3
Students with Disabilities - Denominator	30	29		
American Indian/Alaska Native	*	*	*	Not Rated
American Indian/Alaska Native - Denominator	*	*		
Black/African American	*	*	*	Not Rated
Black/African American - Denominator	*	*		
Hispanic/Latino	-42	-28	14	Level 5
Hispanic/Latino - Denominator	270	266		
Native Hawaiian/Pacific Islander	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Denominator	*	*		
Underserved Race/Ethnicity	-42	-28	14	Level 5
Underserved Race/Ethnicity - Denominator	270	266		
Asian	*	*	*	Not Rated
Asian - Denominator	*	*		
White	13	29	16	Level 5
White - Denominator	43	46		
Multi-racial	*	*	*	Not Rated
Multi-racial - Denominator	*	*		

English Language Arts Participation Details

District: Oregon Department of Education

School: Four Rivers Community School

All students in tested grades and enrolled on the first school day in May must take a statewide assessment. The data table displays the percentage of students who took a statewide assessment by school year and student group. Student groups are assigned a rating based on the three-year average. 'Not Rated' means the student group did not meet minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged student group.

Participation Target: 94.5%

Student Group	2022-23	2023-24	2024-25	3-year Average	Status
All Students - Percent	100.0	99.0	98.9	99.3	Met
All Students - Denominator	180	191	187	558	
Students Experiencing Poverty - Percent	100.0	100.0	100.0	100.0	Met
Students Experiencing Poverty - Denominator	107	96	94	297	
English Learners - Percent	100.0	100.0	100.0	100.0	Met
English Learners - Denominator	75	69	73	217	
Students with Disabilities - Percent	100.0	100.0	100.0	100.0	Met
Students with Disabilities - Denominator	17	17	15	49	
American Indian/Alaska Native - Percent	*	*	*	*	Not Rated
American Indian/Alaska Native - Denominator	*	*	*	*	
Black/African American - Percent	*	*	*	*	Not Rated
Black/African American - Denominator	*	*	*	*	
Hispanic/Latino - Percent	100.0	100.0	99.4	99.8	Met
Hispanic/Latino - Denominator	153	157	157	467	
Native Hawaiian/Pacific Islander - Percent	*	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Denominator	*	*	*	*	
Underserved Race/Ethnicity - Percent	100.0	100.0	99.4	99.8	Met
Underserved Race/Ethnicity - Denominator	153	157	157	467	
Asian - Percent	*	*	*	*	Not Rated
Asian - Denominator	*	*	*	*	
White - Percent	100.0	93.5	96.4	96.3	Met
White - Denominator	23	31	28	82	
Multi-racial - Percent	100.0	100.0	100.0	100.0	Not Rated
Multi-racial - Denominator	4	3	2	9	

Mathematics Academic Achievement Details

District: Oregon Department of Education

School: Four Rivers Community School

The Mathematics Achievement indicator displays the percentage of students meeting the Mathematics achievement standard, the adjusted denominator, and the corresponding rating for each student group. The data table shows three years of data and the three-year average. Student groups are assigned a rating based on the three-year average. '*' means data was hidden to protect student confidentiality and 'Not Rated' refers to student groups that do not meet the minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged student group.

Mathematics Achievement Level	Cut
Level 5	80
Level 4	56
Level 3	32
Level 2	8
Level 1	<8

State Long Term Goal: 80%

Student Group	2022-23	2023-24	2024-25	3-year Average	Level
All Students - Percent	16.7	20.0	23.2	20.0	Level 2
All Students - Adjusted Denominator	180	185	181	546	
Students Experiencing Poverty - Percent	15.0	14.0	18.3	15.7	Level 2
Students Experiencing Poverty - Adjusted Denominator	107	93	93	293	
English Learners - Percent	13.3	9.0	17.1	13.2	Level 2
English Learners - Adjusted Denominator	75	67	70	212	
Students with Disabilities - Percent	11.8	11.8	13.3	12.2	Level 2
Students with Disabilities - Adjusted Denominator	17	17	15	49	
American Indian/Alaska Native - Percent	*	*	*	*	Not Rated
American Indian/Alaska Native - Adjusted Denominator	*	*	*	*	
Black/African American - Percent	*	*	*	*	Not Rated
Black/African American - Adjusted Denominator	*	*	*	*	
Hispanic/Latino - Percent	13.7	14.9	17.8	15.5	Level 2
Hispanic/Latino - Adjusted Denominator	153	154	152	459	
Native Hawaiian/Pacific Islander - Percent	*	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Adjusted Denominator	*	*	*	*	
Underserved Race/Ethnicity - Percent	13.7	14.9	17.8	15.5	Level 2
Underserved Race/Ethnicity - Adjusted Denominator	153	154	152	459	
Asian - Percent	*	*	*	*	Not Rated
Asian - Adjusted Denominator	*	*	*	*	
White - Percent	30.4	41.4	51.9	42.3	Level 3
White - Adjusted Denominator	23	29	27	78	
Multi-racial - Percent	*	*	*	*	Not Rated
Multi-racial - Adjusted Denominator	*	*	*	*	

Mathematics Average Gap Score Change Details

District: Oregon Department of Education

School: Four Rivers Community School

The Mathematics Average Gap Score Change indicator uses the difference between a student's score and the cut score for the assessment, called a gap score. The table displays the average gap score by the school years listed, the change in the average gap score, the count of students tested, and the corresponding rating for each student group. '*' means data was hidden to protect student confidentiality and 'Not Rated' refers to student groups that do not meet the minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged student group.

Math Average Gap Score Change	Cut
Level 5	18
Level 4	9
Level 3	0
Level 2	-17
Level 1	<-17

Student Group	Average Gap 2021-22 & 2022-23	Average Gap 2023-24 & 2024-25	Change in Average Gap	Level
All Students	-76	-65	11	Level 4
All Students - Denominator	320	318		
Students Experiencing Poverty	-85	-78	7	Level 3
Students Experiencing Poverty - Denominator	193	168		
English Learners	-93	-85	8	Level 3
English Learners - Denominator	146	131		
Students with Disabilities	-154	-166	-12	Level 2
Students with Disabilities - Denominator	30	29		
American Indian/Alaska Native	*	*	*	Not Rated
American Indian/Alaska Native - Denominator	*	*		
Black/African American	*	*	*	Not Rated
Black/African American - Denominator	*	*		
Hispanic/Latino	-85	-77	8	Level 3
Hispanic/Latino - Denominator	270	267		
Native Hawaiian/Pacific Islander	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Denominator	*	*		
Underserved Race/Ethnicity	-85	-77	8	Level 3
Underserved Race/Ethnicity - Denominator	270	267		
Asian	*	*	*	Not Rated
Asian - Denominator	*	*		
White	-35	-4	31	Level 5
White - Denominator	43	46		
Multi-racial	*	*	*	Not Rated
Multi-racial - Denominator	*	*		

Mathematics Participation Details

District: Oregon Department of Education

School: Four Rivers Community School

All students in tested grades and enrolled on the first school day in May must take a statewide assessment. The data table displays the percentage of students who took a statewide assessment by school year and student group. Student groups are assigned a rating based on the three-year average. 'Not Rated' means the student group did not meet minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged student group.

Participation Target: 94.5%

Student Group	2022-23	2023-24	2024-25	3-year Average	Status
All Students - Percent	100.0	99.0	98.9	99.3	Met
All Students - Denominator	180	191	187	558	
Students Experiencing Poverty - Percent	100.0	100.0	100.0	100.0	Met
Students Experiencing Poverty - Denominator	107	96	94	297	
English Learners - Percent	100.0	100.0	100.0	100.0	Met
English Learners - Denominator	75	69	73	217	
Students with Disabilities - Percent	100.0	100.0	100.0	100.0	Met
Students with Disabilities - Denominator	17	17	15	49	
American Indian/Alaska Native - Percent	*	*	*	*	Not Rated
American Indian/Alaska Native - Denominator	*	*	*	*	
Black/African American - Percent	*	*	*	*	Not Rated
Black/African American - Denominator	*	*	*	*	
Hispanic/Latino - Percent	100.0	100.0	99.4	99.8	Met
Hispanic/Latino - Denominator	153	157	157	467	
Native Hawaiian/Pacific Islander - Percent	*	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Denominator	*	*	*	*	
Underserved Race/Ethnicity - Percent	100.0	100.0	99.4	99.8	Met
Underserved Race/Ethnicity - Denominator	153	157	157	467	
Asian - Percent	*	*	*	*	Not Rated
Asian - Denominator	*	*	*	*	
White - Percent	100.0	93.5	96.4	96.3	Met
White - Denominator	23	31	28	82	
Multi-racial - Percent	100.0	100.0	100.0	100.0	Not Rated
Multi-racial - Denominator	4	3	2	9	

Regular Attenders Details

District: Oregon Department of Education

School: Four Rivers Community School

The Regular Attenders indicator displays the percentage of students attending for more than 90 percent of their enrolled school days, the denominator, and the corresponding rating for each student group. The data table shows three years of data and the three-year average. Student groups are assigned a rating based on the three-year average. '*' means data was hidden to protect student confidentiality and 'Not Rated' refers to student groups that do not meet the minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged student group.

Regular Attenders Level	Cut
Level 5	93
Level 4	82
Level 3	71
Level 2	57
Level 1	<57

State Long Term Goal: 93%

Student Group	Grade Range	2022-23	2023-24	2024-25	3-year Average	Level
All Students - Percent	K-5	84.9	>95	>95	93.4	Level 5
All Students - Denominator		166	*	*	*	
Students Experiencing Poverty - Percent	K-5	88.0	94.7	>95	93.6	Level 5
Students Experiencing Poverty - Denominator		83	75	*	*	
English Learners - Percent	K-5	85.2	>95	>95	94.4	Level 5
English Learners - Denominator		54	*	*	*	
Students with Disabilities - Percent	K-5	88.0	>95	>95	94.1	Level 5
Students with Disabilities - Denominator		25	*	*	*	
American Indian/Alaska Native - Percent	K-5	*	*	*	*	Not Rated
American Indian/Alaska Native - Denominator		*	*	*	*	
Black/African American - Percent	K-5	*	*	*	70.0	Not Rated
Black/African American - Denominator		*	*	*	*	
Hispanic/Latino - Percent	K-5	85.1	>95	>95	93.8	Level 5
Hispanic/Latino - Denominator		134	*	*	*	
Native Hawaiian/Pacific Islander - Percent	K-5	*	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Denominator		*	*	*	*	
Underserved Race/Ethnicity - Percent	K-5	83.9	>95	>95	93.2	Level 5
Underserved Race/Ethnicity - Denominator		137	*	*	*	
Asian - Percent	K-5	*	*	*	*	Not Rated
Asian - Denominator		*	*	*	*	
White - Percent	K-5	88.9	>95	>95	93.6	Level 5
White - Denominator		27	*	*	*	
Multi-racial - Percent	K-5	*	*	*	*	Not Rated
Multi-racial - Denominator		*	*	*	*	

On Track to English Language Proficiency (ELP) Details

District: Oregon Department of Education
School: Four Rivers Community School

The On Track to English Language Proficiency (ELP) indicator displays the percentage of students who are on track to attain ELP, the denominator, and the corresponding rating for each student group. The data table shows three years of data and the three-year average. Student groups are assigned a rating based on the three-year average. ‘*’ means data was hidden to protect student confidentiality and ‘Not Rated’ refers to student groups that do not meet the minimum n-size of 20 to receive a rating.

On Track to ELP Level	Cut
Level 5	80
Level 4	63
Level 3	46
Level 2	25
Level 1	<25

State Long Term Goal: 80%

Student Group	2022-23	2023-24	2024-25	3-year Average	Level
Current English Learners - Percent	60.0	48.6	45.3	51.7	Level 3
Current English Learners - Denominator	75	70	64	209	

9th Grade On-Track Details

District: Oregon Department of Education

School: Four Rivers Community School

The 9th Grade On-Track indicator displays the percentage of students on track to graduate, the denominator, and the corresponding rating for each student group. The data table shows three years of data and the three-year average. Student groups are assigned a rating based on the three-year average. ‘*’ means data was hidden to protect student confidentiality and ‘Not Rated’ refers to student groups that do not meet the minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged student group.

9th Grade On-Track Level	Cut
Level 5	95
Level 4	90
Level 3	85
Level 2	60
Level 1	<60

State Long Term Goal: 95%

Student Group	2022-23	2023-24	2024-25	3-year Average	Level
All Students - Percent	93.3	>95	>95	>95	Level 5
All Students - Denominator	30	*	*	*	
Students Experiencing Poverty - Percent	>95	90.9	>95	>95	Level 5
Students Experiencing Poverty - Denominator	*	11	*	*	
English Learners - Percent	*	*	*	90.0	Not Rated
English Learners - Denominator	*	*	*	*	
Students with Disabilities - Percent	*	*	*	>95	Not Rated
Students with Disabilities - Denominator	*	*	*	*	
American Indian/Alaska Native - Percent	*	*	*	*	Not Rated
American Indian/Alaska Native - Denominator	*	*	*	*	
Black/African American - Percent	*	*	*	*	Not Rated
Black/African American - Denominator	*	*	*	*	
Hispanic/Latino - Percent	>95	>95	>95	>95	Level 5
Hispanic/Latino - Denominator	*	*	*	*	
Native Hawaiian/Pacific Islander - Percent	*	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Denominator	*	*	*	*	
Underserved Race/Ethnicity - Percent	>95	>95	>95	>95	Level 5
Underserved Race/Ethnicity - Denominator	*	*	*	*	
Asian - Percent	*	*	*	*	Not Rated
Asian - Denominator	*	*	*	*	
White - Percent	*	*	*	92.3	Not Rated
White - Denominator	*	*	*	*	
Multi-racial - Percent	*	*	*	*	Not Rated
Multi-racial - Denominator	*	*	*	*	

Four-Year Cohort Graduation Details

District: Oregon Department of Education

School: Four Rivers Community School

The Four-Year Cohort Graduation on indicator displays the percentage of students who earn a regular or modified diploma within four years of entering high school, the denominator, and the corresponding rating for each student group. The data table shows three years of data and the three-year average Student groups are assigned a rating based on the three-year average. The years in the table header represent the cohort year. Cohort year is the school year in which the students enrolled in high school for the first time. ‘*’ means data was hidden to protect student confidentiality and ‘Not Rated’ refers to student groups that do not meet the minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged.

Four-Year Cohort Graduation Level	Cut
Level 5	90
Level 4	86
Level 3	81
Level 2	67
Level 1	<67

State Long Term Goal: 90%

Student Group	2018-19	2019-20	2020-21	3-year Average	Level
All Students - Percent	93.3	95.0	100.0	96.3	Level 5
All Students - Denominator	15	20	19	54	
Students Experiencing Poverty - Percent	91.7	>95	>95	>95	Level 5
Students Experiencing Poverty - Denominator	12	13	12	37	
English Learners - Percent	*	*	*	>95	Not Rated
English Learners - Denominator	*	*	*	*	
Students with Disabilities - Percent	*	*	*	*	Not Rated
Students with Disabilities - Denominator	*	*	*	*	
American Indian/Alaska Native - Percent	*	*	*	*	Not Rated
American Indian/Alaska Native - Denominator	*	*	*	*	
Black/African American - Percent	*	*	*	*	Not Rated
Black/African American - Denominator	*	*	*	*	
Hispanic/Latino - Percent	92.9	94.7	>95	>95	Level 5
Hispanic/Latino - Denominator	14	19	16	49	
Native Hawaiian/Pacific Islander - Percent	*	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Denominator	*	*	*	*	
Underserved Race/Ethnicity - Percent	92.9	94.7	>95	>95	Level 5
Underserved Race/Ethnicity - Denominator	14	19	16	49	
Asian - Percent	*	*	*	*	Not Rated
Asian - Denominator	*	*	*	*	
White - Percent	*	*	*	*	Not Rated
White - Denominator	*	*	*	*	
Multi-racial - Percent	*	*	*	*	Not Rated
Multi-racial - Denominator	*	*	*	*	

Five-Year Completers Details

District: Oregon Department of Education

School: Four Rivers Community School

The Five-Year Completers indicator displays the percentage of students who earn a diploma or a GED within five years of entering high school, the denominator, and the corresponding rating for each student group. The data table shows three years of data and the three-year average. Student groups are assigned a rating based on the three-year average. The years in the table header represent the cohort year. Cohort year is the school year in which the students enrolled in high school for the first time. “*” means data was hidden to protect student confidentiality and ‘Not Rated’ refers to student groups that do not meet the minimum n-size of 20 to receive a rating. Note that the Students Experiencing Poverty student group replaced the formerly used Economically Disadvantaged.

Five-Year Completers Level	Cut
Level 5	97
Level 4	92
Level 3	87
Level 2	70
Level 1	<70

State Long Term Goal: 97%

Student Group	2017-18	2018-19	2019-20	3-year Average	Level
All Students - Percent	91.3	93.3	100.0	94.8	Level 4
All Students - Denominator	23	15	20	58	
Students Experiencing Poverty - Percent	81.8	91.7	>95	91.7	Level 3
Students Experiencing Poverty - Denominator	11	12	13	36	
English Learners - Percent	*	*	*	83.3	Not Rated
English Learners - Denominator	*	*	*	*	
Students with Disabilities - Percent	*	*	*	*	Not Rated
Students with Disabilities - Denominator	*	*	*	*	
American Indian/Alaska Native - Percent	*	*	*	*	Not Rated
American Indian/Alaska Native - Denominator	*	*	*	*	
Black/African American - Percent	*	*	*	*	Not Rated
Black/African American - Denominator	*	*	*	*	
Hispanic/Latino - Percent	88.9	92.9	>95	94.1	Level 4
Hispanic/Latino - Denominator	18	14	19	51	
Native Hawaiian/Pacific Islander - Percent	*	*	*	*	Not Rated
Native Hawaiian/Pacific Islander - Denominator	*	*	*	*	
Underserved Race/Ethnicity - Percent	88.9	92.9	>95	94.1	Level 4
Underserved Race/Ethnicity - Denominator	18	14	19	51	
Asian - Percent	*	*	*	*	Not Rated
Asian - Denominator	*	*	*	*	
White - Percent	*	*	*	*	Not Rated
White - Denominator	*	*	*	*	
Multi-racial - Percent	*	*	*	*	Not Rated
Multi-racial - Denominator	*	*	*	*	



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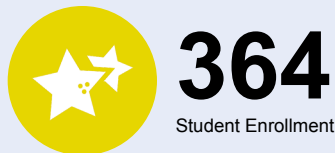
OREGON AT-A-GLANCE SCHOOL PROFILE

Four Rivers Community School

PRINCIPAL: Chelle Robins | GRADES: K-12 | 2449 SW 4th Ave, Ontario 97914 | 541-889-3715

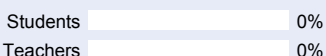
2024-25

Students We Serve

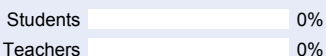


DEMOGRAPHICS

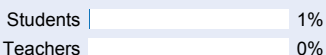
American Indian/Alaska Native



Asian



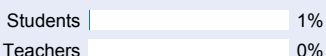
Black/African American



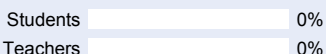
Hispanic/Latino



Multiracial



Native Hawaiian/Pacific Islander



White



42%

Ever English
Learners



2

Languages
Spoken

10%

Students
with
Disabilities

95%

Required
Childhood
Vaccinations

45%

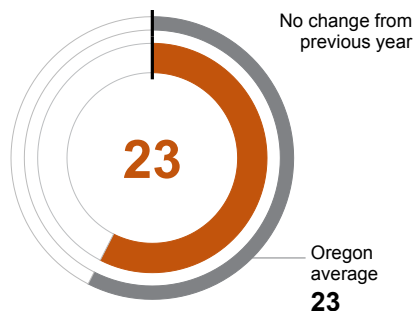
Students
Experiencing
Poverty

* <10 students or data unavailable

School Environment

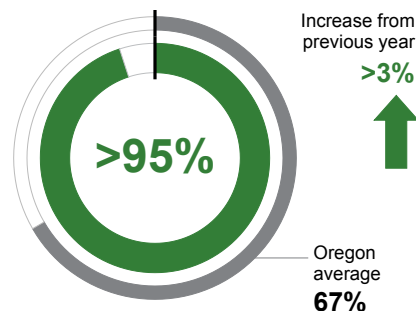
CLASS SIZE

Median size of classes in core subjects.



REGULAR ATTENDERS

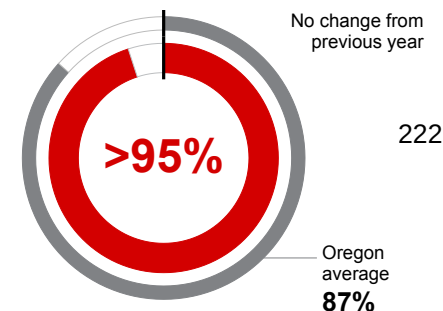
Students who attended more than 90% of their enrolled school days.



Academic Progress

ON-TRACK TO GRADUATE

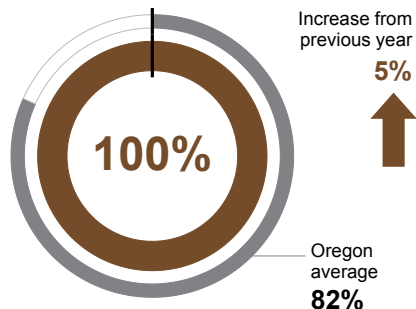
Students earning one-quarter of graduation credits in their 9th grade year.



Academic Success

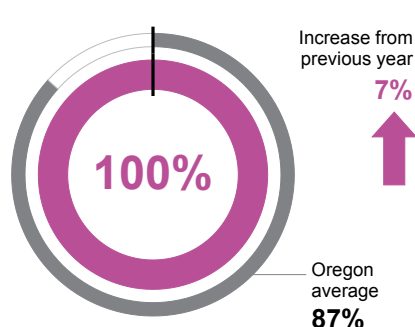
ON-TIME GRADUATION

Students earning a diploma within four years. Cohort includes students who were first-time ninth graders in 2020-21 graduating in 2023-24.



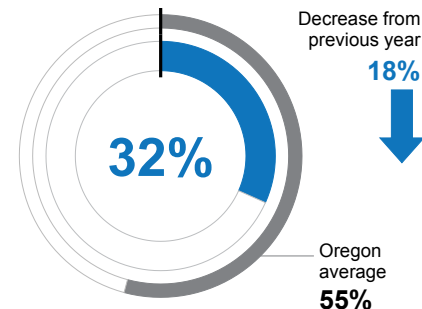
FIVE-YEAR COMPLETION

Students earning a high school diploma or GED within five years. Cohort includes students who were first-time ninth graders in 2019-20 finishing in 2023-24.



COLLEGE GOING

Students enrolling in a two or four year college within 12 months of completing high school in 2022-23. Data from the National Student Clearinghouse.



School Goals

Four Rivers promotes bilingualism and biculturalism for all students through its dual language immersion school. In addition to language and cultural education, Four Rivers strives to provide accessible academic, athletic, and community engagement opportunities for all students. Through academic growth and achievement in two languages, Four Rivers provides a college prep learning environment for enrolled students.

State Goals

The Oregon Department of Education is partnering with school districts and communities statewide to reach a 90% on-time graduation rate by 2027. Anchored in the pillars of Academic Excellence, Belonging & Wellness, and Accountability, ODE prioritizes evidence-based strategies that strengthen early literacy, improve attendance, and deepen student engagement. We are committed to eliminating opportunity and achievement gaps for historically underserved students. By investing in culturally responsive practices, cultivating inclusive school environments, and fostering a culture of continuous improvement, we can help ensure every student thrives.

Safe & Welcoming Environment

As a dual language immersion school with a mission of "whole family education", Four Rivers provides an inclusive family environment for all families. Families are welcome and encouraged to support classroom activities and whole school events. In addition, Four Rivers makes safety a top priority by securing buildings, monitoring campus activities and providing emergency trainings for students and staff.



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OREGON AT-A-GLANCE SCHOOL PROFILE CONTINUED

Four Rivers Community School

2024-25

Outcomes

Our Staff (rounded FTE)



20
Teachers



8
Educational
assistants



1
Counselors/
Psychologists/
Social Workers



88%
Average teacher
retention rate over
the past three years



100%
% of licensed teachers
with more than 3 years
of experience



Yes
Same principal in
the last 3 years

REGULAR ATTENDERS

American Indian/Alaska Native	<10 students or data unavailable
Asian	<10 students or data unavailable
Black/African American	<10 students or data unavailable
Hispanic/Latino	>95%
Multiracial	<10 students or data unavailable
Native Hawaiian/Pacific Islander	<10 students or data unavailable
White	91%
Students Experiencing Poverty	95%
Ever English Learner	>95%
Students with Disabilities	>95%
Migrant	>95%
Homeless	<10 students or data unavailable
Students in Foster Care	<10 students or data unavailable
Military Connected	<10 students or data unavailable
Talented and Gifted	<10 students or data unavailable
Female	95%
Male	>95%
Non-Binary	<10 students or data unavailable

ON-TRACK TO GRADUATE

<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
>95%
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
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<10 students or data unavailable
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<10 students or data unavailable
<10 students or data unavailable
>95%
>95%
<10 students or data unavailable

ON-TIME GRADUATION

<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
>95%
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
223 >95%
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
>95%
<10 students or data unavailable
<10 students or data unavailable

About Our School

ADVANCED COURSEWORK

As a college prep model, all students have accessible opportunities to take advanced coursework. As an Early College Model High School, Four Rivers Sr. Prep students have access to advanced-level Spanish courses and college coursework at Treasure Valley Community College (TVCC). Students that demonstrate readiness are eligible to enroll as a TVCC student while attending Four Rivers Sr. Prep.

CAREER & TECHNICAL EDUCATION

As an early college high school, Four Rivers and partner, Treasure Valley Community College, provide CTE opportunities to students in grades 10-12.

EXTRACURRICULAR ACTIVITIES

Student Council
SMILE
(Science & Math Investigative Learning Experiences)
National Honor Society
Middle and High School Level Athletics
XC, Soccer, Wrestling, Basketball, Track, Cheer and Tennis

PARENT & COMMUNITY ENGAGEMENT

Four Rivers engages parents as partners in education. Partnerships with families and early childhood programs begin in pre-K and build throughout the K-12 program. Opportunities for engagement include: home visits, cultural events, academic family nights, student performances, grade level parent meetings and routine parent communication.

Summary

Meeting Date: 12/11/2025

Title: Four Rivers Community School Charter Renewal (State Board Sponsored)

Status: First Reading

Presentation: Yes

Key Staff: Christen Kelly, Charter School Specialist ODE; Kate Pattison SCORE Team Director ODE; Chelle Robins, Superintendent, Four Rivers Community School

Topic Summary: The Board must evaluate and decide whether to renew Four Rivers Community School for a ten-year charter term.

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 Four Rivers Community School (FRCS) is one of four Oregon State Board of Education sponsored charter schools. FRCS originally opened in September 2003 and has successfully operated in Oregon as the longest running state sponsored charter school. The school is currently in its 22nd year of operation, serving 369 students in grades K-12 as a model dual language immersion school in Malheur County. The vision of the school is to build generations of biliterate and culturally engaged learners who envision a future of possibilities.

The State Board of Education received an official written request from FRCS for renewal of the charter contract pursuant to ORS 338.065. This is FRCS' fifth request to renew their charter contract. The school's renewal request is for a ten-year charter contract.

- On November 20, 2025, Department staff conducted a public hearing via Zoom for the FRCS community to provide input regarding the renewal. Forty-eight members of the community attended, including parents, staff, students, and FRCS board members. Sixteen people provided spoken testimony at the meeting in favor of the renewal. The Oregon Department of Education (ODE) also received written testimony from 68 people through the sign-up form for the public hearing. No one provided written testimony that was opposed to the renewal.

Oregon State Board of Education Docket

- 58 people indicated support for the renewal through the sign-up form for the public hearing but did not speak or submit further written testimony.
- A summary of the hearing and all written testimony can be read in the Public Hearing Officer's Report attached to this docket.

Renewal Process:

Public charter schools must be renewed by their authorizing board to continue operating. The renewal process and criteria for evaluating the school's performance is outlined in [ORS 338](#). Over the last five years, ODE staff have visited the school and met with school leadership many times. The school received a formal visit each year as well as informal visits; including observations of the charter school board meetings and professional development for instructional staff. During the COVID-19 pandemic response, ODE conducted virtual visits and observations. As part of ongoing oversight and accountability, the school participated in formal visits, required training, and submitted reports to ODE. The information gathered from the visits and reports presented in three categories (academic performance, organizational performance, and fiscal performance), serves as the foundation for staff recommendation regarding the renewal of this school. The specific performance expectations for each category are mutually agreed upon in the Performance Framework and are included in the charter contract.

FRCS completed a renewal application and submitted it along with the formal request for renewal on October 22, 2025. The application includes an overview of the school's prior academic, operational and financial performance, as well as a description of what the school intends to accomplish over the next ten years. This renewal application, with appendices, is included as an attachment.

Academic:

FRCS delivers a rigorous dual language program that develops biliteracy, bilingualism, and cross cultural understanding for its students. Their approach to education has earned distinction at the local, state and national levels. For 2023-24, US News and World Report ranked FRCS as the 14th Best High School in Oregon and the 2nd Best Charter School statewide.

FRCS has generally performed well academically. When measuring the school's performance on the ELA standards in the state assessment for English Learners, the school has consistently either met or exceeded the expectations included in the Performance Framework for all four categories: Students Experiencing Poverty, English Language Learners, Students with Disabilities and Underserved Race/Ethnicities.

Pre-pandemic, FRCS met or exceeded performance measures all around for both ELA and Math. Post-pandemic, the school generally did not meet 3-year growth expectations in Math for identified student groups according to the Framework metrics (Figure 2), however, this past year has shown improvement in Math scores from previous post-pandemic years. It is important to note that the ESSA accountability metrics are different than the Framework metrics. According to the ESSA accountability metrics, FRCS is

Oregon State Board of Education Docket



making steady post-pandemic growth in the area of Math for all student groups. (See Attachment 6: Four Rivers Community School Accountability Details 2024-25.)

The school has actively implemented targeted professional learning, evidence-based interventions and data driven instruction to sustain continuous growth, showing more than 6% improvement over the past several years.

High school students at FRCS have high graduation and 5-year completion rates, with a majority of students graduating with college credits in Spanish Language, Certificates of Community Interpreting, and the State of Oregon Seal of Biliteracy.

In March 2020, FRCS quickly pivoted to comprehensive distance learning (CDL) and was able to start providing instruction to students after spring break. For distance learning, staff had a system in place to ensure that each student had access to a Chromebook or other device. FRCS met the requirements of Distance Learning for All and brought students back on campus through Limited In-Person Instruction (LIPI) opportunities as soon as the option was available.

Throughout the pandemic, as the school shifted to LIPI, families and staff worked together to help students navigate the ever-changing requirements and guidance. The school leadership ensured all executive orders and guidance was followed, working closely with the Local Public Health Authority, Department of Education, and families. This attention to guidelines allowed the instructional staff to focus on student learning and well being.

During the COVID-19 pandemic, the Department monitored the school and connected regularly with school leadership virtually to ensure responsive instruction and student supports were in place. The school implemented CDL, limited in-person instruction, and school systems that supported the dual-language mission of the school. In the spring of 2022, the Department was able to visit the school in-person and conducted a simplified site visit. In 2022-23, the site visit returned to full in-person focus groups and observations. Over this period, ODE has observed the school prioritize academic rigor and teacher development. This focus has been necessary as part of the pandemic response, in addition to further strengthening their program. Through these efforts, school leadership has made strategic investments to grow their own staff, training and employing alumni as instructional assistants and teaching staff.

Over 2023-24 and 2024-25, FRCS has continued to focus on improving ELA and Math over time while maintaining fidelity to their dual language program. Teachers are working closely with leadership to evaluate and prioritize the Math program to address areas where students need different lessons, interventions, and support.

Figure 1 - FRCS and OSD Academic Performance Indicator and Framework Ratings 2024-25

2024-25 Indicator	FRCS Grades 3-8, 11	Ontario SD Grades 3-8, 11	Framework Rating
ELA - Achievement			
• All Students	45.3	32.4	Not Rated
• Students Experiencing Poverty	37.6	28.1	Meets
• English Learner	31.4	16.8	Exceeds
• Special Education	26.7	8.7	Exceeds
• Underserved Race/Ethnicity	39.5	27.6	Exceeds
MATH – Achievement			
• All Students	23.2	22.7	Not Rated
• Students Experiencing Poverty	18.3	19.8	Does Not Meet
• English Learner	17.1	12.3	Meets
• Special Education	13.3	8.7	Meets
• Underserved Race/Ethnicity	17.8	18.7	Does Not Meet

Figure 2 – Four Rivers Community School Academic Performance Framework Ratings 2017-2025

**The state assessment system was waived for the 2020-22 school years because of the COVID-19 pandemic.*

	MEASURE	2017-18 Rating	2018-19 Rating	2019-20 Rating*	2020-21 Rating*	2021-22 Rating*	2022-23 Rating	2023-24 Rating	2024-25 Rating
1c	Economically Disadvantaged/ Students Experiencing Poverty-ELA	Exceeds	Exceeds	No Rating	No Rating	No Rating	Meets	Meets	Meets
1d	Economically Disadvantaged/ Students Experiencing Poverty -MATH	Meets	Meets	No Rating	No Rating	No Rating	Does not meet	Does not meet	Does not meet
1e	English Learners - ELA	Exceeds	Exceeds	No Rating	No Rating	No Rating	Exceeds	Meets	Exceeds
1f	English Learners - MATH	Meets	Meets	No Rating	No Rating	No Rating	Meets	Does not meet	Meets
1g	Students with Disabilities-ELA	Meets	Meets	No Rating	No Rating	No Rating	Meets	Meets	Exceeds

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1h	Students with Disabilities-MATH	Meets	Meets	No Rating	No Rating	No Rating	Meets	Meets	Meets
1i	Underserved-ELA	Meets	Meets	No Rating	No Rating	No Rating	Meets	Meets	Exceeds
1j	Underserved-MATH	Meets	Meets	No Rating	No Rating	No Rating	Does not meet	Does not meet	Does not meet
2a	All Student Growth-ELA	Meets	Meets	No Rating	No Rating	No Rating	No Rating	Does Not Meet	Meets
2b	All Student Growth-MATH	Meets	Meets	No Rating	No Rating	No Rating	No Rating	Falls Far Below	Falls Far Below
3a	Growth: Economically Disadvantaged/ Students Experiencing Poverty ELA	Exceeds	Exceeds	No Rating	No Rating	No Rating	No Rating	Falls Far Below	Falls Far Below
3b	Growth: Economically Disadvantaged/ Students Experiencing Poverty-MATH	Meets	Meets	No Rating	No Rating	No Rating	No Rating	Falls Far Below	Falls Far Below
3c	Growth: English Learners - ELA	Meets	Meets	No Rating	No Rating	No Rating	No Rating	Falls Far Below	Falls Far Below
3d	Growth: English Learners - MATH	Meets	Meets	No Rating	No Rating	No Rating	No Rating	Falls Far Below	Falls Far Below
3e	Growth: Students with Disabilities- ELA	Exceeds	Exceeds	No Rating	No Rating	No Rating	No Rating	Falls Far Below	Falls Far Below
3f	Growth: Students with Disabilities- MATH	Meets	Meets	No Rating	No Rating	No Rating	No Rating	Falls Far Below	Falls Far Below
3g	Growth: Underserved-ELA	Exceeds	Exceeds	No Rating	No Rating	No Rating	No Rating	Does Not Meet	Does Not Meet
3h	Growth: Underserved-MATH	Meets	Meets	No Rating	No Rating	No Rating	No Rating	Falls Far Below	Falls Far Below
4a	Alignment to CCSS	Meets	Meets	Meets	Meets	Meets	Meets	Meets	Meets
5a	Graduation: Four Year Completion compared to District	N/A	N/A	Exceeds	Exceeds	Meets	Meets	Exceeds	Exceeds
5c	5 year Completion	N/A	N/A	Exceeds	Exceeds	Exceeds	Meets	Meets	Exceeds

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	compared to District								
5e	Dropout Rate- compared to District	N/A	N/A	Exceeds	Meets	Meets	Meets	Meets	Data not yet released

**Items 5b, 5d and 5f are removed due to a comparison group of like-schools not being identified or used in the framework throughout the contract. School agreed to focus on comparison to the school district.*

Operational:

FRCS has maintained strong compliance with all areas of operational performance expectations. A primary focus of the COVID years was the health and safety of the FRCS community, and ensuring the school was compliant with the executive orders and pandemic guidance. Through regular meetings, phone calls, virtual oversight, and site visits, FRCS has demonstrated high levels of operational compliance.

FRCS made strategic investments in staff and empowered staff to pursue programs that are responsive to the school community. Facilities investments for the junior and senior prep school create a strong sense of place and pride for students. Over the last charter term, FRCS has demonstrated excellent stability with leadership, staff and an engaged school board. There is student centered discourse with all strategic planning elements of the school. FRCS also has created strong partnerships with the City of Ontario, Treasure Valley Community College, and the Four Rivers Community Center.

Additionally, during the contract term, FRCS maintained necessary governance, policies, and compliance with education reporting requirements. The school is making continuous improvement efforts to ensure school systems are strengthened and updated as state policies and priorities evolve.

Figure 3– Four Rivers Community School Operational Performance Framework Ratings 2021-2025

MEASURE		2021-22 Rating	2022-23 Rating	2023-24 Rating	2024-25 Rating
10a	Education Program Implementation	Meets	Meets	Meets	Meets
10b	Education Requirement Compliance	Meets	Meets	Meets	Meets
10c	Rights of Students with Disabilities	Meets	Meets	Meets	Meets
10d	Rights of ELL	Meets	Meets	Meets	Meets
11a	Governance Compliance	Meets	Meets	Meets	Meets
11b	Administration Accountability	Meets	Meets	Meets	Meets
11c	Reporting Requirement Compliance	Meets	Meets	Meets	Meets

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MEASURE		2021-22 Rating	2022-23 Rating	2023-24 Rating	2024-25 Rating
12a	Rights of All Students	Meets	Meets	Meets	Meets
12b	Staff Credentialing Requirements	Meets	Meets	Meets	Meets
13a	Facilities and Transportation Requirements	Meets	Meets	Meets	Meets
13b	Health and Safety Requirements	Meets	Meets	Meets	Meets
13c	Student Information	Meets	Meets	Meets	Meets
14a	Other Obligations	Meets	Meets	Meets	Meets

Financial:

The school has completed annual municipal audits and submitted financial reports to the Department each year of the charter contract. The school has consistently met all the performance indicators and is taking steps to further strengthen the school's internal controls. FRCS often has impressive current asset to liability ratios that are well above target. FRCS continuously demonstrates stable short-term and long-term financial indicators. In the years when the school did not meet the expectation within an indicator, the school provided context and plans to be within target in the coming years.

