

Regular Meeting
Tuesday, October 25, 2022 6:00 PM

Dr. Matthew Prophet Education Center - Board
Auditorium
501 N. Dixon St
Portland, OR 97227

Agenda

1. 6:00 pm - Opening
2. 6:05 pm - Consent Agenda: Resolutions 6594 through 6598 Vote- Public Comment Accepted
 - 2.(a) Withdrawn: Resolution 6594 - Adoption of the Index to the Minutes
 - 2.(b) Resolution 6595 - Authorizing Off-campus Activities
 - 2.(c) Resolution 6596 - Expenditure Contracts that Exceed Delegation of Authority
 - 2.(d) Resolution 6597 - Revenue Contracts that Exceed Delegation of Authority
 - 2.(e) Resolution 6598 - to Name the Portland Public Schools Headquarters to Dr. Matthew Prophet Education Center
3. 6:10 pm - Student and Public Comment
 - Student Comment
 - Public Comment
 - Comments from the Portland Association of Teachers (PAT)
4. 6:35 pm - Student Representative's Report
5. 6:40 pm - Board Committee and Conference Reports
6. 6:50 pm - Community Budget Review Committee (CBRC) Members Approval Vote- Public Comment Accepted
7. 7:00 pm - SE Enrollment and Program Balancing-Phase 2 - Lent English Scholars Program Vote- Public Comment Accepted
8. 7:30 pm - Division 22 Report to the Board
9. 7:45 pm - October Enrollment and Staffing Update
10. 8:05 pm - Other Business / Committee Referrals
11. 8:10 pm - Adjourn

RESOLUTION No. 6594

The Following Index to the Minutes are offered for Adoption

- October 11, 2022 - Regular Meeting



Index to the Minutes

(Draft for Approval)

Regular Meeting

October 11, 2022

This document is a record of the actions taken by the Board of Education at the Dr. Prophet Education Service Center (501 N Dixon St. Portland, OR 97227) held on October 11, 2022. In accordance with ORS 192.650, the District’s official School Board Meeting Minutes are maintained via video recording and may be viewed at

<https://www.youtube.com/watch?v=YWkamZvJo34&list=PL8CC942A46270A16E&index=4>

Board Member Attendance

Present: Chair Scott; Vice-Chair Hollands; Directors Brim-Edwards, DePass, Greene, Kohnstamm, and Lowery; Student Representative McMahon

Absent: None

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Statements for the Record	NA

RESOLUTIONS

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ACTIONS TAKEN

- **Resolution 6584: Resolution to Designate October 2022 as Dyslexia Awareness Month in PPS**

Director Brim-Edwards moved and Director Greene seconded the motion to approve Resolution 6584. The motion was put to a voice vote and passed (7 yes – 0 no)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative McMahon: Yes (Unofficial)

- **Resolution 6585: Resolution to Designate October 2022 as Dyslexia Awareness Month in PPS**

Director DePass moved and Director Kohnstamm seconded the motion to approve Resolution Number 6585. The motion was put to a voice vote and passed (7 yes – 0 no).

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative McMahon: Yes (Unofficial)

- **Consent Agenda – Resolutions 6586 through 6590**

Director Greene moved and Director Kohnstamm seconded the motion to approve the Consent Agenda, including Resolutions 6586 through 6590. The motion was put to a voice vote and passed (7 yes -0 no).

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative McMahon: Yes (Unofficial)

- **Resolution 6591: Resolution to Approve the Budget Calendar to Prepare for the 2023-2024 Budget**

Director Greene moved and Director Kohnstamm seconded the motion to approve Resolution 6591, with the typo corrected to reflect the calendar adoption date of 10/11/2022. The motion was put to a voice vote and passed (7 yes – 0 no).

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative McMahon: Yes (Unofficial)

- **Resolution 6592: Resolution to Approve OAR 581-022-2320 Required Instructional Time Exemption: 2021-22 Kindergarten Instructional Time and Seniors at Cleveland and Roosevelt High Schools**

Director Greene moved and Director Kohnstamm and Brim-Edwards seconded the motion to approve Resolution 6592. The motion was put to a voice vote and passed (7 yes – 0 no)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative McMahon: Yes (Unofficial)

- **Resolution 6593: Resolution to Approve OAR 581-022-2320 Required Instructional Time Exemption: 2021-22 Permission to exempt an alternative education program**

Director Greene moved and Director Kohnstamm seconded the motion to approve Resolution 6593. The motion was put to a voice vote and passed (7 yes – 0 no) with Student Representative McMahon voting yes (unofficial)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative McMahon: Yes (Unofficial)

RESOLUTION No. 6584

Resolution to Designate October 2022 as Dyslexia Awareness Month in PPS

RECITALS

- A. Dyslexia is a specific learning disability that is neurobiological in origin;
- B. Individuals with dyslexia may have difficulty in identifying or sequencing the individual sounds of spoken language, which affects the ability of an individual to speak, read, spell, and often learn a language;
- C. An individual with dyslexia may have a weakness in decoding or reading fluency and may have strength in higher level cognitive functions, such as reasoning, critical thinking, concept formation, or problem solving;
- D. Dyslexia is the most commonly occurring learning disability, 10-15% of the population is said to have dyslexia;
- E. Effective reading instruction for all children, screening to identify students at risk for dyslexia, as well as supplemental reading support for students at risk can help prevent reading problems;
- F. Early diagnosis of dyslexia is critical to ensure individuals with dyslexia receive focused, evidence-based intervention. Correct identification and intervention provides students with dyslexia, self-awareness and self-empowerment. Provision of necessary accommodations and instruction help to ensure school and life success;
- G. Portland Public Schools developed the five year Dyslexia Priority Plan in 2019, in partnership with a cross-departmental team as well as family/community stakeholders, with key actions to take each year.
- H. Portland Public Schools continues to implement these key actions to improve upon the support and commitment to our students with dyslexia.

RESOLUTION

The Portland Public Schools Board of Education recognizes that dyslexia has significant educational implications that must be addressed; and designates October 2022 as "Dyslexia Awareness Month".

RESOLUTION No. 6585

Resolution to Recognize October 2022 as National Principals Month in Portland Public Schools

RECITALS

- A. During these extraordinary times, PPS school principals, vice principals, and assistant principals have exhibited great commitment and adaptability to lead and support their communities, with passion, energy, enthusiasm, vision, and commitment for each and every student; and
- B. Principals play a key role in the mission of Portland Public Schools: “We provide rigorous, high-quality academic learning experiences that are inclusive and joyful. We disrupt racial inequities to create vibrant environments for every student to demonstrate excellence.”; and
- C. Principals are expected to be educational visionaries, instructional leaders, assessment experts, managers of student behavior, community builders, public relations experts, budget analysts, facility managers, special programs administrators, and guardians of various legal, contractual, and policy mandates and initiatives, as well as being entrusted with the education and development of young people: and
- D. The professional responsibilities of school principals include building the leadership capacity of and mentoring aspiring administrators; and
- E. School principals often need to manage numerous responsibilities, work extended hours, and make difficult decisions; and
- F. The success of a school depends on the principal’s ability to work collaboratively with all stakeholder groups and establish positive relationships by building trust, practicing open communication, and building a restorative culture that emphasizes learning and growth for all students, colleagues, and members of the school community.

RESOLVED

The Board of Education recognizes October 2022 as National Principals Month and extends sincere appreciation and gratitude to school principals, vice principals, and assistant principals, for their individual and collective commitment to the success of every student in Portland Public Schools.

RESOLUTION No. 6586

The Following Index to the Minutes are offered for Adoption

- September 20, 2022 – Regular Meeting
- September 26, 2022 – Special Meeting

RESOLUTION No. 6587

Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

RECITAL

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

RESOLUTION

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Admin, Funding Source	Certified Business
Always Be Learning, Inc.	10/12/22 through 9/30/23	Digital Resource DR 92195	Providing master scheduling software for District middle and high schools. Special Class Procurement – Software and Hardware Maintenance, Licenses, Subscriptions, and Upgrades PPS-47-0288(11)	\$332,120	C. Proctor Fund 205 Dept. Varies Grant G2255, G2107	No
Ameresco, Inc.	10/12/22 through 8/31/24 Option to renew for up to ten additional one-year periods through 8/31/34	Energy Savings ESPC 92170	Master contract for energy savings performance services: Phase I (technical energy audit) and II (project development plan). Phases III (design and construction) and IV (measurement and verification) to be added by amendment. Request for Proposals 2022-007	\$30,000,000	D. Jung Funding Source Varies	No

*A Certified Business is a for-profit business certified as a Minority-Owned Businesses (MBE), Women-Owned Businesses (WBE), Emerging Small Businesses (ESB), and/or Service-Disabled Veteran Businesses (SDV) by the State of Oregon Certification Office for Business Inclusion and Diversity.

NEW COOPERATIVE PURCHASING AGREEMENTS

Contractor	Contract Term, Renewal Options	Administering Contracting Agency	Description of Goods or Services	Estimated Spend During Contract Term	Responsible Administrator, Funding Source	Certified Business
Squires Electric	10/12/22 through 9/19/26 Option to renew for up to one additional one-year term through 9/19/27	Multnomah County	Minor electrical services on an as-needed basis.	\$1,000,000	D. Jung Funding Source Varies	No

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source	Certified Business
Lake Oswego School District	7/1/22 through 6/30/23	Intergovernmental Agreement IGA 92162	Columbia Regional Inclusive Services will provide regional services to eligible individuals with Autism Spectrum Disorder.	\$160,600	C. Proctor Fund 205 Dept. 5430 Grant G1900	N/A

AMENDMENTS TO EXISTING CONTRACTS

No New Amendments

RESOLUTION No. 6588

Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority

RECITAL

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$150,000 per contractor are listed below.

RESOLUTION

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

NEW REVENUE CONTRACTS

No New Revenue Contracts

NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
State of Oregon	4/15/22 through 6/30/23	Intergovernmental Agreement / Revenue IGA/R 92116	Department of Education grant supporting the retention and recruitment of K-12 educators and other support personnel.	\$5,884,948	S. Reese Fund 205 Dept TBD Grant G2258
Multnomah County	9/19/22 through 12/31/26	Intergovernmental Agreement / Revenue IGA/R 92200	Funding for Preschool for All for FY2023.	\$1,440,000	C. Proctor Fund 205 Dept. 5453 Grant G2223

AMENDMENTS TO EXISTING REVENUE CONTRACTS

No Amendments to Existing Revenue Contracts

RESOLUTION No. 6589

Approving Board Member Conference Attendance as Representatives of the Board

RECITALS

Board Policy 1.40.070 requires Board approval for individual Board members to attend state or national meetings as representatives of the Board.

RESOLUTION

The Board affirms Directors Michelle DePass, Eilidh Lowery and Amy Kohnstamm to attend the Council of the Great City Schools Annual Conference in Orlando, Florida from October 19, 2022 through October 23, 2022.

RESOLUTION No. 6590

Resolution to Appoint Members to the Climate Crisis Response Committee

RECITALS

- A. On March 1, 2022, the Portland Public Schools Board of Education adopted the Climate Crisis Response, Climate Justice and Sustainable Practices Policy–3.30.080-P .
- B. The Climate Crisis Response, Climate Justice and Sustainable Practices Policy requires the establishment of a committee to monitor effective implementation, transparency, and tracking of progress.
- C. The Climate Crisis Response Committee applications were reviewed by staff, two board members, and a student, who ultimately recommended nine candidates representing the Portland Public Schools community with a diversity of backgrounds, interests, knowledge and lived experiences to serve on the Committee .
- D. On August 9, 2022 the Board of Education approved nine committee members for one year and two year terms. These appointments included two student representatives for one year terms.


RESOLUTION

The Board of Education appoints student Richard Deng to replace Jordan Steele as a member of the Climate Crisis Response Committee, who is no longer able to serve on the committee.

RESOLUTION No. 6591

Resolution to Approve the Budget Calendar to Prepare for the 2023-2024 Budget

The Portland Public Schools Board of Education approves the following Budget Calendar to prepare for the 2023-2024 fiscal year budget.

 <p align="center">Portland Public Schools Calendar to Adopt the 2023-24 Budget <i>Adopted October 11, 2022</i></p>							
					Board Inform / Review	Board Action	
BUDGET PLANNING	September 20, 2022	School Board Meeting Board reviews draft 2023-24 Budget Calendar	✓			BESC	
	October 11, 2022	School Board Meeting Board adopts 2023-24 Budget Calendar		✓			
	October 25, 2022	School Board Meeting Board appoints Community Budget Review Committee (CBRC) members		✓		BESC	
	Oct-Nov 2022	Community Engagement Events				TBD	
	November 2022	School Board Budget Work Session	✓			BESC	
	February 2023	School Board Budget Work Session	✓			BESC	
	March 14, 2023	School Board Budget Work Session with CBRC	✓			BESC	
BUDGET BUILDING	April 2, 2023	<i>Publish 1st Notice of Budget Committee Meeting (5 to 30 days before the meeting)</i>				The Oregonian Web Site	
	April 9, 2023	<i>Publish 2nd Notice of Budget Committee Meeting (5 to 30 days before the meeting)</i>				The Oregonian Web Site	
	April 25, 2023	School Board Meeting <i>CBRC in attendance</i> Proposed Budget: Superintendent delivers 2023-24 Proposed Budget message and presentation	✓			BESC	
	May 4, 2023	School Board Budget Work Session Board conducts formal public engagement session on Proposed Budget		✓		BESC	
	May 9, 2023	School Board Meeting <i>CBRC presents 2023-24 Proposed Budget Report to the Board</i>	✓			BESC	
	May 23, 2023	School Board Meeting Approved Budget: Board as Budget Committee approves 2023-24 Proposed Budget		✓		BESC	
	June 4, 2023	<i>Publish Notice of Budget Hearing and Budget Summary</i>				The Oregonian Web Site	
	June 13, 2023	TSCC Hearing (prior to School Board Meeting, pending TSCC confirmation) TSCC certifies 2023-24 Approved Budget School Board Meeting Adopted Budget: Board conducts a public hearing, adopts budget, makes appropriations and imposes taxes	✓		✓	BESC	
	July 15, 2023	<i>Submit Tax Certification documentations</i> <i>File budget information with County Recorder and Designated Agencies</i>					

RESOLUTION No. 6592

Resolution to Approve OAR 581-022-2320 Required Instructional Time Exemption: 2021-22 Kindergarten Instructional Time and Seniors at Cleveland and Roosevelt High Schools

RECITALS

- A. OAR 581-022-2320 Required Instructional Time requires all school districts to ensure that at least 92% of all students in the district and at least 80% of all students at each school operated by the district are scheduled to receive annually the minimum hours of instructional time:
 - a. Grade 12 - 966 hours;
 - b. Grades 9-11 - 990 hours; and
 - c. Grades K-8 - 900 hours.

- B. Students in Kindergarten across the district did not meet the 900 hours of required instructional time. Most schools were 1 hour short of meeting the requirement; Boise-Eliot/Humboldt and Faubion were 6 hours short. Boise-Eliot/Humboldt missed an additional day of school because of a gas leak, and Faubion missed an additional day of school transitioning to Temporary Distance Learning,

- C. Due to the two professional development days, the snow day and the one-day transitioning to Temporary Distance Learning - CHS on January 14, 2022 and RHS on January 10, 2022, seniors at CHS and RHS were short of the 966 hours required for students in 12th grade. CHS was short 5 hours and RHS was short 9 hours.

RESOLUTION

The Board of Education hereby approves OAR 581-022-2320 Required Instructional Time Exemption (6) Upon approval by the local school board, a district may include in its calculation of instructional time required by subsection (1) of this rule the following:
(d) Up to 30 hours for staff professional development. This Resolution is approved for the 2021-22 school year. This approval will ensure Portland Public Schools is in compliance with OAR 581-022-2320 Required Instructional Time, Division 22.

RESOLUTION No. 6593

Resolution to Approve OAR 581-022-2320 Required Instructional Time Exemption: 2021-22 Permission to exempt an alternative education program.

RECITALS

- A. OAR 581-022-2320 Required Instructional Time requires all school districts to ensure that at least 92% of all students in the district and at least 80% of all students at each school operated by the district are scheduled to receive annually the minimum hours of instructional time:
 - a. Grade 12 - 966 hours;
 - b. Grades 9-11 - 990 hours; and
 - c. Grades K-8 - 900 hours.

- B. Instructional Time in Portland Public Schools alternative education programs in the Department of Multiple Pathways to Graduation are designed to meet the needs of alternative students. Programs need the Board to approve the exemption under OAR 581-022-2320(4) yearly to ensure compliance with Division 22.

RESOLUTION

The Board of Education hereby approves OAR 581-022-2320 Required Instructional Time Exemption (4) to exempt an alternative education program. The Board directs staff to request permission to exempt PPS alternative education programs (Alliance High School and Metropolitan Learning Center K-8) under the Portland Public Schools Department of Multiple Pathways to Graduation. This Resolution is approved for the 2020-21 school year. This approval will ensure Portland Public Schools is in compliance with OAR 581-022-2320 Required Instructional Time, Division 22.

RESOLUTION No. 6595

Authorization for Off-Campus Activities

RECITAL

Portland Public Schools ("District") Policy 6.50.010-P ("Off-Campus Activities") requires the Board of Education ("Board") consent to student out-of-state travel.

RESOLUTION

The Board has reviewed the request for out-of-state travel. All required documents have been submitted to the Risk Management Department. The Superintendent recommends that the Board consent to the student out-of-state travel for the below request:

AUTHORIZATION FOR OFF-CAMPUS ACTIVITIES

Date(s)	School, Course, and Number of Students	Purpose of Travel	Travel Destination	Estimated Cost
12/18-12/23/22	Benson HS, W Basketball, 13	Basketball tournament	Phoenix, AZ	\$300
11/11-11/12/22	Grant HS, Cross Country, 48	Cross country race	Meridian, ID	\$190
12/1-12/4/22	Benson HS, W Basketball, 13	Basketball tournament	Chantilly, VA	\$300

RESOLUTION No. 6596

Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

RECITAL

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

RESOLUTION

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Admin, Funding Source	Certified Business
Resource Synergy, LLC	10/26/22 through 10/25/23	Digital Resource DR 92190	Vendor will install sensors on all waste containers, and provide data and communication regarding waste service and use. Sole Source PPS 47-0275	\$178,596	D. Jung Fund 101 Dept. 5596	No
McKinistry Co.	10/26/22 through 8/31/24 Option to renew for up to ten additional one-year terms through 8/31/34	Energy Savings ESCP 92213	Master contract for energy savings performance services: Phase I (technical energy audit) and II (project development plan). Phases III (design and construction) and IV (measurement and verification) to be added by amendment. Request for Proposals 2022-007	\$30,000,000	D. Jung Funding Source Varies	No
IBI Group	10/26/22 through 10/25/23 Option to renew for up to four one-year terms through 10/25/27	Architectural Services ARCH 92297	AE design of camera intrusion system. Request for Proposals 2022-016	\$171,770	D. Jung Fund 458 Dept. 5511	No
Miller Nash Graham Dunn LLP	11/1/22 Through 6/30/24	Legal Services LS-92333	Legal Service on an as-needed basis Direct Negotiation – Legal Services PPS-46-0525(13)	\$350,000	L. Large Fund 101 Dept. 5460	No

*A Certified Business is a for-profit business certified as a Minority-Owned Businesses (MBE), Women-Owned Businesses (WBE), Emerging Small Businesses (ESB), and/or Service-Disabled Veteran Businesses (SDV) by the State of Oregon Certification Office for Business Inclusion and Diversity.