The Department will continue to monitor financial management closely over the next term to see how the school is adhering to internal controls and managing decisions about the facility.

Figure 4 – Four Rivers Community School Financial Performance Framework Ratings 2021-2025

MEASURE		2021-22 Rating	2022-23 Rating	2023-24 Rating	2024-25 Rating
7a	Current Ratio: Assets/Liabilities	Meets	Meets	Meets	Meets
7b	Unrestricted Cash	Meets	Meets	Meets	Meets
7d	Loan Default	Meets	Meets	Meets	Meets
8a	Total Margin (income /revenue)	Meets	Meets	Meets	Meets
8b	Aggregated Total Margin	Meets	Meets	Meets	Meets
8c	Debt to Asset Ratio	Falls Below	Meets	Meets	Meets
8d, 8e	Cash Flow	Meets	Meets	Does Not Meet	Meets
8g	Reporting and Compliance	Meets	Meets	Meets	Meets
8h	GAAP	Meets	Meets	Meets	Meets

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Note: Financial indicators include only 2-3 levels of performance, removing the “exceed” level. Therefore, “meets” is the highest level.

SUMMARY OF PREVIOUS BOARD ACTION

On June 25, 2015, the State Board of Education approved a 10-year contract to renew FRCS.
On May 20, 2021, the State Board of Education approved a mid-year review that allowed FRCS to continue operation according to the current charter contract through June 30, 2026.

HAS THE ITEM CHANGED SINCE LAST BOARD MEETING?

☒ N/A; first read—has not been before board

POLICY ISSUE OR CONCERNS

Statutory Renewal Criteria Evaluation

[ORS 338.065](#) requires the board to use the following review criteria as the basis for the decision:

Four Rivers Community School has met the evaluation criteria in all categories.

Figure 5 - Statutory Renewal Criteria Evaluation

ORS 338.065 Renewal Criteria	ODE Evaluation
(A) Is in compliance with this chapter and all other applicable state and federal laws;	YES – FRCS is maintaining compliance with state and federal laws.
(B) Is in compliance with the charter of the public charter school;	YES – FRCS has demonstrated consistency with meeting the performance expectations in the charter contract.
(C) Is meeting or working toward meeting the student performance goals and agreements specified in the charter or any other written agreements between the sponsor and the public charter school governing body;	YES – FRCS Is meeting or working toward meeting the student performance goals and agreements in the charter contract and the performance framework.
(D) Is fiscally stable and has used the sound financial management system described in the proposal submitted under ORS 338.045 and incorporated into the written charter under this section; and	YES – FRCS is fiscally stable and adhering to internal controls as part of a sound financial management system.
(E) Is in compliance with any renewal criteria specified in the charter of the public charter school.	YES – FRCS has demonstrated consistency with meeting the performance expectations in the charter contract.

Ontario School District

On November 4, 2025, Department staff sent a notice of the renewal and State Board meetings to the Superintendent for Ontario School District (OSD). The district raised concerns outlined in a letter dated

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November 12, 2025. The letter outlined a request for documents including the school's annual performance reports and audit, as well as concerns around enrollment limits, school expansion, the district's administrative burden, and socioeconomic demographic disparity. The Department has not received any complaints or documented any concerns raised by OSD throughout the duration of the current contract.

1: Provision of Charter Renewal Documentation

Request	Comment
Copy of the Renewal Request/Proposal	Emailed to Superintendent Albusu on November 21, 2025
2025 Annual Audit	
A comprehensive summary of student performance goals and achievements over the current charter term.	The charter school's performance goals, achievements, and annual performance reports (frameworks) over the current charter term are outlined within this docket.
The charter school's annual performance reports as required by statute.	

2: Assurance Regarding Enrollment Limits and Expansion

Request	Comment
Maintain the charter school's current maximum authorized enrollment cap.	This is something to be considered for the renewed charter contract.
Explicitly prohibit the addition of new grade levels or satellite campuses within the District's boundaries for the duration of the renewed term.	FRCS is a K-12 school, which is the maximum grade levels to be offered. The school's high school grades are housed in leased space from the Four Rivers Cultural Center adjacent to the Treasure Valley Community College (TVCC) campus. FRCS recently purchased a building to relocate and permanently house their senior prep students in a FRCS owned building, also adjacent to TVCC. This relocation is not an expansion or satellite campus. The FRCS purchased building will house the same students and grades with continued access to TVCC.
Require the charter school to adhere strictly to the terms of the renewed charter regarding scope and student population, ensuring a predictable and stable educational landscape for the entire community.	The charter contract governs the grade levels, school size, location, and educational program for the charter school. Following a renewal decision, the Board and FRCS will enter into negotiations. During this process, the Board and FRCS can consider these topics.

3. Unfunded Mandates and Disproportionate Fiscal Burden

Concern	Comment
OSD formally objects to the statutory obligation that requires our District to serve as the fiscal or operational pass-through for certain costs related to the Charter School's students.	This is a statutory requirement of ORS 338.155 and 338.165 and cannot be waived.

4. Unfunded Mandates and Disproportionate Fiscal Burden

Request	Comment									
OSD requests that the State Board review low income and Students Experiencing Poverty demographic data disparity to ensure that the renewed charter school adheres to equitable, non-discriminatory enrollment practices and reflects the socioeconomic diversity off the community it is intended to serve.	Students Experiencing Poverty Data (SEP) includes the following categories of students: • Students who are participating in SNAP or TANF programs • Students who are experiencing houselessness • Students who are in foster care • Students in Migrant Education The rates for SEP between FRCS and OSD are as follows: <table><tr><th></th><th>2023-24</th><th>2024-25</th></tr><tr><td>SEP - OSD</td><td>65%</td><td>66%</td></tr><tr><td>SEP - FRCS</td><td>47%</td><td>45%</td></tr></table> Based on the data available for the aforementioned categories, ODE cannot analyze student-level SNAP/TANF participation data. However, both institutions have similar rates for foster care and migrant education. With students experiencing houselessness, OSD’s enrollment rates have fluctated between 6-8% since 2023, while FRCS enrollment rates in this category has been consistently <5%. This factor is likely contributing to the differences in SEP percentages. 2023-24 was the first year ODE began using and reporting SEP data. In prior years, ODE reported the National School Lunch Program (NSLP) free and reduced-priced meals data to determine economic disadvantage percentages for schools and districts. Throughout the contract, FRCS was comparable to OSD and both were rated >95%. FRCS holds a weighted lottery and continues to practice non-discriminatory enrollment practices in accordance with ORS 338.125. ODE will continue to monitor FRCS data and enrollment trends to ensure equitable access.		2023-24	2024-25	SEP - OSD	65%	66%	SEP - FRCS	47%	45%
	2023-24	2024-25								
SEP - OSD	65%	66%								
SEP - FRCS	47%	45%								

EQUITY IMPACT ANALYSIS

Four Rivers was established with the mission to build generations of bi-literate and culturally engaged learners who envision a future of possibilities. The school is located in Malheur County (Ontario SD) and has positioned itself as a unique educational choice school for students in the region. FRCS currently serves 369 students and strives to create a culturally inclusive school community for families and staff while providing an academically rigorous and equitable K-12 education. The senior prep (grades 9-12) continues dual language instruction in an early college model where most students graduate with college credits, a biliteracy seal, and professional certifications.

Figure 6 – 2024-25 Spring Student Enrollment Report Demographics

Race/Ethnicity	FRCS	Ontario SD
American Indian/Alaska Native	0%	0%
Asian	0%	0%
Native Hawaiian/Pacific Islander	0%	0%
Black/African American	1%	0%
Hispanic/Latino	83%	67%
White	15%	28%
Multi-Racial	1%	5%

The school has worked hard to recruit and retain teachers and staff who reflect the students and the community they serve. Currently, 61% of teachers and 86% of instructional assistants are ethnically and linguistically diverse. FRCS has continually invested in a “grow your own” model to support staff in professional opportunities and further education. The school has now begun hiring graduates.

FRCS implements a college-going culture for all students by creating opportunities for students to visit college campuses starting in grade four. Students in the middle school (Junior Prep), wear uniforms sponsored by various colleges and universities with school logos. The high school (Senior Prep) campus is currently located adjacent to the Treasure Valley Community College where all students have access to college courses. Many of the students who attend FRCS are first-generation high school graduates.

Embedded throughout the FRCS operational and curricular model are opportunities for students, families, and staff to access a rigorous, bi-cultural, dual language immersion, college-going K-12 school of choice. The school is accessible to students because of home-to-school transportation provided by FRCS, universal school meals (breakfast, lunch, and snack) provided to all students for free, and after school enrichment activities provided at reduced cost to families.

In 2025, 93.3% of high school twelfth grade students graduated on time. 19 out of 23 graduates earned a biliteracy seal, and one student earned an associate's degree. The graduating class collectively earned 764 college credits and 15 out of 23 students enrolled in a post-secondary educational option. For the class of 2026, 100% of twelfth grade students are on track to graduate and 14 students are projected to earn a biliteracy seal on their diploma.

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FISCAL ANALYSIS

The Department of Education receives a portion of the ADMw generated by the school; 5% for students in grades K-8 and 2.5% for students in grades 9-12. A decision to not renew Four Rivers Community School would result in a loss of about \$412,000 per biennium. This is equivalent to about 38% 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" = Four Rivers Community School will be allowed to operate for another 10 years so long as it operates according to the law and any specific requirements or terms negotiated in a new contract.

"No" = Four Rivers Community School would be able to finish the current school year and would be eligible to file for a judicial review of the Board's decision. If the charter school files for judicial review, the court may remand the decision back to the Board for reconsideration. The charter school could also choose not to file for judicial review and close at the end of the school year.

STAFF RECOMMENDATION

☐ Approve ☒ Approve next month ☐ No recommendation at this time

ATTACHMENTS

Attachment 1: Four Rivers Community School Renewal Application (*signed copy on file*)

Attachment 2: Four Rivers Community School Performance Framework 2024-25

Attachment 3: Four Rivers Community School Public Hearing Officer Report 2025

Attachment 4: Letter from Ontario School District

Attachment 5: Four Rivers Community School At-A-Glance Profile 2024-25

Attachment 6: Four Rivers Community School Accountability Details 2024-25

Summary

Meeting Date: 12/11/2025

Title: Physical Education Instructional Materials Criteria Adoption

Status: First Reading

Presentation: No (Written Report Only/Consent)

Key Staff: Suzanne Hidde, Deirdre Banning, Vanessa Martinez

Topic Summary: First reading of the proposed criteria for the evaluation and adoption of Physical Education instructional materials in 2026.

ODE Education Equity

Stance

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

BACKGROUND AND NEED

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

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

The State Board of Education has the responsibility of approving criteria for the evaluation and adoption of submitted instructional materials (OAR 581-011-0065). The current contracted period for instructional materials in Physical education was established for the years 2018-2025. The current Physical Education content standards were adopted by the State Board in September 2025. The next phase in this process is for ODE to develop new adoption criteria to ensure that instructional materials align with the newly revised standards and current instructional practices.

In 2021, members of the Standards and Instructional Support Team, along with the Assessment Team and the Office of Equity, Diversity, and Inclusion developed a foundation for consistent and cohesive criterion that is grounded in the ODE Equity Stance and applies across content areas. This framework was adopted by the State Board of Education and implemented in the 2022 mathematics instructional materials evaluation and 2023 science instructional materials evaluation.

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In October 2025, following the guidelines provided in OAR 581-011-0055, ODE staff convened a diverse committee of teachers, curriculum specialists, and other content area experts in health education to review, revise, and recommend the draft criteria attached to this docket. The 2025 Physical Education Instructional Materials Criteria Committee used ODE's criteria framework, as well as state and nationally developed Physical Education criteria, to tailor and align Oregon's instructional materials criteria to the adopted 2025 Oregon Physical Education Standards.

The draft adoption criteria for Physical Education instructional materials was supported by the committee and finalized on November 26, 2025. Upon adoption by the State Board, these criteria will be used in the evaluation of K-12 Physical Education instructional materials submitted for adoption.

- 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 581-011-0060](#) Guidelines for Criteria Development by Committees- primarily about developing criteria.

[OAR 581-011-0055](#) Guidelines for the Selection of Instructional Materials Criteria Committees – primarily about establishing and selecting committees.

[OAR 581-011-0065](#) Approval of Criteria for Evaluation of Instructional Materials
Sets forth a timeline and deadline for the State Board of Education's review of the Instructional Materials Criteria:

“ (1) Criteria Committees, under the direction of the Department of Education staff, shall develop criteria to be submitted to the State Board of Education in the fall of the year preceding the adoption year.

(2) The State Board of Education shall review the criteria which will be used in the evaluation of instructional materials submitted for adoption. The Board will adopt the criteria no later than its January meeting in the adoption year.”

Physical Education Instructional Materials are scheduled to be evaluated and adopted in 2026. This first read is scheduled to be in alignment with part 1 and 2 of the above administrative rule, to ensure that the State Board of Education may review and adopt in January of 2026.

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

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Oregon Physical Education Standards were presented and adopted by the Board in September 2025. This is the first reading for the Criteria

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

Per OAR 581-011-0055, Physical Education criteria are meant to be reviewed and adopted by the State Board of Education in January of the evaluation and adoption year. This is a key step for Physical Education to remain on track for a 2026 evaluation and adoption, including sharing the adopted criteria with Physical Education publishers in January during the announcement to publishers and the public.

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: Per OAR and ODE Instructional Materials Program and Schedule

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?

ODE's engagement strategy was directly supported by the equity decision tree, especially when considering recruitment and committee appointments, and striving for diverse representation of Oregon Physical Education educators. Additionally, the multiple drafts and versions of the PE Instructional Materials Criteria were reflective of the flexible and committee member-driven approach.

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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.

N/A

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

- ☒ Northeast Oregon
☒ Central and Southeast Oregon
☒ Southwest Oregon
☒ Willamette Valley and Central Coast
☒ Northwest Oregon
☐ Tribal lands
☐ Other: _____

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

The Instructional Materials team sought representation from all regions of Oregon, to ensure that the development and revision of the Physical Education criteria was reflective of the

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geographic diversity of the state. Overall, 8 of 18 Oregon ESDs were represented in the committee.

- 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 the Instructional Materials Criteria Committee convenings, committee members both individually and collectively reviewed various drafts of the Physical Education instructional materials criteria, making suggestions, edits and comments. Committee members reviewed for alignment to the 2025 PE Standards, appropriate content language and terminology, general scope and sequence, and usability of the criteria in evaluating Physical Education Instructional Materials.

All comments and suggestions were carefully reviewed by committee members and ODE staff and adjusted in new versions. The final draft was reviewed in a consensus meeting, in which all committee members gave a rating of 4 or 5 (out of 5 points) to rate their level of support of the PE Criteria, and made final recommendations. These recommendations were incorporated before a final review by ODE educators and staff.

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

Returning for a second read in January 2026.

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.**

These criteria will likely have a positive impact on districts and ESDs, in conducting future Physical Education Instructional Materials Adoptions and Evaluations, and ensuring that Oregon students and educators have access to high-quality Physical Education instructional materials.

There will be a budgetary cost for Oregon school districts as they initiate and execute the process of adopting Physical Education Instructional Materials in the 2027-28 school year. This cost would include not only purchasing materials, but also establishing and paying Instructional Material selection committees, and ongoing professional development and curriculum-based professional learning (CBPL) to support implementation.

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 action will likely not have an impact.

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 adoption of the Physical Instructional Materials Criteria will likely have a positive impact on students and families, in ensuring that districts adopt and provide free and equitable access to high-quality Physical Education instructional materials to every Oregon student. Updated and relevant Instructional Materials that are aligned with the 2025 Physical Education Standards will ensure that students gain a well-rounded and comprehensive education, which will prepare them for lifelong engagement with physical health and wellbeing. Additionally, the criteria for the selection and review of culturally responsive programs will ensure that Oregon students receive culturally responsive materials representative of the diverse needs and identities of Oregon students.

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?

Please see the answer above.

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?

This action will align with administrative rule on instructional materials criteria and will allow the ODE Instructional Materials team to pursue the adopted and scheduled Physical Education Instructional Materials Evaluation and Adoption in 2026.

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 may result in a delay to the Instructional Materials Evaluation and Adoption process for Physical Education, and result in the State Board of Education and ODE to be out of alignment with existing administrative rules.

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 is recommending that the State Board of Education review and consider the proposed Physical Education Instructional Materials Criteria for adoption.

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](#)?

Feedback and engagement was facilitated by appointing and convening an Instructional Materials Criteria Committee, which provided input on the drafted criteria. All parts were reviewed by the committee and ODE's Physical Education content specialist to ensure alignment with current content language and best practices, Oregon content standards, and national standards. In addition, Part 2 focuses on Equitable Student Engagement and Cultural Pedagogy. The criteria included in this section requires that instructional materials are relevant to student experiences, allow for collaboration and connections with peers, and are culturally responsive. While culturally responsive instruction was identified in the previous PE criteria, it was not a stand-alone and focused set of criteria as it is in Part 2 of the proposed criteria.

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 Standards and Instructional Support team in the Office of Teaching, Learning, and Assessment recommends the adoption of the Physical Education Instructional Materials Criteria.

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.

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- ☐ Communications plan
- ☐ Technical assistance, professional development, and/or coaching
- ☐ Direct or differentiated support for small, rural, or remote school districts
- ☐ Corrective Action Processes
- ☐ Safety measures
- ☐ Organizational culture or practice changes (change management)
- ☐ Materials and/or supplies
- ☐ Guidance and/or supplemental resources
- ☐ Other: _____

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.



Physical Education K-12 Adoption Criteria

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Suzanne Hidde, Health and Physical Education Specialist

Deirdre Banning, Instructional Materials Coordinator

Vanessa Martinez, Director of Standards and Instructional Support

Purpose

First read of Physical Education instructional materials criteria

Relevant statutes:

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



Instructional Materials Committee Engagement

OAR 581-011-0055 outlines required committee composition:

“no less than five members selected from among Oregon classroom teachers, curriculum specialists, and others having experience and expertise in the subject area under consideration”

Prioritized diversity and Physical education expertise in committee membership.

10 Committee members, representation across 8 Oregon ESDs.



Physical Education Evaluation Timeline



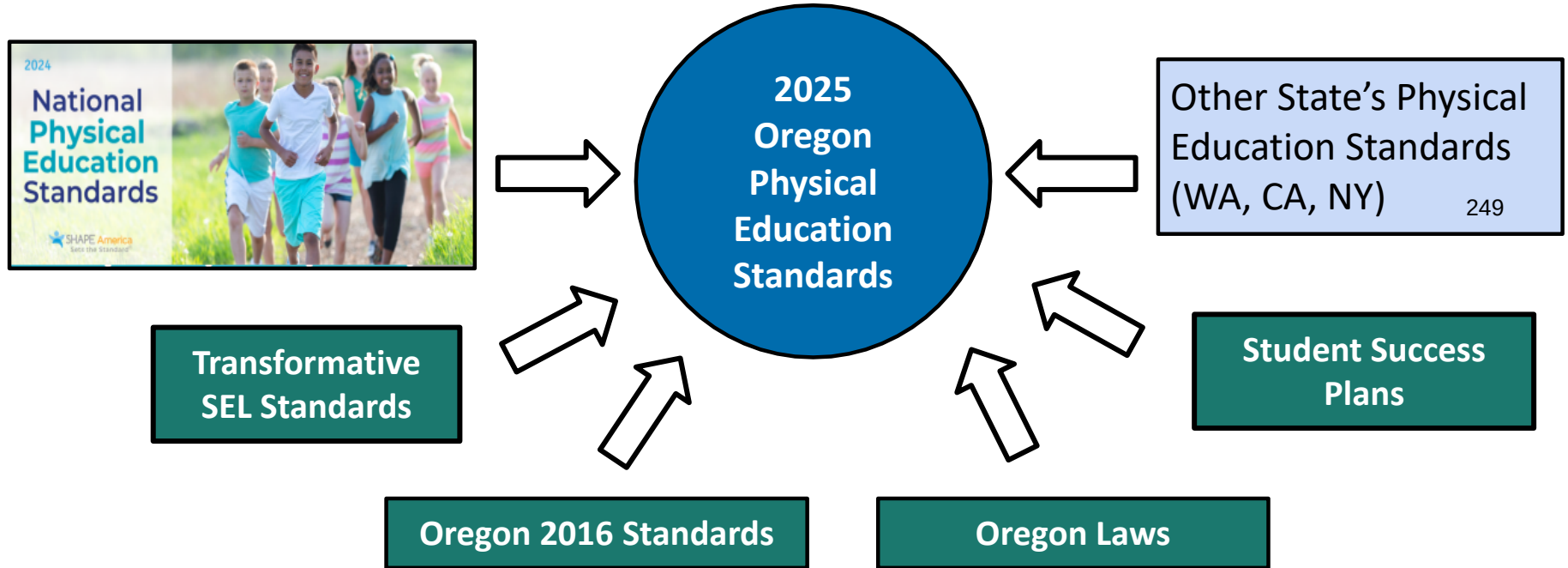
June 2025	Sep.- Oct. 2025	Dec. 2025- Jan. 2026	Summer 2026	October 2026	Fall of 2027
2025 Physical Education Standards Adopted	Physical Education Instructional Materials Criteria Committee Convened Training, work sessions, and consensus meeting.	Recommendation to State Board for K-12 criteria adoption for Physical Education Instructional Materials Once criteria is approved, circular of information will be sent out to publisher partners.	Evaluation of K-12 Physical Education Instructional Materials K-12 Physical Education materials evaluated using Instructional Materials Evaluation Tool (IMET), which will be developed from the criteria.	State Board adoption of K-12 Physical Education Instructional Materials List with scores and publisher contact information posted on ODE website	Districts required to implement K-12 Physical Education Instructional Materials Aligns with required implementation date of 2025 Physical Education Standards

PE is Powerful Education!

The Physical Literacy Journey



Foundational Inputs



Criteria Design



1. Baseline Physical Education Criteria

Ensures materials...

- Align to 2025 Physical Education Standards
- Support the development of Physical Education disciplinary practices

4. Assessment Criteria

Ensures materials...

- Incorporate high quality formative and summative

2. Equitable Student Engagement & Cultural Pedagogy Criteria

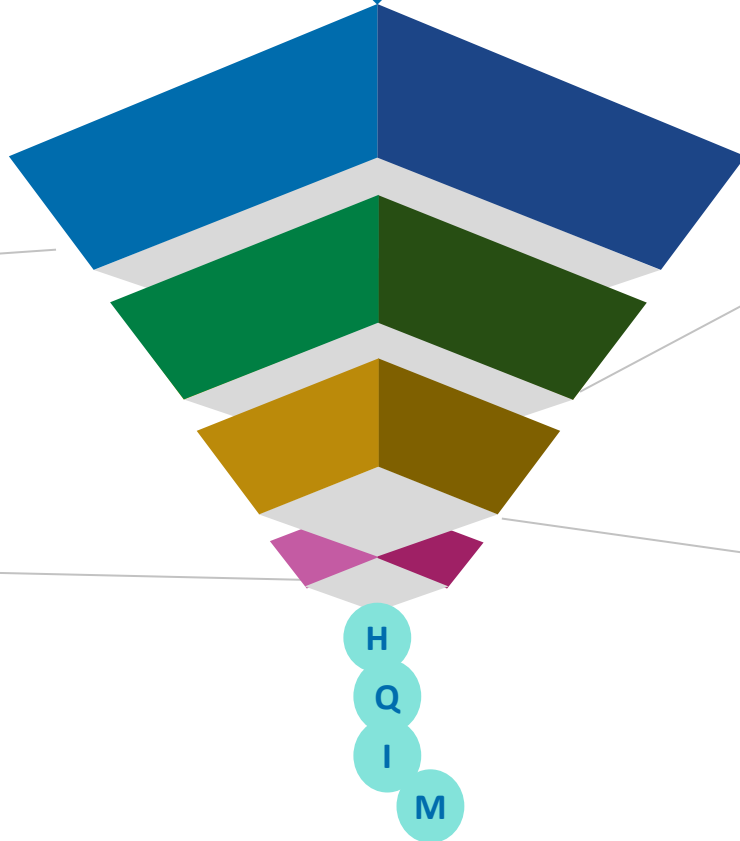
Ensures materials...

- Are relevant & engaging
- Include representation in content & integrate multiple perspectives ²⁵⁰
- Empower educators to leverage students' assets

3. Technical Usability Criteria

Ensures materials...

- Include appropriate supports for teachers and students



Structure of the Physical Education IM Criteria

Part 1: Oregon Physical Education Baseline Criteria [K-HS]

- 1.1 - Alignment to Physical Education Standards
- 1.2 - Strengths-based approach
- 1.3 - Scope and Sequence
- 1.4 - Practice and Skills

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

- 2.1 - Engagement & Relevance
- 2.2 - Culturally Responsive Instructional Support

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Part 3: Technical Usability Criteria [K-HS]

- 3.1 - Supports for Teachers
- 3.2 - Supports for Students
- 3.3 - Digital Learning Design Elements

Part 4: Assessment Criteria [K-HS]

- 4.1 - Formative Assessment Process
- 4.2 - Performance Assessments

Part 1: Physical Education Baseline Criteria

Example of Criterion 1.1

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 1.1 Alignment to Oregon Standards	Materials reflect grade-band standards and promote students' engagement in meaningful learning experiences that foster deep understanding and high expectations.	COMPREHENSIVE Materials demonstrate comprehensive alignment with all four domains and PE grade-band standards. The materials are designed to support developmentally appropriate, standards-based instruction that fosters sustained student engagement and advances progression toward lifelong physical literacy.	DEPTH OF CONTENT Materials promote grade-band understanding of the four domains and facilitate progressive motor skill development and application. Materials focus on personal and social skill growth, and recognize the personal benefits of movement.	DEPTH OF LEARNING Activities and assignments are appropriately aligned with grade-band standards and require students to apply higher-order thinking and demonstration of skills.	PHYSICAL EDUCATION PRACTICES 252 Materials consistently incorporate SHAPE America's Appropriate Practices by offering regular, authentic activities that give students numerous meaningful opportunities to apply their knowledge and skills while highlighting the interconnected nature of Oregon's PE standards.

Part 2: Equitable Student Engagement and Cultural Pedagogy Criteria

Example of Criterion 2.1

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 2.1: Engagement & Relevance	Materials foster student-directed learning through meaningful connections to personally relevant topics and experiences, and provide opportunities for students to investigate their own ideas, interests, and values.	CULTURAL RELEVANCE Materials reflect diverse cultures and backgrounds, connecting movement skills and health concepts to students' daily experiences and relevant authentic contexts.	STUDENT AGENCY AND CHOICE  Materials offer multiple pathways for exploration and expression, encouraging students to pursue personal interests while achieving learning goals. Students have meaningful choices in how they engage with activities and demonstrate their understanding of physical skills and concepts.	ADAPTABILITY AND EXTENSION Materials provide adaptations and instructional strategies to support prior grade-level learning and offer extensions for students ready to deepen their understanding of grade-band content.	253

Part 3: Technical Usability Criteria

Example of Criterion 3.1:

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 3.1: Supports for Teachers	The materials include opportunities for teachers to thoughtfully plan and utilize materials with integrity and to further develop their content expertise.	SUPPORTING GUIDANCE Materials include comprehensive teacher guidance with clear instructional strategies, lesson plans, and pacing suggestions. Materials provide the rationale for instructional choices, safety protocols, and anticipate student responses or misconceptions, and offer strategies for differentiation to support diverse learners.	PEDAGOGICAL CONTENT KNOWLEDGE Resources embed professional learning opportunities that strengthen educators' content knowledge and instructional strategies, with an emphasis on culturally relevant practices, inclusive teaching, and underrepresented histories in physical education, sport, and movement.	HOME CONNECTION Materials offer strategies for engaging all partners—including students, families, and caregivers - and provide guidance on how they can support student learning and achievement in physical education.	SCALABLE AND EDITABLE CONTENT Materials are designed to support 254 teachers to differentiate content and vary modes of communication within lessons, tasks, and other activities to meet diverse student needs. Materials are designed to work in varied settings including gyms, fields, small spaces. Adaptations for weather, class size, varying equipment, and resource constraints.

Part 4: Assessment Criteria

Example of Criterion 4.1

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 4.1: Formative Assessment Process	Materials embed non-stigmatizing and varied formative assessments throughout units to evaluate student learning progress and inform physical education instruction.	MULTIPLE OPPORTUNITIES Materials include diverse and strategically placed formative assessment opportunities throughout each unit. Assessment options are varied and non-stigmatizing. These may include skills checklists, exit tickets, discussion prompts, peer and self assessments, performance tasks, or short quizzes aligned with lesson objectives and providing ongoing insights into student understanding.	LEARNING RELEVANCY Formative assessments are designed to align with learning objectives and support student progress toward summative goals, and allow for timely interventions and adjustments in instruction. Assessments include the four domains, and address cognitive, affective and physical aspects of physical education.	INTERPRETATION OF FEEDBACK Assessment tools provide clear guidance for using a strengths-based approach in interpreting student performance and responses and offer suggestions for targeted feedback. Materials include strategies for using assessment results to inform instruction, such as reteaching suggestions, extension activities, or differentiation options based on student performance.	STUDENT REFLECTION Materials incorporate opportunities for students to assess their own learning and reflect on their progress, rather than comparison. This may include self-check questions, peer review activities, or reflective journaling prompts that encourage metacognition and support students in taking ownership of their learning in physical education.

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Questions & Comments

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Criteria for the Review and Adoption of Instructional Materials for:

Oregon Physical Education Grade-Bands: K-2, 3-5, 6-8, and 9-12

Legal Requirements Section

1. Basal Instructional Materials Requirement

The submitted materials must make up an organized system of instruction that provides opportunities for teaching the [2025 Physical Education Standards](#), including the four Domains, the majority of grade-band standards, and incorporates [SHAPE AMERICA Appropriate Practices](#).

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

Yes No

2. Nondiscriminatory Requirement

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

Does the program meet the above nondiscrimination requirements?

Yes No

3. National Instructional Materials Accessibility Standard (NIMAS)

Submitted materials must include assurance from the publishers that they agree to comply with the most current NIMAS specifications regarding accessible instructional materials. NIMAS files must be submitted to the National Instructional Materials Access Center (NIMAC) by February 1, 2027.

Does the program meet the above requirements for NIMAS?

Yes No

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

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

Does the program meet the above MSST requirements?

Yes No

Part 1: Oregon Physical Education Baseline Criteria [K-HS]

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 1.1 Alignment to Oregon Standards	Materials reflect grade-band standards and promote students' engagement in meaningful learning experiences that foster deep understanding and high expectations.	COMPREHENSIVE Materials demonstrate comprehensive alignment with all four domains and PE grade-band standards. The materials are designed to support developmentally appropriate, standards-based instruction that fosters sustained student engagement and advances progression toward lifelong physical literacy.	DEPTH OF CONTENT Materials promote grade-band understanding of the four domains and facilitate progressive motor skill development and application. Materials focus on personal and social skill growth, and recognize the personal benefits of movement.	DEPTH OF LEARNING Activities and assignments are appropriately aligned with grade-band standards and require students to apply higher-order thinking and demonstration of skills.	PHYSICAL EDUCATION PRACTICES Materials consistently incorporate SHAPE America's Appropriate Practices by offering regular, authentic activities that give students numerous meaningful opportunities to apply their knowledge and skills while highlighting the interconnected nature of Oregon's PE standards.
Criterion 1.2: Strengths-Based Approach	Materials utilize a strengths-based approach that centers on individual and systemic protective factors to promote health and well-being, without imposing value judgments on health-related choices, behaviors, or conditions.	SELF-EFFICACY Materials emphasize the development of student confidence to make informed decisions using critical thinking and positive skill-building aligned with their personal values and goals.	PROMOTING POSITIVE CLIMATE AND BEHAVIORS Materials support the development of students' self-worth and avoid fear- or shame-based approaches. Materials refrain from the use of scare tactics, stereotypes and/or disparaging messages about students, families, or community identities.	COMMUNITY AND PEER CONNECTIONS Materials encourage students to recognize and reflect on resources, strengths, values, and goals connected to self, family, and their community.	TRAUMA-INFORMED Materials provide educators with guidance to foster safe learning environments, approach sensitive topics with care, acknowledge students' personal experiences, and support both individual and collective wellness.

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 1.3: Scope and Sequence	Materials provide educators with a clear, coherent pathway for teaching content and skills in a standards-aligned sequence.	COHERENT DESIGN Materials are organized in a coherent scope and sequence that builds on prior knowledge and skills, progressively increasing in complexity across grade-bands.	CONNECTIONS TO STANDARDS Materials clearly demonstrate how the scope and sequence aligns with and supports the relevant grade-band standards, including connections across the four domains .	FLEXIBILITY Materials offer guidance for adapting instruction to different timeframes, learning environments, and student needs while maintaining the overall coherence of the scope and sequence.	INTENTIONAL DESIGN Resources offer strategies for pacing instruction effectively, addressing necessary prerequisite knowledge and skills, and guiding content prioritization when appropriate.
Criterion 1.4: Practice and Skills	Materials align with SHAPE AMERICA Appropriate Practices for Physical Education, specifically those addressing standards 2.4 & 2.5.	INQUIRY & ANALYSIS Materials encourage learners to develop and ask their own questions and engage deeply with content to develop understanding.	DISCIPLINARY THINKING & COMMUNICATION Materials provide regular and varied opportunities for students to engage in discipline-specific thinking, reading, writing, listening, speaking, and analysis using diverse sources.	TRANSFORMATIVE SOCIAL AND EMOTIONAL SKILLS Materials provide various opportunities for students to collaborate in developing social and emotional skills, and to practice responsible behaviors. Instruction is intentionally designed to teach, reinforce, and apply these skills.	APPLICATION Materials support students in connecting their learning to authentic contexts and engaging in physical activities across diverse settings. The materials provide consistent opportunities for students to apply knowledge and skills beyond school with friends, family, and in the community.

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

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 2.1: Engagement & Relevance	Materials foster student-directed learning through meaningful connections to personally relevant topics and experiences, and provide opportunities for students to investigate their own ideas, interests, and values.	CULTURAL RELEVANCE Materials reflect diverse cultures and backgrounds, connecting movement skills and health concepts to students' daily experiences and relevant authentic contexts.	STUDENT AGENCY AND CHOICE Materials offer multiple pathways for exploration and expression, encouraging students to pursue personal interests while achieving learning goals. Students have meaningful choices in how they engage with activities and demonstrate their understanding of physical skills and concepts.	ADAPTABILITY AND EXTENSION Materials provide adaptations and instructional strategies to support prior grade-level learning and offer extensions for students ready to deepen their understanding of grade-band content.	
Criterion 2.2: Culturally Responsive Instructional Support	Materials provide equitable inclusion and representation of diverse perspectives and experiences	DIVERSE REPRESENTATION IN CONTENT Materials promote culturally diverse perspectives, and recognize contributions across various aspects of identity including race, ethnicity, gender, sexual orientation, ability, body types, socioeconomic status, geographic origin, and religion. Representations are multifaceted avoiding stereotypes and reflecting both historical and contemporary contexts.	MULTIPLE PERSPECTIVES Materials integrate multiple and diverse perspectives on historical and contemporary issues related to health, movement, and sport. Materials encourage students to make global and cultural connections, while fostering critical thinking about diversity, equity, and inclusion as essential elements of physical activity and wellness.	COMMUNITY AND CULTURE AS ASSETS Materials support educators in recognizing, valuing, and incorporating students' knowledge, experiences, and cultural practices from their homes and communities into instruction.	

Part 3: Technical Usability Criteria [K-HS]

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 3.1: Supports for Teachers	The materials include opportunities for teachers to thoughtfully plan and utilize materials with integrity and to further develop their content expertise.	SUPPORTING GUIDANCE Materials include comprehensive teacher guidance with clear instructional strategies, lesson plans, and pacing suggestions. Materials provide the rationale for instructional choices, safety protocols, and anticipate student responses or misconceptions, and offer strategies for differentiation to support diverse learners.	PEDAGOGICAL CONTENT KNOWLEDGE Resources embed professional learning opportunities that strengthen educators’ content knowledge and instructional strategies, with an emphasis on culturally relevant practices, inclusive teaching, and underrepresented histories in physical education, sport, and movement.	HOME CONNECTION Materials offer strategies for engaging all partners—including students, families, and caregivers - and provide guidance on how they can support student learning and achievement in physical education.	SCALABLE AND EDITABLE CONTENT Materials are designed to support teachers to differentiate content and vary modes of communication within lessons, tasks, and other activities to meet diverse student needs. Materials are designed to work in varied settings including gyms, fields, small spaces. Adaptations for weather, class size, varying equipment, and resource constraints.
Criterion 3.2: Supports for Students	Materials offer targeted teacher support with practical routines and strategies to differentiate instruction and address the unique needs of each student.	STRATEGIES FOR SPECIAL POPULATIONS Materials provide scaffolds to support students from special populations—including multilingual learners, students with disabilities, and students identified as TAG—ensuring their full and active participation in developing physical literacy.	MULTILINGUAL LEARNER SUPPORT Materials provide strategies and support for students who read, write, and/or speak in a language other than English, ensuring their full participation in learning.	STUDENT EDITABILITY Materials include resources that allow students to demonstrate their understanding and comprehension through multiple modes of expression.	