NEW COOPERATIVE PURCHASING AGREEMENTS

Contractor	Contract Term, Renewal Options	Administering Contracting Agency/ Cooperative Procurement Group	Description of Goods or Services	Estimated Spend During Contract Term	Responsible Administrator, Funding Source	Certified Business
HD Supply Facilities Maintenance	10/26/22 through 10/31/25	COA 92319 Fresno Unified School District	Provide cleaning supplies, equipment, and custodial related products on an as-needed basis	\$3,750,000	D. Jung Fund 101 Dept. 5592	No

Peterson Power Systems, Inc.	10/26/22 through 1/29/23	COA 92308 Sourcewell	Purchase and install of emergency generator at Youngson School	\$174,159	D. Jung Fund 445 Dept 5591	No
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NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

No New Intergovernmental Agreements

AMENDMENTS TO EXISTING CONTRACTS

No New Amendments

RESOLUTION No. 6597

Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority

RECITAL

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$150,000 per contractor are listed below.

RESOLUTION

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

NEW REVENUE CONTRACTS

No New Revenue Contracts

NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)

No New Intergovernmental Agreements/Revenue Contracts

AMENDMENTS TO EXISTING REVENUE CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Amendment Amount, Total Amount	Responsible Administrator, Funding Source
Northeast Coalition of Neighborhoods	10/1/22 through 9/30/27	Lease/Revenue LA/R 60379 Amendment 3	King Annex: NECN five year extension	\$170,112 \$436,488	D. Jung
State of Oregon	7/1/22 through 6/30/23	Intergovernmental Agreement / Revenue IGA/R 90871 Amendment 1	2022-23 Preschool Promise Grant.	\$1,911,000 \$3,641,400	C. Proctor Fund 205 Grant G2248
Oregon Department of Education	10/1/22 through 9/30/23	Intergovernmental Agreement / Revenue IGA/R 89447 Amendment 3	Extend Student Success Act – Student Investment Account grant for 2022-23 school year.	\$37,641,569.86 \$86,524,024.18	C. Proctor

RESOLUTION No. 6598

Resolution to Name the Portland Public Schools Headquarters to
Dr. Matthew Prophet Education Center

RECITALS

- A. On September 20, 2022, the Portland Public Schools Board of Education voted to rename the Blanchard Educational Service Center to the Dr. Matthew Prophet Education Service Center, after Dr. Mathew Prophet who served as Superintendent from 1982-1992 and was the first Black Superintendent of the Portland Public Schools.
- B. After consulting with the family of Dr. Matthew Prophet, staff is recommending the official name of Portland Public Schools headquarter be changed to the Dr. Matthew Prophet Education Center.

RESOLVED

The Portland Public Schools Board of Education approves the official name of the District headquarters and any future headquarters to be the Dr. Matthew Prophet Education Center.

RESOLUTION No. 6600

Appointment of Community Budget Review Committee Members and Student Representatives

RECITALS

- A. The mission of the Community Budget Review Committee (CBRC) is to review, evaluate, and make recommendations to the Board of Education (Board) regarding the Superintendent's Proposed Budget and other budgetary issues identified by the CBRC or the Board. The CBRC receives its charge from the Board.
- B. On November 5, 2019, the voters of the Portland Public School (PPS) District passed a renewal Local Option Levy, Measure 26-207, which became effective in 2020, which mandated independent community oversight to ensure tax dollars are used for purposes approved by local voters, and the CBRC serves that function for PPS.
- C. The CBRC is composed of eight to twelve volunteer members. The Board appoints members to three year terms with one or two student members appointed to a one-year term.
- D. The Board recognizes that District employees and community members bring specialized knowledge and expertise to the CBRC and budgetary review process. The Board instructs all CBRC members to employ discretion, avoid conflicts of interest or appearance of impropriety, and exercise care in performing their duties.
- E. Three members of the committee are in the last year of their three-year term: Lisa Selman, Renee Anderson and Elona Wilson were appointed two years ago to serve through June 30, 2023. One member is entering their second year; Roger Kirchner was appointed last year to serve through June 30, 2024.
- F. Recruitment of additional members continued, and 34 applications, three of which are student applicants, were received to fill a minimum of four positions.
- G. Applications have been reviewed, and selected applicants have been interviewed. After the interview phase a group of both pre-selection and interview panelists convened to discuss the final scores. They concluded their selections and made the decision to include an additional selection bringing the total number of selected applicants to nine. The CBRC Selection Committee recommends the Board appoint Dashiell Elliott, Grace Groom, Mariah Dula, Paul Freese, Sonya Harvey, Stephan Lindner, Tasha Ferguson, Oscar Calvert and Max Niederman.
- H. The CBRC pre-selection panel members were: Board Director Eilidh Lowery, CBRC member Lisa Selman, CBRC member Roger Kirchner and Community Engagement Specialist Maria Hernandez. The Interview panel members were: Board Director Eilidh Lowery, Board Vice-Chair Gary Hollands, CBRC member Elona Wilson, CBRC member Lisa Selman, CBRC member Roger Kirchner, two current PPS students, Community Engagement Specialist Maria Hernandez, and Confidential Executive Assistant Jordan Cooper.

RESOLUTION

- 1. Dashiell Elliott, Grace Groom, Mariah Dula, Paul Freese, Sonya Harvey, Stephen Lidner, Tasha Ferguson are hereby appointed as members of the Community Budget Review Committee for a three-year term through June 30, 2025.
- 2. Oscar Calvert and Max Niederman are hereby appointed as student representative members of the Community Budget Review Community for a one-year term through June 30, 2023.



PORTLAND PUBLIC SCHOOLS

OFFICE OF CHIEF FINANCIAL OFFICER

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3529

Date: October 25, 2022
To: Board of Education
From: Nolberto Delgadillo, Chief Financial Officer
Subject: Appointment of new Community Budget Review Committee (CBRC) members

BACKGROUND

Each year, the Board of Education (Board) appoints a Community Budget Review Committee (CBRC) to assist in the annual budget process. The CBRC reviews, evaluates, and makes recommendations regarding the Superintendent's Proposed Budget and other budgetary issues identified by the Board. The CBRC also monitors and advises the Board on the allocation and expenditure of Local Option Levy funds.

The CBRC is generally composed of eight to twelve volunteer members appointed by the Board and typically meets on a monthly basis during the course of the budget development season. This includes one or two student representatives.

There are currently up to eight available spots on the Committee, and applications were accepted through September 16, 2022. Staff received 34 applications, three of which are students.

The CBRC pre-selection panel members were: Board Director Eilidh Lowery, CBRC member Lisa Selman, CBRC member Roger Kirchner and Community Engagement Specialist Maria Hernandez. The Interview panel members were: Board Director Eilidh Lowery, Board Vice-chair Gary Hollands, CBRC member Elona Wilson, CBRC member Lisa Selman, CBRC member Roger Kirchner, two current PPS students, Community Engagement Specialist Maria Hernandez, and Confidential Executive Assistant Jordan Cooper.

The process involved a pre-selection scoring of the 34 applicants based on objective and subjective criteria and a subsequent interview of the top eleven adult applicants and all three student applicants.

The pre-selection process prioritized Black, brown, indigenous applicants, gender diverse applicants, applicants associated with Title I, TSI and CSI schools, non-native English speaking applicants, and student applicants. Factors for consideration during the interview phase included understanding of Racial Equity and Social Justice, relevant experience, availability to attend meetings, ability to deliver on the charter of the CBRC and ability to work collectively to provide advice to the Board regarding the investment of district resources to further support the Board goals and district vision.

ANALYSIS OF SITUATION

The process involved a pre-selection scoring of the 34 applicants based on objective and

subjective criteria and a subsequent interview of the top eleven adult applicants and all three student applicants.

Objective criteria in the pre-selection phase was based on applicant demographics; prioritizing Black, brown, indigenous applicants, gender diverse applicants, applicants associated with Title I, TSI and CSI schools, non-native English speaking applicants and student applicants. The subjective criteria was based on applicant responses in the application and was scored by a pre-selection panel consisting of two current CBRC members, a Board member and a non-finance staff member.

Factors for consideration during the interview phase include understanding of Racial Equity and Social Justice, relevant experience, availability to attend meetings, ability to deliver on the charter of the CBRC and ability to work collectively to provide advice to the Board regarding the investment of district resources to further support the Board goals and district vision.

After the interview phase a group of both pre-selection and interview panelists convened to discuss the final scores. They concluded their selections and made the decision to include an additional selection bringing the total number of selected applicants to nine. This group included Board Vice-chair Gary Hollands, Board Director Eilidh Lowery, CBRC member Elona Wilson, CBRC member Lisa Selman, CBRC member Roger Kirchner, Community Engagement Specialist Maria Hernandez and Confidential Executive Assistant Jordan Cooper.

BOARD OPTIONS WITH ANALYSIS

No further analysis beyond the analysis section above.

CONNECTION TO BOARD GOALS

A primary goal of the community budget review committee is to review the budget through the lens of making progress on the board's goals.

STAFF RECOMMENDATION

Staff recommends the passage of the board resolution to appoint new Community Budget Review

Committee members:

Dashiell Elliott
Grace Groom
Mariah Dula
Paul Freese
Sonya Harvey
Stephan Lindner
Tasha Ferguson
Student Representative Oscar Calvert
Student Representative Max Niederman

As a member of the PPS Executive Leadership Team, I have reviewed this staff report. _____
(Initials)

ATTACHMENT

Resolution to appoint new Community Budget Review Committee members and Student Representatives

RESOLUTION No. 6599

Lent English Scholars move to Marysville

RECITALS

- A. On May 24, 2022, The Board of Education adopted the Phase 2 recommendations through Resolution No. 6513, directing the following actions:
- Initiate the opening of Clark Elementary School and Harrison Park Middle School
 - Relocate the Creative Science School to Bridger ES, Bridger Spanish Immersion to Lent ES, Mt. Tabor Spanish Immersion to Kellogg MS, Harrison Park K-5 Chinese Immersion to Clark ES, and Hosford Chinese Immersion to Harrison Park MS
 - Adjust boundary lines and middle school feeder patterns at 11 elementary and seven middle schools
 - Defer for no more than one year a decision on whether to move the Lent English Scholar program to Marysville.
- B. The proposal to move the Lent English Scholar to Marysville emerged during the SEGC Phase 2 process as a way to improve access to a robust English language program for Lent neighborhood students. The Phase 2 proposal also considered:
- Declining neighborhood enrollment and planned Spanish Immersion growth would leave the single-strand program even more isolated if it remained at Lent.
 - Marysville has space to accommodate Lent students who opt out of, or are not eligible for, Spanish Immersion.
 - Transportation would be necessary, as Marysville is further from home for more Lent students and across major thoroughfares of SE 82nd Ave, SE 92nd Ave and I-205.
- C. In September 2022, Lent English Scholar families had opportunities to learn about the previous proposal; and ask questions and provide feedback through phone calls, meetings held in-person and virtually, at drop-in sessions and through a survey. Families learned about the engagement activities through paper fliers, School Messenger and text messaging campaigns. English Scholar third-, fourth- and fifth-grade students completed a survey about the potential changes, as well.
- D. Thirty family members, representing 36 English Scholar students, and 66 English Scholar students provided input. The following themes emerged:
- A desire to remain at Lent Elementary, often due to proximity to the school, and concern that the change would segregate some neighborhood students from others
 - Requests to allow current English Scholar students to transition to the Spanish DLI program and improving access to Spanish DLI for future Lent students
 - Interest in moving to Marysville, along with a clear need for transportation and questions about child care and other support services.
 - Requests to allow students to transfer to another school if English Scholar students are moved to Marysville Elementary
- E. While community hopes and concerns are now better understood, the fundamental enrollment conditions have not improved. Therefore, District staff continues to recommend moving the English Scholar program to Marysville remains intact, with the following adjustments in response to community input:
- Future Lent neighborhood kindergartners and upper grades students with Spanish-language experience will be able to enroll in Spanish Immersion without going through the lottery
 - The language assessment requirement will be waived for current English Scholar kindergartners who want to remain at Lent and join Spanish Immersion in 2023-24 school year
 - Additional information about the Spanish Immersion Late Entry Procedures will be available for English Scholars, including automatic placement for those who speak Spanish at home
 - Families will have priority for transfer to other options with space availability

RESOLUTION

1. The Board of Directors approves changing the location of the English Scholar program for Lent neighborhood students from Lent to Marysville, beginning in the 2023-24 school year.
 - a. Future Lent neighborhood kindergarten students will be assigned to Lent Spanish Immersion, but may opt-out and enroll at Marysville instead.
 - b. New students in grades one through five who move into the Lent neighborhood will be assigned to Marysville or may attend Lent Spanish Immersion if they meet program language requirements.

2. The Board directs the Superintendent to implement the following actions in response to input provided by Lent English Scholar families and to ensure a successful transition for their children:
 - a. The language assessment requirement will be waived for current English Scholar kindergartners interested in joining Spanish Immersion as first graders in the 2023-24 school year.
 - b. Additional information about the Spanish Immersion Late Entry Procedures will be available for English Scholars, including automatic placement for those who speak Spanish at home.
 - c. Each Lent English Scholar family will also be offered priority for transfer to another school that meets their needs and interests. Approval will be based on space availability, and transportation will be the responsibility of the family.



**PORTLAND PUBLIC SCHOOLS
DIVISION OF INSTRUCTION & SCHOOL COMMUNITIES**

501 North Dixon Street / Portland, OR 97227
Telephone: (503) 916-3702

Date: October 25, 2022
To: Portland Public Schools School Board
From: Dr. Jon Franco, Chief of Schools
Subject: Follow up to RESOLUTION No. 6513 SE Enrollment and Program Balancing-Phase 2

INTRODUCTION

In May, 2022, the Board voted on boundary and program changes for 19 Southeast schools, but deferred a decision on the future location of the Lent English Scholar program. The Lent English Scholar program is composed of neighborhood students who do not enroll in Spanish Immersion. The Deputy Superintendent for Business & Operations had proposed moving the single-strand program to Marysville school so English Scholar students could benefit from a more supportive academic experience by creating opportunities for teacher collaboration and student socio-emotional growth. However, few English Scholar community members had provided input on the proposal, and those who had provided feedback expressed concerns about a) the added distance to Marysville and b) being split from friends in the Spanish Immersion program. Portland Public School staff was directed by the Board to re-engage with the Lent community to ensure all voices are heard.

Planning began over the summer to construct an intentional outreach plan and engagement strategy to connect with English Scholar families. Immediately after the start of the school year, community engagement staff began outreach to all English Scholar families to hear their concerns, questions and ideas (for details, see: Community Engagement section). This effort also involved staff from a number of offices, departments, and the leadership at Lent Elementary working together in concert to engage English Scholar families across several linguistic and cultural groups to ensure that their perspectives would be obtained, understood, and shared.

Staff recognizes that fundamental enrollment and resource conditions have not changed, and no feasible options have emerged to grow the Lent English Scholar program into two sections per grade while also consolidating Spanish Immersion at Lent. **As a result, the recommendation remains to relocate the English Scholar program to Marysville, while expanding opportunities for neighborhood students to enroll in Lent Spanish Immersion.** Based on community requests, this memo also includes analysis of continuing the English Scholar program at Lent or allowing a program to phase-out. District staff sincerely thanks the Lent staff and community for their participation in and contributions to this process, and truly believes that this recommendation is in service of our commitment to ensure all students receive the best academic experience possible at PPS.

COMMUNITY ENGAGEMENT

In early August, a team of cross-departmental leads came together to discuss an engagement plan for re-engaging the Lent English Scholar community. In partnership with school leaders,

the team decided on a multi-pronged approach to offer different types of engagement opportunities through different mediums and at different times to appeal to as many English Scholar families as possible. Throughout all efforts to engage with families, it was clear that there were varying levels of knowledge around the past Southeast Guiding Coalition (SEGC) efforts, the SEGC goals/recommendations, and the implication for Lent Elementary's English Scholars. Much of the connecting time with families was used to provide information about the SEGC timeline, the earlier recommendation to move the Lent English Scholars to Marysville Elementary, listening to feedback on what the community needed, and answering straightforward questions about things like transportation and the difference between co-located programs and neighborhood programs. We also invited the Marysville Principal to the forum to share the program at her school.

For all formal meetings, translation was provided in Arabic, Chinese, Russian, Spanish and Vietnamese. For in-person meetings, child care and food were provided.

Initial Outreach

Synergy data provided the team with contact information for all families of the 127 students enrolled in the PK-5 English Scholar classrooms at Lent. Families were invited by personal phone call to the following engagement opportunities :

- An in-person meeting at Lent on September 19th at 6:00pm
- A virtual meeting via the school's Zoom account on September 27th at 10:00am
- Drop-in engagement availability at Lent on September 29th between 8:15am-3:30pm

Phone calls were assigned to staff and made in the home language listed for each family in Synergy. Initial phone calls resulted in direct contact with 45% of the English Scholar families. Any family that did not answer was left a voicemail, and a number of these families called back after receiving a voicemail.

A number of respondents expressed gratitude for being called directly by PPS staff. They often asked questions during these conversations, and staff was able to answer nearly all of them. All families were invited to the event of their choice to learn more, ask questions, and share their open and honest feedback.

Informational Blasts and Reminders

Informational blasts and reminders were provided a number of times to keep the outreach flowing and continue to promote engagement opportunities. They included paper flyers sent home with students, personal phone calls (in each family's home language), translated digital messages, translated School Messenger messages, and translated text messages.

September 19 In-Person Meeting Recap

Eighteen parents/guardians representing 21 English Scholar students attended the in-person meeting on September 19th. A presentation was co-led by Assistant Superintendent Dr. Esther Omogbehin, Lent Principal Dr. Olgamar Amor, Marysville Elementary Principal Cathy Murray, and Director of Enrollment and Transfer Judy Brennan. The presentation shared a timeline of SEGC developments, achievement data for Lent Elementary and Marysville Elementary, and a comparison of achievement trends for English Scholars in co-located vs. neighborhood schools. The presentation also provided a space for Principal Murray to share information about Marysville and for Director Brennan to share information related to potential enrollment and

transfer questions, and address questions related to transportation if the board were to vote to move the Lent English Scholar program to Marysville beginning in the fall of 2023.

Following the presentation, there was a robust question and answer session. Families had many questions and varying degrees of knowledge about the SEGC process.