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 3.3: Digital Learning Design Elements *This criterion is not required. Quality indicators are provided for evaluation if digital components are present.	The materials are attentive to structural digital design elements, support for users, guidance, and adaptability of materials.	MATERIALS USABILITY The organizational structure of the digital materials allows for intuitive navigation and meaningful interaction on a variety of devices.	LEARNING RESOURCES The digital materials provide support for users in a variety of settings, including: ● Professional learning resources to support educators’ use of the materials and content. ● Robust support to help families understand and utilize the materials while supporting their students at home. ● Support for students working independently. ● Support for multilingual learners. ● Support for students with disabilities.	MEDIA INTEGRATION Digital and multimedia elements support intended learning outcomes and instructional content, maximizing engagement while minimizing distraction.	ADAPTABILITY OF MATERIALS Digital materials allow teachers to modify resources—such as translation, reading-level adjustments, and offline access—to meet the needs of all learners.

Part 4: Assessment Criteria [K-HS]

Criterion	Description	Metric 1	Metric 2	Metric 3	Metric 4
Criterion 4.1: Formative Assessment Process	Materials embed non-stigmatizing and varied formative assessments throughout units to evaluate student learning progress and inform physical education instruction.	MULTIPLE OPPORTUNITIES Materials include diverse and strategically placed formative assessment opportunities throughout each unit. Assessment options are varied and non-stigmatizing. These may include skills checklists, exit tickets, discussion prompts, peer and self assessments, performance tasks, or short quizzes aligned with lesson objectives and providing ongoing insights into student understanding.	LEARNING RELEVANCY Formative assessments are designed to align with learning objectives and support student progress toward summative goals, and allow for timely interventions and adjustments in instruction. Assessments include the four domains, and address cognitive, affective and physical aspects of physical education. .	INTERPRETATION OF FEEDBACK Assessment tools provide clear guidance for using a strengths-based approach in interpreting student performance and responses and offer suggestions for targeted feedback. Materials include strategies for using assessment results to inform instruction, such as reteaching suggestions, extension activities, or differentiation options based on student performance.	STUDENT REFLECTION Materials incorporate opportunities for students to assess their own learning and reflect on their progress, rather than comparison. This may include self-check questions, peer review activities, or reflective journaling prompts that encourage metacognition and support students in taking ownership of their learning in physical education.
Criterion 4.2: Summative Assessments	Materials incorporate summative assessments that support students in demonstrating meaningful and comprehensive knowledge and skills within physical education content, concepts and application of skills.	ALIGNMENT Materials include performance tasks that are comprehensive, inclusive, and aligned with physical education standards including the concepts outlined in SHAPE AMERICA Appropriate Practices .	VARIETY Materials include multiple assessment formats that accommodate different learning styles and allow students to demonstrate their understanding in a variety of ways. These may include verbal or written responses, in-depth projects, presentations, or performance tasks that reflect authentic applications of physical education concepts.	AUTHENTICITY Assessments are designed to highlight personal growth and accomplishments over peer comparison or results.	CLARITY & FEEDBACK Materials offer transparent scoring criteria and built-in opportunities for students to receive feedback, reflect on their learning, and improve before completing final assessments.



OAR 581-015-2530: Children and Young Adults Enrolled in Public Benefits or Insurance (Medicaid)

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Children and Young Adults Enrolled in Public Benefits or Insurance: Program Overview

Medicaid is a state and federal partnership focused on funding health and medical services for enrolled beneficiaries. Oregon's School Based Health Services (SBHS) Medicaid program, also referred to as School Medicaid, allows an education agency (EA) to seek reimbursement for covered health services provided to Medicaid-enrolled children and young adults aged birth through 21.

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Until September 2024, School Medicaid billing was only permitted for services provided pursuant to the Individuals with Disabilities Education Act (IDEA). Medicaid has now expanded to include covered IDEA and Non-IDEA health services.

Children and Young Adults Enrolled in Public Benefits or Insurance: Background

The Family Educational Rights and Privacy Act (FERPA) grants parents certain rights with respect to their child's education records. The Individuals with Disabilities Education Act (IDEA) has additional requirements around information sharing for Medicaid billing.

To meet the information sharing requirements in FERPA and the IDEA, education agencies (EAs) are required to obtain parent consent to share limited information from their child's record for the purposes of Medicaid billing. Prior to obtaining parent consent, and annually thereafter, EAs must provide parents with written notification informing them of their rights.

ODE provides written notification and parent consent form templates for ages birth through 21. All forms and guidance are up to date.

Children and Young Adults Enrolled in Public Benefits or Insurance : Need for Rulemaking

- This rule update is primarily a technical fix.
- There are currently 4 OARs in Division 15 that reference written notification and parent consent to access Medicaid.
- ODE is proposing to consolidate requirements for written notification and parent consent to access Medicaid into a single, clear OAR that covers ages birth through 21 that reflects Oregon's Medicaid expansion.

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Children and Young Adults Enrolled in Public Benefits or Insurance: Summary of Changes

OAR	Proposed Action
OAR 581-015-2090 (Consent)	Delete reference to written notification and parent consent to access Medicaid and renumber
OAR 581-015-2735 (Parent Consent for ECSE)	Delete reference to written notification and parent consent to access Medicaid and renumber
OAR 581-015-2885 (Preschool Children with Disabilities Covered by Public Insurance)	Repeal
OAR 581-015-2530 (Children with Disabilities under IDEA Enrolled in Public Benefits or Insurance)	- Rename to Children and Young Adults Enrolled in Public Benefits or Insurance - Update language to address written notification and parent consent requirements from birth through age 21 - Renumber

Engagement and Feedback

Engagement

- Internal ODE staff
- The Oregon Health Authority (OHA)
- FACT Oregon
- Oregon Parent Teacher Association
- Disability Rights Oregon (DRO)
- Central Oregon Disability Support Network (CODSN)

School Medicaid Advisory Committee

- Membership includes representation from:
- Parents, Licensed Practitioners, Medicaid Coordinators
- Oregon School Nurses Association (OSNA)
- Oregon School Boards Association (OSBA)
- Coalition of School Administrators (COSA)
- Oregon Education Association (OEA)
- Oregon School Employees Association (OSEA)
- School district and education service district administrators
- Early Intervention/Early Childhood Special Education administrators
- CareOregon

Response

- Feedback received focused on making the rules more accessible for parents:
- Updates to proposed language to make more clear
- Questions around how parents may/may not be able to access the cited regulations.

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Children and Young Adults Enrolled in Public Benefits or Insurance: Equity Impact

Impact on Students, Families, & Staff

- No new procedural impact on students, families, or staff.
- ODE does not foresee a direct change to student services or access.
- Clearer rule language may increase understanding and consistency, particularly supporting families who face systemic barriers.
- Streamlined rules may ease workload, supporting limited administrative capacity without adding new steps.

Outreach Plan

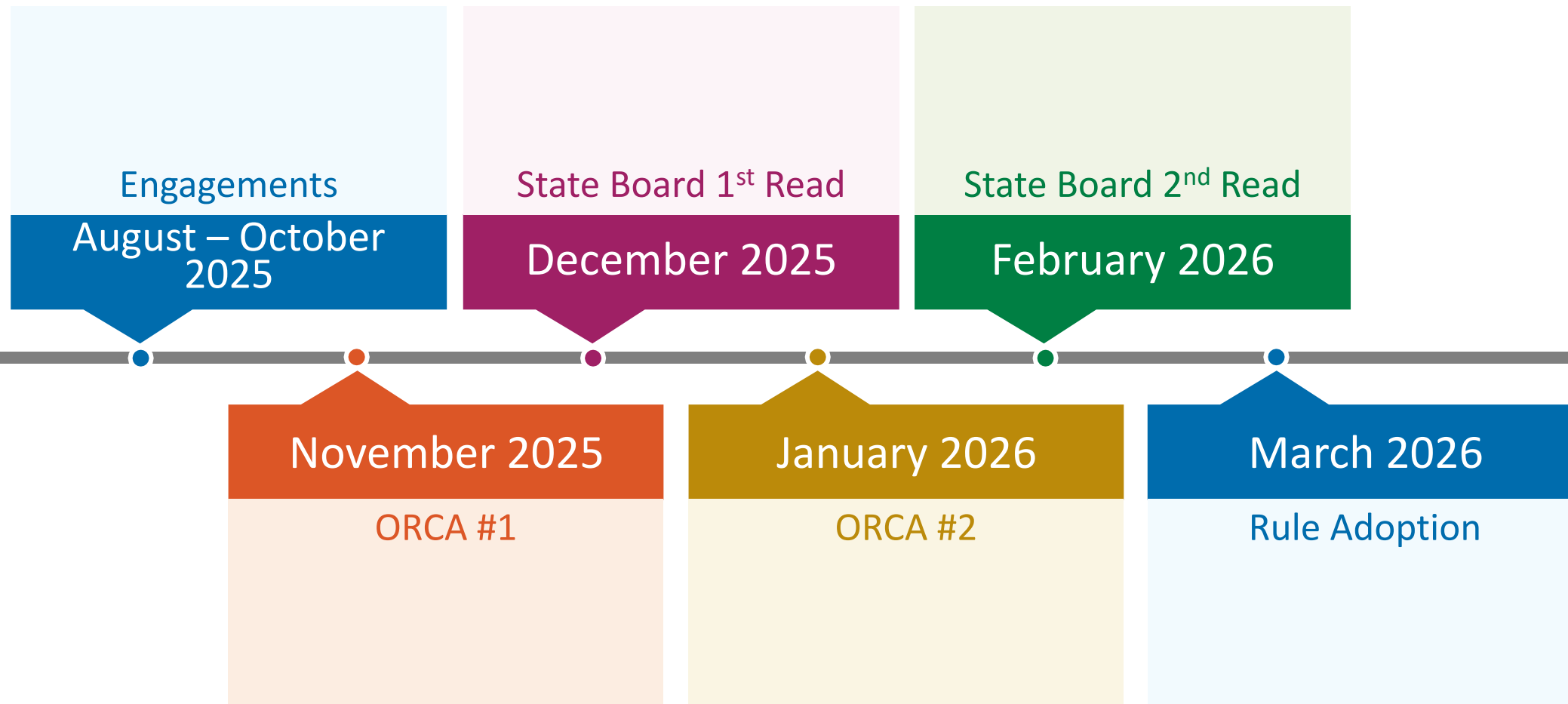
- We have created a [School Medicaid Billing Factsheet](#) for parents to support understanding of School Medicaid, their rights, and the consent process.
- The factsheet was sent out via ODE's listservs and is available in 10 languages on ODE's web page.
- FACT, ORPTA, and OHA have volunteered to share with their networks.

Children and Young Adults Enrolled in Public Benefits or Insurance: Fiscal Impact

- This rule is primarily a technical fix and does not impose any new requirements. ODE anticipates that these OAR changes will have no fiscal impact on any entity.

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Rulemaking Timeline



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Thank You

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OAR 581-015-2530

~~[Children with Disabilities under IDEA Enrolled in Public Benefits or Insurance]~~ Children and Young Adults Enrolled in Public Benefits or Insurance

~~{(1) A school district program may use the State's Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for special education and related services required under IDEA and permitted under the public benefits or insurance program, as specified in subsection (2) below.~~

~~(2) With regard to services required to provide a free appropriate public education (FAPE) to a child with disabilities under IDEA, a school district:~~

~~(a) May not require parents to sign up for or enroll in public benefits or insurance programs in order for their child with disabilities to receive FAPE under the IDEA;~~

~~(b) May not require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for special education and related services pursuant to IDEA, but may pay the cost that the parent otherwise would be required to pay; and~~

~~(c) May not use the child's benefits under a public insurance program if that use would:~~

~~(A) Decrease available lifetime coverage or any other insured benefit;~~

~~(B) Result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside of the time the child is in school;~~

~~(C) Increase premiums or lead to the discontinuation of insurance; or~~

~~(D) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures; and~~

~~(3) Prior to accessing a child's or parent's public benefits or insurance for the first time, and after providing notification to the child's parents consistent with (4) below, the school district, must obtain written, parental consent that:~~

~~(a) Meets the requirements of the Family Education Rights and Privacy Act (34 CFR part 99) and the parental consent provisions in IDEA (34 CFR §300.622) requiring that consent state:~~

~~(A) the personally identifiable information that may be disclosed (e.g., records or information about the services that may be provided to a particular child);~~

~~(B) the purpose of the disclosure (e.g., billing for services under the Individuals with Disabilities Education Act (IDEA)); and~~

~~(C) the agency to which the disclosure may be made (e.g., the State's public benefits or insurance program (e.g., Medicaid); and~~

~~(D) Specifies that the parent understands and agrees that the public agency may access the parent's or child's public benefits or insurance to pay for services under IDEA.~~

~~(4) Prior to accessing a child's or parent's public benefits or insurance for the first time, and annually thereafter, the school district must provide prior written notification, consistent with requirements of OAR 581-015-2310(4) and (5), to the child's parents, that includes:~~

~~(a) A statement of the parental consent provisions in paragraphs (3)(a)(A) and (B) above;~~

~~(b) A statement of the "no cost" provisions in paragraphs (2)(a) through (c) above.~~

~~(c) A statement that the parents have the right under the Family Education Rights and Privacy Act (FERPA) and IDEA, Part B, and OAR 581-015-2090 to withdraw their consent to disclosure of their child's personally identifiable information to the agency responsible for the administration of the State's public benefits or insurance program (e.g., Medicaid) at any time; and~~

~~(d) A statement that the withdrawal of consent or refusal to provide consent, pursuant to FERPA and IDEA, to disclose personally identifiable information to the agency responsible for the administration of the State's public benefits or insurance program (e.g., Medicaid) does not relieve the public agency of its responsibility to ensure that all required services are provided at no cost to the parents.~~

~~(5) Use of IDEA Part B funds.~~

~~(a) If a school district is unable to obtain parental consent to use the parents' public benefits or insurance when the parents would incur a cost for a specified service required to ensure a free appropriate public education, the district may use its Part B funds to pay for the service.~~

~~(b) To avoid financial cost to parents who otherwise would consent to use public benefits or insurance, the district may use its Part B funds to pay the cost the parents otherwise would have to pay to use the public insurance (e.g., the deductible or co-pay amounts).~~

~~(c) Proceeds from public benefits or insurance will not be treated as program income for purposes of 34 CFR 80.25.~~

~~(d) If a school district or ECSE program spends reimbursements from federal funds (e.g., Medicaid) for special education and related services, those funds will not be considered "state or local" funds for purposes of the maintenance of effort provisions pursuant to IDEA 34 CFR § 300.163 and 300.203.~~

~~(6) Construction. Nothing in this rule should be construed to alter the requirements imposed on a state Medicaid agency, or any other agency administering a public benefits or insurance program by federal statute, regulations or policy under title XIX, or title XXI of the Social Security Act, 42 U.S.C. 1396 through 1396v and 42 U.S.C. 1397aa through 1397jj, or any other insurance program.~~

(1) For purposes of this rule:

(a) “Child or young adult” has the meaning given that term in OAR 410-133-0040.

(b) “Consent”:

(A) For purposes of subsection (2)(a) of this rule, has the meaning given that term in 34 C.F.R. §300.9, or where applicable, §300.7; and

(B) For purposes of subsection (2)(b) of this rule, has the meaning described for that term in 34 C.F.R. §99.30.

(c) “Education agency” has the meaning given that term in OAR 410-133-0040.

(2) Before an education agency accesses a child’s or young adult’s public benefits or insurance and discloses personally identifiable information for the purpose of being reimbursed for Medicaid covered health services for the first time, an education agency must provide written notification to the child’s or young adult’s parent and obtain informed, written consent that meets the requirements of:

(a) 34 C.F.R. §§300.154, 300.622, 303.520, 303.521, and 303.414 (The Individuals with Disabilities Education Act); and

(b) 34 C.F.R. §99.30 (Family Education Rights and Privacy Act).

(3) After providing written notification and obtaining consent as described in subsection (2) of this rule, an education agency must provide the parent with the written notification on an annual basis that meets the requirements of the regulations listed in subsection (2) of this rule.

Statutory/Other Authority: ORS 343.041, 343.045 & 343.055

Statutes/Other Implemented: [ORS 343.045, 343.155 & 34 CFR 300.154] **34 C.F.R. 99.30, 34 C.F.R. 104, 34 C.F.R. 300.154, 34 C.F.R. 300.622, 34 C.F.R. 300.9, 34 C.F.R. 303.414, ORS 343.045 & ORS 343.155**

History:

ODE 12-2013, f. & cert. ef. 5-30-13

ODE 11-2013(Temp), f. & cert. ef. 4-25-13 thru 10-21-13

Renumbered from 581-015-0607, ODE 10-2007, f. & cert. ef. 4-25-07

OAR 581-015-2090

Consent

(1) Consent means that the parent or adult student:

(a) Has been fully informed, in his or her native language or other mode of communication, of all information relevant to the activity for which consent is sought; and

(b) Understands and agrees in writing to the carrying out of the activity for which his or her consent is sought.

(2) Consent is voluntary on the part of the parent and meets the requirements of the consent provisions of this rule and 34 CFR 300.622 and 34 CFR 99.30 implementing IDEA, and FERPA respectively.

(3) Consent for initial evaluation:

(a) The school district must provide notice under OAR 581-015-2310 and obtain informed written consent from the parent or adult student before conducting an initial evaluation to determine if a child qualifies as a child with a disability under OAR 581-015-2130 through 581-015-2180.

(A) Consent for initial evaluation may not be construed as consent for the initial provision of special education and related services.

(B) The school district must make reasonable efforts to obtain the informed consent from a parent for an initial evaluation to determine a child's eligibility for special education services.

(b) If a parent of a child enrolled in public school or seeking to be enrolled in public school does not provide consent for an initial evaluation, does not respond to a request for consent for an initial evaluation, or revokes consent for an initial evaluation, the school district may, but is not required to, pursue the initial evaluation of the child using mediation or due process hearing procedures. A district does not violate its child find obligations if it declines to pursue the evaluation using these procedures.

(c) Consent for initial evaluation for a child who is a ward of the state may be obtained under OAR 581-015-2095(2).

(4) Consent for initial provision of services:

(a) A school district must obtain informed consent from the parent of the child before the initial provision of special education and related services to the child.

(b) The school district must make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the child.

(c) If a parent or adult student does not respond or refuses to consent for initial provision of special education and related services or revokes consent for the initial provision of special education and related services, the school district may not seek to provide special education and related services to the child by using mediation or due process hearing procedures.

(d) If a parent or adult student refuses to grant consent for initial provision of special education and related services, does not respond to a request to provide such consent, or revokes consent for the initial provision of special education and related services:

(A) The school district will not be considered to be in violation of the requirement to make available a free appropriate public education to the child for the failure to provide the child with the special education and related services for which the school district requests consent; and

(B) The school district is not required to convene an IEP meeting or develop an IEP for the child for the special education and related services for which the school district requests such consent.

(e) If, at any time subsequent to the initial provision of special education and related services, the parent or adult student revokes consent in writing for the continued provision of special education and related services, the school district.

(A) May not continue to provide special education and related services to the student, but must provide prior written notice in accordance with OAR 581-015-2310 before ceasing the provision of special education and related services; and

(B) Is not required to amend the student's education records to remove any references to the student's receipt of special education and related services because of the revocation of consent.

(5) Consent for reevaluation:

(a) A school district must obtain informed parent consent before conducting any reevaluation of a child with a disability, except as provided in subsections (b) and OAR 581-015-2095.

(b) If a parent refuses to consent to the reevaluation or revokes consent for the reevaluation, the school district may, but is not required to, pursue the reevaluation by using mediation or due process hearing procedures. A district does not violate its child find obligations if it declines to pursue the reevaluation using these procedures.

~~{{6}}~~ **Consent to Access Public Benefits or Insurance:**

~~(a) Prior to accessing a child or parent's public benefits or insurance for the first time, or disclosing a child's personally identifiable information to a State's public benefits or insurance program for the first time, a public agency or school district must obtain informed consent in accordance with IDEA 34 CFR 300.622 and the Family Rights and Privacy Act (FERPA (34 CFR 99.30)).~~

~~(b) Such consent must specify:~~

~~(A) The personally identifiable information that may be disclosed (e.g., records or information about the services that may be provided to a particular child);~~

~~(B) The purpose of the disclosure (e.g., billing for services), and~~

~~(C) The agency to which the disclosure may be made (e.g., the State's public benefits or insurance program (e.g., Medicaid); and~~

~~(D) Specify that the parent understands and agrees that the public agency may access the child's or parent's public benefits or insurance to pay for services.}~~

~~{{7}}~~ **(6) Revocation of consent:**

(a) A parent or adult student may revoke consent at any time before the completion of the activity or action for which they have given consent.

(A) A parent or adult student may revoke consent for an evaluation or reevaluation that has not yet been conducted.

(B) A parent or adult student may revoke consent for the provision of special education services in writing at any time before or during the provision of those services.

(C) A parent or adult student may revoke consent for release of personally identifiable information to the State's public benefits or insurance program (e.g., Medicaid).

(b) If a parent or adult student revokes consent, that revocation is not retroactive.

~~{{8}}~~ **(7) Other consent requirements:**

(a) The school district must document its reasonable efforts to obtain parent consent in accordance with OAR 581-015-2195(3).

(b) If a parent of a child who is home schooled or placed in a private school by the parents at their own expense does not provide consent for the initial evaluation or the reevaluation, or the parent does not respond to a request for consent:

(A) The school district may not use mediation or due process hearing procedures to seek consent; and

(B) The school district is not required to consider the child as eligible for special education services.

(c) A refusal to consent to one service or activity may not be used to deny the parent or child any other service, benefit, or activity of the school district, except as provided in this rule.

Statutory/Other Authority: ORS 343.041, 343.045, 343.055, 343.155 & 343.164

Statutes/Other Implemented: ORS 343.155, 343.164, 34 CFR 300.9, 300.154, 300.300 & 300.622

History:

ODE 12-2013, f. & cert. ef. 5-30-13

ODE 11-2013(Temp), f. & cert. ef. 4-25-13 thru 10-21-13

ODE 13-2009, f. & cert. ef. 12-10-09

Renumbered from 581-015-0039, ODE 10-2007, f. & cert. ef. 4-25-07

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

ODE 16-1999, f. & cert. ef. 9-24-99

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

EB 9-1993, f. & cert. ef. 3-25-93

1EB 37-1978, f. & ef. 10-5-78

1EB 269, f. & ef. 12-22-77

OAR 581-015-2735

Parent Consent for ECSE

(1) Consent means that the parent:

(a) Has been fully informed, in his or her native language or other mode of communication, of all information relevant to the activity for which consent is sought; and

(b) Understands and agrees in writing to the carrying out of the activity for which his or her consent is sought.

(2) Consent is voluntary on the part of the parent and meets the requirements of the consent provisions of this rule and 34 CFR 300.622 and 34 CFR 99.30 implementing IDEA, and FERPA respectively.

(3) Consent for initial evaluation:

(a) The public agency must provide notice under OAR 581-015-2745 and obtain informed written parental consent before conducting an initial ECSE evaluation to determine if a child

qualifies as a child with a disability under 581-015-2795. Consent for initial evaluation may not be construed as consent for the initial provision of special education and related services.

(b) The public agency must make reasonable efforts to obtain the informed consent from a parent for an initial evaluation to determine a child's eligibility for ECSE services.

(c) If a parent of a child enrolled in public preschool or seeking to be enrolled in public preschool does not provide consent for an initial evaluation, does not respond to a request for consent for an initial evaluation, or revokes consent for an initial evaluation, the public agency may, but is not required to, pursue the initial evaluation of the child using mediation or due process hearing procedures. A public agency does not violate its child find obligations if it declines to pursue the evaluation using these procedures.

(4) Consent for initial provision of services:

(a) The contractor or subcontractor must obtain informed consent from the parent of the child before the initial provision of ECSE services to the child.

(b) The contractor or subcontractor must make reasonable efforts to obtain informed consent from the parent for the initial provision of ECSE services to the child.

(c) If a parent does not respond or refuses to consent for initial provision of ECSE services or revokes consent for the initial provision of ECSE services, the contractor or subcontractor may not seek to provide ECSE services to the child by using mediation or due process hearing procedures.

(d) If a parent refuses to grant consent for initial provision of ECSE services, does not respond to a request to provide consent for the initial provision of ECSE services, or revokes consent for such services:

(A) The contractor or subcontractor will not be considered to be in violation of the requirement to make available a free appropriate public education to the child for the failure to provide the child with the ECSE services for which the contractor or subcontractor requests consent; and

(B) The contractor or subcontractor is not required to convene an IFSP meeting or develop an IFSP for the child for the ECSE services for which consent is requested.

(e) If, at any time subsequent to the initial provision of ECSE services, the parent of a student revokes consent in writing for the continued provision of ECSE services, the school district

(A) May not continue to provide ECSE services to the student, but must provide prior written notice in accordance with OAR 581-015-2310 before ceasing the provision of special education and related services; and

(B) Is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

(5) Consent for reevaluation:

(a) The public agency must obtain informed parent consent before conducting any reevaluation of a child with a disability, except as provided in subsections (b) and OAR 581-015-2740(3).

(b) If a parent refuses to consent to the reevaluation or revokes consent for the reevaluation, the public agency may, but is not required to, pursue the reevaluation by using mediation or due process hearing procedures. A district does not violate its child find obligations if it declines to pursue the reevaluation using these procedures.

(c) If, after reasonable efforts to obtain parent consent, the parent does not respond, the public agency may conduct the reevaluation without consent, unless the reevaluation is an individual intelligence test or test of personality.

~~[(6) Consent to Access Public Benefits or Insurance~~

~~{(a) Prior to accessing a child or parent's public benefits or insurance for the first time, or disclosing a child's personally identifiable information to the State's public benefits or insurance program for the first time, the ECSE program must obtain informed consent in accordance with IDEA, 34 CFR 300.622 and with the Family Rights and Privacy Act (FERPA), 34 CFR 99.30.~~

~~{(b) Such consent must specify:~~

~~{(A) The personally identifiable information that may be disclosed (e.g., records or information about the services that may be provided to a particular child);~~

~~{(B) The purpose of the disclosure (e.g., billing for services), and~~

~~{(C) The agency to which the disclosure may be made (e.g., the State's public benefits or insurance program (e.g., Medicaid)); and~~

~~{(D) Specify that the parent understands and agrees that the public agency may access the child's or parent's public benefits or insurance to pay for services.}~~

~~[(7)]~~ (6) Revocation of consent:

(a) A parent may revoke consent at any time before the completion of the activity or action for which they have given consent.

(A) A parent may revoke consent for an evaluation or reevaluation that has not yet been conducted.

(B) A parent may revoke consent for the provision of special education services in writing at any time before or during the provision of those services.

(C) A parent may revoke consent for release of personally identifiable information to the State's public benefits or insurance program (e.g., Medicaid).

(b) If a parent revokes consent, that revocation is not retroactive.

~~{(8)}~~ **(7)** Other consent requirements:

(a) The public agency must document its reasonable efforts to obtain parent consent in accordance with OAR 581-015-2755(2)(b).

(b) A parent's refusal to consent to one service or activity may not be used to deny the parent or child any other service, benefit, or activity of the contractor or subcontractor, except as provided in this rule.

(c) If a parent of a child who is placed in a private school by the parents at their own expense does not provide consent for the initial evaluation or the reevaluation, or the parent does not respond to a request for consent:

(A) The public agency may not use mediation or due process hearing procedures to seek consent; and

(B) The public agency is not required to consider the child as eligible for ECSE services.

Statutory/Other Authority: ORS 343.475 & 343.531

Statutes/Other Implemented: ORS 343.475, 343.531, 34 CFR 300.300 & 34 CFR 300.622

History:

ODE 12-2013, f. & cert. ef. 5-30-13

ODE 11-2013(Temp), f. & cert. ef. 4-25-13 thru 10-21-13

ODE 13-2009, f. & cert. ef. 12-10-09

Renumbered from 581-015-0939, ODE 10-2007, f. & cert. ef. 4-25-07

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

ODE 24-2000, f. & cert. ef. 10-16-00

EB 4-1995, f. & cert. ef. 1-24-95

OAR 581-015-2885 is repealed.

~~581-015-2885~~

~~Preschool Children with Disabilities Covered by Public Insurance~~

~~(1) Applicability: For purposes of OAR 581-015-2885, IDEA Part C requirements apply to children ages birth through two; IDEA Part B requirements apply to children ages three and above.~~

~~(2) For purposes of this rule the term “public benefits” means public insurance including but not limited to Medicaid.~~

~~(3) The contractor or subcontractor may use a child or family’s public benefits to provide or pay for early intervention, as permitted under the public insurance program and the requirements of this rule.~~

~~(4) The contractor or subcontractor may not require a parent to sign up for, or enroll in, public benefits to receive early intervention services under Part C.~~

~~(5) For a child under age three, the contractor or subcontractor:~~

~~(a) Must obtain, prior to using public benefits, parent consent if the child or family is not enrolled in the public benefits program or if that use would:~~

~~(A) Decrease available lifetime coverage or any other insured benefit;~~

~~(B) Result in the family paying for services that would otherwise be covered by the public benefits;~~

~~(C) Increase premiums or lead to the discontinuation of insurance; or~~

~~(D) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.~~

~~(b) Must provide, if the parent does not consent to use of their public benefits, the early intervention services on the IFSP for which the parent has provided consent.~~

~~(c) Must provide written notification, prior to using public benefits, to the parents that includes:~~

~~(A) A statement that parental consent must be obtained before the contractor or subcontractor discloses a child’s personally identifiable information to the State Medicaid Agency for billing purposes;~~

~~(B) A statement of the no-cost protection provision in subsection (5)(a)–(b) that early intervention services on the IFSP must still be made available if the parent has consented to these services;~~

~~(C) A statement that the parents have the right to withdraw their consent to disclose personally identifiable information to the public agency responsible for the administration of public benefits or insurance program (e.g., Medicaid) at any time; and~~

~~(D) A statement of the general cost categories that the parent would incur as a result of participating in a public benefits program.~~

~~(d) Must pay any costs incurred as a result of using public benefits for early intervention services, such as a deductible or copayment.~~

~~(e) May use its Part C funds to pay fees and costs (e.g., the deductible or co-pay amounts) the parents otherwise would have to pay to use public benefits.~~

~~(f) May use its Part C funds to pay for early intervention services;~~

~~(g) Must notify EI parents that they may use any of the state's dispute resolution procedures including, but not limited to, the state complaint system under OAR 581-015-2030, and mediation, due process and related resolution sessions under 581-015-2865 through 581-015-2870 to contest the imposition of an insurance-related fee or cost, such as co-payments or deductibles, to provide early intervention services for a child who may have a disability.~~

~~(6) For a child over age three, the ECSE program, contractor, or subcontractor may use the State's Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for special education and related services required under IDEA and permitted under the public benefits or insurance program, as specified in subsection (2) below.~~

~~(7) With regard to services required to provide a free appropriate public education (FAPE) to a child with disabilities under IDEA, the ECSE program, contractor, or subcontractor~~

~~(a) May not require parents to sign up for or enroll in public benefits or insurance programs in order for their child with disabilities to receive FAPE under the IDEA;~~

~~(b) May not require parents to incur an out-of-pocket expense such as the payment of deductible or copay amount incurred in filing a claim for special education and related services, pursuant to IDEA, but may pay the cost that the parent otherwise would be required to pay; and~~

~~(c) May not use the child's benefits under a public insurance program if that use would:~~

~~(A) Decrease available lifetime coverage or any other insured benefit;~~

~~(B) Result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside of the time the child is in school;~~

~~(C) Increase premiums or lead to the discontinuation of insurance; or~~

~~(D) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures; and~~

~~(d) Must not use a child's benefits under a public insurance program if that use would:~~

~~(A) Decrease available lifetime coverage or any other insured benefit;~~

~~(B) Result in the family paying for services that would otherwise be covered by the public benefits;~~

~~(C) Increase premiums or lead to the discontinuation of insurance; or~~

~~(D) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.~~

~~(8) Prior to accessing a child's or parent's public benefits or insurance for the first time, and after providing notification to the child's parents consistent with (5) below, the ECSE program, contractor, or subcontractor must obtain written, parental consent that: Meets the requirements of the Family Education Rights and Privacy Act (34 CFR part 99) and the parental consent provisions in IDEA (34 CFR §300.622) requiring that consent state:~~

- ~~(a) the personally identifiable information that may be disclosed (e.g., records or information about the services that may be provided to a particular child);~~
- ~~(b) the purpose of the disclosure (e.g., billing for services under the Individuals with Disabilities Education Act (IDEA));~~
- ~~(c) the agency to which the disclosure may be made (e.g., the State's public benefits or insurance program (e.g., Medicaid)); and~~
- ~~(d) Specifies that the parent understands and agrees that the public agency may access the parent's or child's public benefits or insurance to pay for services under IDEA.~~
- ~~(9) Prior to accessing a child's or parent's public benefits or insurance for the first time, and annually thereafter, the District or ECSE program must provide prior written notification, consistent with requirements of OAR 581-015-2310(4) and (5), to the child's parents, that includes:~~
 - ~~(a) A statement of the parental consent provisions in paragraphs (4)(a)(A) and (B) above;~~
 - ~~(b) A statement of the "no cost" provisions in paragraphs (2)(a) through (c) above.~~
 - ~~(c) A statement that the parents have the right under the Family Education Rights and Privacy Act (FERPA) and IDEA, Part B, and OAR 581-015-2005 to withdraw their consent to disclosure of their child's personally identifiable information to the agency responsible for the administration of the State's public benefits or insurance program (e.g., Medicaid) at any time; and~~
 - ~~(d) A statement that the withdrawal of consent or refusal to provide consent, pursuant to FERPA and IDEA, to disclose personally identifiable information to the agency responsible for the administration of the State's public benefits or insurance program (e.g., Medicaid) does not relieve the public agency of its responsibility to ensure that all required services are provided at no cost to the parents.~~
- ~~(10) Use of IDEA Part B funds.~~
 - ~~(a) If the ECSE program, contractor, or subcontractor is unable to obtain parental consent to use the parents' public benefits or insurance when the parents would incur a cost for a specified service required to ensure a free appropriate public education, the district or ECSE program may use its Part B funds to pay for the service.~~
 - ~~(b) To avoid financial cost to parents who would otherwise consent to use public benefits or insurance, the ECSE program, contractor, or subcontractor may use its Part B funds to pay the cost the parents otherwise would have to pay to use the public insurance (e.g., the deductible or co-pay amounts).~~
 - ~~(c) Proceeds from public benefits or insurance will not be treated as program income for purposes of 34 CFR 80.25.~~
 - ~~(d) If the ECSE program, contractor, or subcontractor spends reimbursements from federal funds (e.g., Medicaid) for special education and related services, those funds will not be considered "state or local" funds for purposes of the maintenance of effort provisions pursuant to IDEA. If a contractor or subcontractor spends reimbursements from federal funds (e.g.,~~

Medicaid) for early intervention, those funds will not be considered "state or local" funds for purposes of the maintenance of effort provisions.

(11) Construction. Nothing in this rule should be construed to alter the requirements imposed on a state Medicaid agency, or any other agency administering a public benefits or insurance program by federal statute, regulations or policy under title XIX, or title XXI of the Social Security Act, 42 U.S.C. 1396 through 1396v and 42 U.S.C. 1397 aa through 1397jj, or any other insurance program.

Statutory/Other Authority: ~~ORS 343.475~~

Statutes/Other Implemented: ~~ORS 343.475, 343.495, 34 CFR 303.430, 303.520, 303.521 & 300.154~~

History:

~~ODE 12-2013, f. & cert. ef. 5-30-13~~

~~ODE 11-2013(Temp), f. & cert. ef. 4-25-13 thru 10-21-13~~

~~ODE 30-2012, f. 11-7-12, cert. ef. 11-9-12~~

~~ODE 14-2012, f. 3-30-12, cert. ef. 4-2-12~~

~~Renumbered from 581-015-1051, ODE 10-2007, f. & cert. ef. 4-25-07~~

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

Summary

Meeting Date: 12/11/2025

Title: Written Notification and Parent Consent to Access Public Insurance (Medicaid)

Status: First Reading

Presentation: No (Written Report Only/Consent)

Key Staff: Jennifer Dundon, School Medicaid Operations & Policy Analyst

Topic Summary: This rule update is primarily a technical fix. There are currently 4 Oregon Administrative Rules (OARs) in Division 15 that reference written notification and parent consent to access Medicaid. This proposed update will consolidate the rules into a single, clear rule covering ages birth through age 21 that reflects the recent expansion of School Medicaid.

ODE Education Equity

Stance

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

BACKGROUND AND NEED

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

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

Oregon's School-Based Health Services (SBHS) Medicaid program allows education agencies (school districts, ESDs, and EI/ECSE programs) to bill Medicaid for covered health services provided to Medicaid-enrolled children and young adults from birth through age 21. Historically, billing was limited to services provided pursuant to the Individuals with Disabilities Education Act (IDEA), but as of September 2024 the Oregon Health Authority expanded the program to include IDEA and non-IDEA health services.

To meet information sharing requirements in the Federal Educational Rights and Privacy Act (FERPA), education agencies are required to obtain parent consent to share limited information from their child's record for the purposes of Medicaid billing. Prior to obtaining parent consent, and annually thereafter, education agencies must provide parents with written notification informing them of their rights. ODE provides written notification and parent consent form templates for ages birth through 21.

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The SBHS Medicaid program supports students by helping schools receive reimbursement that may be used to increase access to school health services, which enable students to access and benefit from their 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?**

The Board has the authority to adopt administrative rules per ORS 343.041, 343.045, 343.055, 343.155 & 343.164, ORS 343.475 & 343.531. The proposed rules are adopting federal regulations as they relate to School Based Health Services: The Individuals with Disabilities with Education Act (IDEA) and the Family Educational Rights and Privacy Act (FERPA). ODE and the Board do not have flexibility over the requirements because they are federal.

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

These rules related to written notification and parent consent to access Medicaid have not been updated since 2013.

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

The intention is to streamline OARs, develop one rule that covers ages birth through 21, and, reflects Oregon's Medicaid expansion. This rule update simplifies and aligns the language with current policy and practice. This update is a technical fix and does not impose any new requirements.

- 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?

ODE conducted engagement with key knowledgeable partners including the Oregon Health Authority (OHA), the Coalition of School Administrators (COSA), FACT Oregon, Oregon PTA, Disability Rights Oregon, ODE's Ongoing Rules Committee Advisory (ORCA), and the School Medicaid Advisory Committee, which includes representation from:

- Parents, Licensed Practitioners, Medicaid Coordinators
- Oregon School Nurses Association (OSNA)
- Oregon School Boards Association (OSBA)
- Coalition of School Administrators (COSA)
- Oregon Education Association (OEA)
- Oregon School Employees Association (OSEA)
- School district and education service district administrators
- Early Intervention/Early Childhood Special Education administrators
- CareOregon

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)

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☐ 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.

OHA representatives reviewed rule language and methodology and support the rule update.

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

- ☐ Northeast Oregon
- ☐ Central and Southeast Oregon
- ☐ Southwest Oregon
- ☐ Willamette Valley and Central Coast
- ☐ Northwest Oregon
- ☐ Tribal lands
- ☒ Other: Statewide

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

This OAR update is applicable to school districts, ESDs, and EI/ECSE programs across 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 received feedback from the School Medicaid Advisory Committee regarding additional partners to engage. To that end, ODE engaged FACT Oregon, Oregon Parent Teacher Association, Disability Rights Oregon, and the Central Oregon Disability Support Network.

Most of the feedback that ODE received was related to parent access to understanding the OAR and associated federal regulations. ODE updated the original draft OAR language to make it clearer and more accessible for parents. ODE also created a School Medicaid Billing Factsheet to help parents understand the process. The factsheet has been posted publicly, shared via listserv, and is available in 10 languages.

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

This rule update will go before ORCA again in January.

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.

This rule update is primarily a technical fix and does not impose any new requirements. ODE does not foresee any fiscal impact on any entity.

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 rule update is primarily a technical fix and does not impose any new requirements. ODE does not foresee any fiscal impact on any entity.

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 is primarily a technical fix and does not impose any new requirements. ODE does not foresee a direct change to student services or access, nor do we anticipate any procedural impact. However, streamlined and consistent rule language may make the rules more accessible to both parents and school staff.

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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This rule update is primarily a technical fix and does not impose any new requirements. ODE does not foresee a direct change to student services or access, nor do we anticipate any procedural impact. However, streamlined and consistent rule language may make the rules more accessible to both parents and school staff.

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?

Streamlined and consistent rule language may make the rules more accessible to both parents and school staff.

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

Inaction would mean that we would continue to have four administrative rules addressing one requirement, none of which account for the Medicaid expansion.

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 581-015-2090 (Consent): Delete reference to written notification and parent consent to access Medicaid and renumber
- OAR 581-015-2735 (Parent Consent for ECSE): Delete reference to written notification and parent consent to access Medicaid and renumber
- OAR 581-015-2885 (Preschool Children with Disabilities Covered by Public Insurance): Delete
- OAR 581-015-2530 (Children with Disabilities under IDEA Enrolled in Public Benefits or Insurance): Rename to Children and Young Adults Enrolled in Public Benefits or Insurance:
 - Update language to address written notification and parent consent requirements from birth through age 21
 - Renumber

Proposed language for adoption of OAR 581-015-2530: Children and Young Adults Enrolled in Public Benefits or Insurance:

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(1) For purposes of this rule:

(a) “Child or young adult” has the meaning given that term in OAR 410-133-0040.

(b) “Consent”:

(A) For purposes of subsection (2)(a) of this rule, has the meaning given that term in 34 C.F.R. §300.9; and

(B) For purposes of subsection (2)(b) of this rule, has the meaning described for that term in 34 C.F.R. §99.30.

(c) “Education agency” has the meaning given that term in OAR 410-133-0040.

(2) Before an education agency accesses a child’s or young adult’s public benefits or insurance and discloses personally identifiable information to seek Medicaid reimbursement for the first time, an education agency must provide written notification to and obtain informed, written consent from the child’s or young adult’s parent that meets the requirements of:

(a) 34 C.F.R. §§300.154, 300.622, 303.520, 303.521, and 303.414 (The Individuals with Disabilities Education Act);

(b) 34 C.F.R. §99.30 (Family Education Rights and Privacy Act).

(3) After providing written notification and obtaining consent as described in subsection (2) of this rule, an education agency must provide the parent with the written notification on an annual basis that meets the requirements of the regulations listed in subsection (2) of this rule.

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

ODE attempted to make the language as accessible as possible while still meeting legal requirements.

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 State Board of Education adopt the proposed updates to OAR 581-015-2090 (Consent), OAR 581-015-2735 (Parent Consent for ECSE), OAR 581-015-2885 (Preschool Children with Disabilities Covered by Public Insurance), and OAR 581-015-2530 (Children and Young Adults Enrolled in Public Benefits or Insurance). The streamlined and consistent rule language may make the rules more accessible to both parents and school staff.

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

- ☐ N/A; this item does not require any additional support.
- ☒ Communications plan
- ☒ Technical assistance, professional development, and/or coaching
- ☐ Direct or differentiated support for small, rural, or remote school districts

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- ☐ Corrective Action Processes
- ☐ Safety measures
- ☐ Organizational culture or practice changes (change management)
- ☐ Materials and/or supplies
- ☒ Guidance and/or supplemental resources
- ☐ Other: _____

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

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



Transportation Grant: Non-Reimbursable Mileage Rate Update ²⁹⁷

Mike Wiltfong (he/him)

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What is the Transportation Grant?

- Provides a percent reimbursement of actual expenses to transport students for academic purposes (70, 80, or 90% based on cost per ADMr)
- Largest of the State School Fund subgrants
 - \$330 million for the 2023-2024 SY
- ORS 327.006 Defines Parameters for Grant
- OAR 581-023-0040 Defines approved costs

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What types of costs does the grant cover?

Reimbursable Trips:

- Between home and school (outside the walking boundary)
- Between educational facilities
- In-state field trips where it is an extension of classroom activities

Non-Reimbursable Trips:

- Athletics trips
- Activity trips (not part of classroom instruction)
- Transportation for students that the district is not required to transport

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Non-Reimbursable Mileage Rate



Allows school districts to use the same equipment, staff, and supplies to support transportation that is not reimbursable under the Transportation Grant.



Used to deduct the expenses for non-reimbursable trips.



Updated annually using Consumer Price Index trend data.

Summary of Routine Rule Change

Routine Updates

- **Removal** of rates for closed school years 2021-22 and 2022-23
- **Addition** of rates for school years 2025-26 and 2026-27

School Year	Rate Description	Passenger Capacity Greater than 20	Passenger Capacity of 20 or Less
2021-22	Removed	\$2.86	\$1.43
2022-23	Removed	\$2.96	\$1.49
2023-24	Current	\$3.18	\$1.60
2024-25	Current	\$3.29	\$1.65
2025-26	Set	\$3.39	\$1.70
2026-27	Set	\$3.50	\$1.76

Summary of Routine + Proposed New Rule Change

Routine Updates

- **Removal** of rates for closed school years 2021-22 and 2022-23
- **Addition** of rates for school years 2025-26 and 2026-27

New Updates

- **Addition** of forecasted rates (subject to change) for school years 2027-28 and 2028-29
 - Language used for forecasted rates: “For the purposes of forecasting costs for 20XX-XX”

School Year	Rate Description	Passenger Capacity Greater than 20	Passenger Capacity of 20 or Less
2021-22	Removed	\$2.86	\$1.43
2022-23	Removed	\$2.96	\$1.49
2023-24	Current	\$3.18	\$1.60
2024-25	Current	\$3.29	\$1.65
2025-26	Set	\$3.39	\$1.70
2026-27	Set	\$3.50	\$1.76
2027-28	Forecasted	\$3.61	\$1.82
2028-29	Forecasted	\$3.72	\$1.88

Questions & Feedback



- Questions about the Transportation Grant or the Non-Reimbursable Mileage Rate?
- Suggestions or concerns about this update to the rule?

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Thank you!

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503-510-0175

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Mike Wiltfong | School Finance & Facilities Administrator

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971-208-0426

Summary

Meeting Date: 12/11/2025

Title: Transportation Grant – Non-reimbursable Mileage Rate Update 581-023-0040

Status: First Reading

Presentation: No (Written Report Only/Consent)

Key Staff: Vanessa Clark, Michael Wiltfong

Topic Summary: This rule includes a yearly non-reimbursable mileage rate. The current rule lists a rate for the years 2021-22, 2022-23, 2023-24, and 2024-25. This rule change updates the rule to remove years 2021-22 and 2022-23, and to add a rate for the years 2025-26 and 2026-27. We are also considering adding a forecasted rate for two additional years, 2027-28 and 2028-29, which may be adjusted in 2027. The addition of two forecasted years would give school districts an estimate to use when they are setting long term forecasts.

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 Transportation Grant is one of the subgrants of the State School Fund. It provides school districts with a reimbursement of a percentage of their costs for transporting students for academic purposes. This rule defines approved costs under the grant and how reimbursements are calculated. One of the areas defined in this rule is the non-reimbursable mileage rate.

School districts often provide transportation services for students for non-academic purposes, such as athletics or other activity trips that are not related to student coursework. These non-academic trips are not reimbursable under the Transportation Grant, but most often, school districts use the same staff and equipment to provide these services. In order to deduct the cost of these trips from reimbursable expenses, a non-reimbursable mileage rate is set which intends to account for the cost of fuel, staffing, supplies, and equipment maintenance. School districts report their non-reimbursable mileage, and the non-reimbursable mileage rate is used to deduct these costs from their total transportation expenses.

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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 327.008 (2) and 327.013 (3) describe the Transportation Grant, as part of the State School Fund.
- ORS 327.033 (2)(a) directs the State Board of Education to “adopt rules to determine the amounts to reimburse a school district for costs incurred by the school district in transporting students described in ORS 327.006 (2)(a).”
- ORS 327.006 (2)(a) describes the general allowable expenditures that may be claimed under the Transportation Grant. In summary, the rule describes that allowable expenditures are those related to transporting students for academic purposes, including transportation between home and school, transportation between educational facilities, and transportation for field trips that are “an extension of classroom activities.”
- OAR 581-023-0040 (6)(m)(B) lists the rates to be used for deducting non-reimbursable mileage from the expenditures claimed for the Transportation Grant.

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 last time the Board reviewed and adopted rates for non-reimbursable mileage were the December 2023 and February 2024 meetings. The Board adopted rates for school years 2023-24 and 2024-25.

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

The non-reimbursable mileage rates need to be updated for the 2025-26 and future school years.

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?

This is a routine update to the non-reimbursable mileage rates used in calculating the Transportation Grant for all school districts. Updates to these rates are necessary to account for inflation. There is not a policy or process under review at this time. Due to this, engagement is focused on school business officials who manage the districts' budgets and expenditures.

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.

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N/A

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

- ☒ Northeast Oregon
- ☒ Central and Southeast Oregon
- ☒ Southwest Oregon
- ☒ Willamette Valley and Central Coast
- ☒ Northwest Oregon
- ☐ Tribal lands
- ☐ Other:

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

All school districts are required to provide transportation services for their students. School Business Officials from all areas of the state were presented with the information and given an opportunity to respond and provide feedback.

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 feedback we received was overwhelmingly positive. We specifically received comments in favor of adding two additional years of forecasted rates to support budgeting and planning activities.

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

N/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?

- ☒ 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.**

In both the short- and long-term, updating the non-reimbursable mileage rate ensures that non-reimbursable expenditure deductions keep pace with inflation.

Remote communities are likely to have greater expenses for transportation in general, and especially for transportation for athletics and other non-academic activity trips where students travel for performances and competitions. However, the purpose of the Transportation Grant is to ensure students have transportation for academic purposes. By reviewing the rates on an annual basis and adjusting as needed to keep pace with inflation, we can avoid larger changes in the rates which may pose a greater burden for communities to absorb all at once.

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

No

EQUITY IMPACT ANALYSIS

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

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

It is unlikely that students and families will notice a direct impact from this update. However, the mechanism of using a non-reimbursable mileage rate helps to keep the grant focused on its purpose and increases equitable access to funding across the state.

The non-reimbursable mileage rate aims to capture the costs of non-academic trips to deduct those expenses from the Transportation Grant. Doing this ensures that funds from the State School Fund are used to support students' academic needs, while also allowing school districts to use the same pupil transportation equipment for additional uses, such as athletic trips. Increasing the rate to keep pace with inflation means higher deductions from the Transportation Grant, ensuring that dollars are available to focus on the purpose of the grant, supporting transportation for academic purposes.

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 mechanism of using a non-reimbursable mileage rate to deduct non-qualifying trips from the Transportation Grant eligible expenditures allows school districts to use the same pupil transportation equipment for additional uses, such as athletic trips, without creating an additional burden of tracking and coding expenses to a different fund or function.

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?

If the Board approves this rule revision, the rate will be updated and available to be used in the Transportation Grant calculation. This update will keep the program operations consistent.

18. 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 this rule revision, the non-reimbursable mileage rate will be out of date. Using an older rate in the Transportation Grant calculation would mean that non-reimbursable mileage is deducted at a rate lower than needed to cover non-academic trips.

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?

This rule revision will:

- Remove the non-reimbursable mileage rates for the 2021-22 and 2022-23 school years,
- Add non-reimbursable mileage rates for the 2025-26 and 2026-27 school years,
- Add forecasted non-reimbursable mileage rates for the 2027-28 and 2028-29 school years.

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?

We often hear from school district business managers that having access to information as early as possible is helpful for their planning and budgeting purposes. We are intentionally adding forecasted rates to support this earlier access to information.

- 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 the adoption of this rule update. This update maintains continuity of the program's processes, increases transparency by providing an early forecasted rate, and maintains the focus of the Transportation Grant on ensuring student access to transportation for academic purposes.

- 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.

Below you will find the proposed changes to the Oregon Department of Education’s rule relating to the State School Fund Transportation Grant. Specifically, these changes are related to the non-reimbursable mileage rates used in the calculation of the Transportation Grant. Proposed new text is bold, and the proposed text to remove is in bracketed italics.

Current Rule Link: Oregon Administrative Rule (OAR) [581-023-0040](#)

Rule Title: Approved Transportation Costs for Payments from the State School Fund

Rule Text:

(1) Definitions for the purpose of this rule:

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

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

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

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

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

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

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

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

(e) “Mile(s) from School” means the distance a student lives from school, measured from the closest, reasonable, and prudent point between the school property identified by the local board for that pupil’s attendance and the property where the pupil lives. The distance will be

measured over the shortest practicable route on maintained public roadways or over existing pedestrian facilities or pedestrian facilities capable of meeting the requirements listed in ORS 332.405(4);

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

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

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

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

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

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

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

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

(A) The age of the student;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) Approved Alternative Transportation costs:

(a) Include those district expenditures associated with:

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

(i) A pedestrian or bicycle group;

(ii) A crossing guard; or

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

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

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

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

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

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

(b) Activity trips other than for instructional purposes;

(c) Athletic trips;

(d) School lunch purposes;

(e) Summer school;

(f) Adult education;

(g) Evening school;

(h) Preschool and/or nursery school;

(i) Board and room in lieu of transportation associated with field trips;

(j) Transportation facility and staff costs other than those directly related to approved pupil transportation activities.

(6) The computation shall be made as follows:

(a) Pupil Transportation Salaries;

(b) Pupil Transportation Supplies, Equipment, Repairs, and Maintenance;

(c) All contracted Transportation;

(d) Travel of Pupil Transportation Personnel;

(e) Employee Benefits on Pupil Transportation Salaries;

(f) Pupil Transportation Insurance;

(g) Payments in Lieu of Transportation;

(h) Other Expenses of Pupil Transportation;

(i) Payments to Other Districts for Pupil Transportation;

(j) Leases and Rentals;

(k) Depreciation:

(A) Depreciation of Garage, but this shall not include land;

(B) Depreciation of Buses that are used at least 50% for reimbursable mileage.

(C) Shall include the costs to the district to retrofit, repower, or to replace as defined in ORS 468A.795, school buses for the purpose of reducing or eliminating diesel engine emissions. These costs:

(i) Shall not include the costs paid with moneys received from the state by a school district from the Clean Diesel Engine Fund that are described in 468A.801 (2)(a); and

(ii) Shall include costs to paid with moneys received from the state as allowed by the Environmental Mitigation Trust Agreement as defined in ORS 468A.801 (2)(c).

(l) Total of subsections (5)(a) through (k) of this rule;

(m) Deduct (if cost is included in detail above):

(A) Payments Received from Other Districts and from Patrons for reimbursable transportation;

(B) Non-reimbursable Transportation Costs:

[(i) For 2021 – 22:

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

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

(ii) For 2022 – 23:

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

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

[(iii)] (i) For 2023 – 24:

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

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

(iv) (ii) For 2024 – 25:

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

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

(iii) For 2025-26:

(I) Number of miles at \$3.39 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.70 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(iv) For 2026-27:

(I) Number of miles at \$3.50 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.76 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(v) For the purposes of forecasting costs for 2027-28:

(I) Number of miles at \$3.61 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.82 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(vi) For the purposes of forecasting costs for 2028-29:

(I) Number of miles at \$3.72 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.88 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(v)(I) Those local school board certified marginal costs attributable to services provided to students who are not eligible for home-to-school transportation under section 3, calculated and

documented as follows: Documentation maintained by local district shall include: bus and route identification, school(s) being served, number of eligible students on board, number of ineligible students on board;

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

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

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

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

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

(D) Rental or Lease Payments from Private Contractors;

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

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

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

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

(a) Pupil Transportation Salaries. Salaries and wages paid school bus drivers, assistants to driver, and that portion of salaries paid mechanics and other bus maintenance employees, supervisors of transportation, secretarial and clerical assistants, and persons assigned transportation oversight and coordination responsibilities attributable to the transportation

program and documented through position descriptions and payroll records. No school district General Administration salaries may be included in this area;

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

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

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

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

(d) Travel of Pupil Transportation Personnel. Meals, lodging, mileage, per diem and other travel expenses of pupil transportation personnel, and private car mileage if paid to bus drivers for travel to and from the point where school bus is parked if other than the central garage. The same travel expenses plus tuition or registration are included for attendance at Department of Education sponsored or presented pupil transportation training programs and seminars;

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Lease-purchase agreements. For each lease-purchase agreement, the district shall report to the Oregon Department of Education, on the forms provided, the dollar amount of the agreement, any applicable trade-in value, the dollar amounts of interest payments contained in the agreement, and the schedule of such interest payments contained in the agreement. The capitalized value of the vehicles shall represent the lease-purchase price including the trade-in

allowance less interest payments contained in the agreement. Depreciation shall be computed at an annual rate of ten percent;

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

(C) Deductions:

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

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

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

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

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

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

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

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

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

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

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

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

(a) Salaries;

(b) Operation:

(A) Utilities;

(B) Supplies;

(C) Other Operational Costs.

(c) Maintenance:

(A) Upkeep;

(B) Replacement.

(d) Fixed Charges:

(A) Employee Benefits;

(B) Other Fixed Charges.

(e) Food;

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

(g) Depreciation:

(A) Dormitory;

(B) Buses and Other Vehicles.

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

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

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

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

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

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

(E) Sales of Food.

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

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

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

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

(b) Operation:

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

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

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

(c) Maintenance:

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

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

(d) Fixed Charges:

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

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

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

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

(g) Depreciation:

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

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

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

(i) Deductions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[ORS 338](#)
[HB 3953](#)

Division 26
PUBLIC CHARTER SCHOOLS

[581-026-0005](#)

Definitions

(1) "Applicant": An applicant means any person or group that develops and submits a written proposal for a public charter school to a sponsor that is not a tribal applicant.

(2) "Tribal Applicant": A tribal applicant means any federally recognized Indian tribe in Oregon that develops and submits a written proposal for a public charter school to a sponsor.

(32) "District School Board": The board of directors of a common school district or a union high school district (ORS 332.002(1)).

(43) "Interscholastic activities": Athletics, music, speech and other similar or related activities:

(a) That are operated by the public charter school or school district;

(b) That are not part of the public charter school student's comprehensive instructional program; and

(c) For students in grade kindergarten through grade eight, that are offered only before or after regular school hours; and

(d) For students in grade nine through grade 12, those sanctioned by the Oregon School Activities Association (OSAA).

(54) "Public Charter School": A public charter school means an elementary or secondary school offering a comprehensive instructional program operating under a written agreement entered into between a sponsor and an applicant or tribal applicant and operating pursuant to ORS 338.

(6) "Public Charter School Governing Body": Means:

(a) The 501c3 and Oregon Nonprofit board of directors for a charter school required to comply with ORS 338.035(2)(a)(B) and (C);

(b) A school district board when the charter school is not required to comply with ORS 338.035(2)(a)(B) and (C); or

(c) A tribal board, council, or committee designated by the Tribe for a charter school established under ORS 338.035(2)(b)(C).

(75) "Sponsor": A sponsor of a public charter school means:

(a) The board of the common school district or the union high school district in which the public charter school is located that has developed a written charter with an applicant to create a public charter school.

(b) The State Board of Education pursuant to ORS 338.075.

(86) "Virtual Public Charter School": A public charter school as defined in ORS 338.005(6) and 581-026-0300.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338

History:

[ODE 30-2018, amend filed 09/26/2018, effective 09/26/2018](#)

[ODE 23-2018, amend filed 06/27/2018, effective 06/28/2018](#)

[ODE 8-2018, amend filed 03/02/2018, effective 03/03/2018](#)

ODE 10-2014, f. & cert. ef. 2-19-14

[581-026-0050](#)

Public Charter School Proposal Submission and Completeness (Proposal to School Districts)

(1) An applicant or tribal applicant must submit proposals to the local school district board and the State Board of Education.

(2) Upon receipt of a proposal from an applicant or tribal applicant, the school district board will determine whether the proposal addresses, at least minimally, all of the required components as set out in ORS 338.045(2) and (3). Within 30 business days of the receipt of a proposal, the school district will notify the applicant or tribal applicant as to the completeness of the proposal. A proposal that included, for example, a reprinting of the charter school statutes as its response to a required component, would not minimally address that component and would not be complete. A proposal that addressed a required component based on an incorrect budget assumption or in a manner that is unsatisfactory to the local school district would nonetheless be complete.

(a) If the district deems a proposal to be incomplete, the district must identify the specific elements that are not complete and provide a reasonable opportunity to complete the proposal.

(b) The district may disapprove the proposal if the applicant or tribal applicant does not provide a proposal that is complete within the reasonable opportunity as provided in subparagraph (a) of this paragraph.

(c) For a proposal that has been disapproved under (b), the applicant or tribal applicant may appeal the decision to the State Board of Education within 30 days of the disapproval. The State Board may review the proposal only for completeness and may determine that the proposal is:

(A) Not complete and uphold the decision of the school district board; or

(B) Complete and remand the proposal to the school district for consideration.

(3) The State Board of Education delegates to the Director of the Oregon Department of Education or the director's designee~~Superintendent of Public Instruction or designee~~ all administrative functions necessary or reasonable in order to conduct a timely appeal process. This delegation includes issuing a final order. An order issued by the director or the director's designee~~Superintendent or designee~~ shall be considered an order in other than a contested case under ORS 183.484. The final order shall:

(a) Uphold the decision of the school district board; or

(b) Remand the proposal to the school district for consideration.

(4) The director or the director's designee~~Superintendent~~ shall issue a final order within 30 days of receiving the notice of appeal from the applicant. The director or the director's designee~~Superintendent~~ shall send a copy of the final order to the applicant or tribal applicant and the school district.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.055

History:

Renumbered from 581-020-0301, ODE 10-2014, f. & cert. ef. 2-19-14

ODE 11-2010, f. & cert. ef. 6-30-10

Reverted to ODE 13-2000, f. & cert. ef. 5-3-00

ODE 15-2009(Temp), f. & cert. ef. 12-10-09 thru 6-8-10

ODE 13-2000, f. & cert. ef. 5-3-00

581-026-0055

Public Charter School Proposal Review and Resubmission (Proposal to School Districts)

(1) Within 60 days after the notification to the applicant or tribal applicant of the school district's receipt of a completed proposal or a final order issued by the Director of the Oregon Department of Education or the director's designee ~~Superintendent of Public Instruction~~ remanding the proposal to the school district for consideration, the school district board must hold a public hearing on the proposal in accordance with Oregon public meeting laws (ORS 192.610 through 192.695, 192.710, and 192.990).

(2) The school district board must evaluate the proposal in good faith using the following criteria:

(a) Demonstrated, sustainable support for the public charter school by teachers, parents, students and other community members, including comments received at the public hearing held under subsection (1) above;

(b) Demonstrated financial stability of the public charter school, including the demonstrated ability of the school to have a sound financial management system in place at the time the school begins operating;

(c) Capability of the applicant, in terms of support and planning, to provide students with comprehensive instructional programs;

(d) Capability of the applicant, in terms of support and planning, to provide academically low achieving students with comprehensive instructional programs;

(e) The adequacy of the information provided as required by ORS 338.45 (2) and (3);

(f) Whether the value of the public charter school is outweighed by any directly identifiable, significant and adverse impact on the quality of the public education of students residing in the school district where the public charter school is located;

(g) Whether there are arrangements for any special education and related services for children with disabilities pursuant to ORS 338.165;

(h) Whether there are alternative arrangements for students and for teachers and other school employees who choose not to attend or who choose not to be employed by the public charter school; and

(i) The prior history, if any, of the applicant in operating a public charter school or in providing educational services.

(3) Within 30 days of the public hearing, the school district board must either approve or deny the proposal. Written notice of the decision must be sent to the applicants or tribal applicant. Such notice must include reasons and suggestions for remediation for all proposals that are denied. The school district board may provide a reasonable opportunity to resubmit the proposal.

(4) An applicant or tribal applicant may amend and resubmit the proposal to the school district board.

(5) The local school board must approve or disapprove the resubmitted proposal within 30 days of receipt.

(6) An applicant or tribal applicant whose resubmitted proposal is not approved by the local school board may request a review of that decision by the State Board of Education within 30 days of the disapproval. When the State Board of Education receives an appeal under this subsection, the board may review the resubmitted proposal only to determine whether:

(a) The school district board used the process required by OAR 581-026-0050 and 581-026-0055 in denying the proposal;

(b) The resubmitted proposal meets the criteria described in subsection (2) of this rule; and

(c) The reasons stated by the school district board for the denial are valid and align with the criteria described in subsection (2) of this rule.

(7) The State Board of Education delegates to the director or the director's designee~~Superintendent of Public Instruction or designee~~ all administrative functions necessary or reasonable in order to conduct a timely appeal process. This delegation includes issuing a final order. An order issued by the director or the director's designee~~Superintendent or designee~~ shall be considered an order in other than a contested case under ORS 183.484. The final order shall:

(a) Uphold the decision of the school district board to disapprove the resubmitted proposal; or

(b) Remand the resubmitted proposal to the school district board for reconsideration.

(8) The director or the director's designee~~Superintendent~~ shall issue a final order within 30 days of receiving the notice of appeal from the applicant or tribal applicant. The director or the director's designee~~Superintendent~~ shall send a copy of the final order to the applicant or tribal applicant and the school district.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.055

History:

ODE 10-2014, f. & cert. ef. 2-19-14

581-026-0060

Public Charter School Proposal Reconsideration (Proposals to School Districts)

Within 60 days of a final order issued by the Director of the Oregon Department of Education or the director's designee~~Superintendent of Public Instruction~~ remanding the resubmitted proposal to the school district for reconsideration, the school district board must evaluate the resubmitted proposal in good faith using the following criteria:

(1) Demonstrated, sustainable support for the public charter school by teachers, parents, students and other community members, including comments received at the public hearing held under OAR 581-026-0055 (1);

(2) Demonstrated financial stability of the public charter school, including the demonstrated ability of the school to have a sound financial management system in place at the time the school begins operating;

(3) Capability of the applicant, in terms of support and planning, to provide students with comprehensive instructional programs;

- (4) Capability of the applicant, in terms of support and planning, to provide academically low achieving students with comprehensive instructional programs;
- (5) The adequacy of the information provided as required by ORS 338.045 (2) and (3);
- (6) Whether the value of the public charter school is outweighed by any directly identifiable, significant and adverse impact on the quality of the public education of students residing in the school district where the public charter school is located;
- (7) Whether there are arrangements for any special education and related services for children with disabilities pursuant to ORS 338.165;
- (8) Whether there are alternative arrangements for students and for teachers and other school employees who choose not to attend or who choose not to be employed by the public charter school; and
- (9) The prior history, if any, of the applicant in operating a public charter school or in providing educational services.
- (10) The school district board must either approve or deny the resubmitted proposal. Written notice of the decision must be sent to the applicants or tribal applicant. Such notice must include reasons and suggestions for remediation for all proposals that are denied.
- (11) An applicant or tribal applicant whose resubmitted proposal that has been reconsidered by the school district board and disapproved, may request the State Board of Education review the decision under the procedure set out in OAR 581-026-0065.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.055

History:

ODE 10-2014, f. & cert. ef. 2-19-14

581-026-0065

Appeal Process (Proposals to School Districts)

- (1) An applicant or tribal applicant whose resubmitted proposal to start a public charter school is disapproved following reconsideration may request the State Board of Education review the decision of the school district board within 30 days of the disapproval.
- (2) The State Board of Education delegates to the Director of the Oregon Department of Education or the director's designee~~Superintendent of Public Instruction or designee~~ all administrative functions necessary or reasonable in order to conduct review. This delegation to the director or the director's designee~~Superintendent~~ includes, but is not limited to:
 - (a) Determining the form, contents and timelines of the petition for review;
 - (b) Determining the records required for review and ordering the production of those records from either the applicant or school district board and establishing timelines for the production of those records;
 - (c) Requiring the applicant, or tribal applicant, or school district board to respond to written or oral inquiries related to board review; and
 - (d) Determining at any time during the review process to reject a review request if in the judgment of the director or the director's designee~~Superintendent~~, the applicant fails to reasonably comply with the administrative review processes of the Director of the Oregon Department of Education or the director's designee~~Superintendent~~.

- (3) The ~~director or the director's designee~~Superintendent may review the decision only to determine whether:
- (a) The school district board used the process required OAR 581-026-0060; and
 - (b) The proposal meets the criteria described in OAR 581-026-0060 (1); and
 - (c) The reasons stated by the school district board for the denial are valid and align with the criteria described in OAR 581-026-0060 (1).
- (4) Following a review described in (9), the State Board of Education may:
- (a) Uphold the decision of the school district board to disapprove the resubmitted proposal;
 - (b) Remand the resubmitted proposal to the school district board for reconsideration if the school district board and the applicant or tribal applicant agree to the remand; or
 - (c) Consider becoming the sponsor of the public charter school if the applicant agrees to the sponsorship.
- (5) At the conclusion of the administrative review process the ~~director or the director's designee~~Superintendent shall recommend in writing to the State Board to:
- (a) Uphold the decision of the school district board to disapproved the resubmitted proposal; or
 - (b) Remand the resubmitted proposal to the school district board for reconsideration if the school district board and the applicant or tribal applicant agree to the remand; or
 - (c) Sponsor the public charter school upon the terms in the proposal or upon such other terms specified.
- (6) The State Board will consider the recommendation of the ~~director or the director's designee~~Superintendent and any other information it deems relevant and determine based on the requirements of ORS 338 to have the State Board sponsor the public charter school.
- (a) If the State Board decides to consider the recommendation of the ~~director or the director's designee~~Superintendent to sponsor the public charter school, the State Board will complete a rigorous evaluation of the proposal as defined in State Board policy.
- (7) The decision of the State Board to uphold the school district board decision to disapproved the resubmitted proposal will be based on substantial evidence in the record and will be made within 75 days of receipt by the State Board of the ~~director's or the director's designee's~~Superintendent's recommendation, unless extended for good cause.
- (8) An applicant or tribal applicant may seek judicial review of an order of the State Board of Education pursuant to ORS 183.484.

Statutory/Other Authority: ORS 326.051 & 338.025

Statutes/Other Implemented: ORS 338.075

History:

ODE 48-2014, f. & cert. ef. 12-17-14

Renumbered from 581-020-0331, ODE 10-2014, f. & cert. ef. 2-19-14

ODE 21-2012, f. & cert. ef. 8-1-12

Reverted to ODE 10-2002, f. & cert. ef. 4-12-02

ODE 5-2004(Temp), f. & cert. ef. 3-15-04 thru 9-1-04

ODE 10-2002, f. & cert. ef. 4-12-02

ODE 13-2000, f. & cert. ef. 5-3-00

OAR 581-026-XXXX

Public Charter School Proposal Submission and Completeness (Tribal Proposal to State Board of Education)

(1) A tribal applicant may submit proposals directly to the State Board of Education for consideration.

(a) A tribal applicant must submit a notice of intent to apply to the State Board of Education at least 45 days prior to submitting a proposal to the State Board of Education. The notice must identify the proposed location of the charter school and the school district the tribal applicant intends to provide notice to in in paragraph (2) of this section.

(b) A tribal applicant must submit a proposal at least 180 days prior to the date on which the public charter school would begin operating.

(2)(a) A tribal applicant that intends to submit a proposal directly to the State Board of Education, must provide a written notice to the school district according to ORS 338.075(4)(b)(C).

(b) Notice must be provided to the school district at least 30 days prior to submitting a proposal to the State Board of Education.

(3) Proposals submitted by tribal applicants to the State Board shall minimally include the proposal requirements listed in ORS 338.045. If the State Board adds additional proposal requirements, it will publish these requirements by July 1 each year and provide technical assistance to interested tribal applicants.

(4) Upon receipt of a proposal from a tribal applicant, the State Board of Education will determine whether the proposal addresses, at least minimally, all of the required components as set out in ORS 338.045(2) and (3). Within 30 business days of the receipt of a proposal, the State Board of Education will notify the tribal applicant as to the completeness of the proposal. A proposal that included, for example, a reprinting of the charter school statutes as its response to a required component, would not minimally address that component and would not be complete. A proposal that addressed a required component based on an incorrect budget assumption or in a manner that is unsatisfactory to the State Board of Education would nonetheless be complete.

(a) If the State Board of Education deems a proposal to be incomplete, the State Board of Education must identify the specific elements that are not complete and provide a reasonable opportunity to complete the proposal.

(5) The State Board of Education delegates to the Director of the Oregon Department of Education or the director's designee all administrative functions necessary or reasonable in order to receive charter school proposals from tribal applicants. This delegation to the director or the director's designee includes determining the form, contents, procedures, timelines, and conducting a timely review. This delegation includes issuing a final order. An order issued by the director or the director's designee shall be considered an order in other than a contested case under ORS 183.484.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.055

OAR 581-026-XXXX

Public Charter School Proposal Review and Approval ([Tribal Proposal to State Board of Education](#))

(1) Within 60 days after the notification to the tribal applicant of the State Board of Education's receipt of a completed proposal, the State Board of Education school must hold a public hearing on the proposal in accordance with Oregon public meeting laws (ORS 192.610 through 192.695, 192.710, and 192.990).

(2) The State Board of Education must evaluate the proposal in good faith using the following criteria in ORS 338.055(3).

(3) Within 30 days of the public hearing, the State Board of Education must either approve or deny the proposal. Written notice of the decision must be sent to the tribal applicant. Such notice must include reasons and suggestions for remediation for all proposals that are denied. The State Board of Education may provide a reasonable opportunity to resubmit the proposal.

(4) A tribal applicant may amend and resubmit the proposal to the State Board of Education.

(5) The State Board of Education must approve or disapprove the resubmitted proposal within 30 days of receipt.

(6) [The State Board of Education may extend timelines when needed to accommodate the State Board of Education's schedule of meetings.](#)

(7) The State Board of Education delegates to the Director of the Oregon Department of Education or the director's designee all administrative functions necessary or reasonable in order to conduct a timely review. This delegation includes issuing a final order. An order issued by the director or the director's designee shall be considered an order in other than a contested case under ORS 183.484.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.055

[581-026-0100](#)

Development and Execution of a Charter

(1) The State Board or a school district board that approves a proposal will be considered the sponsor of the public charter school defined in the proposal.

(2) An applicant or tribal applicant whose proposal has been approved by the sponsor must, in cooperation with the sponsor, prepare and execute a charter that addresses, at a minimum, the information that is included in the proposal and:

(a) State any reasonable pre-opening requirements or conditions for the public charter school to ensure they meet all health, safety, and other legal requirements prior to opening and are prepared to open smoothly;

(b) State how the public charter school shall receive any state and federal funds distributed to districts other than the negotiated percentage of the charter school rate as required by ORS 338.155;

(c) Establish the performance standards under which the public charter school will be evaluated, using objective and verifiable measures of student achievement as the primary measure of school quality;

- (d) Define the sources of academic data that will form the evidence base for ongoing and renewal evaluation;
 - (e) Include expectations for appropriate access, education support services, and coordination with the district in which the public charter school is located for students who may qualify for additional education services; and
 - (f) Include clear, measurable performance standards to judge the effectiveness of mission-specific performance measure and metrics that credibly demonstrate the public charter school's success in fulfilling its mission and serving its students.
- (3) Notwithstanding subsection (2), an applicant and sponsor may agree to change elements of the proposal prior to including them in the charter and may agree to exclude elements of the proposal from the charter or to include new elements in the charter by mutual agreement of the school district board and the applicant.
- (4) An initial charter may be in effect for no more than five years and may be renewed by the sponsor.
- (5) The first renewal of a charter must be for the same number of years as the initial charter.
- (6) Subsequent renewals of a charter must be for a minimum of five years but may not exceed 10 years.
- (7) A sponsor and the charter school governing body may amend a charter at any time by joint agreement.
- (8)(a) A public charter school must submit a copy of the executed or amended charter to the Oregon Department of Education.
- (b) Upon executing an initial charter the public charter school must also submit to the Oregon Department of Education evidence of the charter school's governing board Oregon nonprofit status under ORS 65state and federal 501c3 nonprofit status.
- Statutory/Other Authority: ORS 326.051
- Statutes/Other Implemented: Ch. 200 & OL 1999 (SB 100)

History:

[ODE 5-2024, amend filed 02/16/2024, effective 02/16/2024](#)

[ODE 30-2018, amend filed 09/26/2018, effective 09/26/2018](#)

Renumbered from 581-020-0311, ODE 10-2014, f. & cert. ef. 2-19-14

ODE 13-2000, f. & cert. ef. 5-3-00

[581-026-0110](#)

Public Charter School Mediation Provided by the State Board of Education

- (1) If the school district board and the applicant or tribal applicant are unable to agree on a change during the proposal or chartering process, the school district board, ~~or the applicant,~~ or tribal applicant may request mediation by the State Board of Education.
- (2) The State Board of Education delegates to the Director of the Oregon Department of Education or the director's designee ~~Superintendent of Public Instruction or designee~~ all administrative functions necessary or reasonable in order to conduct mediation. The director or the director's designee ~~Superintendent or designee~~ shall follow the procedures and timelines required by this rule. This delegation to the director or the director's designee ~~Superintendent or designee~~ includes, but is not limited to:

(a) Determining the form, contents, and timelines of the mediation; and
(b) Determining the records required for mediation and ordering the production of those records from the school district board, applicant, tribal applicant, or public charter school governing body and establishing timelines for the production of those records.