Questions and feedback tended to align with a few key themes:

- The potential for current English Scholars to transfer to the current DLI program
 - A couple of families stated that they had tried to enroll their student(s) in the Spanish DLI program but were ultimately unsuccessful and wondered if it was still possible to enroll them in the Spanish DLI program.
- The potential for current English Scholars to transfer to Marysville Elementary during the current school year if it is determined that they will be attending Marysville next school year
- The assurance that transportation will be provided to Lent English Scholars if they are to attend Marysville Elementary next year

Answers were provided in all instances where staff knew the answer. For unanswered questions, they were recorded and answers were reported back to the community in a written format on September 23rd as part of an ongoing series of engagement recaps to communicate information to stakeholders.

Interpreters were provided for this meeting in Arabic, Chinese, Russian, Spanish and Vietnamese. Child care was coordinated and hosted for this meeting, and dinner was provided.

September 27 Virtual Meeting Recap

Three parents/guardians representing four English Scholar students attended the virtual meeting on September 27th. A presentation, mirroring the one provided on September 19th, was given and followed by a question and answer session. The team responded to the questions asked though we had a small number of participants. For more information, be sure to see the document linked at the bottom of this section.

Staff were able to speak to all questions and provide answers during the meeting. Interpreters were provided for this meeting in Arabic, Chinese, Russian, Spanish and Vietnamese.

September 29 Drop-In Availability

Seven parents/guardians representing 13 English Scholar students attended the drop-in availability on September 29th, often around drop-off or pick-up times. PPS staff also connected with a couple families who currently have students in Pre-K at Lent who could be English Scholars in the future. All families were given an overview of the staff recommendation to move the Lent English Scholars to Marysville Elementary, offered an opportunity to ask clarifying questions, provide feedback, and then provided a paper copy of the survey tool to complete, which they did.

Parents/guardians who stopped by to connect with PPS staff showcased varying levels of understanding about the SEGC work and the status of Lent Elementary's English Scholar program. . Their questions and concerns tracked very closely with those expressed during the

September 19th in-person meeting, including assurances around transportation and the potential for transferring their students to the DLI program to stay at Lent.

Survey Tool

The survey tool was created after the robust conversation during the in-person meeting on September 19th. Because there were some clear, consistent concerns (i.e., persistent achievement gaps, transportation, transfer, etc.) that arose from that conversation, the survey tool sought to continue assessing those trends to help identify the supports families are interested in receiving if the board votes to confirm the move of the Lent English Scholars to Marysville. There was also an open-ended portion where families could raise new questions and/or share general feedback. The survey tool was translated into Arabic, Chinese, Russian, Spanish and Vietnamese.

The team recognized the complexity of the issue at hand and, in order to help meet families where they are, linked a Frequently Asked Questions (FAQ) document in the introduction of the survey tool with a recommendation that respondents review that FAQ before completing the survey. Staff also wove the recommendation to review the FAQ (before completing the survey) into language promoting the survey tool through School Messenger. The FAQ was also translated into Arabic, Chinese, Russian, Spanish and Vietnamese.

25 family surveys, representing 17% of all English Scholar students, were returned in four languages. The survey tool indicated that most families who responded would most likely or certainly need transportation to attend Marysville Elementary. It also indicated that some families of Kindergarten students would like the opportunity to transition their child to the Spanish DLI program while the families of older students (grades three and four) were more inclined to either like to stay at Lent for an additional year or be allowed to seek a transfer to a different school. For a more detailed look at the responses to the survey tool, please see [here](#).

October 4 Lent Staff Meeting Q&A

On October 4th, Director of Enrollment and Transfer Judy Brennan and Program Manager of Community Engagement and Student Voice Jeffrey Wiser attended the regularly scheduled Lent Elementary staff meeting. During that meeting, a recap of engagement efforts was provided to staff members along with trends in the concerns heard from families. Staff asked questions about implications for staff, including questions around staffing and job retention. Staff also asked why the focus for engagement has been on the English Scholar families and students.

Community Updates

A series of community updates have been shared with the Lent community in an effort to close the loop with stakeholders, acknowledge their questions and concerns, and provide answers and updates. Updates were sent on [September 23](#) and [October 3](#). Additionally a postcard was sent to families the week of October 17th informing them of the planned Board vote on October 25.

10/18/22 Community Meeting

A final meeting with the Lent community was held October 18th at 6:30 pm. Both in-person and online attendance was possible and the entire community was invited to participate. In-person attendance included 17 family members, eight with children in the English Scholar program, eight Lent staff members, two students, PPS Board member Julia Brim-Edwards and several

district staff and translators. Fifteen participants logged on to the Zoom version of the meeting. District staff presented a summary of the community engagement received to date and attendees offered questions and comments verbally and through feedback forms. The primary topics were concerns about splitting up the Lent community, and how families learned about and participated (or did not participate) in the survey and feedback opportunities.

Emerging Themes

Community member and student input centered on four themes:

- Interest in remaining at Lent
 - This was the prevailing, but not universal, theme
 - 9 of 26 (32%) family surveys and 14 of 40 (35%) 3rd/4th grade surveys indicated a preference for remaining at Lent for at least one more year
 - Distance to school, and community familiarity were the top reasons given for remaining at Lent.
- Interest in joining Spanish Immersion and concerns about the lottery
 - 9 of 26 (32%) family surveys indicated an interest in transferring their children into Spanish Immersion—particularly families of Kindergarten students. No 3rd/4th grade students showed interest in this option
- Curiosity and concern about Marysville
 - Family questions covered transportation, childcare, school capacity, class sizes, time with quality teachers and student supports
 - 14 of 21 (66%) of family survey respondents would need transportation if their children move to Marysville
- Timing, process and transfer options
 - 8 of 26 families (31%) were interested in transferring to Marysville this year
 - 8 of 26 families (31%) were interested in transferring to other schools
 - 15 of 40 (38%) 3rd/4th graders were interested in transferring to Marysville this year—almost all were in 3rd grade
 - 54 of 66 (82%) 3rd/4th/5th graders were not aware of the proposed changes prior to receiving the survey
 - Questions ranged from “Why are these decisions being made?” to “If we know if this is going to happen, can we move our kids now?”

For a more detailed summary of community engagement efforts, please click [here](#).

STAFF ANALYSIS

SEGC Background

The PPS Board of Directors adopted a Scope of Work for District-wide Enrollment and Program Balancing in February 2020, including the following rationale:

Under-enrolled schools often have difficulty providing a robust array of programming; students and educators in single-strand program pathways are isolated from their peers. Having programs co-located in a building often leads to isolation and programmatic inequities.

Based on these and other factors, the Board directed that the process of District-Wide Enrollment and Program Balancing begin with a focus on southeast schools. In Phase 1 of the process, a volunteer group of parents, principals, teachers, students and other stakeholders, the Southeast Guiding Coalition (SEGC), recommended a feeder pattern for Kellogg Middle School and the conversion of five K-8 schools into K-5s.

In May 2021, the Board provided a charge for Phase 2 of SE Enrollment and Program Balancing through Resolution No. 6315. Key directions were to recommend attendance area and special program assignments for Harrison Park Middle School, a plan to relocate K-5 students and programs currently served at Harrison Park to the Clark building, and a plan to increase enrollment at Lane Middle School. Phase 2 occurred from Spring 2021 - Spring 2022. On May 24, 2022, The Board of Education adopted the Phase 2 recommendations through [Resolution No. 6513](#).

Some highlights from the Resolution:

- The Board directs that the proposal to change the neighborhood's English Scholars program at Lent is deferred for no more than a year.
- Initiate the opening of Clark Elementary School and Harrison Park Middle School
- Relocate the Creative Science School to Bridger ES,
- Bridger Spanish Immersion to Lent ES
- Mt. Tabor Spanish Immersion to Kellogg MS,
- Harrison Park K-5 Chinese Immersion to Clark ES
- Hosford Chinese Immersion to Harrison Park MS

Rationale for Single-Strand Program Consolidations

PPS instructional leaders encouraged SEGC to consider proposals that offered neighborhood students programs that were at least two strands per grade level, especially if the program shared space with a Dual Language Immersion program. This was supported by [analysis](#) from Research, Assessment, and Accountability, showing that, within co-located schools, Direct Certification rates are consistently higher for neighborhood strands and lower for the DLI strands. This can lead to disparities in needs vs. resources when funding is allocated at a school level.

When controlling for Direct Certification rates, we consistently see lower performance on SBAC (OSAS) testing for students in the neighborhood strand at co-located programs than students in schools with co-located programs (except in our highest SES schools). Root causes for these challenges and outcomes include:

- Lack of opportunities for educator collaboration
- Limited resources that have to be shared across two separate programs
- Limited opportunities for specific professional development
- Lack of opportunities for building social skills with students who are together for multiple years
- Lack of opportunities to provide differentiation
- Limited academic experiences

Additionally, Spanish and Chinese Limited English Proficient students in immersion programs perform higher on English & Language Arts SBAC (OSAS) tests than their peers in later grades. Creating whole-DLI schools, as well as whole-neighborhood schools, could result in more robust and efficient staffing and professional development, positively affecting instruction and student outcomes, particularly for native speakers of the DLI language.

The SEGC Phase 2 recommendation and Board decision resulted in the planned 2023-24 consolidation of Bridger ES and Lent ES Spanish DLI, Kellogg MS and Mt. Tabor MS Spanish DLI, and Harrison Park MS and Hosford MS DLI programs. Since the neighborhood strands at Bridger will no longer be a separate single-strand program when they are combined with the Creative Science School, the Lent English Scholar (neighborhood) program would remain the only single-strand neighborhood program in SE.

Lent Enrollment Analysis

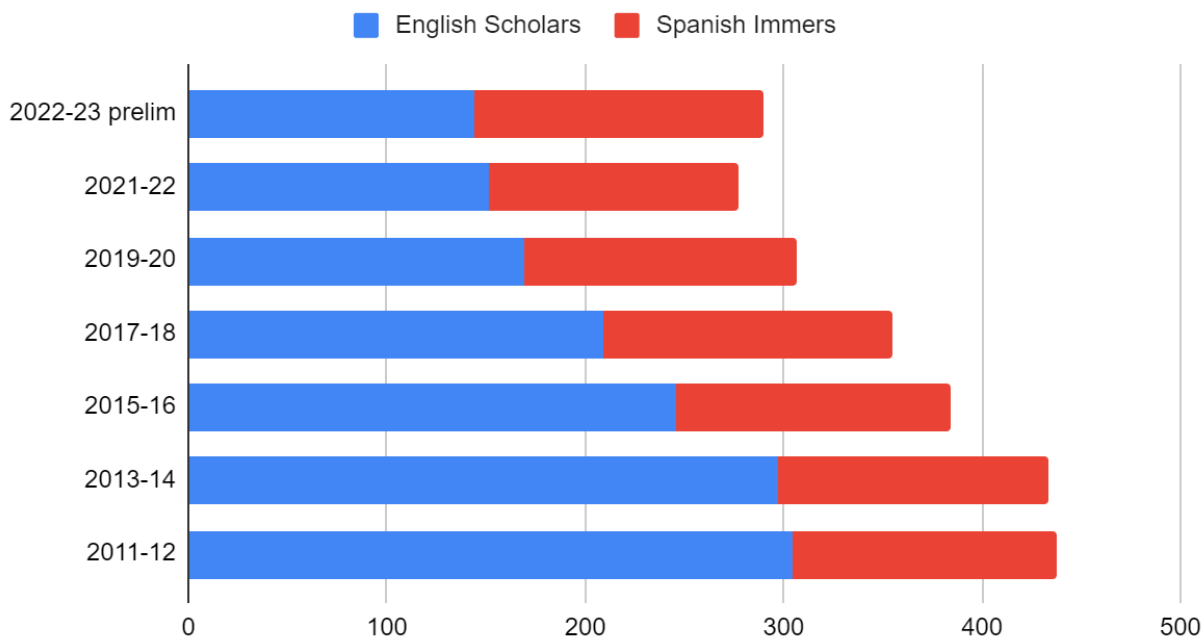
Spanish Dual Language Immersion was added to Lent Elementary in 2006, the same year Lent converted from a K-5 to a K-8 by adding one grade per year. The school changed back to a K-5 structure in 2021 when grades 6-8 were assigned to Kellogg Middle School.

Lent enrollment has declined by about a third in the past decade. Most of the change is due to lower enrollment in the English Scholar program, which corresponds with a 36% drop in total K-5 neighborhood students.

Current class size at Lent shows enrollment per class in both DLI and English Scholars.

Grade	Spanish Immersion Class Size	Spanish Immersion Number of Teachers	English Scholars Class Size	English Scholars Number of Teachers
KG	20	1	16	1
1	23	1	13.5	2
2	15.5	2	19	1
3	15	1	19	1
4	21	1	21	1
5	19	1	24	1

Lent K-5 Enrollment by Program



Both Lent programs serve primarily students of color, with notable differences in the proportion of Latino and Black students. See this [analysis](#) for more historical enrollment details.

Lent Enrollment by Race and Ethnicity: 2021-22

	Latino	Black	Asian	Native American	Pacific Islander	White	Multi-Racial
Spanish Immersion	69%	2%	2%	1%	0%	24%	4%

English Scholars	29%	14%	15%	0%	1%	34%	11%
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Highlights of Joining Marysville

Marysville offers several advantages for Lent English Scholar students, including:

- Stable and growing PK-5 enrollment, which provides assurance that Lent students will have larger peer groups and teachers will have more opportunities for collaboration and focused professional development
- Long-term, experienced staff who utilize a deeply embedded and integrated Social Emotional Learning program throughout the school
- Space to open up to six additional classrooms
- Robust support programs, including on-site child care through YMCA and a full SUN program

All students in the Lent boundary will have transportation to Marysville. Routes will be established later in the school year based on the home addresses of transitioning students.

Options for Joining Spanish Immersion or Transferring to Other Schools

While there are important advantages available at Marysville for Lent English Scholar students, families asked us whether other options could be available for their children, including moving from English Scholars into Spanish Immersion so their children could remain at Lent, or transferring to other PPS schools.

All future Lent neighborhood families will have improved access to Spanish Immersion, with automatic assignment for neighborhood kindergartners and a simplified process for determining eligibility of upper grade students. During the community engagement process, many families expressed interest in having their existing English Scholar students transition to Spanish Immersion next year. In response to these requests, there will be enhanced opportunities for current Lent English Scholars to transition to Spanish Immersion:

- The language assessment requirement will be waived for current English Scholar kindergartners interested in joining Spanish Immersion as first graders.
- Additional information about the Spanish Immersion [Late Entry Procedures](#) will be available for English Scholars, including automatic placement for those who speak Spanish at home.

Each Lent English Scholar family will also be offered priority for transfer to another school that meets their needs and interests. Approval will be based on space availability, and transportation will be the responsibility of the family.

FISCAL IMPACT

Relocating the Lent English Scholar program to Marysville could improve the efficiency of staffing allocations over time, while increasing student opportunities.

Additional transportation routing will be required for Lent neighborhood students to access Marysville. Routes will be established in spring 2023.

TIMELINE FOR IMPLEMENTATION OF STAFF RECOMMENDATION

The recommendation is for all grades of the English Scholar program to move to Marysville at the end of the 2022-23 school year, so that staff and resources associated with both programs can be consolidated and strengthened as quickly as possible.

To prepare for the changes, school leaders would begin informally bringing together communities in fall 2022 to give families more opportunities to learn about Marysville, as well as options for transitioning to Spanish Immersion or transferring to other schools.

Central departments, including transportation, early education, dual language immersion, special education, human resources, facilities, school modernizations, enrollment and transfer, and community partnerships, will support school leaders in assuring a smooth transition in fall 2023. Human Resources and labor partners are in the midst of planning a fall staffing process for schools significantly impacted by enrollment changes, including Lent. The process will commence as soon as the English Scholar program location is determined.

BOARD OPTIONS WITH ANALYSIS

As noted elsewhere in this report, single-strand neighborhood programs have resulted in inequitable opportunities and lower achievement for historically underserved students.

However, the Lent English Scholar community members have asked to remain at the Lent for numerous reasons, including because it is closest to their homes and is a safe and welcoming community. The Board could decide to keep English Scholars at Lent or phase it out over time.

There are 28 classrooms in the main Lent building, along with three modular classrooms. There is enough space to have 18 Bridger and Lent Spanish Immersion classrooms (the goal is three sections per each grade level), two pre-kindergarten classrooms, and six English Scholar classrooms, but that would require the long-term use of modulators for elective, support or regular classrooms. The greater challenge is in assuring a robust experience for students and teachers in a building shared with another program and for which a single-strand program would remain.

If the Board were to decide to phase out the English Scholar program, current students would remain, but the program would stop admitting new English Scholar students starting at the Kindergarten-level, and phase-out a grade-level per year through 2028-29. There would be enough space for the phase-out with less chance of needing to use modular classrooms. Under a phase-out, English Scholar classrooms would likely have very small cohorts who would have limited opportunities to mix with other English Scholar students. Similarly, English Scholars teachers would have no grade-level peers with which to plan and collaborate on program-specific curriculum and each year would lose a member of their cohort.

CONNECTION TO BOARD GOALS

As part of the Board's charge, PPS staff were asked to provide guidance on preferred locations and configurations of dual-language immersion programs, special education services, focus option programs, and pre-K services. The charge for the SE process includes a focus on sufficient enrollment to offer full programming for some of our most vulnerable students. The intent is to create robust and stable enrollment to support the implementation of academic strategies and create conditions in our physical spaces that enable student success. And to address the issue that under-enrolled schools often have difficulty providing a robust array of programming; students and educators in single-strand program pathways are isolated from their peers. Having programs co-located in a building often leads to isolation and programmatic inequities"

STAFF RECOMMENDATION

Staff recommends that the Board approve changing the location of the English Scholar program for Lent neighborhood students from Lent to Marysville, beginning in the 2023-24 school year. Future Lent neighborhood kindergarten students will be assigned to Lent Spanish Immersion, but may opt-out and enroll at Marysville instead. New students in grades one through five who

move into the Lent neighborhood will be assigned to Marysville or may attend Lent Spanish Immersion if they meet program language requirements.

RELATED POLICIES

4.10.045-P Student Assignment to Neighborhood Schools

As a member of the PPS Executive Leadership Team, I have reviewed this staff report.

_____ *(Initials)*

Southeast Enrollment & Program Balancing
Lent English Scholars

October 25, 2022



Background

Under-enrolled schools often have difficulty providing a robust array of programming; students and educators in single-strand program pathways are isolated from their peers. Having programs co-located in a building often leads to isolation and programmatic inequities.