(3) If the school district board and the applicant or tribal applicant are unable to reach an agreement following mediation as provided in this section of rule, the most recent proposal submitted without the change that was the subject of mediation shall be the proposal the school district board and applicant or tribal applicant address in the next step of the proposal or chartering process following the point at which mediation began.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.055

History:

ODE 10-2014, f. & cert. ef. 2-19-14

[581-026-0125](#)

Timeline Extensions

Consistent with ORS 326.111, the State Board of Education delegates to the Director of the Oregon Department of Education or the director's designee~~Superintendent of Public Instruction or the Superintendent's designee~~ the authority to grant extensions of timelines. The director or the director's designee~~Superintendent or designee~~ may grant an extension, upon request from a school district, if the district has good cause for requesting an extension of the timeline for:

- (1) The charter approval process under ORS 338.055; or
- (2) The charter renewal process under ORS 338.065.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.111

History:

ODE 10-2014, f. & cert. ef. 2-19-14

[581-026-0130](#)

Procedure to Waive Certain Provisions of the Charter School Law

(1) A public charter school may petition the State Board of Education for a waiver of any provision of ORS 388. The written petition must specify the reason(s) the charter school is seeking the waiver and any other relevant information.

(2) The public charter school must notify the sponsor if a waiver under this section is being considered. Waivers granted by the State Board to a charter school may require amending the charter under the provisions of OAR 581-026-0100 (7).

(3) The State Board of Education, upon receipt of a waiver petition, will review the petition and may grant the waiver upon a showing that approving the waiver would:

- (a) Promote the development of programs by providers;
- (b) Enhance the equitable access by underserved families to the public education of their choice;

- (c) Extend the equitable access to public support by all students; or
- (d) Permit the development of high quality programs of unusual cost.
- (4) The State Board of Education may not waive ~~any review provision under the Act or~~ any provision under ORS 338.115(1)(a) to (aa), 338.120, 338.125 (5), 338.135 (2)(b) or 339.122.

Statutory/Other Authority: ORS 3263.051

Statutes/Other Implemented: Ch. 200 & OL 1999(SB 100)

History:

ODE 48-2014, f. & cert. ef. 12-17-14

ODE 10-2014, f. & cert. ef. 2-19-14

[581-026-0200](#)

Financial Management System

- (1) A charter school applicant or tribal applicant must include a description of a financial management system within the proposal submitted to the local school district board or theand ~~the~~ State Board of Education.
- (2) A public charter school must have in place a financial management system at the time the school begins operation.
- (3) A financial system used by a public charter school must include a budget and accounting system that:
 - (a) Is compatible with the budget and accounting system of the sponsor of the school;
 - (b) Complies with the requirements of the uniform budget and accounting system adopted by the State Board of Education under OAR 581-023-0035.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338

History:

Renumbered from 581-020-0334, ODE 10-2014, f. & cert. ef. 2-19-14

ODE 16-2011, f. & cert. ef. 12-15-11

ODE 11-2010, f. & cert. ef. 6-30-10

[581-026-0210](#)

Annual Financial Reporting

- (1)(a) A public charter school required to comply with ORS 338.035(2)(a)(B) and (C) or established by a tribal applicant shall have an annual audit of the accounts of the public charter school prepared in accordance with the Municipal Audit Law, ORS 297.405 to 297.555 and 297.990.
- (b) A public charter school that meets the definitions and criteria in ORS 338.035(6)(b) (A), (B), (C) and (D), may be treated as the same legal entity as the school district and is not required to submit a separate audit. The public charter school must comply with OAR 581-026-0200 and must be included in the audit of the sponsoring district. The district audit for the public charter school must minimally include:
 - (A) An audit of all accounts and funds associated with the public charter school;

- (B) A summary of significant accounting policies, cash and investments, and internal controls; and
- (C) A statement of activities and a balance sheet containing a summary of the assets and liabilities of the public charter school as of the closing date of the preceding annual audit period for the school.
- (2) After an audit, the public charter school shall forward a copy of the annual audit to the Department of Education.
- (3) After an audit, the public charter school shall forward the following to the sponsor:
- (a) A copy of the annual audit;
 - (b) Any statements from the public charter school that show the results of all operations and transactions affecting the financial status of the public charter school during the preceding annual audit period for the school; and
 - (c) A balance sheet containing a summary of the assets and liabilities of the public charter school as of the closing date of the preceding annual audit period for the school.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.095

History:

ODE 19-2015, f. & cert. ef. 12-18-15

ODE 48-2014, f. & cert. ef. 12-17-14

Renumbered from 581-020-0336, ODE 10-2014, f. & cert. ef. 2-19-14

ODE 17-2011, f. 12-15-11, cert. ef. 1-1-12

ODE 11-2010, f. & cert. ef. 6-30-10

[581-026-0305](#)

Virtual Public Charter School Student Enrollment

(1) As used in this rule:

- (a) "Notice" means a written notice that is mailed, faxed, e-mailed or personally delivered by the party required to provide the notice.
- (b) "Parent" means parent, legal guardian or person in parental relationship as defined in ORS 339.133.
- (c) "Reside in a school district" means the school district in which the student's parent resides.
- (d) "School district" means a school district in which more than three percent of the students who reside in the school district are enrolled in one or more virtual public charter schools.
- (e) "Student" means a student who seeks to enroll in a virtual public charter school on or after August 2, 2011.
- (f) "Virtual public charter school" is as that term is defined in OAR 581-026-0300.

(2) A parent must provide notice to the school district in which the parent resides that the parent intends to enroll a student in a virtual public charter school. Upon receiving the notice, a school district may choose to do nothing further until receiving notice the student is enrolled in the school or if more than three percent of the students who reside in the school district are enrolled in virtual public charter schools not sponsored by the district, the district must provide notice to the parent that the district:

- (a) Approves the student for enrollment in the virtual public charter school; or

- (b) Does not approve the student for enrollment in the virtual public charter school.
- (3) A school district that does not approve a student for enrollment in a virtual public charter school must provide the parent and student the following:
 - (a) A copy of this rule and OAR 581-026-0310
 - (b) A list of two or more other online options available to the student, and
 - (c) The percentage of students in the school district that attend virtual public charter schools that are not sponsored by the school district, based on the most recent calculation at the time the intent to enroll was received by the district.
- (4) If a parent does not receive a notice of approval or disapproval from a school district under subsection (2) of this rule within 10 days of sending the notice of intent to enroll to the district, the student shall be deemed approved for enrollment by the district.
- (5) A parent may appeal a decision of a school district to not approve a student for enrollment to the State Board of Education pursuant to OAR 581-026-0310.
- (6) A virtual public charter school may only enroll a student if the school receives evidence the student's parent has notified the resident school district of the student's intent to enroll in the school. A school shall consider any of the following as evidence the resident school district received adequate notice:
 - (a) A copy of the notice of intent to enroll sent to the district by the parent;
 - (b) A notice of approval for enrollment from the district; or
 - (c) A copy of a final order issued by the Director of the Oregon Department of Education or the director's designee~~Superintendent~~ pursuant to OAR 581-026-0310 that finds that the student is approved for enrollment in the school.
- (7) A virtual public charter school shall send a list of students to each school district in which a student who is enrolled in the school resides. The list shall be sent monthly when the virtual school is in session.
 - (a) The first list of the school year must be sent on or before the fifteenth day of school for the virtual public charter school.
 - (b) Lists must minimally include the student identification number, address, grade and must be in a tabular data format compatible with widely used spreadsheet software, allowing for organized data presentation and manipulation through rows and columns.
- (8) If a school district chooses to not approve a student for enrollment in a virtual public charter school under this section, the district must have a policy that at a minimum includes the following:
 - (a) The semiannual dates that the school district used to calculate whether or not three percent or more of the students who reside within the district are enrolled in a virtual public charter school.
 - (b) The description of the data used by the school district to calculate the number of students who reside in the district and the number of students who are enrolled in virtual public charter schools. A school district is only required to use data that is reasonably available to the district including but not limited to:
 - (A) The number of students enrolled in the schools of the school district;
 - (B) The number of students enrolled in virtual and non-virtual public charter schools located in the school district;

- (C) The number of students enrolled in virtual public charter schools not sponsored by the district;
- (D) The number homeschooled students who reside within the district and who have registered with an education service district; and
- (E) The number of students enrolled in private schools located within the school district.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.125

History:

[ODE 5-2024, amend filed 02/16/2024, effective 02/16/2024](#)

Renumbered from 581-020-0342, ODE 10-2014, f. & cert. ef. 2-19-14

ODE 19-2011, f. & cert. ef. 12-15-11

ODE 11-2011(Temp), f. & cert. ef. 8-23-11 thru 2-19-12

[581-026-0310](#)

Virtual Public Charter School Student Enrollment Appeal Procedure

(1) The State Board of Education delegates to the Director of the Oregon Department of Education or the director's designee~~Superintendent of Public Instruction or designee~~ all administrative functions necessary or reasonable in order to conduct a timely appeal process. This delegation includes issuing a final order. An order issued by the director or the director's designee~~Superintendent or designee~~ shall be considered an order in other than a contested case under ORS 183.484.

(2) A parent may appeal a decision of a school district to not approve enrollment of a student in a virtual public charter school under OAR 581-026-0305 by sending a notice of appeal in writing by mail, fax or e-mail or by personally delivering a copy to the director or the director's designee~~Superintendent of Public Instruction~~. The notice must be received by the director or the director's designee~~Superintendent~~ within 10 days of the date on which the parent received notice from the district, the district did not approve enrollment of a student in a virtual public charter school. The parent must also provide a copy of the notice of appeal and any other supporting documents included with the notice to the school district prior to sending the notice of appeal to the director or the director's designee~~Superintendent~~ or within 24 hours of when the parent sent or delivered the notice of appeal to the director or the director's designee~~Superintendent~~.

(3) The notice of appeal must include:

- (a) The parent and student's name and contact information.
- (b) The name of the resident school district.
- (c) The name of the virtual public charter school in which the student wants to enroll.
- (d) A copy of the notice of intent to enroll provided by the parent to the school district.
- (e) A copy of the notice of disapproval of enrollment received by the parent from the school district.
- (f) The reason for the appeal and any supporting documents including evidence the parent would like considered as part of the appeal.

(4) A school district upon receiving a notice of appeal from a parent may file a reply to the notice with the director or the director's designee~~Superintendent~~. The reply must be received by the

~~director or the director's designee~~Superintendent within 10 days of when the school district received a copy of the notice of appeal from the parent. The school district shall provide a copy of the reply and any supporting documents included with the reply to the parent.

(5) The ~~director or the director's designee~~Superintendent shall overturn the decision of the school district to not approve the enrollment of the student if the ~~director or the director's designee~~Superintendent determines that:

(a) The school in which the student intends to enroll is not a virtual public charter school.

(b) The resident school district does not have more than three percent of the resident students of the district enrolled in virtual public charter schools not sponsored by the district.

(c) The parent did not receive the notice of disapproval from the district within 10 days of when the parent sent the district the notice of intent to enroll.

(6) The ~~director or the director's designee~~Superintendent may consider the following in deciding whether to uphold or overturn a decision of the school district to not approve the enrollment of a student:

(a) The health and safety of the student.

(b) The student's educational needs and interests.

(c) The availability of other online options to the student.

(d) Any other information that the ~~director or the director's designee~~Superintendent deems relevant to the decision.

(7) The ~~director or the director's designee~~Superintendent shall issue a final order within 14 days of receiving the notice of appeal from the parent. The ~~director or the director's designee~~Superintendent shall send a copy of the final order to the parent, the school district and the virtual public charter school.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.125

History:

[ODE 5-2024, amend filed 02/16/2024, effective 02/16/2024](#)

Renumbered from 581-020-0343, ODE 10-2014, f. & cert. ef. 2-19-14

ODE 19-2011, f. & cert. ef. 12-15-11

ODE 11-2011(Temp), f. & cert. ef. 8-23-11 thru 2-19-12

[581-026-0400](#)

Process to Renew Charter

(1) A public charter school governing body must request renewal of the charter (contract) by the sponsor in writing at least 180 days before expiration of the charter.

(2) When a sponsor has received a written request from a public charter school governing body, the sponsor must schedule and hold a public hearing on the renewal request within 45 days from the receipt of the request for renewal.

(3) Within 30 days after the public hearing, the sponsor must either:

(a) Renew the charter; or

(b) State in writing the reasons for denying the renewal of the charter.

(4)(a) A sponsor must base its decision to renew or not renew a charter on a good faith evaluation of whether the charter school:

- (A) Is in compliance with state and federal laws;
 - (B) Is in compliance with the terms of the prior charter;
 - (C) Is meeting or working toward meeting the student performance goals and agreements specified in the charter or any other written agreements between the sponsor and the public charter school governing body;
 - (D) Is fiscally stable and evidence that a sound financial management system described in the proposal submitted under ORS 338.045 and incorporated into the written charter was used; and
 - (E) Is in compliance with any renewal criteria specified in the previous charter, if any.
- (b) As used in this section, "good faith evaluation" means an evaluation of all criteria required by this section resulting in a conclusion that a reasonable person would come to who is informed of the law and the facts before that person.
- (5) The sponsor must base the evaluation described in subsection (4) of this rule primarily on a review of the public charter school's annual performance reports, annual audit of accounts and annual site visit and review as required by ORS 338.095 and any other information mutually agreed upon by the public charter school governing body and the sponsor.
- (6)(a) If the sponsor renews the charter, the sponsor and public charter school governing body shall negotiate in good faith a new charter within 90 days after the date on which the sponsor approved the renewal of the charter, unless both parties agree to an extension of time.
- (b) If the sponsor and the charter school governing body have not executed a new charter agreement within 90 days after the date on which the sponsor approved the renewal of the charter or an alternative date agreed to by both parties, the expiring charter shall remain in effect until a new charter is negotiated.
- (c) As used in this section, "negotiate in good faith" means to negotiate with an honest exchange of the facts of the matters under consideration with a view to obtaining agreement of each of the parties involved.
- (7) If the sponsor does not renew the charter, the public charter school governing body may address the reasons for nonrenewal and resubmit its request to the sponsor within 30 days after the date on which the sponsor notified the public charter school governing body of the decision not to renew the charter. If a sponsor receives a revised request under this section, the sponsor shall review the request using the process required by subsections (2) to (6) of this rule. A public charter school governing board may only submit a revised request once under this section unless otherwise specified by the sponsor.
- (8) Notwithstanding subsections (1) to (7) of this rule, a sponsor and a public charter school governing body may agree in the charter of the school to a timeline for renewing the charter that is different from the timeline required by subsections (1) to (7) of this rule.
- (9) The State Board of Education delegates to the Director of the Oregon Department of Education or the director's designee~~Superintendent of Public Instruction or designee~~ all administrative functions necessary or reasonable in order to determine if the charter of a school sponsored by the state board should be renewed. The director or the director's designee~~Superintendent or designee~~ shall follow the procedures and timelines required by this rule. This delegation to the director or the director's designee~~Superintendent or designee~~ includes, but is not limited to:
- (a) Determining the form, contents, and timelines of the renewal;

- (b) Determining the records required for determining the renewal and ordering the production of those records from the public charter school governing body and establishing timelines for the production of those records;
- (c) Requiring the charter school governing body to respond to written or oral inquiries related to the sponsorship;
- (d) Delegating the sponsorship function to Department of Education staff or a hearings officer to conduct a hearing and to issue a proposed order; and
- (e) Issuing a final order.
- (10) If the sponsor does not renew the charter based on the revised request for renewal submitted under subsection (7) of this rule, the public charter school governing body may:
 - (a) If the sponsor is a school district, appeal the decision of the sponsor to the State Board of Education under OAR 581-026-0405.
 - (b) If the sponsor is the State Board of Education, seek judicial review of the final order under ORS 183.484.
- (11) A public charter school must submit a copy of the renewed charter to the Oregon Department of Education.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 338.065

History:

[ODE 5-2024, amend filed 02/16/2024, effective 02/16/2024](#)

Renumbered from 581-020-0359, ODE 10-2014, f. & cert. ef. 2-19-14

ODE 35-2013, f. & cert. ef. 12-18-13

ODE 11-2010, f. & cert. ef. 6-30-10

Reverted to ODE 9-2008, f. & cert. ef. 3-21-08

ODE 15-2009(Temp), f. & cert. ef. 12-10-09 thru 6-8-10

ODE 9-2008, f. & cert. ef. 3-21-08

[581-026-0405](#)

Appeal of Sponsor's Decision Not to Renew a Charter

- (1) Within 30 days of receiving notice from a sponsor that the sponsor has decided not to renew the charter (contract) based on a revised request for renewal, a public charter school governing body may request the State Board of Education review the decision by the sponsor not to renew a charter. Any notice of a request for State Board review must be made in writing and be delivered to the State Board of Education and the business address of the sponsor.
- (2) The decision of a sponsor not to renew a charter must be based on a good faith evaluation of the factors set out in ORS 338.065(6) and must utilize the process set out in 338.065(4) and OAR 581-026-0400.
- (3) The State Board, Director of the Oregon Department of Education or the director's designee~~State Superintendent or designee~~ will review the decision of a sponsor not to renew a charter for compliance with the requirements of subsection (2) of this rule.
- (4) The State Board of Education delegates to the director or the director's designee~~Superintendent of Public Instruction or designee~~ all administrative functions necessary or reasonable in order to conduct a timely review of the decision of the sponsor to not renew a

charter. This delegation to the ~~director or the director's designee~~Superintendent includes, but is not limited to:

- (a) Determining the form, contents, and timelines of the petition for review;
- (b) Determining the records required for review and ordering the production of those records from either the public charter school governing body or school district board and establishing timelines for the production of those records;
- (c) Requiring the public charter school governing body or school district board to respond to written or oral inquiries related to board review;
- (d) Delegating the review function to department staff or a hearings officer conduct the review and issue a proposed order; and
- (e) Issuing a final order.

(5) If the ~~director or the director's designee~~State Superintendent or designee finds that the sponsor made the decision to not renew a charter based on a good faith evaluation of the factors set out in ORS 338.065(6) and utilized the process set out in 338.065(4), a final order will be issued to uphold the decision of the sponsor.

(6) If the ~~director or the director's designee~~State Superintendent or designee finds that the sponsor did not make the decision to not renew a charter based on a good faith evaluation of the factors set out in ORS 338.065(6), did not utilize the process set out in 338.065(4) or both, a final order will be issued to order the sponsor to reconsider the request for renewal utilizing the process and requirements set out in OAR 581-026-0400.

(7) The ~~Director of the Oregon Department of Education or the director's designee~~State Superintendent or designee shall issue the final order within 60 days from the receipt of the request for review, unless both parties agree to a different timeline.

(8) If a school district on reconsideration ordered under subsection (6) of this rule does not renew the charter, the sponsor's decision may be appealed under the provisions of ORS 183.484.

(9) A charter school that requested renewal of its charter by the sponsor in writing at least 180 days before expiration of the charter shall remain open under the terms of its charter, unless otherwise agreed to by the charter school and the sponsor, until one or more of the following occurs:

- (a) The sponsor and the charter school execute a new charter.
- (b) The sponsor denies the renewal of the charter and the time period for the charter school to resubmit a renewal request or appeal the decision to the State Board of Education has lapsed.
- (c) The ~~Director of the Oregon Department of Education or the director's designee~~State Superintendent or designee issues a final order to uphold the decision of the sponsor to not renew.
- (d) The ~~Director of the Oregon Department of Education or the director's designee~~State Superintendent or designee issues a final order that orders the school district to reconsider the decision to non-renew and the school district again notifies the charter school of a nonrenewal.
- (e) A court orders the closure of the school.
- (f) The charter of the school is terminated under ORS 338.105 and OARs 581-026-0500 and 581-026-0505.

Statutory/Other Authority: ORS 326.051
Statutes/Other Implemented: ORS 338.065

History:

Renumbered from 581-020-0361, ODE 10-2014, f. & cert. ef. 2-19-14
ODE 9-2008, f. & cert. ef. 3-21-08

[581-026-0505](#)

Process to Appeal Decision by Sponsor to Terminate Charter

(1) A public charter school governing body may request the State Board of Education review the decision to terminate a charter. The State Board of Education's review shall be limited to the grounds for termination as stated by the school district board or sponsor or a plan to correct deficiencies. Any notice of a request for State Board review must be made in writing and be delivered to the State Board of Education and the business address of the sponsor.

(2) The State Board of Education delegates to the Director of the Oregon Department of Education or the director's designee~~Superintendent of Public Instruction or designee~~ all administrative functions necessary or reasonable in order to conduct a timely review. This delegation to the Director of the Oregon Department of Education or the director's designee~~Superintendent~~ includes, but is not limited to:

- (a) Determining the form, contents, and timelines of the petition for review;
 - (b) Determining the records required for review and ordering the production of those records from either the public charter school governing body or school district board and establishing timelines for the production of those records;
 - (c) Requiring the public charter school governing body or school district board to respond to written or oral inquiries related to board review;
 - (d) Delegating the review function to a hearings officer to hold a contested case hearing under ORS 183.411 through 183.470 and issue a proposed order; and
 - (e) Issuing a final order that may be appealed under the provisions of ORS 183.484.
- (3) The State Board, or its designee, will where possible, issue its final order within 60 days from the sponsor's notification of intent to terminate as required in ORS 338.105(2). If it is not possible to issue the final order within 60 days, the charter school shall remain open pending issuance of the final order.
- (4) The governing body of a public charter school that is closed under the provisions of ORS 338.105(4) may request the State Board of Education, or its designee, to review the decision of the sponsor to terminate the charter and close the public charter school. The State Board of Education, or its designee, will hold a hearing within 10 days of receiving the request for review. The review under this section will be accomplished under the provisions of subsection (2) of this rule and under the timelines set out in ORS 338.105(4) and, to the extent practicable, subsection (3) of this rule.

Statutory/Other Authority: ORS 326.051
Statutes/Other Implemented: ORS 338.105

History:

ODE 48-2014, f. & cert. ef. 12-17-14

Renumbered from 581-020-0385, ODE 10-2014, f. & cert. ef. 2-19-14

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

[581-026-0515](#)

Distribution of Assets of a Terminated or Dissolved Public Charter School

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

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

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

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

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

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

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 338.015

History:

[ODE 153-2019, amend filed 12/16/2019, effective 12/16/2019](#)

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

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

[581-026-0600](#)

Public Charter School Facility Location

(1) As used in this rule:

(a) "Written notice" means written notice that is mailed, faxed, e-mailed or personally delivered by the party required to provide the written notice.

(b) "Primary physical address of the public charter school" means the physical location of the public charter school campus located within the boundaries of the sponsoring district, ~~or the district in which the public charter school originally applied under ORS 338.045,~~ or as identified in the proposal submitted under ORS 338.075(4)(b)(B).

(c) "School" means a physical location that is owned, leased, or otherwise used by the public charter school where students receive instruction or educational services. As used in this rule, "school" or "tutoring or testing facility" does not include the student's home.

(2)(a) For public charter schools sponsored by a school district that establish schools or testing or tutoring facilities that are not located at the primary physical address of the charter school, the district shall retain all responsibility assigned to a sponsor by ORS Chapter 338 and OAR 581-026-0005 to 0515.

(b) Except as provided in subsection (2)(a) of this rule, if a public charter school is sponsored by the State Board of Education, the district in which the primary physical address of the public charter school is located shall retain the responsibilities assigned to a district by ORS 338.155 to 338.165 and described in a contract between the district and the public charter school.

(3) The public charter school must maintain student records, board records, employment records, and other school records at the primary physical address of the public charter school.

(4) The board of a school district that is not the sponsoring school district of the public charter school may file a complaint with the Director of the Oregon Department of Education or the director's designee~~Superintendent of Public Instruction~~ pursuant to ORS 338.130(5)Ch. 163, OL 2023 against the public charter school if:

(a) The public charter school opens or operates a school or tutoring or testing facility within the boundaries of that district; and

(b) The public charter school did not comply with the provisions of ORS 338.130Ch. 163, OL 2023.

(5) The complaint must be in writing and may be delivered by mail, fax or e-mail or by personally delivering a copy to the director or the director's designee~~Superintendent of Public Instruction~~ and must contain:

(a) The name of the school district making the complaint;

(b) The name and contact information of a member of the board or district staff person who will act as primary contact for the complaint;

(c) The name of the public charter school operating the school or tutoring or testing facility;

(d) The primary physical address of the public charter school operating the school or tutoring or testing facility;

(e) The physical address of the school or tutoring or testing facility being operated by the public charter school in the offended district; and

(f) A brief statement explaining the facts underlying the complaint.

(6) The school district board must provide written notice of the complaint by mail, fax, e-mail or personal delivery to the public charter school and the sponsoring district on the same date the complaint is provided to the director or the director's designee~~superintendent~~.

(7) Upon receipt of the complaint the director or the director's designee~~superintendent~~ shall schedule a contested case hearing pursuant to ORS 183.413 to 183.470.

(8) Upon a finding that the public charter school has not complied with the provisions of Ch. 163, OL 2023

(a) The director or the director's designee~~superintendent~~ may withhold SSF moneys due to the public charter school under ORS 338.155.

(b) If the director or the director's designee~~superintendent~~ withholds moneys pursuant to paragraph (a) of this subsection, the director or the director's designee~~superintendent~~ shall withhold the moneys until the charter school governing body is in compliance or other date determined by the director or the director's designee~~superintendent~~.

Statutory/Other Authority: ORS 338.025

Statutes/Other Implemented: ORS 332.158 & ch. 338

History:

[ODE 5-2024, amend filed 02/16/2024, effective 02/16/2024](#)

[ODE 30-2018, amend filed 09/26/2018, effective 09/26/2018](#)

ODE 37-2016, f. & cert. ef. 7-18-16

Summary

Meeting Date: 12/11/2025

Title: Tribal Charter School Temporary OARs

Status: Adoption (no changes)

Presentation: Yes

Key Staff: Kate Pattison, Director School Choice, Options, and Recovery Education; Christen Kelly, Charter School Specialist

Topic Summary: Temporary OARs to implement HB 3953 (2025) establishing tribal charter schools that can be sponsored directly by the State Board of Education.

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?**

HB 3953 was adopted during the 2025 legislative session and allows "federally recognized Indian tribes in the state" to operate public charter schools. Tribes can establish a public charter school either through a school district or through direct sponsorship by the State Board of Education. This law goes into effect on January 1, 2026.

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

Under the new law, the State Board of Education is directed to establish a process and timelines for Tribal charter school proposal submission and review. ORS 338.075(4) as amended directs the state board to adopt OARs for the process:

(c) The board shall prescribe by rule the **requirements of a proposal** submitted pursuant to this subsection. The requirements must incorporate any applicable requirements for

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a proposal submitted pursuant to ORS 338.045. At the request of an applicant, the Department of Education may provide technical assistance in developing the proposal for the operation of the public charter school.

(d) The board shall prescribe by rule **the process for reviewing a proposal** submitted pursuant to this subsection, including **timelines** for the review. The board must provide an applicant with a reasonable opportunity to complete a proposal if the board determines that a submitted proposal is not complete.

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

This is the first time this is coming before the board.

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

The new law goes into effect on January 1, 2026. Early implementation and planning required more time than was available to establish permanent rules. One Tribe has indicated their intention to apply directly to the State Board of Education for sponsorship in early January 2026.

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: The Confederated Tribes of Grand Ronde
- ☐ 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?

ODE staff have partnered with the Office of Indian Education to conduct meetings with Tribes to learn about the Tribes' needs, desires, and plans as well as share information about public charter schools. The Department has met multiple times with various Tribes and started a more formal Tribal Consultation process with The Confederated Tribes of Grand Ronde. Staff have also hosted engagement sessions with school districts, education partner organizations like OSBA and OASBO, met with staff from the Secretary of State, and other programs across the agency to draft these OARs.

The Department has started implementing the new law with intentionality and openness to support and uphold government-to-government agreements and relationships.

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: Secretary of State

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.

All public charter schools, including Tribal charter schools, are required to complete annual municipal audits. The Department met with the Secretary of State Audits Division staff to learn

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more about how Tribes will be able to meet this requirement and what kind of technical assistance we can provide.

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

- ☒ Northeast Oregon
- ☒ Central and Southeast Oregon
- ☒ Southwest Oregon
- ☒ Willamette Valley and Central Coast
- ☒ Northwest Oregon
- ☒ Tribal lands
- ☐ Other: _____

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

The entire geography of Oregon is situated on the ancestral lands of Tribes and Native Peoples. All federally recognized tribes in Oregon are eligible to establish public charter schools. Tribal and Native students reside in every region and may be affected by the option to enroll in a Tribal charter school.

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?

Tribes:

The current law does not fully consider tribal sovereignty as defined by a Tribe, and the Department has heard that the current language of HB 3953 (2025) may not meet the current or future desires or needs of the Tribes. Because of the historical and current experience with the U.S. education system, generally and locally, some Tribes want full sovereignty and autonomy in operating publicly funded schools. As the Tribes, school districts, and the Department continue to move forward implementing this law, the Tribes have asked that we honor their sovereignty to the fullest extent possible.

School Districts:

School districts are interested in how they may be partnered with Tribal charter schools that are sponsored by the State Board. According to the statute, a Tribal public charter school sponsored by the State Board may be located “on the reservation of the federally recognized Indian tribe or, if the federally recognized Indian tribe does not have a reservation, within a school district that enrolls students who are members of the federally recognized Indian tribe.” There is complexity with the intersection of Tribal lands and the political boundaries for school districts. Through discussion and review of the legislative record, there is agreement that the

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school district should be one that is adjacent or geographically proximal to the location of the public charter school if there is clear overlap of the school district boundary.

Education Partners:

In talking with education partner organizations, questions centered on support to Tribes operating public charter schools and how the Department will provide technical assistance to ensure the Tribe will establish systems that comply with Oregon education laws and reporting requirements. They also asked how the Department will provide support to school districts partnering with Tribes that operate State Board sponsored charter schools. The Department is currently developing resources and guidance that will be used by Tribes and school districts. Other tools that have been used to provide support and accountability for State Board sponsored charter schools will be reviewed and updated accordingly.

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 Department will continue consultation with Tribes and ongoing engagement during the early implementation to learn what improvements can be made prior to pursuing permanent OARs in the spring of 2026.

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 nothing about the OARs specifically that will create any fiscal or administrative impact. However, the new law does create opportunities for some Tribes and school districts to experience changes in their fiscal or administrative responsibilities. If a Tribe operates a State Board sponsored charter school, the Tribe will be responsible for operating a public charter school according to the relevant state and federal laws. This includes complying with all applicable reporting requirements for grants and programs administered by the Oregon Department of Education. The school district that is required to contract with the Tribal charter school will receive State School Funds on behalf of the charter school and will be responsible

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for passing through a portion of the funding, oversight of special education, some federal title programs, and some local funding options.

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

No.

EQUITY IMPACT ANALYSIS

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

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

The Department recognizes that this new law has an equity impact. However, our first responsibility is to acknowledge and honor Tribal sovereignty throughout all the implementation activities including drafting proposal OARs, developing guidance, and providing technical assistance.

Regarding equity impacts to students and families, this law allows Tribes to establish publicly funded charter schools. It is likely that any Tribal charter schools established under this law and these OARs will largely serve Native and Tribal students through a school that is governed, operated, and located with their land, culture, language, and community at the center of the mission.

- 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 OARs do not create any specific impact on school district employees or volunteers. Tribes that want to submit a proposal to start a public charter school will need to comply with the timelines and requirements for the proposal and process in the OARs. If a Tribal charter school is approved, a school district will be required to comply with the laws related to supporting a State Board sponsored charter school.

- 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?**

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Short-term: The law goes into effect on January 1, 2026. The State Board of Education must have a process and timelines in place to receive and effectively manage receiving charter school proposals from Tribes. These OARs establish a process and timelines that can be further refined as needed in the spring 2026 based on further consultation, engagement, and experience.

Long-term: These OARs set the foundation for the State Board of Education to receive, review, and approve proposals to establish Tribal charter schools.

Modernizing Language: Adopting language throughout to replace “Superintendent of Public Instruction” with the “Director of the Oregon Department of Education or director’s designee” aligns with current practice and historical meaning. This will allow the Department to continue its current practices related to public charter schools as work on behalf of the State Board through a formal process of delegating authority from the Board to the Director. If the language is not updated, many sections of the rules currently point to the governor.

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

Inaction will result in the statute being the sole legal reference for Tribes to apply directly to the State Board of Education. There are no explicit timelines or tribal charter school delegations to the Department in the statute.

Modernizing Language: If the language is not updated, many sections of the rules currently point to the governor where that is not the intent. The Department would need to work with the State Board of Education to establish other forms of delegations.

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?

There are three new components to the OARs proposed to Division 26.

1. Definitions:
 - **“Tribal Applicant”** is added to clarify when a rule applies only to Tribes.
 - **“Public Charter School Governing Body”** is added to clarify the three different types of governing bodies. The proposed definition allows the Tribe to define the group that will be the governing body for their charter school.
2. New Sections for Tribal Applicants to the State Board of Education:

- **Public Charter School Proposal Submission and Completeness (Tribal Proposal to State Board of Education)** – This section largely mirrors the same timelines and requirements that all public charter school applicants and sponsors must follow. It does include a 45-day notice of intent to the State Board of Education which will include the proposed location of the Tribal charter school and the school district that will be partnered with the Tribe. Where a tribal charter school sponsored by the State Board of Education is located will impact which school district is going to partner with the Tribe. The timelines in the OARs allow time for the Department to review this with the Tribe prior to notice to the school district. This section delegates the process to the Department.
 - **Public Charter School Proposal Review (Tribal Proposal to State Board of Education)** – This section also mirrors the same timelines and requirements that all public charter school applicants and sponsors must follow. The rules do include an allowance for the State Board of Education to extend timelines to align with the scheduled meetings of the Board as needed. The section also delegates the process to the Department.
3. Amendments throughout sections to modernize language around delegations:
- **Delegations** – The OARs include updates throughout to replace “Superintendent of Public Instruction” with the “Director of the Oregon Department of Education or director’s designee” to align with current practice and historical meaning. This will allow the Department to continue its current practices related to public charter schools as work on behalf of the State Board through a formal process of delegating authority from the Board to the Director.

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](#)?

To honor Tribal sovereignty, the Department incorporated feedback from the Tribes regarding school district partnerships, the Tribal charter school governing body, and appeals. The OARs do not add additional requirements or steps for Tribes that other charter school applicants might need to comply with.

As Department staff met with the Tribes, school districts and other education partners, questions and ideas were compiled and will be incorporated in the ongoing Consultation, guidance documents, and technical assistance.

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 Department recommends that the Board adopt these temporary OARs to support a clear and transparent process by which Tribes may submit charter school proposals to the State Board for sponsorship. The OARs are procedural in nature. However, any Tribal charter school sponsored by the State Board of Education will be accountable to the same metrics as other

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public charter schools and will be choice schools where students may find increased belonging and wellness.

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.

Below, you will find the proposed changes to the Oregon Department of Education's rule(s) relating to Surrogate Parents. Proposed new text is bold, and the proposed text to remove is in bracketed italics.

Rule Number: 581-015-2320

Rule Title: 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) If the Juvenile Court appoints a surrogate parent for a child or adult student under ORS 419B.220 or 419C.220, within 10 school days of receipt of the ODHS Child Welfare School Notification, the school district must:

(a) Recognize and document the court-appointed surrogate as the student's educational decisionmaker;

(b) Secure and retain a copy of the appointment order; and

(d) Not override, terminate, or replace the court-appointed surrogate unless ordered by the Juvenile Court or upon receipt of a new court order.

(5) [(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).

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

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

(8) [(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.

(e) The surrogate, parent, or adult student, as appropriate, may request review or termination of the surrogate appointment at any time.

(9) [(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.

(10) [(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.

(11) [(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.

(12) [(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.

(13) [(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.

(14) [(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, ORS 343.045, ORS 343.055 & ORS 343.155

Statutes/Other Implemented: ORS 343.155 & 34 CFR 300.519

History:

ODE 33-2025, temporary amend filed 06/16/2025, effective 06/17/2025 through 12/12/2025

ODE 32-2025, temporary amend filed 06/16/2025, effective 06/16/2025 through 06/16/2025

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

Below, you will find the proposed changes to the Oregon Department of Education's rule(s) relating to Transfer of Procedural Rights at Age of Majority. Proposed new text is bold, and the proposed text to remove is in bracketed italics.

Rule Number: 581-015-2325

Rule Title: 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) Beginning no later than the first IEP at or after age 14, or earlier when the IEP team determines it is appropriate, the IEP team must annually consider and, where appropriate, include age-appropriate, documented activities and goals designed to build the student's capacity to understand and exercise procedural rights and self-determination.

(3) [(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 **or conditional 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. **For conditional surrogate appointments, the determination must include, but is not limited to:**

(i) Documentation of the adult student's informed consent to the conditional arrangement;

(ii) Clear specification of criteria describing when the adult student requires the aid of a conditional surrogate parent to provide informed consent regarding their educational program and criteria describing when the aid of that conditional surrogate will no longer be required;

(iii) A plan for regular review of the need for conditional surrogate status; and

(iv) Procedures for the adult student to revoke the conditional surrogate appointment at any time when they have capacity to do so.

(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]* for a ward of the state. **The district must follow requirements from OAR 581-015-2320 to document and recognize the appointment.**

(g) For students aged 18-21 incarcerated in state or local correctional facilities, the district or service provider must:

(i) Deliver all required notices using the correctional facility's delivery system;

(ii) Ensure the student can confidentially participate in IEP/surrogate discussions; and

(iii) Coordinate with facility staff to enable participation by the student's chosen representative (including by phone or video).

(h) Conditional Surrogate Appointment

(i) For the purposes of this rule, a conditional surrogate means a surrogate parent who exercises all rights and authority of a surrogate only during those periods of time when the IEP team has determined it necessary.

(ii) When the IEP team determines that an adult student requires the aid of a conditional surrogate parent to provide informed consent regarding their educational program, and after considering the principles of supported decision-making under subsection (2)(h) of this rule, the school district may appoint a conditional surrogate parent who shall exercise decision-making authority only during specific periods when the adult student's capacity makes them unable to provide informed consent for their educational program.

(iii) A conditional surrogate appointment shall be made only when:

(A) The adult student has provided informed consent during a period when able to do so for the conditional appointment;

(B) The IEP team has documented specific patterns or circumstances that predictably affect the adult student's decision-making capacity; and

(C) Clear activation criteria have been established and agreed upon by the adult student, IEP team, and proposed conditional surrogate.

(iii) The criteria to establish conditional surrogate authority includes but is not limited to:

(A) Documented medical or psychological episodes that temporarily impair decision-making capacity;

(B) Specific environmental stressors or circumstances that have been shown to impact the adult student's ability to participate meaningfully in educational decisions;

(C) Emergency situations requiring immediate educational decisions when the adult student's capacity is compromised and delay would result in harm to the adult student or others; or

(D) Other circumstances specifically documented in the adult student's IEP that create predictable periods of impaired capacity.

(iv) During periods when the conditional surrogate is not activated, the adult student retains all decision-making authority and rights under this rule.

(i) Supported Decision-Making Considerations: Before determining that a surrogate parent is necessary under subsection (2)(a) or a conditional surrogate is appropriate under subsection (2)(g), the IEP team shall consider and document whether supported decision-making could enable the adult student to participate meaningfully in educational decisions. Supported decision-making support may include but is not limited to:

(i) Providing additional time for the adult student to process information and make decisions;

(ii) Using plain language, visual aids, or other communication supports;

(iii) Allowing trusted supporters chosen by the adult student to assist in understanding options and consequences;

(iv) Breaking complex decisions into smaller components; or

(v) Scheduling meetings at times when the adult student's capacity is typically at its highest level.

(4) [(3)] If [an adult student meets the criteria provided in section (2) of this rule for appointment of] a surrogate or conditional surrogate is considered, the [school] district and IEP team must first document why less [promote the least] restrictive means [for ensuring adequacy and continuity of educational services] were not appropriate and what steps were taken to support the student's ability to participate meaningfully and independently in the IEP process without a surrogate or conditional surrogate.

(5) A school district is not responsible for the costs of a protective proceeding unless the school district is the Petitioner.

(6) [(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.

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

(8) Conditional Surrogate Implementation and Safeguards

(a) A conditional surrogate parent shall:

(i) Exercise authority only when the criteria described in this rule are met;

(ii) Involve the adult student in decision-making to the greatest extent possible, even during periods of impaired capacity;

(iii) Make decisions based on the adult student's known preferences, values, and previously expressed wishes;

(iv) Immediately cease exercising authority when the adult student's capacity is restored or when the adult student requests to resume decision-making authority.

(b) The school district shall:

(i) Document the basis for the appointment of a conditional surrogate;

(ii) Provide notice to the adult student and any relevant parties when conditional surrogate authority is activated or deactivated;

(iii) Review the need for conditional surrogate status at least annually or whenever requested by the adult student;

(iv) Maintain detailed documentation of all activations, decisions made, and deactivations; and

(v) Ensure that activation decisions are made by qualified personnel familiar with the adult student and their circumstances.

(c) The adult student retains the right to:

(i) Challenge any activation of conditional surrogate authority;

- (ii) Request immediate review of surrogate decisions;**
- (iii) Revoke the conditional surrogate appointment at any time when they have capacity;**
- (iv) Choose their own conditional surrogate, subject to the qualifications in subsection (2)(c).**
- (9) Presumption of Capacity and Dignity Preservation: All determinations under this rule shall:**
 - (a) Begin with a presumption that the adult student has capacity to make educational decisions;**
 - (b) Recognize that capacity can fluctuate and that lack of capacity at one time does not establish a permanent lack of capacity;**
 - (c) Respect the adult student's autonomy and right to make decisions that others might consider unwise;**
 - (d) Utilize the least restrictive means necessary to ensure appropriate educational services;**
 - (e) Prioritize the adult student's own expressed preferences, values, and previously stated wishes in all decision-making processes.**

Statutory/Other Authority: ORS 343.055 & ORS 343.155

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

History:

ODE 33-2025, temporary amend filed 06/16/2025, effective 06/17/2025 through 12/12/2025

ODE 32-2025, temporary amend filed 06/16/2025, effective 06/16/2025 through 06/16/2025

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

Summary

Meeting Date: 12/11/2025

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

Status: Second Reading/Adoption (item has changed)

Presentation: Yes

Key Staff: Ramonda Olaloye, Abby Wells

Topic Summary: ODE proposes the permanent adoption of rules establishing procedures for educational decision-making for disabled adult students and adult students experiencing disabilities who may lack capacity to provide informed consent. These rules, currently in effect on a temporary basis, address a critical regulatory gap identified by Disability Rights Oregon and fulfill federal IDEA requirements. This permanent adoption is supported by a comprehensive suite of implementation resources developed in response to feedback from engagement.

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 and OAR 581-015-2325 are foundational special education rules. Following Board action in June 2025, these rules currently operate under temporary amendments that close a significant regulatory gap. The temporary rules establish a clear, legally sound process for IEP teams to determine when an adult student who lacks the capacity for informed consent needs a surrogate parent appointed to represent their educational interests. This will ensure that this student population continues to receive a Free Appropriate Public Education (FAPE) without service disruption when they transition to adulthood.

- 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

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34 CFR § 300.520(b). This regulation mandates that a state “must establish procedures” for appointing an educational representative for an adult student who has not been found legally incompetent but is determined to be unable to provide informed consent. The federal government is prescriptive in what must be done but provides the Board with considerable discretion in how it implements these procedures, allowing flexibility in establishing the specific processes for determining capacity and appointing 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?

Yes. This item was brought as a first reading to the Board on October 16, 2025.

Prior to that, this item came before the Board on June 12, 2025. At that time, the Board voted to approve the temporary adoption of amendments to OAR 581-015-2320 and OAR 581-015-2325 to immediately address the identified regulatory gap.

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

This item is coming before the Board because the temporary rules adopted in June are set to expire. Permanent adoption is required to prevent the regulatory gap from reopening, which would result in a return to procedural uncertainty for districts, potential service disruptions for students, and non-compliance with federal law. Since the temporary adoption, ODE has conducted additional engagement and developed a suite of implementation resources aimed at supporting the effective and equitable implementation of these rules across the state.

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

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ENGAGEMENT STRATEGY AND LEARNINGS

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

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

Those most affected are disabled adult students who may lack capacity to provide informed consent, and their families. Our engagement has been multi-phased.

- **Phase 1 (Temporary Rules):** We conducted targeted engagement with Disability Rights Oregon (rights-based perspective), FACT Oregon (family perspective), Special Education Directors (implementation perspective), and the public via a survey.
- **Phase 2 (Permanent Rules & Implementation):** Based on feedback requesting clear guidance, our recent engagement has focused on refining a suite of implementation resources. We have engaged broadly with the public via survey, the State Advisory Council for Special Education (SACSE), and ODE's Ongoing Rules Committee Advisory (ORCA). Phase 2 engagement resulted in changes to the rule language being presented for adoption, which are documented in subsequent sections within this docket and in the rule language submitted with this item.

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.

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 was conducted statewide through a public survey and collaboration with organizations that have statewide representation.

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?

Feedback has been central to this entire process. Key themes and ODE's responses resulting in the version of the rules brought during First Reading included:

- Family Advocates & DRO emphasized self-determination, presumption of competence, and concern about potential bias. ODE responded by shifting the determination authority from the district to the full IEP team, mandating the consideration of supported decision-making first, requiring annual reviews, and centering student preferences in the rule.
- District Personnel highlighted practical implementation challenges, especially finding surrogates in rural areas, and requested standardized processes. ODE responded by committing to developing a suite of implementation guidance, sample forms, and training materials to support districts and address these challenges.

In addition to engagement on those materials, as part of Phase Two engagement, ODE also conducted public engagement related to the rule language itself. Phase two engagement did result in ODE making changes to the rule language being brought before the State Board of Education from the first reading in October. Based on this phase two engagement, the rules

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being presented today and for which ODE is seeking permanent adoption include changes as follows:

- **Emphasizing Supported Decision-Making:** The rule being proposed for adoption includes explicit language requiring consideration of supported decision-making options prior to appointing a surrogate parent.
- **Strengthening Student Agency:** The rule being proposed for adoption includes strengthened language to ensure the IEP team documents why less restrictive means were not appropriate before considering any surrogate appointment.
- **Conditional Surrogate Appointment:** The rule being proposed for adoption includes language that creates a “Conditional Surrogate” appointment: a less restrictive option driven by student choice. Under this clause, the surrogate’s authority is only activated when specific, pre-agreed-upon criteria are met (e.g., during a documented medical episode). The adult student must provide informed consent for the appointment.
- **Clarity for Court-Appointed Surrogates:** The rule being proposed for adoption includes a new section (4) clarifying district responsibilities. Districts must recognize a surrogate appointed by the Juvenile Court and cannot override the appointment unless ordered by the court.

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 Department is asking the Board to adopt these rules as being presented today. ODE will continue to engage with the field as it develops guidance, resources, and tools aiming to support the effective implementation of OAR 581-015-2320 and OAR 581-015-2325.

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 anticipates developing materials that school districts can use for these training purposes and remains committed to exploring further avenues of support in this area.

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 rule changes are not expected to have any fiscal impact on the Oregon Department of Education. All work related to developing guidance and providing technical assistance will be absorbed by existing staff. There are no anticipated impacts on 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?

Board action on this item will directly empower students who have traditionally been silenced or excluded from their own educational planning. By permanently adopting these rules, the Board will codify a “least restrictive alternative” framework that protects the civil rights of adult students experiencing disabilities and disabled adult students while providing a critical safety net for their families.

Specifically, this action incorporates key changes driven by our engagement with disability advocates, families, and district partners:

- **Prioritizing Supported Decision-Making (SDM):** These regulations will explicitly require IEP teams to attempt and document Supported Decision-Making before considering any surrogate appointment. This ensures that students who can make decisions with the help of trusted supporters – often from their own communities and families – retain their full legal autonomy, rather than being unnecessary stripped of their rights.
- **Introduction of “Conditional Surrogates”:** In direct response to engagement feedback regarding students with episodic mental health or medical conditions, we have created the “conditional surrogate” option. This innovative, less restrictive alternative allows a

surrogate's authority to activate only during specific, pre-defined periods of incapacitation. This prevents the "all-or-nothing" removal of rights that disproportionately impacts students with complex needs, ensuring they retain agency during periods of capacity.

- **Access for Families that Systems Marginalize:** Historically, families seeking decision-making support for adult children were forced into the complex, costly, and often inaccessible court system to obtain guardianship. These rules solidify a no-cost administrative pathway for appointing surrogates (including clarifying the process for recognizing court-appointed surrogates), removing significant financial and legal barriers for families from culturally, linguistically, ethnically, and economically diverse backgrounds.
- **Mitigating Bias:** By requiring objective data, collaborative team decisions, and regular reviews for any surrogate appointment, these rules establish safeguards against the implicit bias that often leads to the premature removal of decision-making power from students with intellectual disabilities and complex communication needs.

Ultimately, this action ensures that Oregon's students are not defined by their disabilities, but are instead afforded the dignity of risk and the right to self-determination.

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 will provide school district employees with clear, standardized procedures for situations they previously found legally ambiguous. This clarity reduces administrative burden and stress on staff. By shifting determination authority to the full IEP team, the rules promote collaborative decision-making and reduce the pressure on any single employee to make these critical 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:** Permanent adoption will ensure continuity of the procedural clarity and legal certainty established by the temporary rules.
- **Long-term:** The action will foster more equitable access to education for all students, increase the focus on student autonomy through supported decision-making, and potentially reduce families' reliance on formal guardianship proceedings.

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

Inaction would cause the temporary rules to expire, reopening the regulatory gap. This would lead to a return of procedural uncertainty for districts, potential educational service disruptions

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for students, inconsistent practices across the state, and alignment concerns with federal IDEA requirements. Adult students who lack the capacity to provide informed consent and their families would experience the most severe consequences.

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 Office of Enhancing Student Opportunities is bringing forward permanent amendments to OAR 581-015-2320 (Surrogate Parents) and OAR 581-015-2325 (Transfer of Procedural Rights at Age of Majority).

Together, these amendments:

- **Establish a clear, statewide framework for appointing surrogate parents and for appointing conditional surrogate parents for adult students** who cannot provide informed consent for their educational program, including detailed criteria, safeguards, and documentation requirements.
- **Codify a “supported decision-making first” and “least restrictive alternative” approach**, requiring IEP teams to document efforts to support an adult student’s own decision-making before appointing any surrogate and to explain why less restrictive options are not sufficient.
- **Clarify how districts must recognize and implement court-appointed surrogates**, including explicit procedures for honoring Juvenile Court appointments and coordination when Probate Court has appointed a guardian.
- **Add preparation for decision-making as part of transition planning**, by requiring IEP teams from at least age 14 to build students’ capacity to understand and exercise their procedural rights and self-determination.
- **Affirm a presumption of capacity and dignity of risk**, stating that adult students are presumed capable, that capacity can fluctuate, and that decisions must prioritize the student’s expressed preferences and use the least restrictive means necessary.

Key decisions requested of the Board

The primary decision before the Board is whether to adopt these permanent rule amendments as drafted, thereby:

- Codifying conditional surrogate appointments as a less restrictive option for students with fluctuating capacity;
- Embedding supported decision-making and least restrictive alternatives into rule, not just guidance; and

- Requiring districts to follow clear procedures for recognizing court-appointed surrogates and documenting surrogate/conditional surrogate use.

There are no specific policy options embedded in the draft text for which staff are asking the Board to choose between alternatives. The request is for approval of the package as presented

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 rule language is a direct product of extensive community feedback, designed to balance procedural clarity with the protection of student rights. The emphasis on team-based decisions, student preference, and supported decision-making strongly aligns with the Board's values of centering equity, sharing responsibility, and fostering self-agency for every student.

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 adoption of permanent amendments to OAR 581-015-2320 and OAR 581-015-2325. These amendments establish a clear, equitable framework for appointing surrogate parents (including "conditional surrogates") for disabled adult students and adult students experiencing disabilities who require support to provide informed consent. It also strengthens Oregon schools' commitment to supported decision-making and self-determination for all students experiencing disabilities and disabled students.

This action directly advances the Department's commitments in the following ways:

- **Academic Excellence:** By filling a critical regulatory gap, these rules ensure that no adult student's education is stalled or disrupted due to a lack of a decision-maker. They guarantee that the Individualized Education Program (IEP) process can proceed without interruption, ensuring students continue to receive the specialized instruction and services necessary to meet their academic and functional goals as they transition to adulthood.
- **Belonging and Wellness:** The rules move away from a deficit-based model of "incompetence" toward a model of support and agency. By prioritizing **Supported Decision-Making** and introducing **Conditional Surrogates**, the Department affirms that students with fluctuating capacity belong in the driver's seat of their own lives. This approach protects student wellness by allowing them to retain their civil rights and dignity during periods of wellness, rather than subjecting them to the trauma of permanent rights removal.
- **Reimagining Accountability:** These amendments shift accountability from a static compliance check to a responsive, student-centered process. Instead of simply asking "who signs the form," IEP teams must now account for *how* they are supporting the student's voice. The new safeguards – requiring data-driven evidence of incapacity,

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regular reviews, and the use of the “least restrictive alternative” – hold the system accountable to the student’s civil rights and actual needs, rather than administrative convenience.

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: ODE has developed a comprehensive suite of implementation resources, including detailed guidance for districts, a sample determination form, and accessible “At-A-Glance” documents for parents, educators, and students.

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?

Following the First Reading in October, ODE continued to refine the proposed rule language and develop implementation resources through targeted engagement opportunities. Below is a summary of the feedback received and the Department’s responses.

Engagement with Advisory Partners

The Department reviewed the proposed changes with ODE’s Ongoing Rules Committee Advisory (ORCA). During this review, a representative from FACT Oregon – Oregon’s federally designated Parent Training and Information Center (PTI) under the Individuals with Disabilities Education Act (IDEA) – expressed their organization’s “staunch” support for the revisions. They

further shared gratitude to ODE for continuing to center principles of disability justice throughout the rule development process.

Additionally, an ORCA member suggested including a specific definition for “fluctuating capacity” within the rules. After careful consideration, ODE determined that the concept is best addressed through the use of a “conditional surrogate” as described in the rule. This language more precisely outlines that a surrogate is appointed only during specific periods when the adult student’s capacity makes them unable to provide informed consent for their educational program, ensuring the least restrictive intervention possible.

Public Survey Feedback

To gather broader input, the Department conducted a public survey on the rule text. All necessary context was linked on the Department’s website and shared via ODE distribution lists. As of the development of this docket on December 4, 2025, the Department received six responses.

Overall, responses were affirming. All respondents indicated either neutrality, agreement, or strong agreement with the statement: “Overall, the proposed language in OAR 581-015-2320 and OAR 581-015-2325 is clear and understandable.”

Specific Feedback and Department Responses

Respondents provided specific qualitative feedback, which ODE has analyzed as follows:

- **Clarifying “IEP Team” Definitions:** One respondent queried whether the rule should explicitly reference OAR 581-015-2210 IEP Team when discussing decision-making.
 - **ODE Response:** Because “IEP Team” is already a well-defined term within this division of administrative rules, ODE determined that the current text provides sufficient legal clarity without additional cross-referencing.
- **Alignment of Age Requirements (14 vs. 16):** A respondent noted potential confusion regarding the requirement to consider self-determination starting at age 14 (or earlier if determined appropriate), given that federal transition planning requirements regarding the IEP begin at age 16.
 - **ODE Response:** While we appreciate the logistical benefits of age alignment, we recognize that the development of self-determination knowledge, skills, and abilities is a foundational component for effective transition planning. Therefore, the rule maintains the requirement for the IEP team to consider and include self-determination activities and goals at the earlier age, where appropriate, to better prepare students for the transition process.
- **Review Frequency:** A suggestion was made to require the review of surrogate parent appointments twice annually rather than once.

- **ODE Response:** The rule currently allows for more frequent reviews at the request of any IEP team member. ODE believes the current language appropriately safeguards the student's rights by ensuring the decision is reviewed at least annually, while maintaining the flexibility for the team to review more often as needed.
- **Terminology ("Surrogate Parent"):** One respondent expressed concern that the term "surrogate parent" can be a point of contention leading to student frustration and disengagement, suggesting alternative language such as "educational representative."
 - **ODE Response:** ODE deeply appreciates the need for language that is affirming and reduces barriers to engagement. However, "surrogate parent" is a well-established legal term within special education statute and regulation. Maintaining this terminology at a statewide level is necessary to ensure clear, consistent, and legally compliant implementation of the requirements.

Bridging Policy and Practice

Respondents emphasized the importance of ODE "giving explicit information on what meaningful participation means." While general feedback on the clarity of criteria was positive, some respondents noted implementation challenges. Specifically, one respondent expressed concern about distinguishing when to appoint a surrogate versus relying on supported decision-making. Another noted that while the language regarding "conditional surrogate" is clear, "the implementation likely will be difficult for districts to navigate."

ODE agrees with this assessment. These administrative rules provide the necessary high-level policy framework to enact a student-centered, agency-affirming approach to procedural rights at the age of majority. However, successful operationalization requires more than just rule text.

To support our district partners in navigating these complexities, ODE is finalizing a comprehensive suite of guidance documents, resources, and tools. These materials are designed to bridge the gap between policy and practice, ensuring districts can implement these rules effectively. We remain committed to ongoing partnership with local educational agencies to support this critical work.

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. While the public has largely been supportive of these proposed changes, following the First Reading, we received feedback reinforcing the need for clear guardrails around the new conditional surrogate option. Advocacy and advisory input emphasized that conditional surrogacy must not become a loophole for bypassing student consent; participants requested language ensuring students can revoke the arrangement when they have capacity, which was included. School District Administrators provided feedback on the "court-appointed surrogate" section, asking for specific clarity on how to handle conflicts between a court order and an IEP

team's observation of student capacity. The proposed language for OAR 581-015-2320 clarifies that when the Juvenile Court appoints a surrogate, the district must recognize and document that appointment without override unless ordered by the court.

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 during this final phase was that “flexibility requires structure.” While partners universally supported the concept of a conditional surrogate (the “flexibility”), there was a divergence of opinion on how to operationalize it. There were both fears that it could be overused and be too complex to manage. ODE addressed these concerns by embedding strict procedural safeguards directly into the rule (e.g., requiring specific, documented activation criteria and mandatory annual reviews) and in working to create a robust set of resources to support implementation.

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?

Since the First Reading, we have finalized the permanent rule text with the following key additions that were previously only “contemplated”:

- **Formalized “Conditional Surrogate” Framework:** We added specific regulatory language defining “conditional surrogate,” outlining criteria for activation/deactivation, and mandating that the student must consent to the arrangement while they have capacity. This directly answers the request from Directors for a less restrictive option for students with fluctuating capacity.
- **Clarified Juvenile Court Interaction:** We added a new section explicit detailing a school district’s duty to recognize and document surrogate parents appointed by the Juvenile Court. This resolves a gap identified by the State Advisory Council for Special Education (SACSE).
- **Strengthened “Supported Decision-Making First”:** We strengthened the language requiring IEP teams to document why Supported Decision-Making is insufficient before moving to any surrogate appointment, ensuring this is a meaningful step rather than a checkbox.



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Supporting Student Self-Determination

Seeking Permanent Adoption of OAR 581-015-2320 & 2325

Ramonda Olaloye and Abby Wells
Office of Enhancing Student Opportunities

December 11, 2025

A Regulatory Gap & An Opportunity

The Problem

Federal law requires a process for adult students who lack capacity to provide informed consent. Oregon had none – creating legal risk, service disruptions, and non-compliance.

Our Response

Rather than a mere technical fix, we seized this as an opportunity to center disability justice: to shift from presumption of incompetence toward presumption of competence and student agency.

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What This Actually Means: Key Terms

Surrogate Parent

- Someone appointed to make educational decisions for a student.
- *Think: a substitute decision-maker when the parent is not available or the adult student needs support.*

Supported Decision-Making

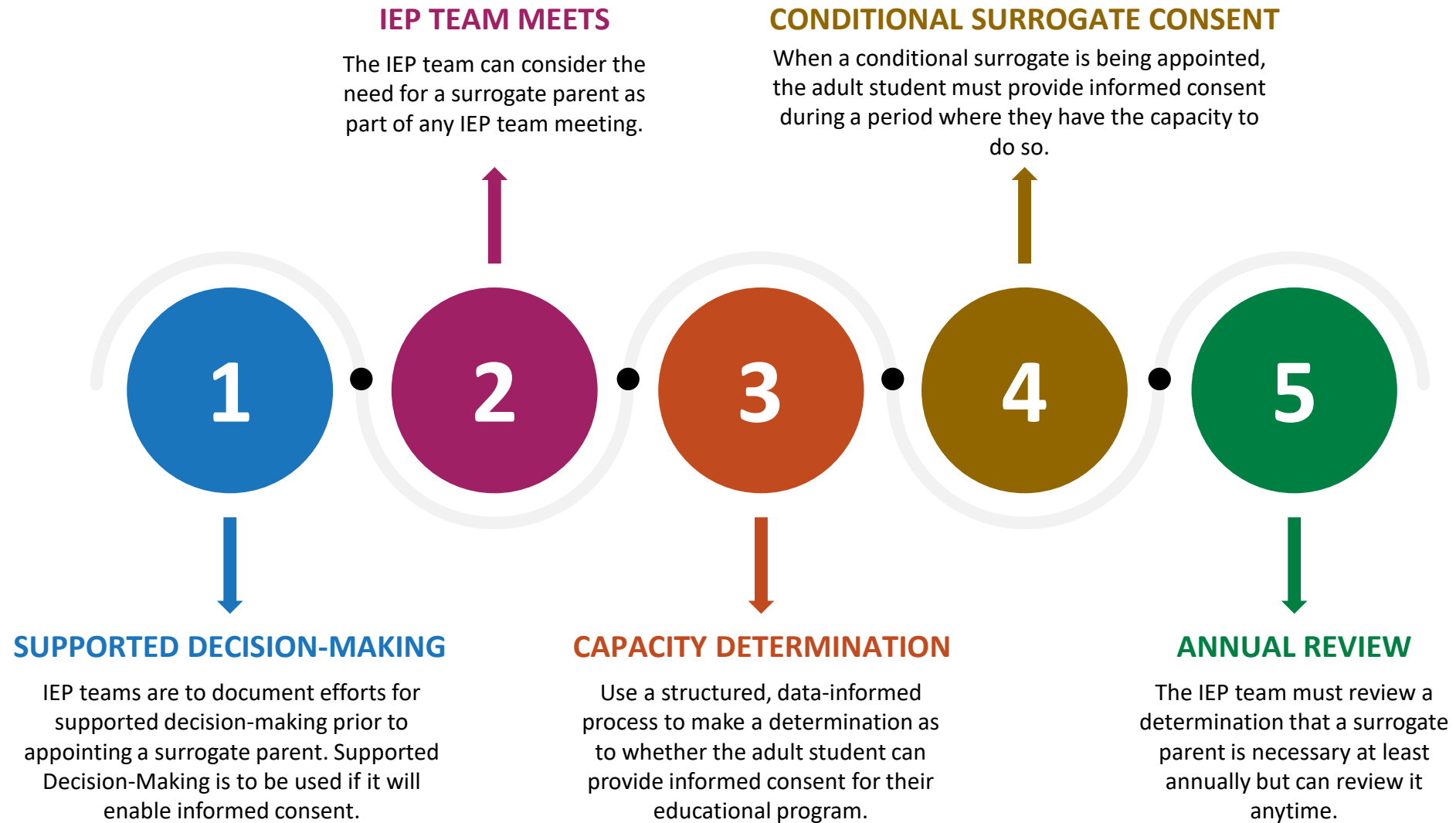
- Helping a student understand options and make their own decision.
- *Example: explaining a placement change in clear language, answering their questions, then letting them choose.*

Conditional Surrogate

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- A surrogate who steps in only during specific, predictable periods.
- *Example: A student with seizures makes decisions during stable periods; surrogate helps during acute episodes only.*

The Process: How It Works (Adult Students)



From Deficit to Dignity: The Core Shift

The Old Model:

Presume Incompetence.
Remove Rights.
Default to Guardianship.
All-or-nothing.

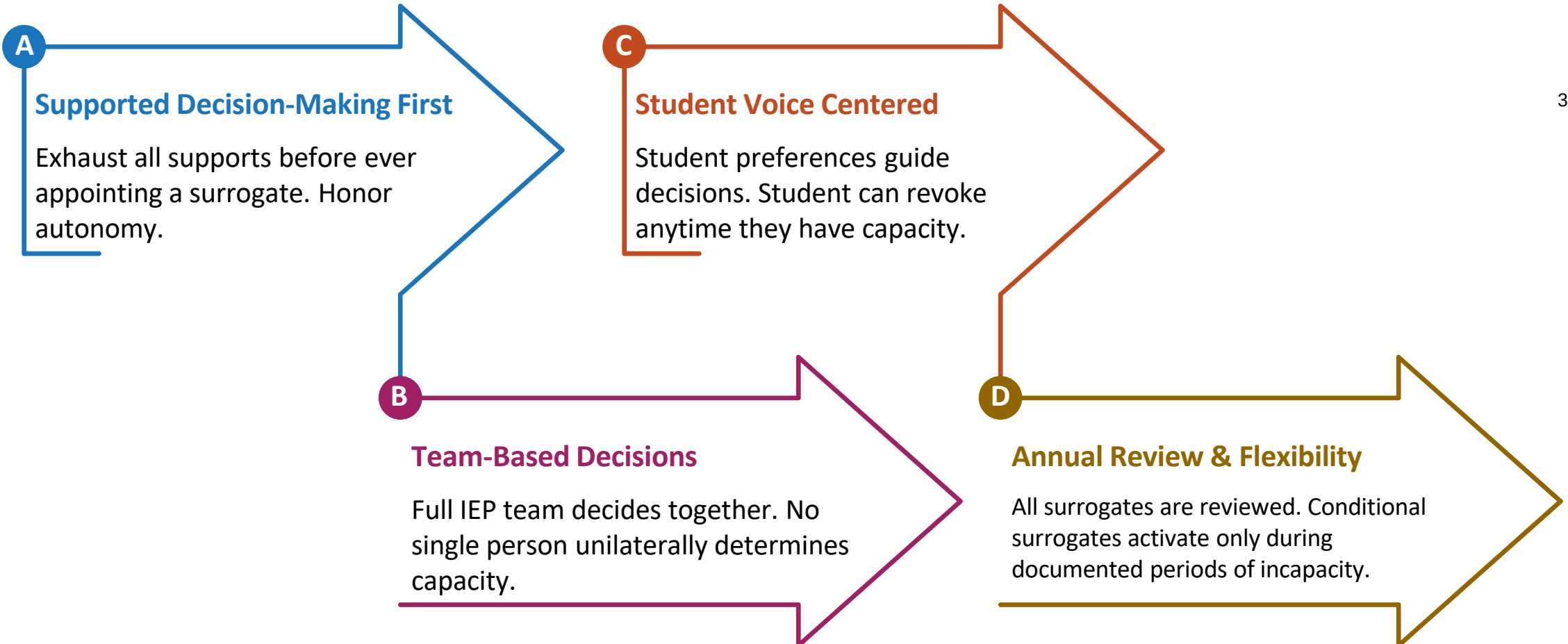
This Model:

Presume competence.
Support autonomy.
Offer flexibility.
Preserve dignity.

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By centering supported decision-making and introducing conditional surrogates, we affirm that all students belong in the driver's seat of their own lives.

How Disability Justice Becomes Practice



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Dismantling Barriers, Centering Rights

Access for Families Historically Excluded

Creates an accessible administrative pathway – no costly court guardianship needed. Especially powerful for families from culturally diverse, economically disadvantaged, rural, and linguistically diverse backgrounds.

Protecting Against Bias

Safeguards embedded: collaborative team decisions, objective data requirements, regular reviews. These protections mitigate bias against students with intellectual disabilities and complex communication needs.

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By centering supported decision-making and introducing conditional surrogates, we affirm that all students belong in the driver's seat of their own lives.

Your Decision Today

- **Adopt Permanent Rules that:**
 - **Close a federal compliance gap** by establishing required procedures
 - **Center disability justice** by presuming competence, not incompetence
 - **Protect students** through team-based, data-driven decisions
 - **Advance equity** by removing barriers for historically marginalized families

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This is both a compliance decision and a values decision.

Update on SB 756 Implementation (Informational Only): *Response to June 2025 Board Inquiry*

The Question

How will ODE respond to **inconsistent implementation of SB 756 requirements** for classified staff (e.g., bus drivers, educational assistants) regarding:

- Access to relevant student records (IEPs, 504 Plans, Behavior Plans);
- Meaningful consultation and meeting participation; and
- Compensation for time spent in planning and meetings?

ODE Action Plan

- ☑ **Guidance:** Publish resources in support of consistent application of the law.³⁸⁹
- ☑ **Professional Development:** Support school district and program capacity to implement ORS 343.068.
- ☑ **Systemic Improvement:** Review OARs and Statutes for alignment and clarity.

Context: This update is distinct from today's OAR adoption. It is provided to be responsive to Board questions from June 2025 regarding Senate Bill 756.

Questions?

Summary

Meeting Date: 12/11/2025

Title: Education Accountability Act: Definitions & Metrics

Status: Second Reading/Adoption (item has changed)

Presentation: Yes

Key Staff: Cassie Medina, Blake Whitson

Topic Summary: The 2025 Education Accountability Act requires The Department, in rule, to establish definitions of student group, definition of 3rd grade reading proficiency, definition of 8th grade math proficiency, local metrics, differentiated metrics, statewide performance targets, and performance growth targets.

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 Education Accountability Act is a new statewide initiative grounded in the foundation laid by the Student Success Act. It establishes a comprehensive accountability framework that requires the State Board of Education to, through rule adoption, develop Statewide Performance Targets; the Oregon Department of Education to collaborate with districts to co-develop Performance Growth Targets, and provide differentiated support along a Continuum of Support. The Act also requires the department to monitor progress and determine whether districts are meeting their targets.

This initiative primarily affects school districts, which are responsible for aligning local efforts to statewide goals and demonstrating measurable progress that results in improved student outcomes.

Ultimately, the Act serves students by making desired outcomes transparent and actionable. It helps focus resources and investments on what matters most. By emphasizing equity,

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transparency, and continuous improvement, the initiative aims to ensure every student in Oregon has the opportunity and support to thrive.

- 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 2025 Education Accountability Act (SB 141) directs the State Board of Education to adopt multiple items in rule.

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

The proposed rules were presented to the State Board for a first reading on November 6th, 2025. No action was taken on the proposed rules at that time.

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

We are coming back to the State Board after continued engagement and refinement of the proposed rules based on feedback from the field and partners for a second reading of the proposed rules as revised based on continued engagement and for adoption.

- 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

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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?

As we engaged in the formal rule-making process, we prioritized inclusive outreach to ensure that those most impacted, school districts across Oregon, were meaningfully involved in the development and refinement process. Recognizing that Statewide Performance Targets and district-level Performance Growth Targets will directly affect how districts are held accountable, we intentionally engaged with, and continue to engage with, a diverse range of partners across the state.

Our engagement efforts included representation from partners, districts, charter schools, and ESDs of varying sizes and geographic regions, ensuring the rules reflect the realities and needs of Oregon's education landscape.

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

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

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

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

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

Please enter your answer here

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

- ☒ Northeast Oregon
- ☒ Central and Southeast Oregon
- ☒ Southwest Oregon
- ☒ Willamette Valley and Central Coast
- ☒ Northwest Oregon
- ☐ Tribal lands
- ☐ Other: _____

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

The work of the Education Accountability Act has impacts 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 the engagement process, we received substantial feedback on the proposed Local Metrics. Partners expressed concern about relying on state summative assessments in the Local Metrics, particularly their limitations in recognizing the growth of emerging bilingual students as the test is only offered in English. There was strong support for incorporating interim assessments as more responsive and locally relevant measures. Additionally, feedback highlighted duplication between two proposed Local Metrics and existing Common Metrics in statute, prompting calls for greater clarity and alignment. Many partners also advocated for the inclusion of Career and Technical Education and Post-Secondary metrics to better reflect student pathways. These insights have directly informed ongoing revisions to the draft rules. In addition to the feedback on the Local Metrics we received feedback with concerns on a set list of differentiated metrics for ESDs serving students in K-12 receiving specialized serves and for eligible day treatment programs and eligible residential treatment programs for education services to children who are in treatment programs due to the fact these programs can vary greatly in the students they are serving. In addition, we have received feedback on the definitions and the inclusion of Talented and Gifted/High Performing Students as a named focal student group in the definitions.

Based on the feedback received we are presenting an updated rules set that use several alternative measures of the local metrics that are preferred by the field. In addition, for the two sets of differentiated metrics we have developed a framework in the rules that allows for the creation of metrics specific to each program that are appropriate for the students served by that specific program. And while we have heard feedback on the inclusion of TAG/High

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Performing Students as a focal student group and understand the frustration at a lack of access to TAG programs we do not feel that the definitions for the Education Accountability rules and the Student Investment Account Focal Student groups is the appropriate place to address these issues. The intent and purpose of the Student Success Act was and continues to be closing achievement gaps for historically underserved and marginalized student populations. A focal group of high performing students is not consistent with that purpose. In addition, SIA does name expanding access to TAG programs as an allowable use even though TAG students are not a named focal group. And increasing access to TAG programs for historically underserved student populations would already be reflected in the currently named student focal groups.

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

We have continued to engage with the ODE Technical Advisory Committee (TAC), including adding two additional optional TAC meetings to engage further on potential alternative measures for the Local Metrics as well as for the Differentiated Metrics. In addition to the TAC Meetings, we have also engaged three sessions with the Oregon Rules Community Advisory (ORCA) to present the original draft of the rules, and subsequent updates. Including the most recent updates during the 12/4/2025 ORCA meeting. The Department has also engaged with representatives of the Oregon Coalition of Community Charter Schools, the Coalition of Oregon School Administrators, the Oregon School Boards Association, the Oregon Association of Education Service Districts, and program staff within the Department of Education. These engagement sessions reflected a broad external audience that has had a chance to offer input into the current version of the proposed rules. These ongoing conversations have been critical to finalizing the rule sets in a way that reflects diverse perspectives and ensures clarity, feasibility, and equity in implementation.

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.

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These rules will not create additional fiscal or administrative burden for any of the above named.

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

These rules will not create additional fiscal or administrative burden on the above named.

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?**

Administrative Rules implemented under the 2025 Education Accountability Act present a significant opportunity to advance racial equity in Oregon's education system by making disparities more visible, setting growth targets, and providing support to districts in order to close gaps. The rules continue on the work started with the Student Success Act and Student Investment Account in centering equity at the core of the improving outcomes.

- 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?**

NA

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

In the short term, Board action will support the Department's work to continue developing Statewide Performance Targets and provide districts with guidance to begin planning their Performance Growth Targets. This action creates clarity and momentum for implementation. In the long term, it allows districts more time to prepare, align local systems, and build capacity for meaningful engagement with the new accountability framework. It also enables the Department to offer more comprehensive and responsive guidance, ultimately supporting smoother implementation of the Education Accountability Act. Over time, this will contribute to greater system stability and more consistent, equitable outcomes for students across Oregon.