Background



In May, 2022, the Board voted on boundary and program changes for nineteen Southeast schools, but deferred a decision on the future location of the Lent English Scholar program



Lent English Scholars Engagement

Meetings/Engagements with Community:

- Aug. 18 (In-person)
- Sep. 19 (In-person)
- Sep. 27 (Virtual)
- Sep. 29 (Drop-in)
- Oct. 18 (In-person)
- Sep. 28 - Oct. 7 (Survey)

Meetings/Engagements with Lent staff:

- June 13 (In-person)
- Oct. 4 (In-person)



Communication

Outreach efforts:

- Personal phone calls
- Fliers
- Informational blasts
- Reminders
- Text messaging campaign
- Postcard mailing

Updates:

- Community update on Sept. 23 recapping in-person meeting feedback
- Community update on Oct. 3 recapping virtual meeting and drop-in feedback
- Community update on Oct. 19 recapping in-person meeting feedback



English Scholars Engagement



Outreach, communication and engagements resulted in 30 parents/guardians providing feedback

- These parents/guardians represent 36 students
- This represents nearly one-third of the English Scholar students at Lent Elementary



Engagement Themes

- Interest in remaining in English Scholars at Lent
- Interest in joining Spanish Immersion and concerns about the lottery



Engagement Themes



- Curiosity and concern about Marysville
- Timing, process, and transfer options

Engagement Summary

- Remaining at Lent was the prevailing but not universal theme among families and students
- Some Lent families have not been successful accessing Spanish Immersion and would like the chance to do so now
- There is interest in moving to Marysville, but also concern about transportation and other supports
- Most students were not aware that a change was under consideration



Rationale for Moving English Scholars Program

Single-Strand Program Consolidations

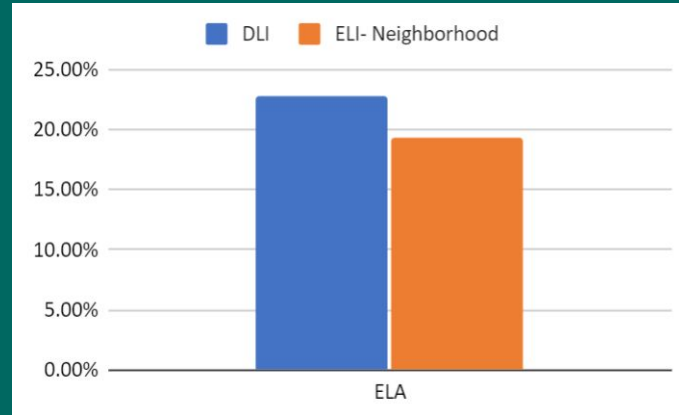
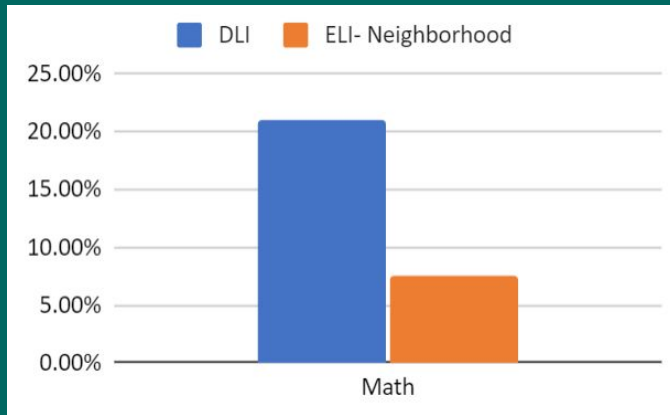
Under-enrolled schools often have difficulty providing a robust array of programming; students and educators in single-strand program pathways are isolated from their peers. Having programs co-located in a building often leads to isolation and programmatic inequities.



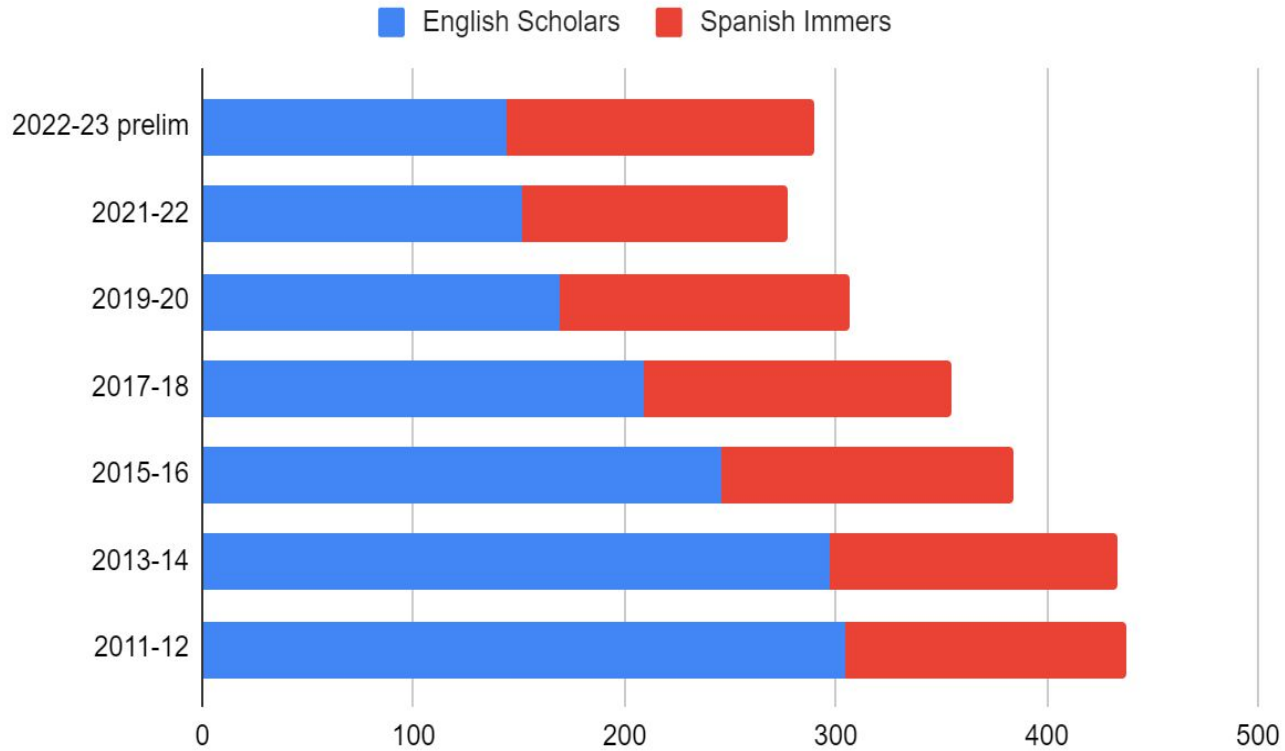
What Does Student Achievement Look Like in Each Program?

At Lent, as well as at other schools, students in Dual Language (DLI) programs generally perform at higher levels than students in the English Scholar, neighborhood programs.

Achievement data for Lent DLI and English Scholar students



Lent K-5 Enrollment by Program



Rationale for Moving English Scholars Program

	Spanish Immersion		English Scholars	
Grade	Teachers	Class Size	Teachers	Class Size
KG	1	20	1	16
1	1	23	2	13.5
2	2	15.5	1	19
3	1	15	1	19
4	1	21	1	21
5	1	19	1	24



Rationale for Moving English Scholars Program

- Intentional welcome for Lent English Scholars to join a school with stable PK -5 enrollment
- Three classrooms at each grade level
 - larger peer groups
 - teachers have more opportunities for collaboration and focused professional development
- On-Site childcare



Recommendation

Staff recommends that the Board approve changing the location of the English Scholar program for Lent neighborhood students from Lent to Marysville, beginning in the 2023-24 school year.



What is different due to community input

- Future Lent neighborhood kindergartners will be able to enroll in Spanish Immersion without going through the lottery
- The language assessment will be waived for current English Scholar kindergartners who want to remain at Lent and join Spanish Immersion next year
- Families will have priority for transfer to other options with space availability



Portland Public Schools

Report on Compliance with Public School Standards

2021-22 School Year

By November 1 of each year, school district superintendents are required by [OAR 581-022-2305: District Assurances of Compliance with Public School Standards](#) to report to their community on the district’s status with respect to all of the Standards for Public Elementary and Secondary Schools. The Standards are adopted by the State Board of Education and set out in Oregon Administrative Rules Chapter 581, Division 22.

The table below contains a summary of **Portland Public Schools** School District’s compliance with each of the requirements of Oregon’s administrative rules found in [DIVISION 22 - STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS](#) during the 2021-22 school year. For each rule reported as out of compliance, **Portland Public Schools** School District has provided an explanation of why the school district was out of compliance and the school district’s proposed corrective action plan to come into compliance. The corrective action must be approved by ODE and completed by the district by the beginning of the 2023-24 school year.

Category: Teaching & Learning

Subcategory: Curriculum & Instruction

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2030 District Curriculum	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2045- Prevention Education in Drugs and Alcohol	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2050 Human Sexuality Education	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2055 Career Education	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2060 Comprehensive School Counseling	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2263 Physical Education Requirements *Elementary Grades	Out of compliance	The district has met all of the requirements for this rule.	For the 2021-22 school year, K-5 students were staffed to receive 90 minutes/week. For the 2022-23 school year, K-5 has increased PE to 105 minutes by moving us closer to compliance. The additional 15 minutes is being implemented by homeroom teachers using a menu of structured movement activities aligned to PE standards. To become compliant in grades K-5 for the 2023-24 school year, staff is proposing to implement one of two options. Option 1: Have the Board modify Board Resolution 5252. Instead of a scheduled 15 minute recess, the Board would allow

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
			<p>students to have a 15 minute structured time four days a week. Option 2: Have Homeroom Teachers teach an additional 45 minutes of structured movement per week. This fall and winter, staff will be engaging teachers and principals to help inform next steps to ensure compliance.</p>
<p>581-022-2263 Physical Education Requirements *Middle Grades</p>	<p>Out of compliance</p>	<p>The district has met all of the requirements for this rule.</p>	<p>To become compliant in grades 6-8, the investment is significant. PPS will need to increase staffing by an estimated 50 FTE. Space is also a consideration as currently not all K-8 and Middle Schools have sufficient space for PE. Nearly every school would need an alternate space outside of the gymnasium to provide structured movement. Staff is planning to incorporate this investment into Middle School Redesign and fully implement by 2024-25 to become compliant</p>
<p>581-022-2320 Required Instructional Time</p>	<p>In compliance</p>	<p>The district has met all of the requirements for this rule.</p>	<p>Not applicable</p>

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2340 Media Programs	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2500 Programs and Services for TAG Students	Out of compliance	The district has met all of the requirements for this rule.	During the 2021-22 school year, the district was unable to verify that every TAG student in every PPS classroom had their rate and level of learning addressed. As is done every year, building administrators and site based TAG facilitators led a rate and level PD during a staff meeting. Additionally, an asynchronous course was provided to educators through our online learning platform Pepper. Linked here is the PPS TAG conciliation plan
581-022-2350 Independent Adoptions of Instructional Materials	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2355 Instructional Materials Adoption	Implementing approved corrective action	The district has met all of the requirements for this rule.	The Bond investment has enabled PPS to create an Instructional Materials Action Plan, attached to this memorandum, with support from the Oregon Department of Education to demonstrate our path to compliance

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
			with this OAR by the 2024-25 school year. The plan carefully sequences different adoptions over the next five years to put us in compliance. The sequencing of adoptions importantly allows our system to effectively implement each adoption. The Instructional Materials Action Plan was formally approved by ODE in the fall of 2021.
581-022-2360 Postponement of Purchase of State-Adopted Instructional Materials	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Assessment & Reporting

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2100 Administration of State Assessments	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2110 Exception of Students with Disabilities from State Assessments	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2115 Assessment of Essential Skills: Diploma Requirements	Waived for 2021-22 school year	Not applicable	Not applicable
581-022-2115(2) Assessment of Essential Skills: Local Performance Assessment Requirement	Out of compliance	The district has met all of the requirements for this rule.	For the 2021-22 school year, PPS did not implement the plan to conduct local performance assessments as called for in this OAR. For the 2022-23 school year, the District will be ensuring that students in grades 3-8 and one time in high school conduct the local performance assessment in writing, speaking, mathematical problem-solving, and scientific inquiry. This fall, staff will be engaging teachers and principals to finalize the details of the assessments by grade level and scoring guide to be used. This plan will be communicated and executed this spring.
581-022-2120 Essential Skill Assessments for English Language Learners	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2130 Kindergarten Assessment	Waived for 2021-22 school year	Not applicable	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2270 Individual Student Assessment, Recordkeeping and Reporting	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2445 Universal Screenings for Risk Factors of Dyslexia	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Program & Service Requirements

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2315 Special Education for Children with Disabilities	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2325 Identification of Academically Talented and Intellectually Gifted Students	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2330 Rights of Parents of TAG Students	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2505 Alternative Education Programs	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: High School Diploma

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2000 Diploma Requirements	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2005 Veterans Diploma	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2010 Modified Diploma	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2015 Extended Diploma	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2020 Alternative Certificate	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2025 Credit Options	In compliance	The district has met all of the requirements for this rule.	Not applicable

Category: Health & Safety

Subcategory: Policies & Practices

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2205 Policies on Reporting of Child Abuse	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2220 Health Services	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2310 Equal Education Opportunities	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2312 Every Student Belongs	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2345 Auxiliary Services	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Plans & Reports

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-0106(4) State Standards for the 2021-22 School Year: Operational	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
Plans (COVID-19 Management Plan)			
581-022-2223 Healthy and Safe Schools Plan	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2225 Emergency Plans and Safety Programs	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2230 Asbestos Management Plans	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2267 Annual Report on Restraint and Seclusion	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2510 Suicide Prevention Plan	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Athletics & Interscholastic Activities

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2210 Anabolic Steroids and Performance Enhancing Substances	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2215 Safety of School Sports – Concussions	In compliance	The district has met all of the requirements for this rule.	Not applicable

Category: District Performance & Accountability

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2250 District Improvement Plan	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2255 School and District Performance Report Criteria	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2260- Records and Reports	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2265 Report on PE Data	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2300 Standardization	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2305 District Assurances of Compliance with Public School Standards	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2370 Complaint Procedures	In compliance	The district has met all of the requirements for this rule.	Not applicable

Category: Human Resources/Staffing

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2335 Daily Class Size	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2400 Personnel	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2405 Personnel Policies	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2410 Teacher and Administrator Evaluation and Support	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2415 Core Teaching Standards	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2420 Educational Leadership - Administrator Standards	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2430 Fingerprinting of Subject Individuals in Positions Not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2440 Teacher Training Related to Dyslexia	In compliance	The district has met all of the requirements for this rule.	Not applicable

Division 22 Assurances for 2021-22

October 25, 2022



What are the Division 22 Standards?



- All Oregon administrative rules (OARs) set out in Chapter 581, Division 22, Standards for Public Elementary and Secondary Schools.

Example: 581 - 022 - 0102 Definitions

Ch.	Div.	Rule	Title
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- The standards that the Oregon legislature or the State Board has determined must be met in order to be a standard school district.
- Compliance with these rules ensures a baseline level of service across the state.

Division 22 Oregon Administrative Rules

Assurances - “Our Why”

- Signals our commitment to providing a high quality educational experience and equitable opportunities for all students.
- Division 22 standards articulate the floor of the education to be provided to students, not the ceiling.
- Assurances process offers an opportunity for districts not in compliance to reflect on areas in need of attention and receive technical assistance.

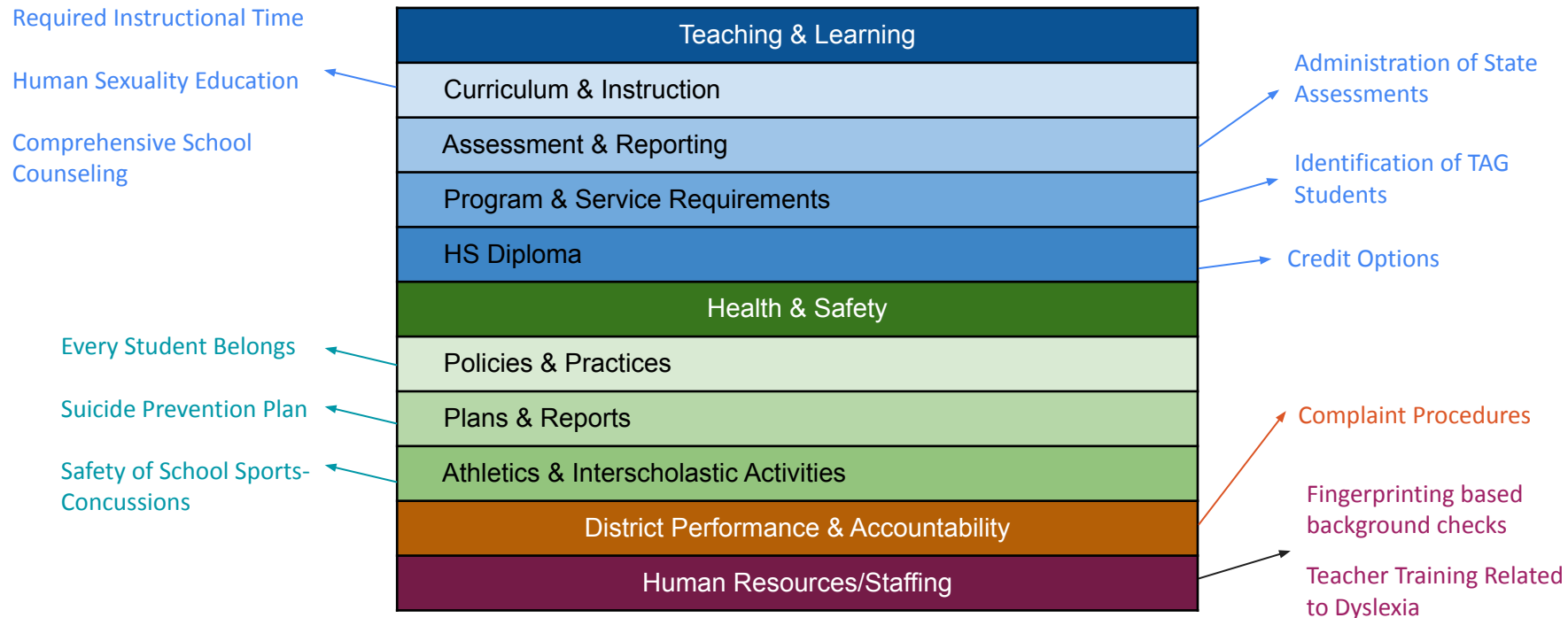


Division 22 Rule Categories

Teaching & Learning
Curriculum & Instruction
Assessment & Reporting
Program & Service Requirements
HS Diploma
Health & Safety
Policies & Practices
Plans & Reports
Athletics & Interscholastic Activities
District Performance & Accountability
Human Resources/Staffing

Division 22 standards include over 50 rules.