18. 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 take action on this item, it will delay the Department's ability to implement key components of the Education Accountability Act, including the timely development of Statewide Performance Targets and the co-development of Performance Growth Targets with districts. This delay would impact the Department's capacity to provide clear, actionable guidance to districts, potentially creating confusion. Ultimately, inaction could disrupt the timeline established in the Act, reduce system readiness, and hinder efforts to build a stable and equitable accountability framework that supports improved outcomes for students across Oregon.

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?

- This rule set consists of seven different rules:
 - Definitions - The definitions rule set define student groups and provides definitions of metrics. The student group definitions have been taken from the definitions for focal student groups as adopted for the Student Investment Account.
 - Third Grade Reading Proficiency - The definition for third grade reading proficiency was taken as adopted from the Student Investment Account.
 - Eighth Grade Math Proficiency - The definition for eighth grade math proficiency has been based on the adopted definition of third grade reading proficiency.
 - Local Metrics - The local metrics establish the list of local metrics, from which school districts will choose one for inclusion in their Performance Growth Targets.
 - Differentiated Metrics - This rule set established metrics for Education Service Districts that have enrolled students for specialized services, approved recovery schools, the Youth Corrections Education Program, the Juvenile Detention Education Program, The Oregon School for the Deaf, and eligible day treatment programs.
 - Statewide Performance Targets - This rule set establishes the metrics that will be used for setting Statewide Performance Targets for the 2029-2030 school year.
 - Performance Growth Targets - This rule set establishes the process for co-development of growth targets between the Oregon Department of Education

and School Districts. The rules also establish the minimum n-size requirement for the purpose of target setting.

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 rule language has been developed and refined through internal conversations with ODE staff, the Oregon Rules Community Advisory (ORCA), the Technical Advisory Committee, surveys, engagement with external partners, and more. The draft rules have continued to be revised based on feedback through these engagement efforts.

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 bringing these rules back for a second read and a recommendation for adoption of the draft administrative rules. These rules reflect numerous changes based on the feedback we have received from districts and community partners to better serve districts and the intent of accountability and reimagining how we track accountability. Further, adoption of the rules during this meeting will allow the department to move forward with implementation planning and ensuring high quality guidance is developed and available in a timely manner to facilitate the co-development of Performance Growth Targets during the spring of 2026.

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

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

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

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

APPENDIX A: SECOND READING

Appendix A should only be completed if “yes” is selected for question 23. Using plain language, this section should provide a summary of any additional engagements, learnings, or changes that have occurred since the First Reading of this item.

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

Since the first reading our office has continued to engage with partners via the Technical Advisory Committee as well as additional meetings with groups such as COSA and ORC3S as well as ODE program staff to continue to get feedback and dialogue on the proposed rules. We intentionally aimed to include multiple perspectives including from small and rural districts as well as charter schools, ESD's, and programs.

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

We have received public comment regarding the rules from COSA and ORC3S regarding the draft rules. The ORC3S feedback was focused on the grouping of charter schools with their sponsoring districts and how virtual charter schools are considered with similar district groupings. As we considered the feedback, and engaged with partners specifically on this topic, we released a final decision on December 3rd to use a standard approach to separate charter school data from their sponsoring district's data for statewide accountability purposes. The feedback from partners is reflective of prior feedback on the previous draft rules sets. Particularly concern around the use of summative assessment data for the measure of Academic Growth as well as concern around the use of ELPA 21 for the measure of English Language proficiency was identified. Other concerns addressed the use of National Student Clearinghouse data for metrics around post-secondary enrollment as that would not capture things like military enlistment or career/vocational programs.

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

Since the First Reading of this item, we have continued to engage deeply with partners across the state to better understand what matters most to them and what will lead to meaningful metrics and improved outcomes for students. These conversations have provided valuable insights into the priorities and perspectives of diverse communities, and they have helped us refine our approach.

We recognize there are varying opinions statewide, and we have worked intentionally to honor those differences. This has included creating space for dialogue, listening sessions, and iterative feedback processes where partners could share concerns and recommendations. When differences in opinion emerged, we focused on identifying common values and ground

decisions in our shared commitment to equity and student success. In practice, this means clarifying language, adjusting definitions, and ensuring flexibility where possible so that the rules are responsive to local contexts while maintaining statewide coherence.

Overall, these learnings have strengthened the clarity of the rules and reinforced the importance of ongoing collaboration and partnership as we move toward implementation.

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 have made numerous changes to the draft rules based on the continued engagement since the first reading. These changes reflect the consistent and near universal feedback we have received on the metrics and how the metrics would be measured.

Local Metrics

- Academic Growth – measure changed to use interim assessments
- On-track to English Language Proficiency – measure changed to use seal of biliteracy and multiliteracy.
- 5th grade science achievement – measure remains unchanged
- Post-secondary enrollment changed to College Readiness as measured by the composite of students earning dual credit and Advanced Placement and International Baccalaureate completion
- CTE Credit Attainment changed to Career and Workforce Readiness as measured by the composite of CTE Participants and CTE Concentrators

Differentiated metrics

- For ESDs serving students in graded k-12 for specialized services – develop up to five metrics with the department using criteria outline in rule
- For eligible day treatment programs and eligible residential treatment programs for education services to children who are in treatment programs – choose two of the measures as specified in rule and develop three additional with the department using criteria outline in rule.



Education Accountability Act: Performance Growth Target Definitions and Metrics

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Cassie Medina (she/her), Assistant Superintendent

Blake Whitson (he/him), Senior Strategic Information Systems Advisor

Office of Education Innovation and Improvement

ODE.EII@ode.oregon.gov

Accountability Rules: Context

How We Got Here



402

Accountability Rules: Equity Impact

The Oregon Department of Education centers the full capacity of children and learners of all ages - ensuring that they flourish academically, socially, emotionally, and holistically at every stage of their education. Students become actively engaged citizens who are ready to learn, ready to earn, and ready to contribute to their communities.

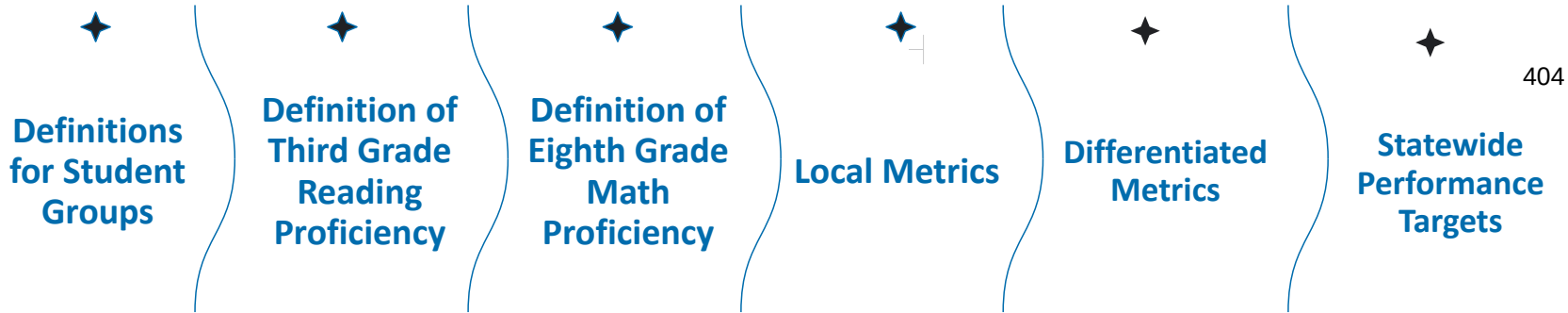
403

Change for Oregon's scholars must begin with the Oregon Department of Education and extend from the instructional core to the school door.



Performance Growth Target Administrative Rules: Overview

The Education Accountability Act (EAA) requires the State Board of Education to adopt, in rule, the following for Performance Growth Targets (PGTs):



Engagement Strategy

Internal Workgroup

Alignment between the Office of Education Innovation and Improvement and the Office of Research, Assessment, Data, Accountability, and Reporting.

Surveys

Internal and external surveys were conducted to provide feedback on a proposed list of 12 metrics, with the opportunity to propose additional metrics for consideration.

Internal Partners

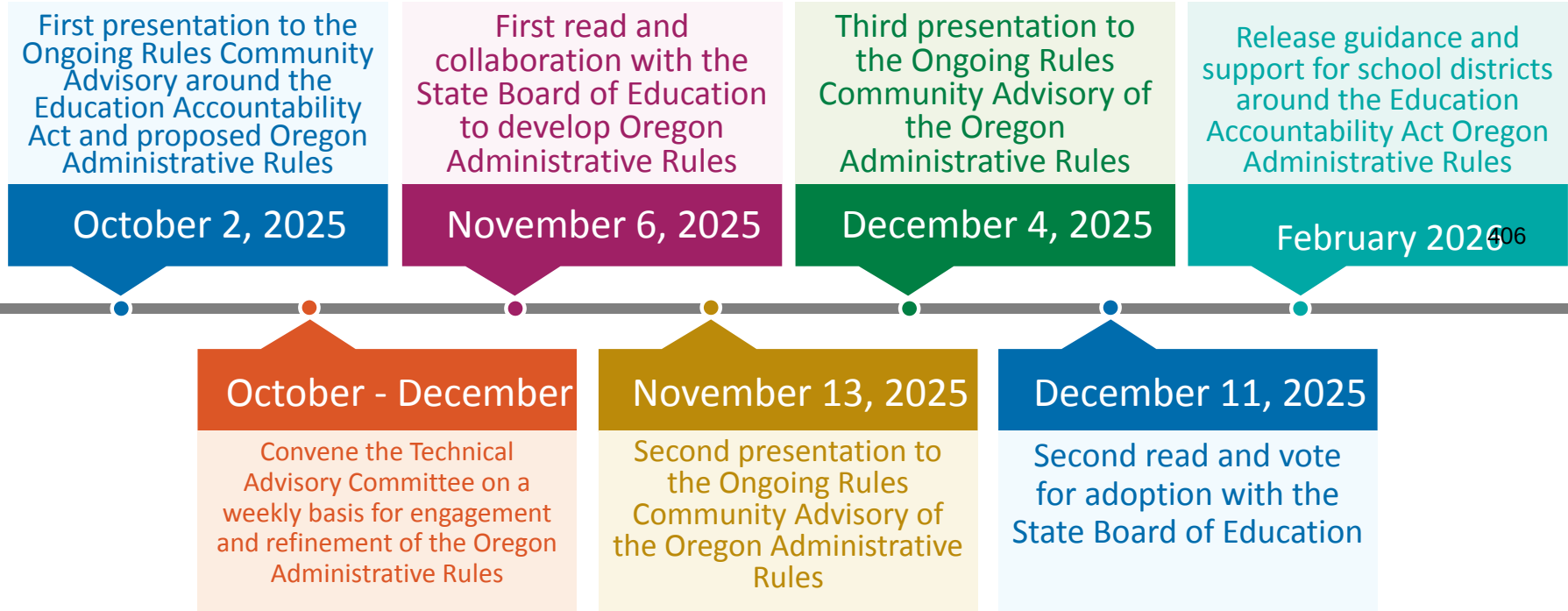
Internal partners included staff and leaders who work with Recovery Schools, Long Term Care and Treatment Programs, Youth Corrections and Juvenile Detention Education Programs.

Technical Advisory Committee

Established a Technical Advisory Committee to further engage and develop meaningful metrics.

405

Administrative Rule Development Timeline



Definitions: Summary of Changes

Rule language taken directly from the Student Investment Account:

- Definitions for **student groups**
- Definition of **Third Grade Reading Proficiency**

407

Rule language based on Student Investment Account definitions

- Definition of **Eighth Grade Math Proficiency**

Definitions: Summary of Changes

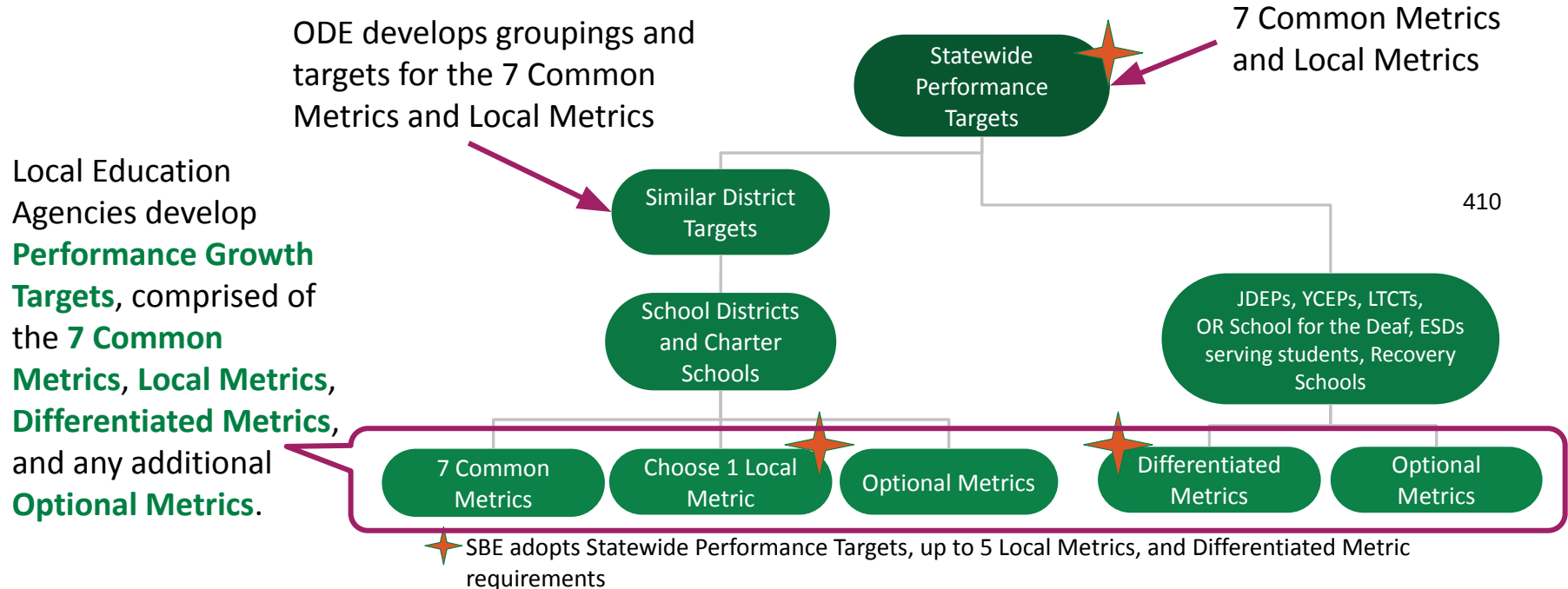
“Education Service District that has enrolled students in any grade from kindergarten through grade 12 for specialized services” means an Education Service District-operated program or school providing core instruction and supports for students whose needs cannot be met within their resident district. These programs include, but are not limited to, care programs for medically fragile students, life skills programs, functional living skills programs, social-emotional programs, autism-specific programs, and independent schools operated by an Education Service District. This definition excludes approved recovery schools, the Youth Corrections Education Program, the Juvenile Detention Education Program, Oregon School for the Deaf, and day treatment programs as described in ORS 343.961.

Metrics: New Rules

- **Statewide Performance Targets**
 - Includes the **Common Metrics** and the **Local Metrics**
- **Local Metrics**
 - **Up to five Local Metrics** from which school districts **must select one**
- **Differentiated Metrics**
 - Metrics to be used for **Education Service Districts serving students, the Youth Corrections and Juvenile Detention Education Programs, Recovery Schools, Oregon School for the Deaf and Long Term Care and Treatment Programs**
- **Local Education Agency (LEA) Performance Growth Targets**

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Performance Growth Targets (PGTs)



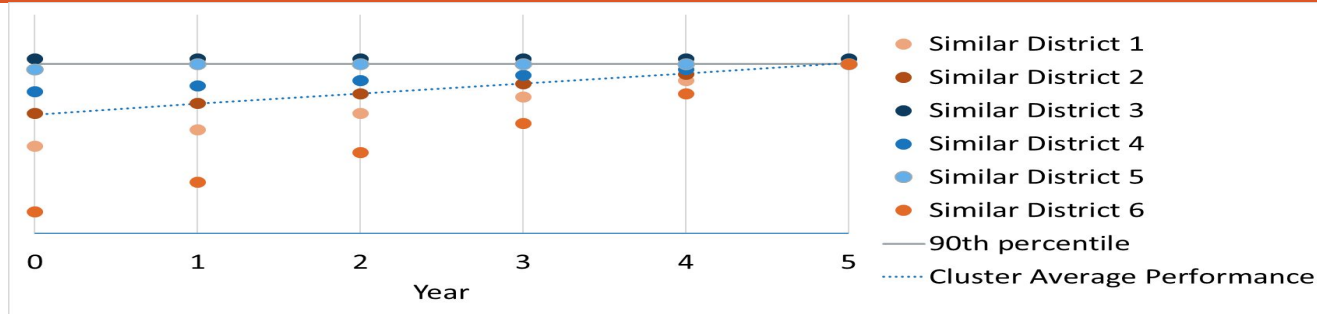
Statewide Performance Targets: Recommendation

For each of the **7 Common Metrics** and **5 Local Metrics**, the State Board of Education shall adopt **targets for the state**. The targets will be set for the **2029-30 school year**.

Percentile-Based

Determine a percentile rate for each Similar District *cluster* for 2024-25 and set that rate for all districts in the *cluster* as the target for the 2029-30 school year. Then, extrapolate a statewide target from the weighted average.

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Local Metrics

State Board of
Education adopts up
to **Five Local Metrics**
and establishes
Statewide
Performance Targets
for each

Targets are created for
each Similar District
group for each Local
Metric

School
districts/charter
schools **select one** ⁴¹²
from the adopted list
for inclusion in their
Performance Growth
Targets

Local Metrics: Proposed Top Five

- Fifth Grade Science Achievement
 - *Indexed measure of student achievement in science using the Oregon Statewide Summative Assessment System*
- Academic Growth
 - *The change in a student's score over time measured by interim assessment⁴¹³ in Language Arts and Math*
- Career and Workforce Readiness
 - *Composite total of CTE Participants and CTE Concentrators*
- Multilingual Proficiency
 - *Number of students earning the seal of biliteracy or multiliteracy.*
- Postsecondary Readiness
 - *The composite of students earning dual credit and Advanced Placement and International Baccalaureate completion.*

Local Metrics:Additional Options

- Mental and Behavioral Health
 - *Student Health Survey*
- Student Belonging
 - *Student Educational Equity Development*
 - *Composite approach of several survey questions within the student⁴¹⁴ belonging domain*
- Severely Chronically Absent
 - *Student who is absent 20% or more of their enrolled school days*
- Dropout Rate
 - *Student who withdraws from school and did not graduate or transfer to another school that leads to graduation*

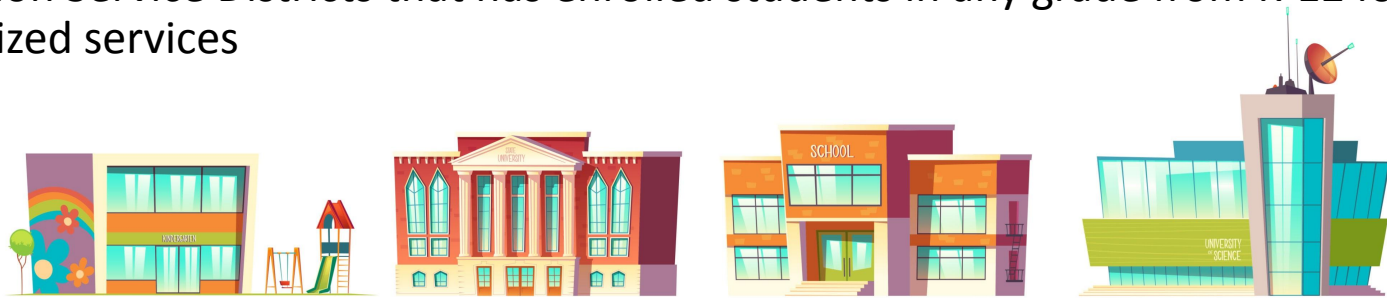
Differentiated Metrics:

Local Education Agency (LEA) Types

The LEAs that use Differentiated Metrics include:

- The Juvenile Detention Education Program (JDEP)
- The Youth Correctional Education Program (YCEP)
- Long Term Care and Treatment Education Programs (LTCTs)
- Approved Recovery Schools
- Oregon School for the Deaf (OSD)
- Education Service Districts that has enrolled students in any grade from K-12 for specialized services

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Proposed Differentiated Metrics - The Juvenile Detention Education Program

The State Board of Education must adopt requirements for **differentiated metrics** for entities that are not a school district or charter local education agency (LEA), **which will comprise their Performance Growth Targets.**

1

Dropout Rate

2

Percentage of students who earned high school credit while in the facility

3

Percentage of students enrolled in their local high school within 90 days of exiting the program

416

Proposed Differentiated Metrics - The Youth Corrections Educational Program

The State Board of Education must adopt requirements for **differentiated metrics** for entities that are not a school district or charter local education agency (LEA), **which will comprise their Performance Growth Targets**.

417

1

Dropout Rate

2

Percentage of students who earned high school credit while in the facility

3

Percentage of students enrolled in their local high school within 90 days of exiting the program

4

Five-Year Completion Rate

5

K-12 Regular Attendance Rate

Proposed Differentiated Metrics - ESDs serving students in grades K-12 for specialized services

The State Board of Education must adopt requirements for **differentiated metrics** for entities that are not a school district or charter local education agency (LEA), **which will comprise their Performance Growth Targets**.

Up to five metrics co-developed with ODE that meet the following:

418

- 1 Be a measure of student performance outcomes
- 2 Have at least two years of historic data with at least 10 students
- 3 Be disaggregated by focal student groups

- 4 Continue data collection for the duration of PGT span
- 5 Provide aggregate data for the metric to ODE in annual reporting
- 6 Make available student level data upon request

Proposed Differentiated Metrics - Long Term Care and Treatment Programs

The State Board of Education must adopt requirements for **differentiated metrics** for entities that are not a school district or charter local education agency (LEA), **which will comprise their Performance Growth Targets**.

Select two metrics from the list below *and* up to three metrics co-developed with ODE that meet the requirements on the previous slide:

419

1

Dropout Rate

2

Percentage of students who earned HS credit in facility

3

Percentage of students enrolled in their local school district within 90 days of exit

4

Five-Year Completion Rate

5

K-12 Regular Attendance Rate

6

K-2 Regular Attendance Rate

Proposed Differentiated Metrics - Approved Recovery Schools & Oregon School for the Deaf

The State Board of Education must adopt requirements for **differentiated metrics** for entities that are not a school district or charter local education agency (LEA), **which will comprise their Performance Growth Targets**.

- 1 K-12 Regular Attendance Rate (OSD) or Attendance Rate (recovery schools)
- 2 3 Years of 4-Year Graduation Rate
- 3 3 Years of 5-Year Completion Rate

420

Performance Growth Targets

This Administrative Rule states the types of metrics and targets included and when an Local Education Agency (LEA) needs to create targets.

- Target Types
 - Baseline (all students)
 - Gap-Closing (combined focal student group)
- Minimum student population
 - For the metric (e.g. K-2 Regular Attenders) and target type (Baseline/Gap-Closing), the LEA needs to have had at least 10 students for the last 4 years or all years of data, if fewer than 4.

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Questions?



422

Definitions

581--003-0001

Definitions for the Education Accountability Act

The following definitions apply to OAR 581-014-0001 to 581-014-9999 & OAR 581-003-0001 to 581-003-0030:

(1) “Academic Growth” means the change in a student’s performance over time as measured by interim assessments in Language Arts and Mathematics.

(2) “Combined Focal Group Students” means students reported to the Oregon Department of Education through standard data collections in any of the following student groups:

(a) Economically Disadvantaged Students;

(b) Students Recently Arrived;

(c) Justice Involved Youth;

(d) Students from Racial or Ethnic Groups that Have Historically Experienced Academic Disparities

(e) Students who are Pregnant, Parenting, and/or Students who Experience any Pregnancy-related Condition

(f) Students with Disabilities

(g) Foster Students

(h) Students who are Homeless

(i) Migratory Students

(j) Emerging bilingual students

(3) “Common Metrics” means the following student performance metrics:

(a) On-time graduation rate;

(b) Five-year completion rate;

(c) Ninth-grade on-track rate;

- (d) Eighth-grade mathematics proficiency rate;
 - (e) Third-grade English Language proficiency rate;
 - (f) Regular attendance rate; and
 - (g) Regular early-grade attendance rate
- (4) “Career and Workforce Readiness” means the composite total of CTE Participants and CTE Concentrators.
- (5) “Differentiated Metrics” means the metrics included in the Performance Growth Targets for institutions receiving state school funds that are serving students in nontraditional settings, including:
- (a) An Education Service District that has enrolled students in any grade from kindergarten through grade 12 for specialized services;
 - (b) An approved recovery school;
 - (c) The Youth Corrections Education Program;
 - (d) The Juvenile Detention Education Program;
 - (e) The Oregon School for the Deaf; and
 - (f) Eligible day treatment programs and eligible residential treatment programs for education services to children who are in treatment programs as described in ORS 343.961
- (6) “Disaggregated” means separated based on student group
- (7) “Economically Disadvantaged Students” means students who meet one or more of the following qualifications:
- (a) are participating in Supplemental Nutrition Assistance Program funded by the United States Department of Agriculture;
 - (b) are participating in the Temporary Assistance for Needy Families program as defined in Title IV of the Social Security Act;
 - (c) are foster students;
 - (d) are migratory students; or
 - (e) are students who are homeless.
- (8) “Education Service District that has enrolled students in any grade from kindergarten through grade 12 for specialized services” means an Education Service District-operated program or school providing core instruction and supports for students whose needs cannot be met within their resident district. These programs include, but are not limited to, care programs for medically fragile students, life skills programs, functional living skills programs, social-emotional programs, autism-specific programs, and independent schools operated by an

Education Service District. This definition excludes approved recovery schools, the Youth Corrections Education Program, the Juvenile Detention Education Program, Oregon School for the Deaf, and day treatment programs as described in ORS 343.961.

(9) “Foster Students” has the same meaning as defined in ORS 30.297(5)(c).

(10) “Fifth Grade Science Achievement” means the indexed measure of student achievement in Science for fifth grade students using the Oregon Statewide Assessment System.

(11) “Justice Involved Youth” means a student who is pre or post adjudication, has been or is currently detained in a secure juvenile justice facility, and/or has been or is currently placed in a community juvenile justice program.

(12) “LGBTQ2SIA+ Students” means students who may have one or multiple gender identities and/or sexual orientations including lesbian, gay, bisexual, pansexual, transgender, nonbinary, queer, questioning, two-spirit, intersex, and asexual. The plus sign (“+”) recognizes and includes the myriad ways to describe marginalized gender identities and sexual orientations.

(13) “Migratory Students” means a student who is a migratory worker or whose parent or guardian is a migratory worker in the agricultural, dairy, lumber, or fishing industries and who has moved due to economic necessity between school districts in the last thirty-six months, and is eligible to be a part of the Title 1-C Migrant Education Program.

(14) “Multilingual Proficiency” means the number of students earning the seal of biliteracy or multiliteracy.

(15) “Optional Metrics” are metrics not included in the Common Metrics, the school district’s selected Local Metric, or Differentiated Metrics that the school district chooses to include in their Performance Growth Targets.

(16) “Performance Growth Targets” means the targets set for each year through co-development between the school district and the Oregon Department of Education, starting with the 2026-27 school year, to comply with ORS 327.006-327.133.

(17) “Postsecondary Readiness” means the composite of students earning dual credit or Advanced Placement and International Baccalaureate completion.

(18) “Students Recently Arrived” means a student who was NOT born in any state or US Territory and who has not been attending one or more schools in any one or more state for more than three full academic years.

(19) “Students from Racial or Ethnic Groups that Have Historically Experienced Academic Disparities” includes, but is not limited to American Indian and Alaska Native (AI/AN and AI/AN+) students, Black and African American students, Hispanic and Latino students, Asian students, Native Hawaiian and Pacific Islander students, and multiracial students, and any other racial or ethnic group identified by the school district as historically experienced academic disparities.

(20) “Students who are Homeless” has the same meaning as in section 725 of the McKinney-Vento Act, 42 USC § 11434a (2).

(21) “Students who are Pregnant, Parenting, and/or Students who Experience any Pregnancy-related Condition” means students who are pregnant for any length of time, or who are actively caring for a child, whether biologically related to them or otherwise. This includes students with pregnancy-related conditions, including, but not limited to loss or termination of a pregnancy, childbirth, lactation, and/or mental health conditions.

(22) “Students with Disabilities” means a child with a disability as defined in ORS 343.035(1).

(23) “School district” means:

- (a) A common school district or a union high school district;
- (b) An education service district that has enrolled students in any grade from kindergarten through grade 12 for specialized services;
- (c) A public charter school;
- (d) An approved recovery school;
- (e) The Youth Corrections Education Program;
- (f) The Juvenile Detention Education Program;
- (g) The Oregon School for the Deaf; or
- (h) Eligible day treatment programs and eligible residential treatment programs for education services to children who are in treatment programs as described in ORS 343.961.

Third Grade Reading Proficiency

581-003-0005

Definitions for Education Accountability Act: Third Grade Reading Proficiency

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

Eighth Grade Math Proficiency

581-003-0010

Definitions for Education Accountability Act: Eighth Grade Math Proficiency

“Eighth-grade math proficiency rate” means the percentage of students in the eighth grade who are determined to be proficient or above based on Oregon’s statewide summative assessments in Mathematics.

Local Metrics

581-003-0015

(1) “Local metric rate” means the school district’s performance on a measurable student performance outcome.

(2) School districts shall select one of the following Local Metrics for inclusion in their Performance Growth Targets:

- (a) 5th Grade Science Achievement
- (b) Academic Growth
- (c) Career and Workforce Readiness
- (d) Multilingual Proficiency
- (e) Postsecondary Readiness

Differentiated Metrics

581-003-0020

(1) For school districts not identified in OAR 581-003-0001 (24)(a) and OAR 581-003-0001 (24)(c) the following Differentiated Metrics have been identified for the following:

(2) Education Service District that has enrolled students for specialized services

(a) Up to five metrics co-developed with the Oregon Department of Education that meet the following:

- (A) Be a measure of student performance outcomes;
- (B) Have at least two years of historic data with at least 10 students per year;
- (C) Be disaggregated by focal student groups;

- (D) Continue data collection using consistent definitions for the duration of the Performance Growth Target span;
 - (E) Provide aggregate data for the metric to the Oregon Department of Education in annual reporting; and
 - (F) Make available student level data to the Oregon Department of Education when requested.
- (3) Approved Recovery Schools
- (a) Attendance Rate
 - (b) Three years of the four-year graduation rate
 - (c) Three years of the five-year graduation rate
- (4) The Youth Corrections Education Program
- (a) Dropout rate.
 - (b) Percentage of students who earned high school course credits in facility.
 - (c) Percentage of students enrolled in their local school district within 90 days of exit from the program.
 - (d) Five-year completion rate
 - (e) K-12 regular attendance rate
- (5) The Juvenile Detention Education Program
- (a) Dropout rate.
 - (b) Percentage of students who earned high school course credits (in facility).
 - (c) Percentage of students enrolled in their local school district within 90 days of exit from the program.
- (6) The Oregon School for the Deaf
- (a) K-12 regular attendance rate
 - (b) 3 years combined 4-year graduation rate
 - (c) 3 years combined 5-year completion rate
- (7) Eligible day treatment programs and eligible residential treatment programs for education services to children who are in treatment programs as described in ORS 343.961
- (a) Select two metrics from:
 - (A) Dropout rate.

- (B) Percentage of students who earned high school course credits in facility.
- (C) Percentage of students enrolled in their local school district within 90 days of exit from the program.
- (D) Five-year completion rate
- (E) K-12 regular attendance rate
- (F) K-2 regular attendance rate
- (b) And up to three metrics co-developed with the Oregon Department of Education that meet the following:
 - (A) Be a measure of student performance outcomes;
 - (B) Have at least two years of historic data with at least 10 students per year;
 - (C) Be disaggregated by focal student groups;
 - (D) Continue data collection using consistent definitions for the duration of the Performance Growth Target span;
 - (E) Provide aggregate data for the metric to the Oregon Department of Education in annual reporting; and
 - (F) Make available student level data to the Oregon Department of Education when requested.

Statewide Performance Targets

581-003-0025

- (1) For Statewide Performance Targets, the targets for the 2029-30 school year are as follows:
 - (a) Common Metric targets:
 - (A) On-time graduation rate
 - (B) Five-year completion rate
 - (C) Ninth-grade on-track rate
 - (D) Eighth-grade mathematics proficiency rate
 - (E) Third-grade reading proficiency rate
 - (F) Regular attendance rate
 - (G) Regular early-grade attendance rate
 - (b) Local Metric targets:

- (A) Fifth Grade Science Achievement
- (B) Academic Growth
- (C) Career and Workforce Readiness
- (D) Multilingual Proficiency
- (E) Postsecondary Readiness

Performance Growth Targets

581-003-0030

(1) “Baseline Targets” means the minimum growth target that the school district and the Oregon Department of Education agree is satisfactory for all students included in the metric.

(2) “Gap-Closing Targets” means the growth target that the school district and the Oregon Department of Education agree is needed to close existing gaps between all students included in the metric and the combined focal group students included in the metric within a reasonable period of time.

(3) Each school district receiving state school funds co-develops four years of Performance Growth Targets with the Oregon Department of Education, starting with the 2026-27 school year.

(4) Performance Growth Targets include the following metrics:

(a) For school districts identified in OAR 581-003-0001 (24)(a) and OAR 581-003-0001 (24)(c):

(A) Each of the Common Metrics; and

(B) One Local Metric.

(b) For the Juvenile Detention Education Program, The Youth Corrections Education Program, the Oregon School for the Deaf, and Approved Recovery Schools

(A) Differentiated Metrics as identified in OAR 581-003-0020

(c) For Education Service Districts that has enrolled students in any grade kindergarten through grade 12 for specialized services

(A) Up to five metrics developed with the Oregon Department of Education that meet the following:

(i) Be a measure of student performance outcomes;

- (ii) Have at least two years of historic data with at least 10 students per year;
 - (iii) Be disaggregated by focal student groups;
 - (iv) Continue data collection using consistent definitions for the duration of the Performance Growth Target span;
 - (v) Provide aggregate data for the metric to the Oregon Department of Education in annual reporting; and
 - (vi) Make available student level data to the Oregon Department of Education when requested.
- (d) For Eligible day treatment programs and eligible residential treatment programs for education services to children who are in treatment programs as described in ORS 343.961
- (A) Two differentiated metrics selected from the list identified in OAR 571-003-0020 (7); and
- (B) three additional metrics that meet the following criteria:
- (i) Be a measure of student performance outcomes;
 - (ii) Have at least two years of historic data with at least 10 students per year;
 - (iii) Be disaggregated by focal student groups;
 - (iv) Continue data collection using consistent definitions for the duration of the Performance Growth Target span;
 - (v) Provide aggregate data for the metric to the Oregon Department of Education in annual reporting; and
 - (vi) Make available student level data to the Oregon Department of Education when requested.
- (5) Each school district may add Optional Metric targets to their Performance Growth Targets.
- (6) For the purposes of setting targets, the following minimum student size (denominator) is required for each metric and target type:
- (a) a minimum denominator of 10 students for each of the last four years, or
 - (b) a minimum denominator of 10 students for each year of available data if there are fewer than four years available
- (7) For each year and metric, two types of targets are included in Performance Growth Targets:
- (a) Baseline Targets;
 - (b) Gap-Closing Targets
- (9) Each newly-established Approved Recovery School and Eligible day treatment programs and eligible residential treatment programs for education services to children who are in treatment

programs as described in ORS 343.961 have two school years to establish historic data prior to creation of Performance Growth Targets.

College Credit in High School Commitment to a State Vision

433

Expanding Opportunities for Oregon's High School Students
Eric Juenemann & Erin Weeks-Earp, HECC; Kristidel McGregor, ODE

Oregon's Vision for College Credit in High School

In support of the state's education and workforce goals, every student in Oregon will have access to college credit in high school.

In these courses, students will build skills, gain confidence, and get a head start on their path after high school.

Through intentional partnerships, high schools, colleges, and universities will create purposeful career and college experiences that reduce the cost of college and encourage students to imagine and plan for their future.

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Strategies to achieve vision



Oregon will achieve this vision by focusing on:

- affordability,
- sustainable funding,
- credits with a purpose, and
- shared responsibility between K12 and higher education.

435

The vision seeks to prioritize equitable access to college credit opportunities for all Oregon students.



College Credit in High School Policy Development



Oregon was chosen as one of 7 states to participate in the multi-state cohort working to advance state-level college credit in high school policy. [College in High School Alliance](#)

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- Set a state vision
- Design an advising toolkit
- Propose policy changes to the Oregon Legislature

Increase opportunities for students, especially students in **rural** communities and **multilingual** students.

Why have a state vision?



Align **expectations** across the state about who should take college credit in high school.

Create a **common language** about college credit in high school.

437

Ensure all the partners that work on college credit in high school have a **shared idea** of the answer to common questions such as

- Who should take these classes? How many?
- What subjects are best to take?
- Who should pay for these opportunities?

2025 Statewide Survey

The survey was open from October 7 to 20 and received about 600 responses.

Region	N
Metro Region	195
Central Oregon	83
Valley North Coast	145
Southern Oregon	122
Eastern Oregon	32

Type	N
City: Large	37
City: Midsize	27
City: Small	22
Rural: Distant	201
Rural: Fringe	214
Rural: Remote	26
Suburban: Large	45
Suburban: Midsize	5



Help Shape Oregon's Vision for College Credit in High School

Take the short online survey by October 20, 2025





Oregon achieves... together!

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Ayude a dar forma a la visión de Oregon para los créditos universitarios en la escuela secundaria

Complete la breve encuesta antes del 20 de octubre de 2025





Oregon achieves... together!

2025 Statewide Survey

The survey was open from October 7 to 20 and received about 600 responses.