Snapshot: Division 22 Rules



Changes to the Division 22 Standards for 2021-22

Waivers:

- [581-022-2115\(4\) Assessment of Essential Skills Graduation Requirements](#)
 - Note: Local Performance Assessment remains in effect
- [581-022-2130 Kindergarten Assessment](#)

Addition: Operational Plans

School districts and public charter schools must periodically submit to the Department a plan for operation during the 2021-22 school year. The plan must be submitted on a timeline to be determined by the Department and on a form provided by the Department. This addition is set out in [OAR 581-022-0106: State Standards for the 2021-22 School Year](#).

Three Steps in the Division 22 Assurances Process

- School district superintendents report to their local School Board the district's compliance with all Division 22 Standards for the 2020-21 school year **by November 1, 2022.**
- School districts post the Community Report on Compliance with Public School Standards to their websites **by November 1, 2022.**
- School districts complete and submit the annual Division 22 Assurances Form to ODE **by November 15, 2022.**



Compliance the Past 6 Years

Compliance in 2021-22

- 581-022-2100 Administration of State Assessments and 581-022-2110 Exception of Students with Disabilities from State Assessments
- 581-022-2330: Rights of Parents of TAG Students

Compliance in 2019-20

- 581-022-2440: Teacher Training Related to Dyslexia
- 581-022-2340: Media Programs

Compliance in 2018-19

- 581-022-2045: Prevention Education in Drugs and Alcohol
- 581-022-2050: Human Sexuality Education in 2018-19

Compliance in 2017-18

- 581-022-2370: Complaint Procedure

Instructional Materials Adoption OAR

Corrective Action Plan and Timeline

581-022-2355: Instructional Materials Adoption

- ODE Approved the Instructional Materials Action Plan in the fall of 2021.
- The Bond investment has enabled PPS to create an Instructional Materials Action Plan to demonstrate our path to compliance with this OAR by the 2024-25 school year.



Talented and Gifted (TAG) OAR Corrective Action Plan and Timeline



581-022-2500: Programs and Services for TAG Students

- During the 2021-22 school year, the district was unable to verify that every TAG student in every PPS classroom had their rate and level of learning addressed.
- As is done every year, building administrators and site based TAG facilitators led a rate and level PD during a staff meeting. Additionally, an asynchronous course was provided to educators through our online learning platform Pepper.

Local Performance Assessment Corrective Action Plan and Timeline

581-022-2115 Assessment of Essential Skills

- For the 2021-22 school year, PPS did not implement the plan to conduct local performance assessments as called for in this OAR.
- For the 2022-23 school year, the District will be ensuring that students in grades 3-8 and one time in high school conduct the local performance assessment in writing, speaking, mathematical problem-solving, and scientific inquiry.



Physical Education OAR

Corrective Action Plan and Timeline

Under, 581-022-2263 Physical Education Requirements, Districts are required to provide students with 150 minutes/week in grades K-5 & 180 minutes/week in grades 6-8.

For the 2021-22 school year, K-5 students were staffed to receive 90 minutes/week and grades 6-8 students are staffed to receive 1 quarter of Health and at least 1 quarter of PE for 180 minutes/week each year.

In K-5 for the 2022-23 school year, K-5 students are receiving an additional 15 minutes/week of structured movement



Physical Education OAR

Corrective Action Plan and Timeline

K-5 2023-2024

Staff will be adding additional time for PE through structure movement. Stakeholder engagement occurring in the 2022-23 school year will inform how the additional minutes will be added.

Grades 6-8 2024-2025

Increase staffing by an estimated 50 FTE. Need alternate space in every school. Staff is planning to incorporate this investment into Middle School Redesign and fully implement by 2024-25 to become compliant.

New/Revised Rules & Requirements for 2022-23

OAR 581-022-2500 Programs and Services for TAG Students

Districts shall post current TAG plan on the district website and have it available on request. Districts shall update ODE annually with district TAG contact information. Parents and students have the right to discuss the TAG plan. Updated TAG plans are due to ODE by May 1, 2023.

OAR 581-022-2325 Identification of Academically Talented and Intellectually Gifted Students

Person who is responsible for identification must be trained.



New/Revised Rules & Requirements for 2022-23

OAR 581-022-2263 Physical Education Requirements

Instructional time requirements for middle school increased to 225 (or 180 for a 4 day week)

OAR 581-022-0107 Operational Plans for the 2022-23 School Year

School districts and public charter schools must periodically submit to the Department a plan for the 2022-23 school year. The plan must be submitted on a form and on a timeline to be determined by the Department.

581-022-2308 Agreements Entered Into with Voluntary Organizations

Requires adoption of a policy governing participation in a voluntary organization that administers a program. The voluntary organization must adopt and implement policies prohibiting discrimination, maintaining records, and administer an annual survey.





Date: October 25, 2022
To: School Board
From: Dr. Cheryl Proctor, Deputy Superintendent
Dr. Jon Franco, Chief of Schools
Dr. Kimberlee Armstrong, Chief Academic Officer
Subject: Division 22 Community Report of the 2021-22 School Year

Background:

By November 1 of each year, school district superintendents are required by OAR 581-022-2305: District Assurances of Compliance with Public School Standards to report to their community on the district's status with respect to all of the Standards for Public Elementary and Secondary Schools. The Standards are adopted by the State Board of Education and set out in Oregon Administrative Rules Chapter 581, Division 22.

Timeline:

- By November 1, 2022: School district superintendents report to their local School Board the district's compliance with all Division 22 Standards in effect for the 2021-22 school year.
- By November 1, 2022: School districts post the report to their websites.
- By November 15, 2022: School districts complete and submit the annual Division 22 Assurance Form.

PPS Progress toward Division 22 Compliance:

Over the past six years, PPS has become compliant with the following OARS:

- 581-022-2100 Administration of State Assessments and 581-022-2110 Exception of Students with Disabilities from State Assessments in 2021-22
- 581-022-2330: Rights of Parents of TAG Students in 2021-22
- 581-022-2440: Teacher Training Related to Dyslexia in 2019-20
- 581-022-2340: Media Programs in 2019-20
- 581-022-2045: Prevention Education in Drugs and Alcohol in 2018-19
- 581-022-2050: Human Sexuality Education in 2018-19
- 581-022-2370: Complaint Procedure in 2017-18

Revisiting 2020-21 Community Report:

At the October, 26, 2021 Board Meeting, the Division 22 Community Report was presented on the 2020-21 school year. The District certified compliance with all OARs except the below OARs:

- 581-022-2100 Administration of State Assessments and 581-022-2110 Exception of Students with Disabilities from State Assessments
- 581-022-2355: Instructional Materials Adoption
- 581-022-2500: Programs and Services for TAG Students
- 581-022-2330: Rights of Parents of TAG Students
- 581-022-0104 State Standards for the 2020-21 School Year and 581-022-2263 Physical Education Requirements.

Compliance in 2021-22:

For the 2021-22 school year, Portland Public Schools was in compliance with all of the Division 22 Standards except the following Standards:

- 581-022-2500: Programs and Services for TAG Students
- 581-022-2263 Physical Education Requirements
- 581-022-2115 Assessment of Essential Skills
- 581-022-2355: Instructional Materials Adoption

Corrective Action Plans:

- 581-022-2355: Instructional Materials Adoption
 - The Bond investment has enabled PPS to create an Instructional Materials Action Plan, attached to this memorandum, with support from the Oregon Department of Education to demonstrate our path to compliance with this OAR by the 2024-25 school year.
 - The plan carefully sequences different adoptions over the next five years to put us in compliance. The sequencing of adoptions importantly allows our system to effectively implement each adoption.
 - The Instructional Materials Action Plan was formally approved by ODE in the fall of 2021.
- 581-022-2500: Programs and Services for TAG Students

- During the 2021-22 school year, the district was unable to verify that every TAG student in every PPS classroom had their rate and level of learning addressed.
 - As is done every year, building administrators and site based TAG facilitators led a rate and level PD during a staff meeting. Additionally, an asynchronous course was provided to educators through our online learning platform Pepper.
 - Attached to this memorandum is the PPS TAG Conciliation Plan for 2019-22 for how we address programs and services for TAG students.
- 581-022-2263 Physical Education Requirements.
 - Under 581-022-2263 Physical Education Requirements, Districts are required to provide students with 150 minutes/week in grades K-5 & 180 minutes/week in grades 6-8.
 - For the 2021-22 school year, K-5 students were staffed to receive 90 minutes/week and grades 6-8 students were staffed to receive 1 quarter of Health and a minimum of 1 quarter of PE each year.
 - PPS is planning to be in compliance with 581-022-2263 Physical Education Requirements for grades K-5 for the 2023-24 school year and in compliance with grades 6-8 in the 2024-25 school year.
 - For the 2022-23 school year, K-5 has increased PE to 105 minutes by moving us closer to compliance. The additional 15 minutes is being implemented by homeroom teachers using a menu of structured movement activities aligned to PE standards. To become compliant in grades K-5 for the 2023-24 school year, staff is proposing to implement a variation of one of the two options below. This fall and winter, staff will be engaging teachers and principals to help inform next steps to ensure compliance.
 - Option 1: Have the Board modify [Board Resolution 5252](#). Instead of a scheduled 15 minute recess, the Board would update this resolution to allow for this time to be used for a 15 minute structured time four days a week.
 - Option 2: Have Homeroom Teachers teach an additional 45 minutes of structured movement across the week.
 - To become compliant in grades 6-8, the investment is significant. PPS will need to increase staffing by an estimated 50 FTE. Space is also a consideration as currently not all K-8 and Middle Schools have sufficient space for PE. Nearly every school would need an alternate space outside of the gymnasium to provide structured movement. Staff is planning to incorporate this investment into Middle School Redesign and fully implement by 2024-25 to become compliant.
- 581-022-2115 Assessment of Essential Skills
 - For the 2021-22 school year, PPS did not implement the plan to conduct local

performance assessments as called for in this OAR.

- For the 2022-23 school year, the District will be ensuring that students in grades 3-8 and one time in high school conduct the local performance assessment in writing, speaking, mathematical problem-solving, and scientific inquiry.
- This fall, staff will be engaging teachers and principals to finalize the details of the assessments by grade level and scoring guide to be used. This plan will be communicated and executed this spring.

New/Revised Rules & Requirements for 2022-23:

OAR 581-022-2263 Physical Education Requirements

- Instructional time requirements for middle school increased to 225 (or 180 for a 4 day week)

OAR 581-022-0107 Operational Plans for the 2022-23 School Year

- School districts and public charter schools must periodically submit to the Department a plan for operation during the 2022-23 school year. The plan must be submitted on a form and on a timeline to be determined by the Department.

581-022-2308 Agreements Entered Into with Voluntary Organizations

- Requires adoption of a policy governing participation in a voluntary organization that administers interscholastic activities. Voluntary organization must adopt and implement policies prohibiting discrimination, maintain a complaint process with sanctions, and administer an annual survey.

OAR 581-022-2500 Programs and Services for TAG Students

- Districts shall post current TAG plan on the district website and have it available on request. Districts shall update ODE annually with district TAG contact information. Parents and students have the right to discuss the TAG plan. Updated TAG plans are due to ODE by May 1, 2023.

OAR 581-022-2325 Identification of Academically Talented and Intellectually Gifted Students

- Person who is responsible for identification must be trained.

Instructional Materials Division 22 Action Plan

Portland Public Schools

Date Submitted



District Information

Include names, titles, and contact information (email and phone).

Superintendent: Guadalupe Guerrero, Superintendent (gguerrero@pps.net , 503-916-3203 x63203)

Main Point of Contact: Daniel Cogan, Academic Programs Associate (dcogan@pps.net, 503-916-2000 x71023)

Historical Data for Instructional Materials Adoptions

Complete the gray columns in the table below.

Content Area	State Adoption Year	For use in classrooms by fall:	Most recent district adoption year	Independent adoption or from state list?	Notes (e.g. district applied for postponement, etc.)
Mathematics	2015	2016	2011	State List	
Science	2016	2017	2011	State List	
Health and Physical Education	2017	2018	2008	State List	
Social Sciences	2018	2019	2008	State List	
World Languages	2020	2021	2010	State List	
English Language Arts	2021	2022	2016	Independent	
English Language Proficiency	2021	2022	2016	State List	

Instructional Materials Division 22 Action Plan

Portland Public Schools

Date Submitted



Planned Adoption Schedule

Outline the district’s plan for adopting materials over the next several years with a timeline that is both realistic and reflects a sense of urgency. Modify the table as needed by adding or deleting rows. This plan should result in the district coming into alignment with the state adoption schedule, within one or two years, which is the timeframe allowed for postponement. Consider prioritizing content areas that have gone the longest without a new adoption and doing multiple adoptions in the same year when possible.

The state adoption schedule through the year 2026 is included below for your reference.

Oregon State Review Cycle	For use in classrooms by fall:
2022: Mathematics	2023
2023: Science	2024
2024: Health & PE	2025
2025: Social Sciences	2026
2026: World Languages & the Arts	2027

School Year	Content Area(s) to be adopted	Adoption Plan (State List or Independent Adoption)
2020-21 (Fall 2021 implementation)	Math K-5 6-8 Science K-5 Foundational Skills (Phase I)	Math K-5: State List Science 6-8: State List Foundational Skills: Independent
2021-22 (Fall 2022 implementation)	World Languages 6-12 Mathematics	For all adoptions, resources on the state list will be reviewed. Other independent

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	K-12 Social Sciences K-12 Health & PE Social Emotional Learning (Phase I)	resources may also be reviewed with a criteria checklist to ensure quality, alignment, and cultural responsiveness.
2022-23 (Fall 2023 implementation)	K-12 Language Arts ESL/ELP The Arts Social Emotional Learning (Phase II)	For all adoptions, resources on the state list will be reviewed. Other independent resources may also be reviewed with a criteria checklist to ensure quality, alignment, and cultural responsiveness.
2023-24 (Fall 2024 implementation)	K-5 Science Social Emotional Learning (Phase III)	For all adoptions, resources on the state list will be reviewed. Other independent resources may also be reviewed with a criteria checklist to ensure quality, alignment, and cultural responsiveness.
2024-25 (Fall 2025 implementation)	Health/Physical Education	For all adoptions, resources on the state list will be reviewed. Other independent resources may also be reviewed with a criteria checklist to ensure quality, alignment, and cultural responsiveness.
2025-26 (Fall 2026 implementation)	Social Sciences	For all adoptions, resources on the state list will be reviewed. Other independent resources may also be reviewed with a criteria checklist to ensure quality, alignment, and cultural responsiveness.

Next Steps

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- Submit a draft plan to ODE staff as soon as possible and **no later than June 28, 2021**.
- ODE staff will either forward the plan as written to the Director (or their designee) for approval OR return it to the district with feedback, questions, and/or suggestions for revision.
 - If applicable, a revised plan should be submitted **no later than July 9, 2021**.
- Note: If you are going to take your plan to your local school board for feedback or approval, we recommend you consult with ODE first in order to avoid having to go back to your Board multiple times.

CONCILIATION AGREEMENT

This Conciliation Agreement (the agreement) is entered into between Megan Robertson, et al (Robertson) and Portland Public School District (PPS District) on June 13, 2022. Robertson and District (the parties) agree and intend that this Conciliation Agreement will resolve the matters at issue in the Oregon Department of Education (ODE) Case Reference #2019-MM-10.

The parties have entered into a conciliation process, a series of discussions leading to the creation of a five-year TAG implementation plan to address the stated deficiencies of the ODE TAG appeal investigation, begun in 2019 and completed in January 2022. The PPS TAG implementation plan is designed to improve areas of concern in the identification, clarification and delivery of TAG services at Portland Public Schools and is a District-wide plan which sets forth a 5-year schedule of mitigation efforts. The TAG implementation plan includes a variety of accountability measures so that stakeholders now and over the next five years can objectively and transparently obtain information to gauge the progress of improving TAG services at PPS to successfully satisfy the obligations of the following Oregon Administrative Rules - OAR 581-022-2325 (2)(e), OAR 581-022-2330 & OAR 581-022-2500 (4).

The parties agree that the adoption of a 5-year implementation plan to improve TAG services at PPS will address the concerns raised by the Complainant in #2019-MM-10 and agree to continue to work together in good faith to support the intent and content of this agreement, including conducting quarterly meetings designed to review progress towards the stated goals of the implementation plan beginning 9/1/2022 in conjunction with TAGAC monthly meetings.

At the conclusion of the five-year period described herein, PPS TAG Dept and Robertson will review the outcome of the 5-year plan and report to ODE if PPS has fulfilled its obligations as stated in the PPS implementation plan. If substantial compliance with the implementation plan has occurred, such that PPS is compliant with the above OARs, then the parties will ask ODE to dismiss the current complaint at the end of the 5-year period. If annual reporting (see below) and TAG demographic statistical trends demonstrate that PPS is not in substantial compliance with its implementation plan and the terms of this agreement, ODE will be notified of the non-compliance and breach of the conciliation agreement. Ms. Robertson will ask ODE to issue a Final Order to include any further remedies or terms ODE may deem necessary to address the original concerns of the Complaint. Complainant agrees that compliance with the PPS implementation plan will be evaluated annually with a final evaluation at the end of the 5-year period.

During the 5-year implementation plan, PPS will annually publish a report outlining its efforts to meet the stated goals of the conciliation agreement and steps taken as called for in the PPS implementation plan. The report will be in writing, publicly available for the PPS community and will also be provided to Ms. Robertson and ODE to demonstrate PPS' on-going good faith efforts to reach substantial compliance with the implementation plan and relevant OARs. The report will be completed no later than June 30th each year.

PPS will report and publish TAG statistics as found on page one of Exhibit A on an annual basis, no later than June 30th of each school year as a “report card” published on the PPS website as well at the TAG website.

The PPS TAG implementation plan is attached to this agreement as Exhibit A. The steps to be taken, supporting all stated goals below are described more fully in Exhibit A, including timelines for implementation.

1.1 The parties have agreed that PPS will take the following steps to ensure compliance with OAR 581-022-2325 (2)e which requires the District to successfully identify students who do not test in the 97th percentile for TAG eligibility, through additional local policies and procedures separate and apart from standardized testing.

- The TAG Department at PPS will implement a series of professional development opportunities to strengthen PPS employee/staff ability to recognize and target PPS students for TAG services.
- The TAG Department will revise the current TAG Identification protocol, including incorporating the requirements of the revised OAR including the development of local/building norms and alternative/additional ways to identify TAG students on or before 11/1/2023.
- The TAG Department at PPS will revise the current TAG Identification protocol to improve communication and outreach to families and students at PPS with the goal of making the TAG nomination/identification process easier to understand and transparent to all interested in the program
- The TAG Department at PPS will communicate directly with all PPS families at least bi-annually describing family/student rights under OAR 581-022-2325 and explaining the protocol and processes in place to determine TAG eligibility with the goal of making all communications transparent and readily available.
- The stated goals are as follows:
 - By the end of 2023/24 school year, PPS will develop a mechanism to identify students for TAG based on creative ability, leadership ability and/or ability in the visual and performing arts
 - By the end of the 2023/24 school year, the percentage of historically underrepresented students identified as TAG eligible will increase from 6.4% to 10%
 - By the end of 2026/27 school year, 50% of PPS teachers in each building will have completed the TAG ID professional development series
 - By the end of the 2026/27 school year, TAG ID demographics will match building demographics with an accuracy of at least 75%

1.2 The parties have agreed that PPS will take the following steps to ensure compliance with OAR 581-022-2330 regarding effective communication of TAG program and services:

- The TAG Department will communicate with PPS families and students in compliance with OAR 581-022-2330 to inform them of TAG identification of the child and the details of the TAG program and services. PPS will provide an opportunity for parents and students to provide input to and discuss with the District the program and services available. Parents may at any time request the withdrawal of their child from such TAG services and PPS shall notify parents of this right. Parents and students will also be informed of their right to file a complaint regarding services or identification for TAG under OAR 581-002-0001 to 0023.
- The stated PPS goals are as follows:
 - By end of 2022/23 school year, the strategies detailed in Exhibit A will be implemented with at least 80% integrity
 - By the end of 2022/23 school year, the demographics of students who apply for SSA and WGA match district demographics with at least 75% accuracy
 - By the end of 2023/24 school year, the percent of historically underrepresented students identified as eligible for TAG will increase from 6.4% to 10%
 - By the end of the 2026/27 school year, TAG ID demographics will match building demographics with an accuracy of at least 75%

1.3 The parties have agreed that PPS will take the following steps to ensure compliance with OAR 581-022-2500 (4) which requires that instruction provided to its students shall be designed to accommodate their assessed levels of learning and accelerated rates of learning.

- The stated goals are as follows:
 - By the end of the 2024/25 school year, PPS will have developed instruments to monitor rate and level learning for students identified as TAG for traditional, creative, leadership and visual/performing arts ability
 - By the end of the 2026/27 school year, the % of students who meet or exceed their MAP growth goals will increase by 20%
 - By the end of the 2026/27 school year, the % of TAG students with chronic or severe absence rates will decrease from 22% to 15%
 - By the end of the 2026/27 school year, the number of TAG students with a discipline incident will decrease by 25%
 - By the end of 2026/27 school year, 75% of TAG students and families will report satisfaction with TAG services as measured by a survey instrument
 - By the end of 2026/27 school year, the % of teachers who meet the standard for rate and level instruction will increase from 13% to 40%, as measured by a sample of classroom observations using a rubric developed with support from Oregon Department of Education.

The parties further agree that:

- 2.1 Upon execution of the agreement, ODE will enter an order staying the proceedings until: ODE confirms in writing that the parties have fulfilled the obligations contained in the agreement; or ODE has determined that a party has failed to fulfill the terms of the agreement.

- 2.2 ODE will continue to have jurisdiction over the matter while the parties are in conciliation.
- 2.3 Any party having an obligation under the agreement will notify ODE in writing within 14 days of completing the obligation. The PPS obligation to provide an annual written progress report on the outcome of its TAG implementation plan, (Exhibit A) will satisfy notification to ODE of progress toward the 5 year implementation plan goals.
- 2.4 ODE may investigate either party's compliance with the agreement to determine whether the parties have met their obligations within the time specified in the agreement.
- 2.5 ODE may issue a final order adopting the findings and conclusions contained in the preliminary order if ODE finds, by substantial evidence, that a party having an obligation under the agreement has failed to fulfill that obligation within the time required and no good cause exists for that failure.
- 2.6 Upon completion of all obligations of the agreement, as confirmed by ODE, ODE will issue an order closing the appeal.

Megan Robertson and Portland Public School District, by signature below, acknowledge that they have read and have agreed to all terms contained in this agreement.

Signature: *Megan L Robertson*
Megan L. Robertson (Jun 13, 2022 16:46 PDT)
Megan Robertson

Date: Jun 13, 2022

Signature: *Guadalupe Guerrero*
Guadalupe Guerrero (Jun 13, 2022 17:30 PDT)
Guadalupe Guerrero, Superintendent, Portland Public Schools

Date: Jun 13, 2022

TAG Conciliation 5 Year Implementation Plan
FINAL 6-1-22

Year One is the 2022-2023 school year
 Year Two is the 2023-2024 school year
 Year Three is the 2024-2025 school year
 Year Four is the 2025-2026 school year
 Year Five is the 2026-2027 school year

BASELINE DATA FOR THIS PLAN IS ON THE FINAL PAGE

In order to promote transparency and accountability in the implementation of this plan, the PPS TAG Department commits to:

- Posting this plan on the TAG website
- Posting quarterly status updates on the TAG website
- Sharing quarterly status updates at TAGAC meetings
- Creating an annual progress report on the status of the implementation of these actions by June 30 of each year and post the report on the TAG website

Activity/Strategy	Monitoring/Accountability Indicators	Deliverables/Deadlines	Most Responsible Staff	Budget Need
<p>OAR 581-022-2325 (2)e: Requires school districts to successfully identify students who do not test in the 97th percentile for TAG eligibility through local policies and procedures.</p> <p>Goals: By the end of the 2026-27 school year, 50% of PPS teachers in each building will have completed the TAG ID PD series By the end of the 2023-24 school year, the percent of HU students identified as eligible for TAG will increase from 6.4% to 10% By the end of the 2026-27 school year, TAG ID demographics will match building demographics with an accuracy of at least 75%. By the end of the 2023-24 school year, PPS will develop a mechanism to identify students for TAG for creative ability, leadership ability, and ability in the visual and performing arts, with implementation in fall 2024.</p>				
<p>TAG DEMOGRAPHICS REPORT CARD 2021-2022 SCHOOL YEAR</p>				
Student group	% of PPS	% identified as TAG	% of total TAG	
All	100%	15.2%	100%	
White	55.2%	19.3%	69.7%	
Asian	6.0%	15.4%	6.0%	
Multiple	11.8%	16.9%	13.1%	
Black	8.7%	4.0%	2.3%	
Latinx	17.1%	7.8%	8.7%	
AI/AN	0.5%	3.3%	0.1%	
Pacific Islander	0.7%	2.3%	0.1%	

ELL	8.5%	0.7%	0.4%
SPED	15.9%	5.7%	5.9%
HU	34%	8.3%	15%

Metrics:

- Percent of HU students identified for TAG
- District and building TAG demographics
- Percent of teachers completing TAG ID PD

<p>TAG Identification PD PPS will offer annual synchronous and asynchronous professional development (PD) to teachers. Teachers will be offered extended hours to participate in the PD, with priority given to early elementary teachers in CSI/TSI/Title I schools, and the sessions will be posted to the PPS TAG website. The PD will:</p> <ul style="list-style-type: none"> ● Build awareness of the laws and regulations governing TAG identification ● Provide strategies to improve the identification of students with disabilities and/or students from historically underserved (HU) communities ● Build capacity to use CLEd scale, Supplemental Behavioral Scale, work samples, and other evidence to identify students who do not test in the 97th percentile. ● Build awareness of how to identify 2E, 3E, and ELL students ● Build awareness about the impact of implicit bias on the identification process. ● Build awareness of the dominance of white culture in the definition and determination of giftedness. ● Build awareness about the impact of learning disabilities (e.g., dyslexia, dyscalculia, ADHD) on the identification process. ● Build awareness about the impact of trauma on how kids present during the identification process. ● Build awareness about how to provide accommodations for students with an 504/IEP during the identification process ● Build awareness about how low achievement and disruptive behaviors can be used as potential evidence of giftedness 	<p>Number of PD sessions offered to teachers annually</p> <p>Number of teachers participating in the PD sessions</p> <p>Number of teachers completing the PD sessions</p> <p>End of session survey data regarding change in teacher knowledge and skills</p> <p>End of session survey data regarding teacher intentions to implement the strategies and practices discussed in the PD series</p>	<p>Annual synchronous and asynchronous PD sessions that address each of the learning targets described in the <i>Activity</i> column (November 2022)</p>	<p>TAG/AVID Program Administrator</p> <p>Director of Learning Acceleration</p>	<p>\$10,000: Contract with TAG content expert to help develop synchronous and asynchronous PS sessions</p> <p>\$10,000: Extended hours for teachers to complete the PD sessions</p>
<p>Revised TAG Identification Protocol</p> <ul style="list-style-type: none"> ● The TAG Department will leverage flexibility offered by the revised TAG ID OAR to develop and implement a more holistic identification protocol that, in addition to TAG testing, this could include performance-assessments, behavioral characteristics checklists (e.g., CLEd and Supplemental Behavioral Scales), classroom observations, and interviews with parents, students, and teachers. ● The protocol will be designed to improve identification of students with disabilities and students from HU communities, and create a mechanism through which students can be TAG identified for: 	<p>Planning Formation of TAG ID workgroup that includes TAG facilitators, TAGAC, parent/student representatives, and building and central office administrators</p> <p>Number of workgroup meetings</p> <p>Draft ID protocol, including local/building norms</p>	<p>Draft TAG ID protocol (February 2023)</p> <p>Final TAG ID protocol (June 2023)</p> <p>TAG ID Protocol PD (October 2023)</p> <p>Full implementation</p>	<p>TAG/AVID Program Administrator</p> <p>Director of Learning Acceleration</p>	<p>\$2,000: Extended hours for teachers to participate in workgroup meetings</p> <p>\$2,000: CUB and food for community input and feedback sessions</p>

<ul style="list-style-type: none"> o Creative ability in using original or non-traditional methods in thinking and producing o Leadership ability in motivating the performance of others either in educational or non-educational settings o Ability in the visual or performing arts • The revised identification procedures will be developed during the 2022-23 school year by a workgroup that would be composed of TAG/MTSS/ELD/SPEd TOSAs, TAG facilitators, TAGAC, parent/student representatives, and building and central office administrators with the goal of implementing the protocol during the 2023-24 school year. (With the mechanism to identify students for TAG for creative ability, leadership ability, and ability in the visual and performing arts developed during the 2023-2024 school year, with implementation in fall 2024.) • The TAG department will solicit feedback on draft ID protocols from the PPS community through at least three community input and feedback sessions. • The revised protocol will include: <ul style="list-style-type: none"> o Local/building norms o Policies and practices to support the accurate identification of students with disabilities, ELL students, students from HU communities, and students experiencing overexcitability/ADHD o Recommendations about how to integrate the ID protocol into MTTs, SIT teams, and PLCs o Accommodations for students with an IEP and/or 504 Plan o Mechanisms through which students can self-nominate 	<p>Number of TAG ID protocol feedback sessions with PPS community</p> <p>Final ID protocol</p> <p>Revised TAG ID protocol presentation to the Board</p> <p>Number of TAG ID training sessions</p> <p>Number of TAG Facilitators, administrators, and teachers who attend TAG ID training sessions</p> <p>End of session survey data regarding change in teacher knowledge and skills</p> <p>End of session survey data regarding teacher intentions to implement the strategies and practices discussed in the PD series</p> <p>Implementation Change in TAG ID demographics</p>	<p>(Fall 2023 identification cycle) * with a mechanism to identify students for TAG for creative ability, leadership ability, and ability in the visual and performing arts, with implementation in fall 2024</p>		
<p>Communication</p> <ul style="list-style-type: none"> • The TAG Department will send at least one email communication to all PPS families annually describing families' rights under OAR 581-022-2325 and the criteria and processes used to determine TAG eligibility. The communication will be family-friendly, jargon-free, and provided in all supported languages. The communication will include an explanation of the benefits of TAG identification. • The TAG Department will maintain an updated website that includes clear and family-friendly descriptions of the TAG identification criteria and processes that will be available in all supported languages. This will include a description of alternative evidence sources (e.g., performance assessments, observation protocols) for academic, cognitive, creative, leadership, and visual and performing arts ability, as they are developed. • The TAG department will work with the PPS Office of Family Engagement and Student Voice to schedule meetings with community based organizations and culturally-specific organizations to discuss (a) families' rights under OAR 581-022-2325, (b) the criteria and processes used to determine TAG eligibility, and (c) the benefits of TAG identification. 	<p>Number of emails sent to all PPS families regarding rights under OAR 581-022-2325 and the benefits of TAG identification</p> <p>Number of community engagement meetings with community based and culturally-specific organizations</p>	<p>Annual email regarding rights under OAR 581-022-2325 and the benefits of TAG identification (October, annually)</p> <p>At least three meetings with community based and culturally specific organizations (August-November, annually)</p> <p>Updated TAG website (October 2022)</p>	<p>TAG/AVID Program Administrator</p> <p>Director of Learning Acceleration</p>	<p>\$500: Translation services</p> <p>\$500: Printing and mailing</p>
<p>OAR 581-022-2330</p> <p>(1) Inform parents at the time of the identification of the child and the programs and services available.</p> <p>(2) Provide an opportunity for the parents to provide input to and discuss with the district the programs and services to be received by their child.</p> <p>(3) The parents may, at any time, request the withdrawal of their child from programs and services provided under OAR 581-022-2330. The school district shall notify parents of identified students of this right.</p>				

(4) Parents shall be informed of their right to file a complaint under OAR 581-002-0001 to OAR 581-002-0023.

Goals:

- By the end of the 2022-23 school year, the strategies detailed below will be implemented with at least 80% integrity
- By the end of the 2022-23 school year the demographics of students who apply for SSA and WGA will reflect district demographics with at least 75% accuracy
- By the end of the 2023-24 school year, the percent of HU students identified as eligible for TAG will increase from 6.4% to 10%
- By the end of the 2026-27 school year, TAG ID demographics will match building demographics with an accuracy of at least 75%

Metrics:

- Demographics of student apply for Single Subject Acceleration (SSA) and Whole Grade Acceleration (WGA)
- Building and district TAG demographics

<p>Communication</p> <ul style="list-style-type: none"> • The TAG Department will send email communication to all PPS families at least <i>two times</i> per year describing families' rights under OAR 581-022-2330 and the criteria, processes, and deadlines related to: <ul style="list-style-type: none"> ○ TAG testing and nomination cycles ○ Single subject and whole grade acceleration ○ Requesting a written TAG plan ○ ACCESS Academy applications • The TAG Department will send a <i>quarterly</i> TAG newsletter to families on the TAG listserv, which will be open to all families regardless of TAG status. The newsletter will provide information and resources related to school-based TAG services and support and recommendations and links to resources to support students at home. • The TAG Department will continue to send a letter and email to families indicating that their student is eligible for TAG. The eligibility communication will include information about the benefits of TAG identification and will be sent when the student is determined to be eligible. • All communication will be translated into PPS supported languages. 	<p>Number of emails sent to all PPS families each year regarding families rights under OAR 581-022-2330 and TAG services and deadlines.</p> <p>Number of TAG newsletters</p> <p>Percentage of families with a TAG eligible student who received a letter and email regarding their students eligibility</p>	<p>First all PPS email (October 2022)</p> <p>Second all PPS email (January 2023)</p> <p>First TAG Newsletter (October 2022)</p>	<p>TAG/AVID Program Administrator</p>	<p>\$1,000: Translation services</p> <p>\$500: Printing and mailing</p>
<p>TAG Website</p> <ul style="list-style-type: none"> • The TAG Department will maintain an updated website that includes clear and family-friendly descriptions of the TAG criteria, processes, and deadlines related to: <ul style="list-style-type: none"> ○ TAG testing and nomination cycles ○ Single subject and whole grade acceleration ○ Requesting a written TAG plan ○ ACCESS Academy applications • The revised website will include videos describing TAG policies, practices, and FAQs. The videos will be captioned into all PPS supported languages. 	<p>Survey data on the quality and content of the updated TAG website. The survey will be linked in the TAG newsletter.</p> <p>Number of videos translated into all supported languages on the TAG website</p>	<p>Updated TAG website (October 2022)</p> <p>Videos translated into all supported languages (March 2023)</p>	<p>TAG TOSAs</p>	<p>\$1,000: Translation services</p>
<p>Office Hours</p> <ul style="list-style-type: none"> • The TAG Department will offer monthly parent/family office hours. The office hours will be scheduled in a variety of family friendly times and provide an opportunity for families to ask questions about TAG nomination, identification, and services. 	<p>Number of office hours offered annually</p> <p>Number of families who attend an office hour</p> <p>End of session survey data regarding the quality of the office hour experience</p>	<p>First office hour (September 2022)</p>	<p>TAG TOSAs</p>	<p>N/A</p>

<p>Family and Community Engagement</p> <ul style="list-style-type: none"> The TAG Department will work with the Community Engagement and Student Voice Department to build the capacity of community agents and parent engagement specialists to support families with current and prospective TAG students. 	<p>Number of parent engagement specialists and community agents who have received TAG training</p>	<p>First community agent/family engagement specialist training (November 2022)</p>	<p>TAG TOSAs</p>	<p>N/A</p>
<p>OAR 581-022-2500 (4): The instruction provided to identified students shall be designed to accommodate their assessed levels of learning and accelerated rates of learning.</p> <p>Goals: By the 2026-27 school year, the percent of teachers who meet the legal standard for rate and level instruction will increase from 13% to 40%, as measured by a sample of classroom observations using a rubric developed with support from ODE By the 2026-27 school year, 75% percent of TAG students and families will indicate that they are satisfied with TAG services, as measured by a survey instrument By the end of the 2026-27 school year, the number of TAG students with a discipline incident will decrease by 25% By the end of the 2026-27 school year, the percent of TAG students with chronic or severe absence rates will decrease from 22% to 15% By the end of the 2024-25 school year, PPS will develop instruments to monitor rate and level for students identified as TAG for creative, leadership, and VAPA ability By the end of the 2026-27 school year, the percent of TAG students who meet or exceed their MAP growth goals will increase by 20%</p> <p>Metrics:</p> <ul style="list-style-type: none"> Survey data Classroom observation data MAP assessment data 				
<p>Instructional Framework and High Quality Curricula and Instructional Materials</p> <ul style="list-style-type: none"> PPS is developing an instructional framework that will define what high-quality, standards-based Tier I instruction and differentiation looks like. PPS is adopting high-quality curricula and instructional materials that include scaffolding and acceleration resources and tools. 	<p>Number of instructional framework design team, advisory group, and community feedback sessions</p> <p>Percent of core content areas across grades PK-12 that have adopted a high quality (as measured by Ed Reports and ODE) curriculum</p> <p>Number of instructional framework and curriculum based PD sessions</p> <p>Number of educators who participate in the PD sessions</p> <p>End of session survey data regarding change in teacher knowledge and skills</p> <p>End of session survey data regarding teacher intentions to implement the strategies and practices discussed in the PD sessions</p>	<p>Instructional Framework (June 30, 2022) <i>Link will be added when the document is published</i></p>	<p>Chief Academic Officer</p>	<p>N/A</p>
<p>Diverse Learner Support</p> <ul style="list-style-type: none"> The Deputy Superintendent of Instruction and School Communities and the Senior Director of Academic Programs will staff a Diverse Learners Cross-department Coordination Team to develop and align support for 2E/3E students. The Diverse Learners team will meet at <i>least quarterly</i> and will: 	<p>Number of Diverse Learners team meetings</p> <p>Number of trainings/PDs offered by the Diverse Learners team</p> <p>Number of Diverse Learner Student Advisory</p>	<p>First Diverse Learners Cross-department Coordination Team meeting (December 2022)</p>	<p>Senior Director of Academic Programs</p>	<p>\$1,500: CUB and food for Diverse Learners Student Advisory Committee</p>