Community sector	17
Community college	107
Education Service District	21
High school	306
K-12 private school	6
K-8 school	20
Private higher education	14
Public university	26
Workforce	12

Help Shape Oregon's Vision for College Credit in High School

Take the short online survey by October 20, 2025

HIGHER EDUCATION COORDINATING COMMISSION

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439

Ayude a dar forma a la visión de Oregón para los créditos universitarios en la escuela secundaria

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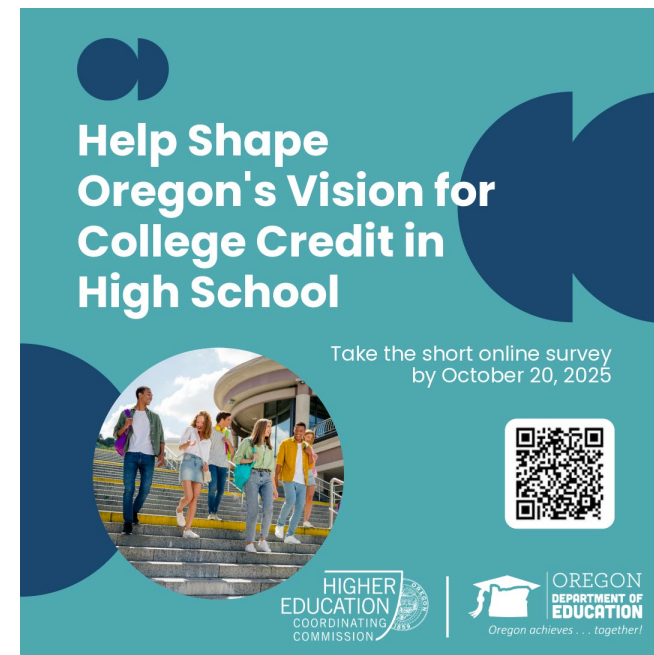
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2025 Statewide Survey

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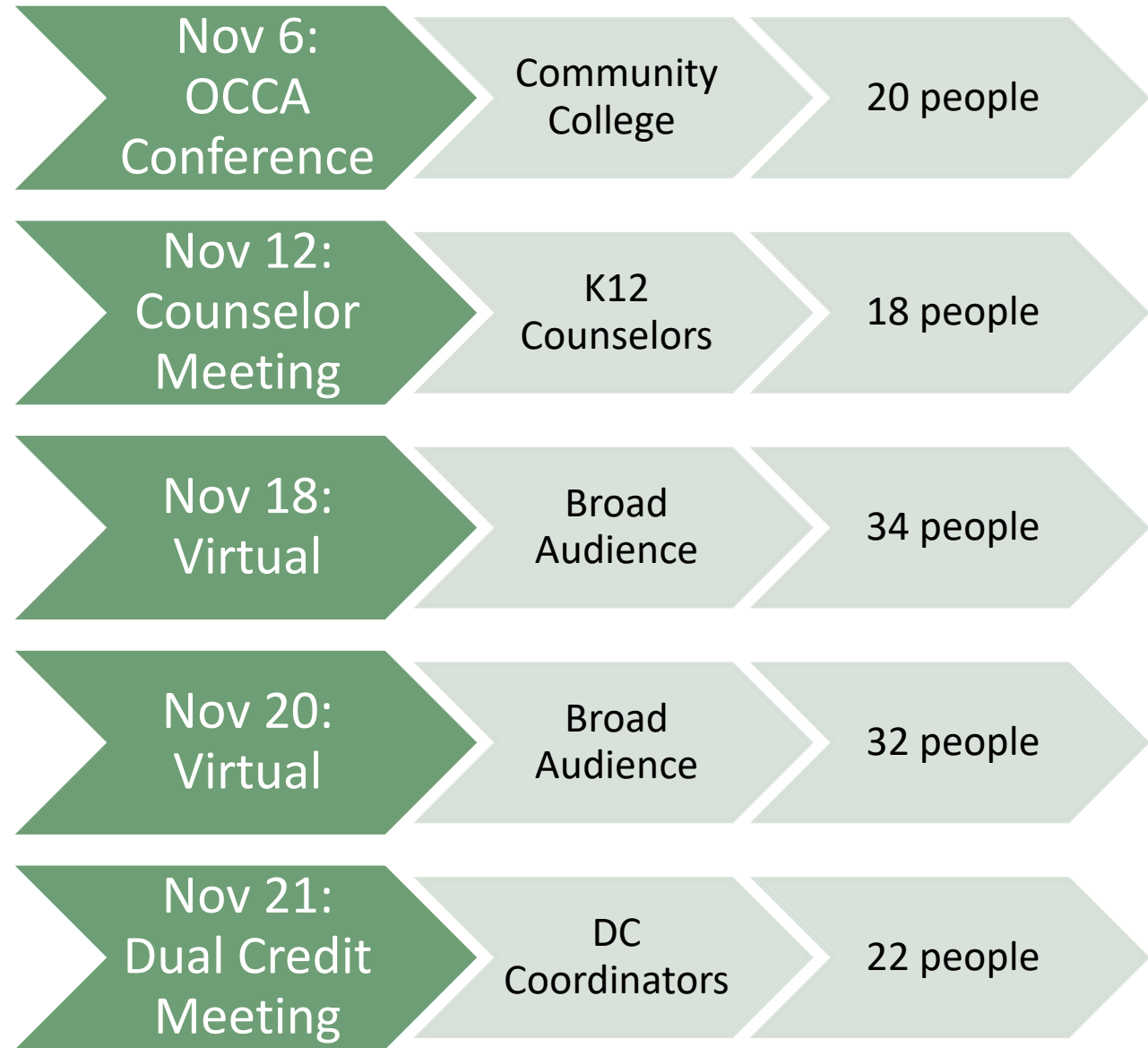
Community member	15
Counselor/advisor	65
Dual credit coordinator	39
Other administrator	130
Other role/staff	36
Parent or guardian	56
Student	6
Teacher/instructor/faculty	175
Workforce partner	12



440

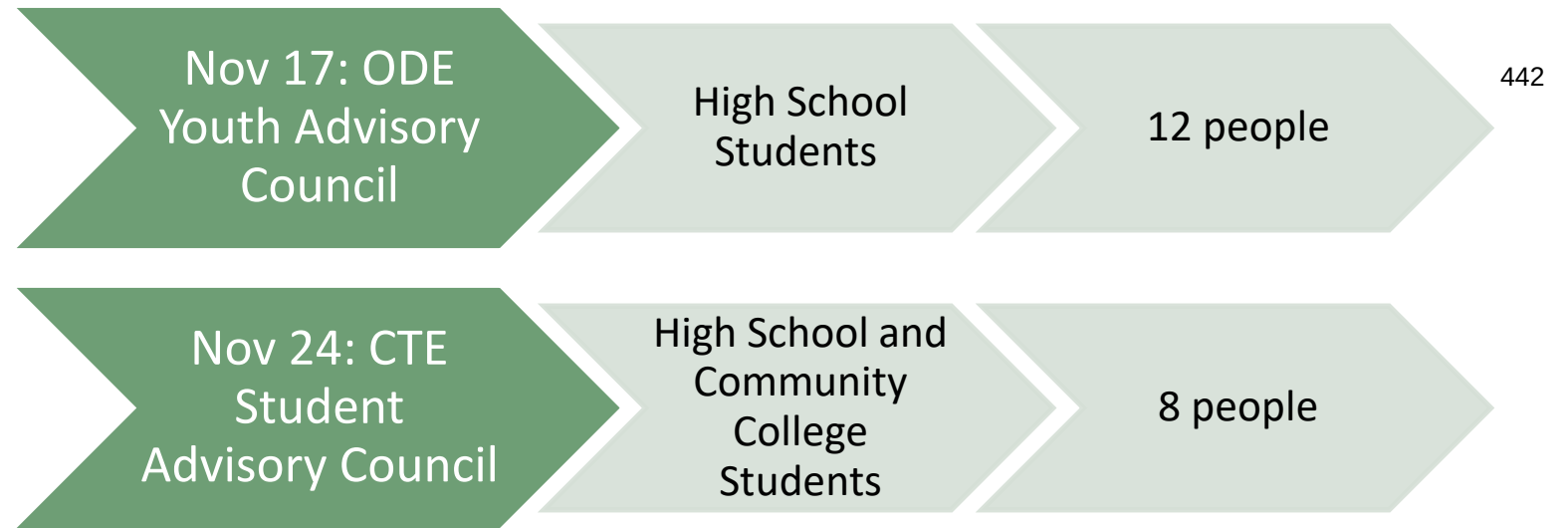


State vision listening sessions



441

State vision listening sessions with students



Post secondary education is **more than just degrees**, it's about getting training for the trades, too.

I love the idea of all students enrolling in some type of dual credit during high school. Even if they don't go to college right away, it provides **an open door** and a **connection** that they know is available to them and they can access it later in life if that is what works for them. It provides them that **choice**, without breaking the bank.

Oregon's vision for college credit in high school

In support of the state's education and workforce goals, **every student** in Oregon will have access to college credit in high school.

444

In these courses, students will build skills, gain confidence, and get a head start on their path after high school.

Through intentional partnerships, high schools, colleges, and universities will create purposeful career and college experiences that reduce the cost of college and encourage students to imagine and plan for their future.

How many students?

In 2023-24:

- More than 27,000 high school students took a course at a community college
- More than 13,000 high school students took a course at an Oregon public 4-year college or university.
- Each high school grade had about 45,000 students, total in grades 9 to 12 of **180,000 students in high school in a given year.**
- About 29%, or 1/3 of high school students earn college credit in high school (2021).

445

Source: [Oregon Accelerated Learning Dashboard](#)

Why college credit opportunities for all Oregon students?

Oregon students who participate in college credit during high school are 30% more likely to graduate from high school, **25% more likely to enroll in college** and 22% more likely to persist in college than those who do not.

This is consistent across demographic groups.

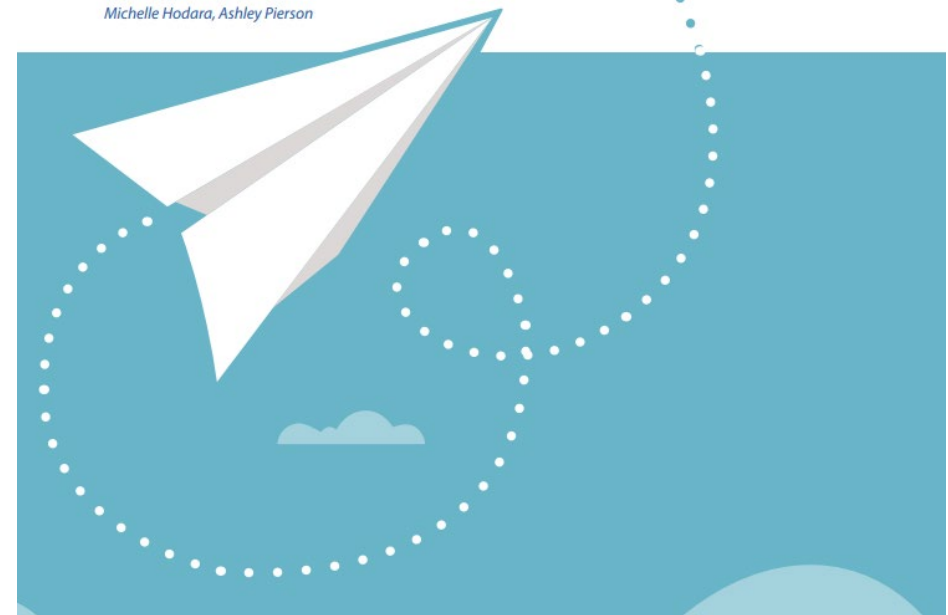
Source: *Accelerated Learning Access, Outcome, and Credit Transfer in Oregon*



SUPPORTING THE TRANSITION TO COLLEGE: Accelerated learning access, outcomes, and credit transfer in Oregon

November 2018

Michelle Hodara, Ashley Pierson

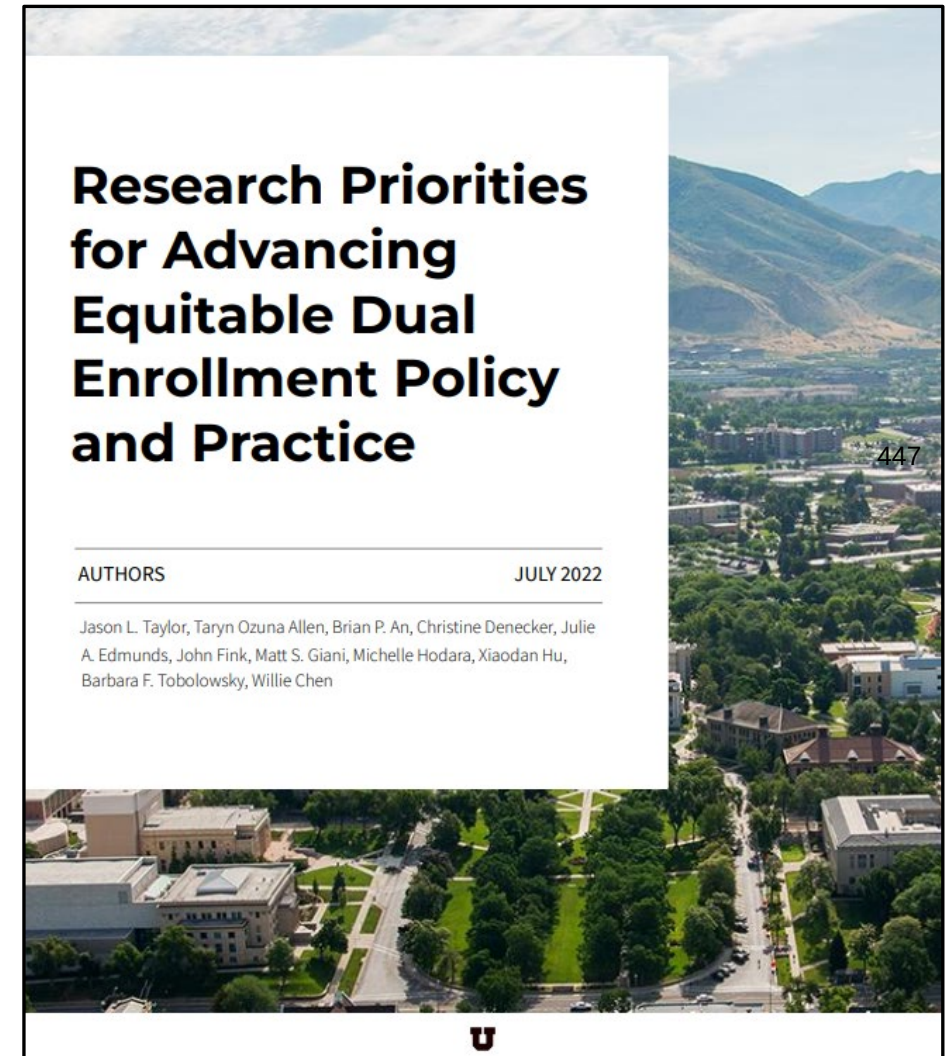


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Major barriers to participation

1. **Policies:** Lack of funding, instructor qualifications, student eligibility
2. **Practices:** Lack of outreach, advising, supports
3. **Mindsets:** Beliefs that dual enrollment is only for “advanced” students

Source: Taylor, J. et al. University of Utah, Collaborative for Higher Education Research and Policy, [Research Priorities for Advancing Equitable Dual Enrollment Policy and Practice](#) (2022)



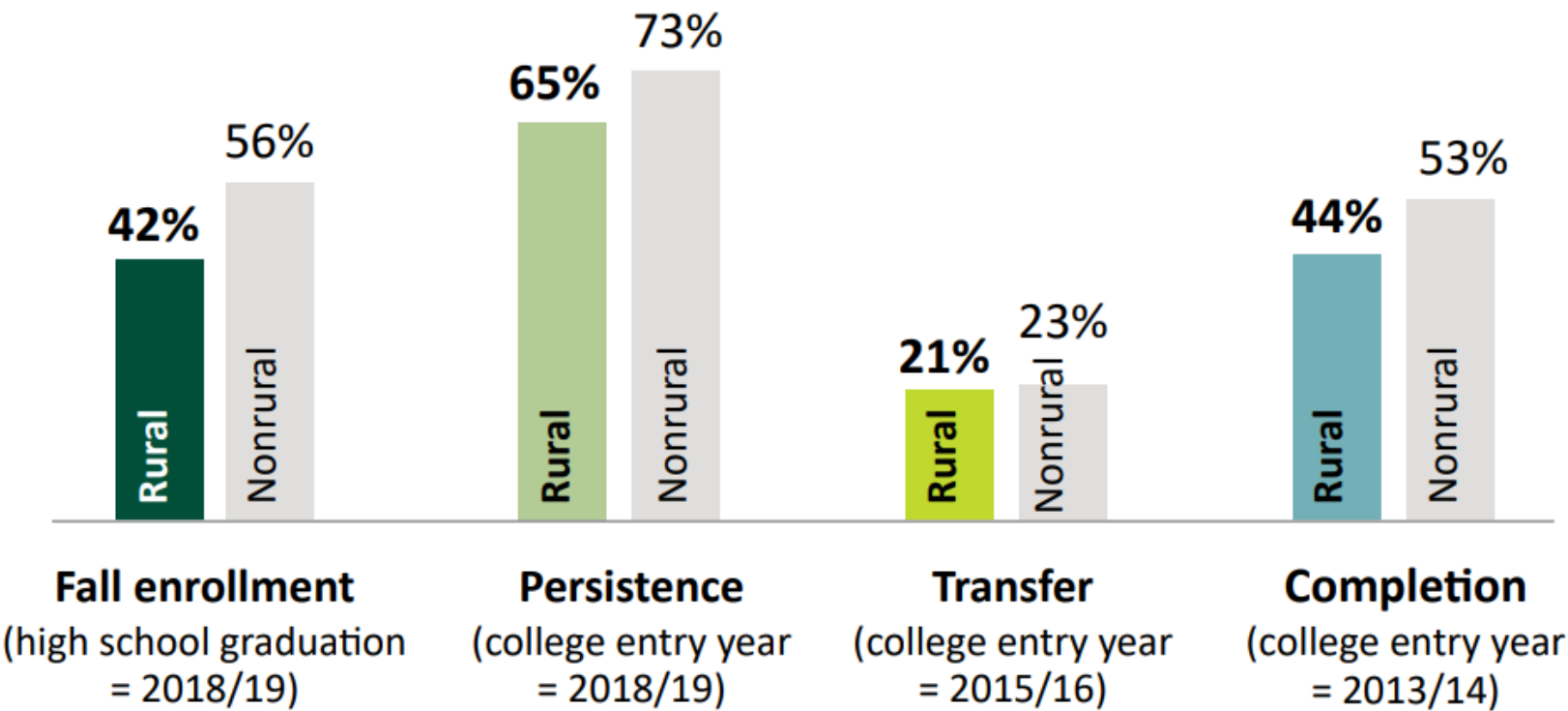
Who is responsible for what, and what data do we track to ensure they are successful?

How can we show families that this vision is attainable for their kids?

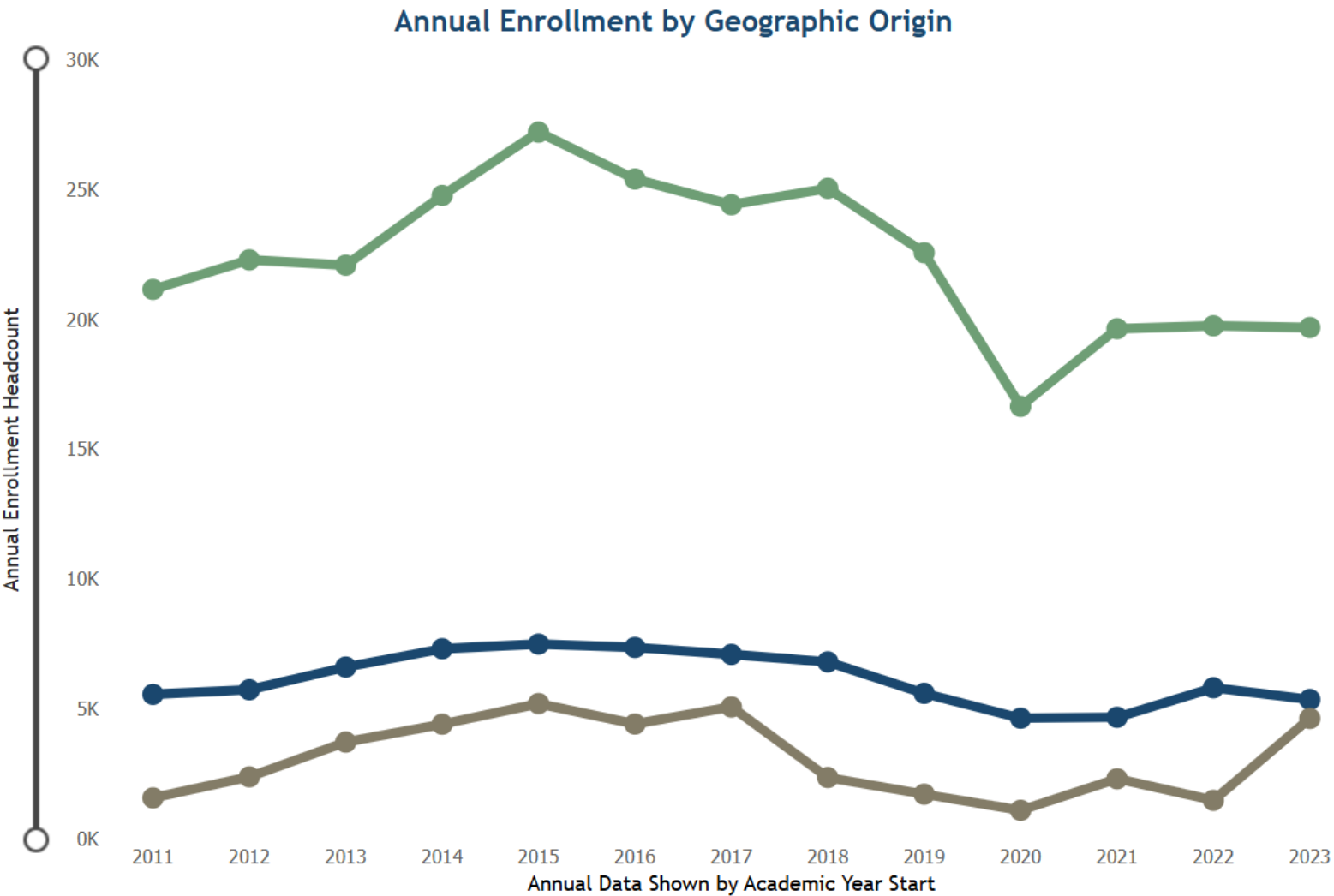
448

Partnerships that treat this as a shared mission, not just a course catalog expansion; create the conditions where dual credit is truly transformative.

College enrollment, persistence, transfer, and completion rates for Oregon’s rural and nonrural public high school graduates



Mathematical models suggest that gaps between rural and nonrural would shrink significantly if rural students could access equal opportunities.



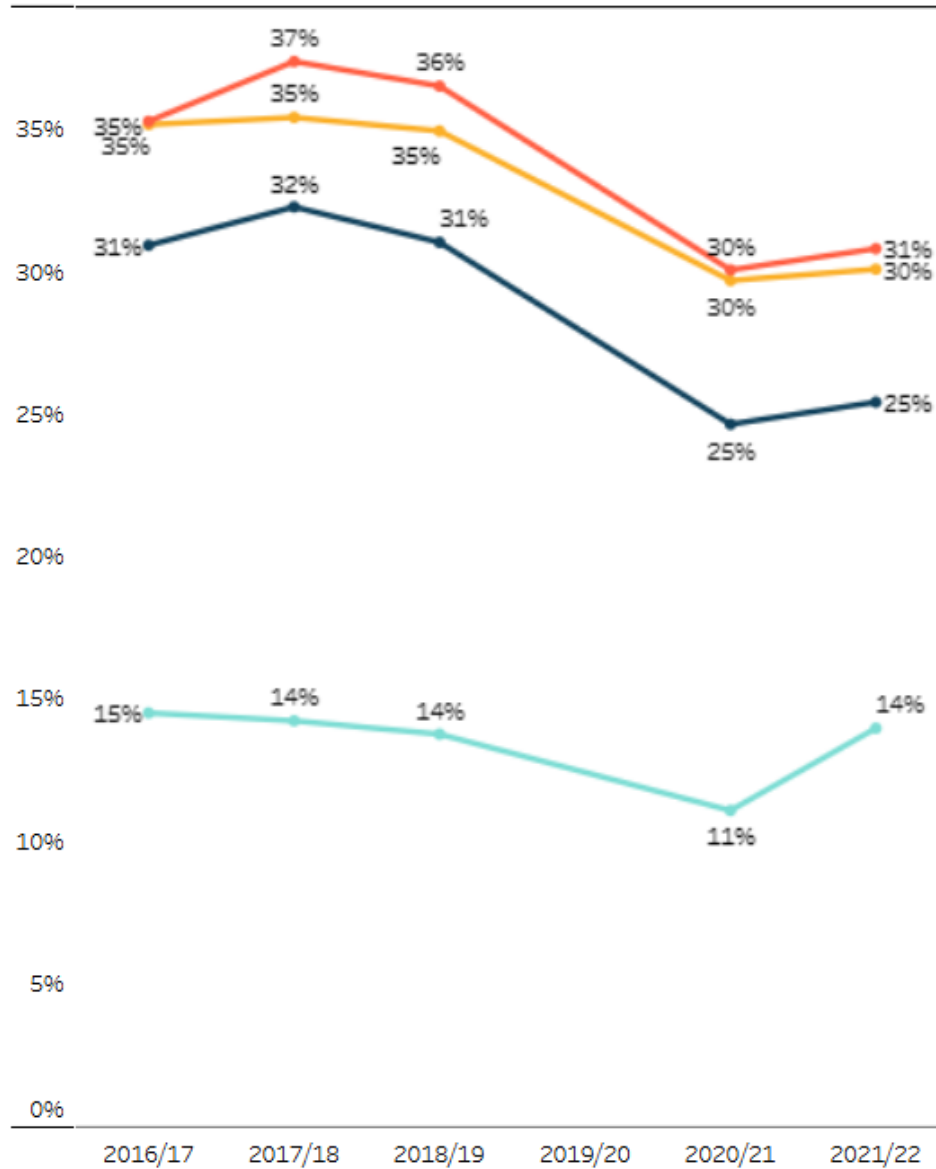
Oregon Community
College Trends:
Rural High School
Student Participation in
Dual Credit

450



Source: Higher Education Coordinating Commission
[Community College Data Dashboard](#)

Participation Rate



Caption: Line graph displays changes in the percentage of Oregon students in grades 9–12 who participated in any accelerated learning (excluding Regional Promise) since 2016/17.

Understanding Multilingual Students

English Language Learners' Participation in college credit in high school over time

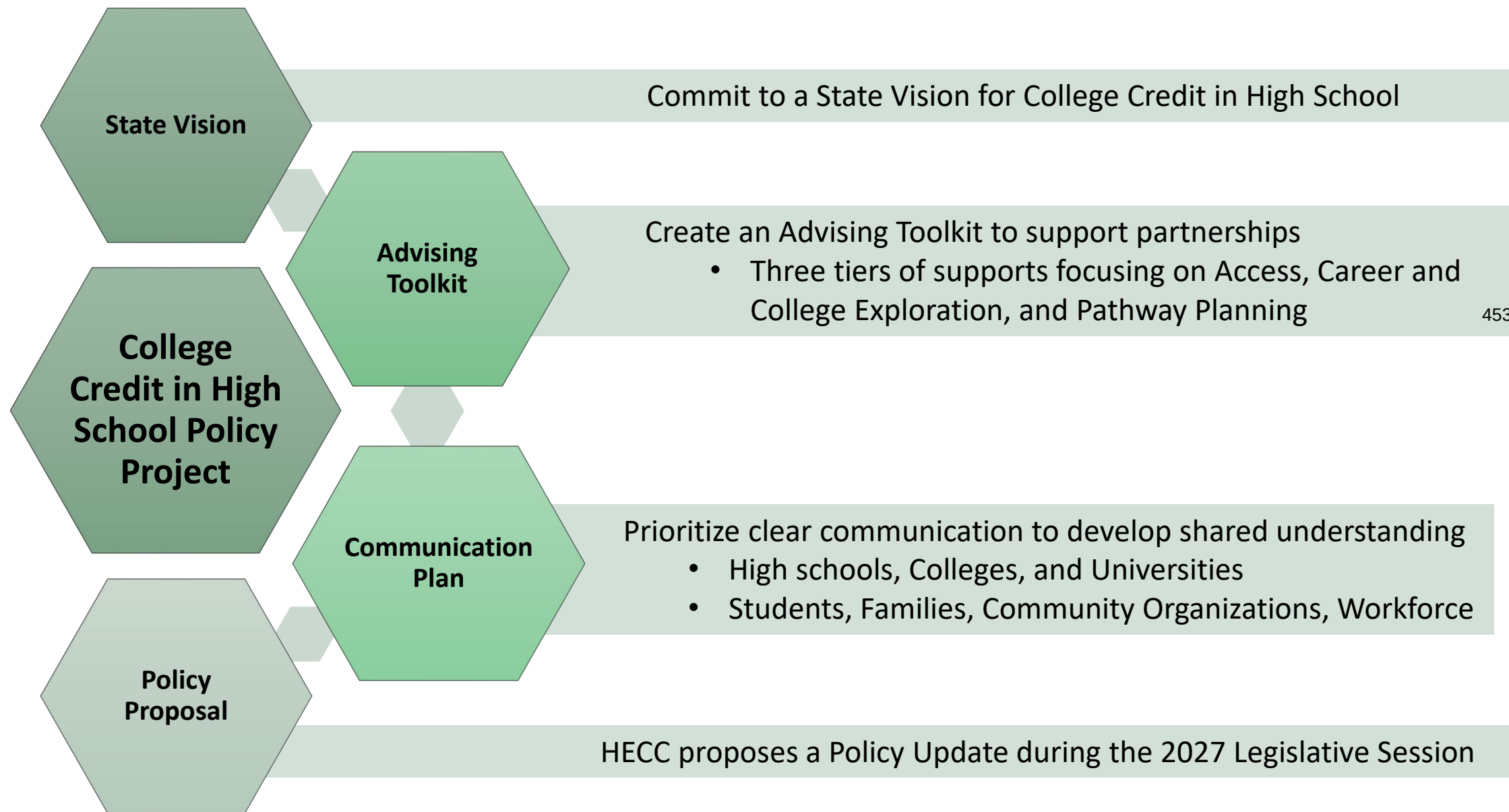
451

- Student classified as an English learner in 9-12
- Student classified as an English learner in K-8 (not 9-12)
- Student ever classified as an English learner
- Student never classified as an English learner

Offer paid internship opportunities that allow students to also gain credit while also gaining industry experience.

Access to credit granting classes that align to high-wage, high-demand jobs in their region!

Align priorities to communities so students don't have to move out of area if they don't want to.



Just a reminder: there is no point in earning college credit if students don't receive the advising and support they need to make informed choices.

Our system should be clear and easily understood and navigated by both students and their families

Look at the data to see who generally does not access these courses and focus on recruitment and family engagement there.

Oregon's Vision for College Credit in High School

In support of the state's education and workforce goals, every student in Oregon will have access to college credit in high school.

In these courses, students will build skills, gain confidence, and get a head start on their path after high school.

455

Through intentional partnerships, high schools, colleges, and universities will create purposeful career and college experiences that reduce the cost of college and encourage students to imagine and plan for their future.



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Oregon achieves... together!

Thank you!

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Oregon Department of Education &
Higher Education Coordinating Commission



Summary

Meeting Date: 12/11/2025

Informational Title: Supporting a State Vision for College Credit in High School

Presentation: Yes

Key Staff: Kristidel McGregor

Informational Summary: The Higher Education Coordinating Commission (HECC) and the Oregon Department of Education (ODE) have drafted a State Vision for College Credit in High School, developed in the fall of 2025 during a series of engagements with K-12 and community college partners, districts, families, and workforce leaders from across Oregon. This vision will be presented to the Higher Education Coordinating Commission for adoption at their December 11 meeting. The purpose of this informational presentation is to share that draft vision with the Board, and to invite any feedback the Board may have.

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?

In Oregon, opportunities for students to complete high school courses for which they can also earn college credit is sometimes called accelerated learning. College credit earned in high school includes Advanced Placement courses, International Baccalaureate Programs, and classes that offer college credit that leads to an industry certification and/or a two-year or four-year degree. Creating equitable opportunities for all students to earn college credit in high school 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 completion.

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. Out of the

Oregon State Board of Education Docket

197 school districts in Oregon, 9 districts have fewer than 10% of their students participating in college credit earning opportunities while in high school, while 13 districts have rates above 40%. Lack of opportunities to access accelerated college credit in high school disproportionately impacts 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 facing schools as they offer these programs include:

- Training and retaining staff qualified to teach these courses
- Making sure students have access to timely counseling and advising
- Creating opportunities for high school staff to be well informed about these opportunities.
- Ensuring that students and their families know about these opportunities, particularly in communities that have historically been underserved by these programs.

To address these challenges, the Oregon Department of Education partnered with the Higher Education Coordinating Commission to participate in the [College in High School Alliance](#)'s Next Phase in Dual Enrollment Policy Development. Twenty-one states applied for the opportunity, and Oregon was chosen as one of seven states to work alongside national experts to develop and implement action plans aimed at enhancing state-level policies to ensure that more students have access to college courses while in high school. Oregon chose to focus on expanding access to two target populations in this work: rural students and multilingual students.

Deliverables for this project include:

- **Setting a Statewide Vision:** Oregon will publish a vision for the role that college credit in high school plays in the state's educational systems and in a student's journey through high school and into postsecondary education.
- **Creation of an Advising Toolkit:** Oregon will use the vision to guide the creation of a differentiated advising toolkit. This toolkit will help districts and colleges communicate with students and families about these opportunities and create common language and expectations for these programs in the state.
- **Focusing State Policy on Intentional College Credit in High School Experiences:** The state vision will also guide work on state policy. The Higher Education Coordinating Commission plans to submit a Legislative Concept for the 2027 Legislative Session to enhance Oregon's state-level policies in this area, with a focus on providing high-quality counseling and advising, supporting classes that are part of structured pathways or programs, and expanding access for Oregon students. The Oregon Department of Education will advise and support this policy work.

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.**

[ORS 340](#) governs college credit in high school and directs ODE to collaborate with the HECC and support districts and colleges to provide these programs to all Oregon students.

3. Has this topic, program, or initiative been presented to the Board before? If so, when, and how has it evolved since then?

The Board has heard several topics related to college credit in high school opportunities in recent years. In 2024, the Board adopted rules for three grant programs established by House Bill 2263 (2019):

- Accelerated College Credit Planning Partnership Grant Program
- Accelerated College Credit Partnership Enhancement Grant Program
- Accelerated College Credit Instructor Grant Program

Additionally, in 2024 the Board adopted rules related to graduation and the International Baccalaureate program in response to the passing of HB 4137 (2024).

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 presentation is at the request of ODE staff, and the presentation was prepared in collaboration with HECC staff.

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?

HECC and ODE have drafted a State Vision for College Credit in High School, developed in the fall of 2025 via a series of engagements with people from across Oregon. This vision will be presented to the Higher Education Coordinating Commission for adoption at their December 11 meeting.

The purpose of this informational presentation is to share that draft vision with the Board, and to invite any feedback the Board may have. The presentation includes sharing how the draft was developed, the vision being presented for adoption to the HECC, and how this vision will guide future efforts to expand access to meaningful college credit for Oregon high school students.

The State Vision for College Credit in High School will serve as guiding principle for both HECC and ODE, and the Board's input, awareness, and support are an important part of its success.

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?

All of ODE and HECC's work on college credit in high school policy, including the development of this vision, is grounded in an equity lens. We guide our work by the principles found in the DEEP framework and Targeted Universalism.

The [DEEP framework](#) is a research-based approach to expanding access to college credit in high school for underserved students through four core principles:

- reaching out to underserved students and families to encourage and support them to participate in college credit in high school,
- aligning college credit in high school course offerings to bachelor's, career-technical, and associate degree programs in high-opportunity fields,
- supporting every student with career and academic exploration, advising, and planning, and
- delivering high-quality instruction that builds students' confidence as college learners.

Alongside the DEEP framework, ODE and HECC use [Targeted universalism](#) to guide our work. This means we are setting universal goals for students but grounding the strategies we develop to reach these goals in the experiences of groups that are underserved by current policies. Centering our policy improvements in the experiences of rural students and multilingual students, two groups that have not had equitable access or benefits from college credit in high school opportunities, will help Oregon ensure access for all.

In action, this means that while developing the vision we took particular care to ensure that our engagements included the perspectives of rural and multilingual students. Some of the steps we took to ensure this were making sure the initial survey was available in Spanish as well as English, and specifically inviting groups that work with these students, such as the migrant graduation specialists and rural community colleges and their high school communities, into the work.

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](#)?

This presentation on setting a state vision for college credit in high school reflects research which shows that participation in these programs has strong positive outcomes for Oregon students. For instance, one study showed that for Oregon students "in the class of 2015, accelerated learning participants were 30% more likely to graduate from high school, 25% more likely to enroll in college, and 22% 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](#)). Equitable access to these programs for all students is a key metric for Oregon schools, present in the High School Success metrics and many of Oregon's student success plans.

Oregon State Board of Education Docket



While the connections between setting a state vision for college credit in high school and academic excellence are clear, the impact of this vision on belonging and wellness is also key to this work. Programs that provide college credit in high school have traditionally been programs of privilege and inequitable access. Part of what is needed to expand access is the work of repairing that history: outreach to students and families that sends a clear message that career and college readiness is for all students, and providing schools with the tools that can help them appropriately place and support students in these opportunities.

Having a state vision for college credit in high school that is grounded in access for underserved groups will set a statewide expectation that equitable access is a key part of these programs. The vision will also serve as a guiding principle for state and local conversations about career and college readiness for Oregon students, helping align efforts and expectations in the state. The vision will serve as a foundation for creating a common narrative about college credit in high school in Oregon, one centered in equitable access to college credit opportunities that help students plan and prepare for their future.

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.**

Beyond a slide deck, no additional materials are submitted.