<ul style="list-style-type: none"> o Develop policy and guidance to schools regarding how to integrate culturally sustaining TAG, SpEd, ELL, and 504 services to students o Develop and deliver training, coaching, and PD to central office staff, building administrators, and teachers regarding how to integrate culturally sustaining services o Identify opportunities where students may benefit from TAG testing as part of understanding a students' unmet needs (chronic absenteeism, SIT process, behavioral challenges) o Develop a project plan and budget request for the 2023-24 school year • The Diverse Learners cross-department coordination team will be composed of: <ul style="list-style-type: none"> o Representatives from the TAG department o Representatives from the Special Education department o The PPS 504 coordinator o The Senior Director of Academic Programs o The Director of Learning Acceleration o ELL program administrators o Title III Director o Representatives from the MTSS Department • The Senior Director for Academic Programs will create a Diverse Learners Student Advisory Committee to solicit student voice and feedback regarding the needs of students with diverse and intersecting learning needs. <p>Diverse Learner Sub-Goals:</p> <ul style="list-style-type: none"> • By the end of the 2022-23 school year, the Diverse Learner Cross-department Coordination Team will develop a project plan for PD, training, and support for 2E/3E students • By the end of the 2026-27 school year, the percent of students with an IEP, 504, or other disability and/or who are receiving ELD services who are identified as TAG will match building demographics with an accuracy of at least 75% • By the end of the 2026-27 school year, the percent of 2E/3E students who meet their MAP growth goals will increase by 20% 	<p>Committee meetings</p> <p>End of session survey data from student advisory committee meeting regarding the quality and relevance of the meetings</p>	<p>First Diverse Learners Student Advisory Committee meeting (January 2023)</p> <p>Diverse Learner Project Plan (June 2023)</p> <p>First Diverse Learners PD session (Spring 2023)</p> <p>Diverse Learners budget request (March 2023)</p>		
<p>TAG TOSAs</p> <ul style="list-style-type: none"> • The PPS TOSA role has been redefined to reflect a greater emphasis on coaching, training, co-teaching, and modeling curriculum- and standards-based instruction aligned to the instructional framework. • TAG TOSAs will be directed to spend more time in schools providing direct coaching and support to teachers to improve their ability to meet students' rate and level needs. • TAG TOSAs will receive ongoing annual professional development and training related to differentiation and instruction designed to meet students' rate and level needs. This includes training TOSAs will receive this spring as part of a grant-funded professional development series. • TAG TOSAs will develop asynchronous learning modules for other Office 	<p>Number of coaching PD sessions for TAG TOSAs</p> <p>Number of teachers receiving coaching and PD from TAG TOSAs</p> <p>Number of asynchronous modules developed by the TAG Department</p> <p>Number of OTL TOSAs who complete the asynchronous modules annually</p>	<p>TOSA Coaching PD (June 2022)</p> <p>Asynchronous modules for OTL TOSAs (January 2023)</p> <p>Survey and walkthrough instruments (June 2023)</p>	<p>TAG/AVID Program Administrator</p> <p>TAG TOSAs</p>	<p>N/A: TAG Department will use the budget described for the TAG Identification PD</p>

<p>of Teaching and Learning (OTL) TOSAs and Instructional Coaches. The modules will provide PD on how to support teachers to use the adopted curricula and instructional framework to differentiate instruction to meet TAG students' rate and level needs.</p> <ul style="list-style-type: none"> The TAG Department will develop survey and walkthrough instruments to assess the impact of their coaching and support on teachers knowledge, skills, and practice. <p>TAG TOSA Sub-Goals:</p> <ul style="list-style-type: none"> By the end of the 2023-24 school year, 85% of OTL TOSAs will have completed the TAG asynchronous modules. By the end of the 2023-24 school year, at least 75% of teachers who received coaching from a TAG TOSA will meet the legal standard for rate and level instruction, as measured by a rubric developed with support from ODE. The number of teachers who receive an individualized coaching session from a TAG TOSA will increase annually from the 2022-23 to the 2026-27 school year <ul style="list-style-type: none"> 2022-23: 40 teachers 2023-24: 50 teachers 2024-25: 75 teachers 2025-26: 85 teachers 2026-27: 100 teachers 	<p>End of session survey data regarding change in OTL TOSA knowledge and skills</p> <p>End of session survey data regarding OTL TOSAs intentions to implement the strategies and practices discussed in the PD series</p> <p>Number of coaching sessions delivered by TAG TOSAs to teachers</p> <p>End of session survey data regarding change in teacher knowledge and skills</p> <p>End of session survey data regarding teacher intentions to implement the strategies and practices discussed in the coaching sessions</p>			
<p>TAG Facilitators</p> <ul style="list-style-type: none"> The PPS TAG department will revisit and revise the role of the building TAG facilitator. This may include: <ul style="list-style-type: none"> Reducing their role related to communicating TAG nomination and identification criteria, processes, and deadlines. The TAG Department will take on greater responsibility for communication. Streamlining the nomination process and reducing the time and effort required to manage nominations. Increasing PD and training for TAG Facilitators related to differentiation, rate and level instruction, and strategies to improve the identification of students with disabilities, 2E/3E students, ELL students, and students from historically underserved communities. <ul style="list-style-type: none"> By the end of the 2023-24 school year, 80% of educators serving as TAG Facilitator will have completed the TAG asynchronous modules. 	<p>Number of meetings to review and revise the TAG Facilitator role</p> <p>Number of TAG Facilitators who participate in the role review and revision meetings</p> <p>End of session survey data regarding the quality and content of the role revision meetings</p> <p>Number and percentage of TAG Facilitators who return during the 2022-23 and 2023-24 school years</p> <p>Survey data regarding satisfaction with the revised TAG Facilitator role</p> <p>Number of TAG Facilitator PD sessions focused on TAG identification, diverse learners, TAG services, and differentiation</p> <p>End of session survey data regarding change in TAG Facilitator knowledge and skills</p> <p>End of session survey data regarding TAG Facilitators' intentions to implement the</p>	<p>First meeting to revisit and revise the TAG Facilitator role (May 2022)</p> <p>Revised TAG Facilitator Job Description (September 2022)</p> <p>First TAG Facilitator PD session (October 2022)</p>	<p>TAG/AVID Program Administrator</p> <p>TAG TOSAs</p>	<p>\$180,000: TAG Facilitator Extended Responsibility pay</p>

	strategies and practices discussed in the PD sessions			
<p>Professional Development-Teachers</p> <ul style="list-style-type: none"> In addition to training related to identification, the PPS TAG Department will offer annual synchronous and asynchronous TAG rate and level professional development to <i>teachers</i>. (The rate and level PD will be included as part of the PD series that will address identification) Teachers will be offered extended hours to participate in the PD, with priority given to CSI/TSI/Title I schools, and the sessions will be posted to the PPS TAG website. The sessions will focus on culturally sustaining strategies to differentiate and provide instruction designed to meet students' rate and level needs. Starting in the 23/24 school year, PPS will require all educators to complete a training on TAG laws, policies, and practices as part of the mandatory set of beginning of the year trainings. The TAG Department will curate a rate and level instructional strategies resource bank that will be available on the TAG website. PPS will initiate discussion with teacher preparation programs, ODE, and OEA to explore opportunities to create a TAG microcredential. 	<p>Number of PD sessions offered to to teachers annually</p> <p>Number of teachers participating in the PD sessions</p> <p>Number of teachers completing the PD sessions</p> <p>End of session survey data regarding change in teacher knowledge and skills</p> <p>End of session survey data regarding teacher intentions to implement the strategies and practices discussed in the PD series</p> <p>End of year survey data from teachers who completed the PD series regarding the extent to which they implemented the strategies and practices discussed in the PD series</p> <p>Percentage of teachers who complete the mandatory beginning of the training</p>	<p>Annual synchronous and synchronous PD sessions that address each of the learning targets described in the <i>Activity</i> column (November 2022)</p> <p>Mandatory beginning of the year training on TAG laws, policies, and practices. (September 2023)</p>	<p>TAG/AVID Program Administrator</p> <p>TAG TOSAs</p> <p>Office of Professional Learning/Pepper/C compliance</p>	<p>N/A: TAG Department will use the budget described for the TAG Identification PD</p>
<p>Professional Development-Building Administrators</p> <p>The PPS TAG Department will offer annual asynchronous professional development modules to school administrators that will include:</p> <ul style="list-style-type: none"> How to use walkthrough tools to identify the presence of rate and level instruction that meets the legal standards How to identify talented and gifted students: <ul style="list-style-type: none"> With disabilities 2E and 3E students From historically underserved communities Who are eligible for TAG because of their creative, leadership, and visual and performing arts ability. How to use alternative/supplemental evidence and data sources (e.g., performance assessments, observation protocols, behavioral rating scales) How to support and train teachers to differentiate instruction to meet students' rate and level needs Starting in the 23/24 school year, PPS will require all educators to complete a training on TAG laws, policies, and practices as part of the mandatory set of beginning of the year trainings. 	<p>Number of PD modules offered to to administrators annually</p> <p>Number of administrators completing the PD modules</p> <p>End of session survey data regarding change in administrator knowledge and skills</p> <p>End of session survey data regarding administrator intentions to use the practices and tools discussed in the PD series</p> <p>End of year survey data from administrators who completed the PD series regarding the extent to which they implemented the practices and tools discussed in the PD series</p>	<p>Annual synchronous PD modules that address each of the learning targets described in the <i>Activity</i> column (March 2023)</p> <ul style="list-style-type: none"> First module delivered in March 2023, but made available to administrators in September of each year thereafter 	<p>TAG/AVID Program Administrator</p> <p>TAG TOSAs</p>	<p>N/A: TAG Department will use the budget described for the TAG Identification PD</p>

<p>Demonstration Site Exploration and Planning</p> <ul style="list-style-type: none"> The TAG Department, in coordination with the Teacher Professional Learning Team, will evaluate and explore the creation of demonstration sites, classrooms in which teachers can observe peers who effectively implement differentiation practices. This work will happen in conjunction with the implementation of the PPS Instructional Framework as well as the new instructional coaching model and practices launching in the 2022-2023 school year. (This will include teachers from ACCESS and local schools.) This will happen during the 2023-2024 school year. 	<p>Documentation of evaluation and exploration of this model to be shared in quarterly reports</p> <p>If adopted as a practice, development of plan</p>	<p>Demonstration Site Notes and Plans (Quarterly, starting in Fall 2023)</p>	<p>TAG/AVID Program Administrator</p> <p>TAG TOSAs</p> <p>ACCESS Academy Principal</p>	<p>TBD</p>
<p>Diverse Learner Microcredential</p> <p>PPS will initiate discussion with teacher preparation programs, ODE, OEA, and TAGAC to explore opportunities to create a diverse learner microcredential.</p>	<p>Number of meetings with teacher preparation programs, ODE, and OEA</p>	<p>TBD</p>	<p>Senior Director of Academic Programs</p> <p>TAG/AVID Program Administrator</p>	<p>TBD</p>

BASELINE DATA AS OF SPRING 2022

<p>% of PPS teachers in each building who have completed the TAG ID PD series</p>	<p>0</p> <p>This course has not yet been developed and offered.</p>
<p>TAG ID demographics % compared to building demographics</p>	
<p>% of HU students identified as eligible for TAG</p> <p>*Historically Underserved is defined as: Black, Latino, Native American, or Pacific Islander</p>	<p>8.3%</p>
<p>Demographics of students applied for SSA and WGA compared to district demographics (Spring 2022)</p>	<p>24 WGA applicants</p> <p>White 16 (67%) PPS (56%)</p> <p>Black 1 (4%) PPS (9%)</p> <p>Asian 5 (21%) PPS (6%)</p> <p>Latino 1 (4%) PPS (17%)</p> <p>Pacific Islander 0 (0%) PPS (>1%)</p> <p>Native American 0 (0%) PPS (>1%)</p> <p>Multiple 1 (4%) PPS (11%)</p> <p>118 SSA applicants</p> <p>White 80 (67%) PPS (56%)</p> <p>Black 0 (0%) PPS (9%)</p> <p>Asian 6 (5%) PPS (6%)</p> <p>Latino 7 (6%) PPS (17%)</p> <p>Pacific Islander 0 (0%) PPS (>1%)</p> <p>Native American 0 (0%) PPS (>1%)</p>

	Multiple 25 (21%) PPS (11%)
% of classrooms observed that met the legal standard for rate and level of instruction (based on sampling for the ODE audit)	K-2 Classrooms: 18% 3-5 Classrooms: 16% 6-8 Classrooms: 9% 9-12 Classrooms: 13% <i>Based on ODE Audit, Results Shared January 2022</i>
% of TAG students and families who indicate that they are satisfied with TAG services, as measured by a survey instrument	29% of parents and legal guardians of TAG students who responded to the survey by ODE reported they agreed or strongly agree their student's academic and intellectual needs were being met <i>*The survey was emailed to parents of the 7,495 students who were identified as TAG at the time of the audit. It is unclear how many parents responded to this survey</i> <i>*Based on ODE Audit, Results Shared January 2022</i>
% of TAG students with a discipline incident in 2021-22	4.15%
% of TAG students with chronic or severe absence rates in 2021-22	21.76%
% of TAG students who met or exceeded their MAP growth goals in 2021-22	ELA 52.27% (assessed N=3,281) Math 63.41% (assessed N=3,023) <i>*There may be additional students who have the specified program memberships but did not have both fall and winter MAP, growth is not available for these students.</i>
% of students with an IEP, 504, or other disability and/or who are receiving ELD services who are identified as TAG as compared to building demographics	
% of 2E/3E students who meet their MAP growth goals (TAG + special education identified), (TAG + ESL)	Students Identified as TAG & Special Education ELA 50.22% (assessed N=231) Math 63.76% (assessed N=229) Students Identified as TAG and English Language Learner ELA 35.29% (assessed N=17) Math 54.55% (assessed N=22)

	<p>*The N size in all cases is students with specified program memberships AND who had both fall and winter MAP scores.</p> <p>*There may be additional students who have the specified program memberships but did not have both fall and winter MAP, growth is not available for these students.</p>
% of OTL TOSAs who have completed the TAG asynchronous modules.	6/63 = 10%
% of educators serving as TAG Facilitator who have completed the TAG asynchronous modules.	A total of 14 TAG Facilitators out of approximately 80 completed the PD offered this year by the TAG Dept. (17%)

Oregon Department of Education

Chapter 581

Division 22

STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

581-022-0102

Definitions

The following definitions apply to Oregon Administrative Rules 581-022-0102 through 581-022-1940, unless otherwise indicated by context:

- (1) "Assessment": Systematic gathering of data with the purpose of appraising and evaluating children's social, physical, emotional, and intellectual development. Activities may include testing to obtain and organize information on student performance in specific subject areas.
- (2) Career and Technical Education: A sequence of organized educational activities that:
 - (a) Provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers;
 - (b) Provides technical skill proficiency and may provide an industry-recognized credential, a certificate or an advanced degree; and
 - (c) Includes applied learning that contributes to an individual's academic and technical knowledge, higher-order reasoning and problem-solving skills, work attitudes and general employability skills.
- (3) "Career Development": The exploration of personal interests and abilities with regard to career selection, and the development of tentative career goals.
- (4) "Career Education": A process for improving educational programs to enhance student understanding of and preparation for work and continuing career development.
- (5) "Career-Related Learning Experiences": Structured student activities in the community, the workplace, or in school that connect academic content and career-related learning to real life applications. These experiences extend, reinforce and support classroom learning. They include, but are not limited to:
 - (a) Workplace mentoring;
 - (b) Workplace simulations;
 - (c) School-based enterprises;
 - (d) Structured work experiences;
 - (e) Cooperative work and study programs;
 - (f) On-the-job training;
 - (g) Apprenticeship programs;
 - (h) Service learning; and
 - (i) Field-based investigations.
- (6) "Charter school": A public charter school as defined in ORS 338.005.
- (7) "Child development specialist program": An optional elementary component of a district's comprehensive school counseling program for grades K-8 (or any configuration thereof).

- (8) "Collection of Evidence": The work of a student collected and evaluated together to measure the student's ability to apply what the student knows and can do in relation to a set of standards or criteria.
- (9) "Common Curriculum Goals": The knowledge and skills expected of all students as a result of their educational experience; defined by the state as:
- (a) The Essential Learning Skills which means essential skills as defined by this rule; and
 - (b) The Common Knowledge and Skills in instructional programs as adopted by the State Board of Education.
- (10) "Common Knowledge and Skills in Instructional Programs": Facts, concepts, principles, rules, procedures and methods of inquiry associated with specific subject matter areas as adopted by the State Board of Education.
- (11) "Common School District": A school district other than a union high school district formed primarily to provide education in all or part of grades K through 12 to pupils residing within the district (ORS 330.005(2)(b)). See section (20) of this rule.
- (12) "Community Partnerships": Collaborations to network resources to assist students to meet state and local standards and prepare students for post high school transitions. These partnerships include parents, students, business, education, government and community-based organizations.
- (13) "Compliance Indicator": Statement of the action taken by a local district which can be accepted as evidence that the district is in compliance with the intent of a particular state standard.
- (14) "Comprehensive school counseling program": A program that is integral to a district's total PreK through 12 educational program that is planned, proactive and preventative in design to address each student's academic, career, social/emotional development and community involvement.
- (15) "Conditionally Standard School": A school that fails to meet the standards but has submitted a plan of correction, approved by the district school board, to the State Superintendent.
- (16) "Course Goals": Statements describing the knowledge and skills students are expected to acquire as a result of having completed a course, elementary unit, or grade level.
- (17) "Diploma": The document issued by school districts and charter schools in accordance with OAR 581-022-1130 or 581-022-1134.
- (18) "District": A common or union high school district (ORS 332.002(2)).
- (19) "District Goals": Statements related to State Board of Education goals (OAR 581-022-1030) which describe the local district and community's expectations for student learning.
- (20) "District School Board": The board of directors of a common school district or a union high school district (ORS 332.002(1)).
- (21) "Education Plan": A formalized plan and process in which a student identifies their academic, personal and career interests which helps the student to connect school activities with their post-high school goals.
- (22) "Education Profile": Documentation of a student's academic achievement and progress toward their graduation requirements, post-high school goals and other personal accomplishments identified in their education plan.
- (23) "Education Record": has the same meaning as in OAR 581-021-0220.
- (24) "Elementary School": Any combination of grades K through 8.
- (25) "Essential Skills": Process skills that cross academic disciplines and are embedded in the content standards. The skills are not content specific and can be applied in a variety of courses, subjects, and settings. The essential skills include: Read and comprehend a variety of text; Write clearly and accurately; Listen actively and speak clearly and coherently; Apply mathematics in a variety of settings; Think critically and analytically; Use technology to learn, live, and work; Demonstrate civic and community engagement; Demonstrate global literacy; and Demonstrate personal management and teamwork skills.
- (26) "Extended Application Standard": The application and extension of knowledge and skills in new and complex situations related to the student's personal and career interests and post-high school goals.
- (27) "Global Studies": An area of study for learning about the people and cultures of the world through history, geography and other social studies disciplines.
- (28) "High School": Any combination of grades 10 through 12 in districts providing a junior high school containing grade 9; any combination of grades 9 through 12 organized as a separate unit; grades 9 through 12 housed with grades K through 12;

grades 7 or 8 through 12, if approved by the Oregon Department of Education.

(29) "Identification Team" referred to as the "Team": A team of at least two district staff who carry out district identification procedures and determine the identification of students under OAR 581-022-1310.

(30)(a) "Instructional time" means time during which students are engaged in regularly scheduled instruction, learning activities, or learning assessments that are designed to meet Common Curriculum Goals and academic content standards required by OAR 581-022-2030, and are working under the direction and supervision of a licensed or registered teacher, licensed CTE instructor, licensed practitioner, or Educational Assistant who is assigned instructionally related activities and is working under the supervision of a licensed or registered teacher as required by OAR 581-037-0015.

(b) Instructional time shall include:

(A) Time that a student spends traveling between the student's school and a CTE center, internship, work experience site, or post-secondary education facility;

(B) Time that a student spends in statewide performance assessments; and

(C) Up to fifteen minutes each day of the time that a student spends consuming breakfast in the classroom if instruction is being provided while the student is consuming breakfast.

(c) Instructional time shall not include time that a student spends passing between classes, at recess, in non-academic assemblies, on non-academic fieldtrips, participating in optional school programs, or in study periods or advisory periods where attendance is not required and no instructional assistance is provided.

(31) "Junior High School": A secondary school composed of one or more of grades 7, 8, and 9 organized separately from other grades and approved by the Oregon Department of Education.

(32) "Kindergarten": A planned program that provides activities designed to foster the physical, social, emotional, and cognitive development of young children (ORS 336.092 and 336.095).

(33) "Language Arts": Reading, writing and other communications in any language, including English, as defined in ORS 329.007.

(34) "Middle School": An organizational unit composed of any combination of grades 5, 6, 7, and 8 organized separately from other elementary grades and identified as a middle school with the Oregon Department of Education.

(35) "Next steps": The education and/or career choices students make after leaving high school, which may include the workforce, community colleges, four-year colleges and universities, private career schools, apprenticeships, and the military.

(36) "Nonstandard School": A school which fails to meet the standards, and which within ninety days of the State Superintendent's notification of deficiencies, fails to submit a plan of correction or adhere to a plan of correction approved by the State Superintendent (ORS 327.103).

(37) "Parent": Has the same definition as in Oregon Revised Statute 343.035.

(38) "Planned Course Statement": Course title, course overview, course goals (including essential learning skills, career-related goals and common curriculum goals as set forth in OARs 581-022-2030) and, where appropriate, graduation competence assigned to the course for verification.

(39) "Potential": As used in OAR 581-022-1310, the demonstrated capacity to perform at or above the 97th percentile as determined by the team.

(40) "Program": A planned series of interrelated activities or services contributing to the attainment of a goal or set of goals.

(41) "Program Evaluation": A process for making judgments about the philosophy, goals, methods, materials and outcomes of a program to guide program improvement.

(42) "Program Goals" (instructional): Statements describing what students are expected to learn in each district instructional program in any combination of grades K through 12.

(43) "Program Goals" (support): Statements describing program outcomes which support the entire learning system, or one or more of its components, usually stated in terms of services to be performed.

(44) "Program Needs Identification": Procedures, which specify and rank the differences between actual and desired outcomes leading to the consideration of program revision.

(45) "School District": A common or union high school district (ORS 332.002). For the purposes of OARs 581-022-0403, 581-022-1310, 581-022-1320 and 581-022 1330, school district has the same meaning as in Oregon Revised Statute 343.395.

(46) "Standard School": A school, which is in compliance with all of the standards.

(47) "State Standards": State Board division 22 Administrative Rules for public elementary and secondary schools.

(48) "Student Activity Funds": All money raised or collected by and/or for school-approved student groups, excluding money budgeted in the general fund.

(49) "Talented and Gifted Students": Those children defined in Oregon Revised Statute 343.395.

(50) "Union High School District": A school district, other than a common school district, formed in accordance with ORS 335.210 to 335.485 (330.005).

(51) "World Language": Sign language, heritage language and languages other than a student's primary language, as defined in ORS 329.007.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.011

History:

[ODE 15-2022, amend filed 03/24/2022, effective 03/24/2022](#)

[ODE 38-2018, minor correction filed 11/21/2018, effective 11/21/2018](#)

[ODE 18-2018, amend filed 06/05/2018, effective 06/06/2018](#)

ODE 21-2015, f. & cert. ef. 12-18-15

ODE 4-2015, f. 1-30-15, cert. ef. 7-1-15

ODE 25-2008, f. & cert. ef. 9-26-08

ODE 4-2003, f. & cert. ef. 3-14-03

ODE 12-2002, f. & cert. ef. 4-15-02

ODE 7-1999, f. & cert. ef. 1-15-99

EB 6-1995, f. & cert. ef. 1-24-95

EB 8-1989, f. & cert. ef. 1-27-89

1EB 4-1986, f. 1-23-86, ef. 2-1-86

1EB 19-1980, f. 6-17-80, ef. 7-1-80

581-022-0103

State Standards for the 2019-20 School Year

(1) Applicability

(a) This rule sets forth the state standards for school districts and public charter schools for the 2019-2020 school year.

(b) The definitions set forth in OAR 581-022-0102, 581-022-2010(1), 581-022-2015(1), and 581-022-2020(1) apply to this rule.

(c) Unless specifically referenced herein, all other rules in this division are waived for the duration of this rule unless specifically added back by the Director through order.

(2) Diploma requirements

(a) Each school district board and public charter school with jurisdiction over high school programs must award diplomas, modified diplomas, extended diplomas, or alternative certificates to students who were first enrolled in ninth grade in the 2016-17 school year or earlier or were first enrolled in ninth grade in the 2017-18 school year and had an early graduation plan approved before March 17, 2020, and fulfill the state requirements as described in this rule.

(b) Regular diploma

(A) To receive a regular diploma, students must earn a minimum of 24 credits to include at least:

(i) English Language Arts — 4 (must include the equivalent of one unit in Written Composition);

(ii) Mathematics —3 (must include one unit at the Algebra I level and two units that are at a level higher than Algebra I);

(iii) Science — 3;

- (iv) Social Sciences 3 — (including history, civics, geography and economics (including personal finance));
 - (v) Health Education — 1;
 - (vi) Physical Education — 1;
 - (vii) Career and Technical Education, The Arts or World Languages — 3 (units must be earned in any one or a combination).
- (B) A district school board or public charter school with a three-year high school may submit through the waiver process alternative plans to meet unit requirements;
- (C) A school district or public charter school must accept any credits earned by students qualified for the additional district credit requirements waiver in another school district or public charter school and must apply them toward the 24 Units of Credit Requirements for the diploma.
- (D) A school district or public charter school may grant high school credit for courses taken prior to grade 9 if students taking pre-grade 9 courses are required to meet performance criteria that are equivalent to the performance criteria for students taking the same high school courses.
- (c) Modified diploma
- (A) School districts and charter schools with jurisdiction over high school programs shall award a modified diploma only to students who have demonstrated the inability to meet the full set of academic content standards for a high school diploma even with reasonable modifications and accommodations but who fulfill all state requirements as described in this rule and meets the eligibility criteria in OAR 581-022-2010(3).
- (B) School districts and public charter schools must comply with OAR 581-022-2010(4).
- (C) To receive a modified diploma, students must earn a minimum of 24 credits, between grade 9 and the end of their high school career with at least 12 of those credits to include:
- (i) English Language Arts — 3;
 - (ii) Mathematics — 2;
 - (iii) Science — 2;
 - (iv) Social Sciences (which may include history, civics, geography and economics (including personal finance)) — 2;
 - (v) Health Education — 1;
 - (vi) Physical Education — 1; and
 - (vii) Career Technical Education, The Arts or World Languages (units may be earned in any one or a combination) — 1.
 - (viii) Any combination of credits awarded to meet the needs of the individual student as specified in the education plan of the student with the expectations and standards aligned to the appropriate grade level academic content standards, including additional core credits, professional technical education, electives, and career development — 12.
- (D) Students may earn units of credit through regular education with or without accommodations or modifications and through modified courses.
- (E) Students shall have the option to earn credit for demonstrating proficiency. A student may be given credit for successful demonstration of knowledge and skills that meets or exceeds defined levels of performance. Students may demonstrate proficiency through classroom work or documentation of learning experiences outside of school, or through a combination of these means.
- (F) School districts and public charter schools shall ensure that students have access to needed courses, modifications and supports to pursue a modified diploma and to progress in the general education curriculum.
- (G) A school district or public charter school shall grant credit toward a modified diploma only for courses that contain substantial academic content. A school district or public charter school shall grant credit for a modified diploma through a continuum of instruction beginning at basic skills and progressing through high level skills.
- (H) A school district or public charter school shall award a regular diploma under OAR 581-022-2000 if all requirements for a regular diploma are met. Completion of one or more modified courses shall not prohibit a student from earning a regular diploma; however, required core courses taken under modified conditions must be retaken under standard conditions to be counted toward a regular diploma.

(I) A school district or public charter school shall grant credit toward a modified diploma according to individual student needs across academic content areas including applied, consumer, academic, or knowledge and skill development.

(J) A school district or public charter school shall inform the student and parent or guardian of the student if the courses in grades 9-12 have been modified for an individual student.

(K) A school district or public charter school shall provide transcripts which clearly identify modified courses that do not count toward the regular diploma but that do count toward a modified diploma.

(L) Each student receiving a modified diploma shall have the option of participating in the high school graduation ceremony with the members of their class receiving a high school diploma.

(M) Transition services and other services designed to meet the unique needs of the student may be provided to the student through an interagency agreement entered into by the school district if the individualized education program developed for the student indicates that the services may be provided by another agency. The school district or public charter school retains the responsibility for ensuring that the student has access to the number of service hours required to be provided to the student.

(d) Extended diploma

(A) A school district or public charter school shall award an extended diploma only to students who have demonstrated the inability to meet the full set of academic content standards for a high school diploma with reasonable modifications and accommodations but who fulfill all state requirements as described in this rule and meet the eligibility criteria in OAR 581-022-2015(5)(b).

(B) A school district or public charter school may award an extended diploma to a student only upon the consent of the parent or guardian of the student, or upon the consent of the adult student or emancipated minor student as required by OAR 581-022-2015(4).

(C) To receive an extended diploma, students must, while in grade nine through completion of high school, complete 12 credits, which may not include more than six credits earned in a self-contained special education classroom and shall include:

(i) Two credits of mathematics;

(ii) Two credits of English;

(iii) Two credits of Science;

(iv) Three credits of history, geography, economics, or civics;

(v) One credit of health;

(vi) One Credit of physical education; and

(vii) One credit of arts or a second language.

(D)(i) A student shall have the opportunity to meet the requirements of an extended diploma by the later of four years after starting grade nine or the student reaching the age of 21 years, if the student is entitled to a public education until the age of 21 years under state or federal law.

(ii) A student may complete the requirements for an extended diploma in less than four years if the parent/guardian or adult student gives consent. The consent must be written and must clearly state that the parent/guardian or adult student is waiving the 4 years to complete the requirements for an extended diploma. A copy of all consents must be sent to the district superintendent. Each school district must annually provide the number of consents obtained to the State Superintendent of Public Instruction. The consent may not be used to allow a student to satisfy the requirements for an extended diploma in less than three years.

(E) A school district or public charter school may not deny a student who has the documented history described in subsection (1)(a) of this section the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason that the student has the documented history.

(F) Transition services and other services designed to meet the unique needs of the student may be provided to the student through an interagency agreement entered into by the school district if the individualized education program developed for the student indicates that the services may be provided by another agency. The school district or public charter school retains the responsibility for ensuring that the student has access to the number of service hours required to be provided to the student.

(e) Alternative certificate

(A) A School district or public charter school shall award an alternative certificate to a student who does not satisfy the requirements for a high school diploma, a modified diploma or an extended diploma.

(B) Each district school board or public charter school governing board with jurisdiction over high school programs shall define criteria for an alternative certificate and shall award an alternative certificate to those students who have met the criteria requirements as described in district school board policies.

(C)(i) A student shall have the opportunity to meet the requirements of an alternative certificate by the later of four years after starting grade nine or the student reaching the age of 21 years, if the student is entitled to a public education until the age of 21 years under state or federal law.

(ii) A student may complete the requirements for an alternative certificate in less than four years if the parent/guardian or adult student gives consent as required under OAR 581-022-2020(4)(c).

(D) Each student receiving an alternative certificate shall have the option of participating in the high school graduation ceremony with the members of their class receiving a high school diploma.

(E) Transition services or other services designed to meet the unique needs of the student may be provided to the student through an interagency agreement entered into by the school district if the individualized education program developed for the student indicates that the services may be provided by another agency. The school district or public charter school retains the responsibility for ensuring that the student has access to the number of service hours required to be provided to the student.

(3) Credit options

(a) A school district or public charter school must grant required and elective credit towards the diploma or modified diploma provided the student earns the credit by meeting the requirements of one or more of the options described in this rule.

(b) A school district or charter school may grant credit to a student if the student demonstrates defined levels of proficiency or mastery of recognized standards (e.g., state academic content standards and essential skills, industry-based or other national or international standards) by any one or more of the following options:

(A) Successfully completing classroom or equivalent work (e.g., supervised independent study, career-related learning experiences, project based learning), which meets Common Curriculum Goals and academic content standards required by OAR 581-022-2030;

(B) Successfully completing classroom or equivalent work designed to measure proficiency or mastery of identified standards (knowledge and skills) in class or out of class, where hours of instruction may vary;

(C) Successfully passing an appropriate exam designed to measure proficiency or mastery of identified standards (knowledge and skills);

(D) Providing a collection of work or other assessment evidence which demonstrates proficiency or mastery of identified standards (knowledge and skills);

(E) Providing documentation of prior learning activities or experiences which demonstrates proficiency or mastery of identified standards (knowledge and skills) (e.g., certification of training, letters, diplomas, awards, etc.); or

(c) Notwithstanding subsection (2) of this rule, for courses offered in the second semester or third trimester of the 2019-20 school year, a school district must grant credit to a student if:

(A) The student was first enrolled in ninth grade in the 2016-17 school year or earlier or was first enrolled in ninth grade in the 2017-18 school year and had an early graduation plan approved before March 17, 2020; and

(B) As of March 16, 2020, was maintaining a passing grade.

(4) Distance learning for all. School districts and public charter schools must develop and implement a distance learning for all plan that aligns with the Distance Learning for All Guidance issued by the Oregon Department of Education.

(5) Special education for children with disabilities. School districts and public charter schools must provide services for students who experience disability in accordance with IDEA and applicable Oregon Administrative Rules.

(6) Emergent bilinguals. School districts and public charter schools must provide students identified as English learners English language development and grade-level content area instruction.

(7) Talented and gifted. School districts must serve students identified as talented and gifted by accommodating assessed levels of learning and accelerated rates of learning.

(8) Alternative education programs. School districts must comply with OAR 581-022-2505(3)(b) and (5).

(9) Equal educational opportunities. School districts and public charter schools must provide equity, opportunity and access for all students as required by OAR 581-021-0045 and 581-021-0046.

(10) School counseling. School districts and public charter schools must provide school counseling services to all students. Counseling services must align to the guidance issued by the American School Counseling Association: The School Counselor and Virtual School Counseling (Adopted 2017).

(11) Student safety

(a) School districts and public charter schools must create systems or processes for reporting child abuse pursuant to ORS 419B.010 that take into account the unique situation of distance learning. School districts and public charter schools must make those systems or processes accessible to any district personnel who meet the definition of “public or private official” in ORS 419B.005(6).

(b) School districts and public charter schools must review and if necessary revise policies and procedures relating to appropriate electronic communication with students. School districts and charter schools must make guidance based on those policies and procedures available to all school district or charter school personnel.

(12) Personnel

(a) All teachers, specialists, and administrators employed by school districts must hold valid Oregon licenses and be assigned in accordance with the individual license district policies, program goals and applicable statutes and administrative rules.

(b) Any school district employing teacher aides must follow applicable Oregon Administrative Rules.

(13) Fingerprinting of subject individuals in positions not requiring licensure as teachers, administrators, personnel specialists, school nurses. All public school districts must comply with the requirements for Fingerprinting of subject individuals as defined in and in compliance with OAR 581-021-0500.

(14) Individual student assessment and reporting. School districts and public charter schools must assess and record each individual student’s progress and achievement:

(a) For the fall terms, in all subject areas of instruction and to academic content standards consistent with ORS 329.045 and OAR 581-022-2030; and

(b) For the spring terms, under the school district’s distance learning plan.

(15) Student education records. School districts and public charter schools must maintain education records of students according to the provisions of OARs 581-021-0210 through 581-021-0440.

(16) Record and reports. School districts and public charter schools must provide all records and reports required by the Oregon Department of Education.

(17) Complaint procedures. School districts must maintain a process for the prompt resolution of a complaint as required by OAR 581-022-2370.

(18) Assurances. School districts must report compliance with the standards set forth in this rule for the 2019-20 school year:

(a) By November 1, 2020, to the school board of the school district in a public meeting and by posting a report on compliance to the school district’s web page. The school board must acknowledge receipt of the report prior to February 15, 2021;

(b) By November 15, 2020, to the Oregon Department of Education on a form to be provided by the Department.

Statutory/Other Authority: ORS 326.051, ORS 329.451, 659.850, 343.409, 327.103 & 336.625

Statutes/Other Implemented: ORS 329.451, 659.850, 343.409, 327.103 & 336.625

History:

[ODE 31-2020, adopt filed 06/24/2020, effective 06/24/2020](#)

[ODE 19-2020, temporary adopt filed 04/23/2020, effective 04/23/2020 through 10/19/2020](#)

581-022-0104

State Standards for the 2020-21 School Year

(1) Applicability.

(a) This rule sets forth the state standards for the 2020-20201 school year.

(b) The definitions set forth in OAR 581-022-0102, 581-022-2010(1), 581-022-2015(1), and 581-022-2020(1) apply to this rule.

(2) **State Standards for the 2020-21 School Year.** All Division 22 standards are in effect for the 2020-21 school year except as specifically waived or modified by this rule.

(3) **Waivers.** The following standards are waived for the 2020-21 school year:

(a) Diploma. School districts and public charter schools must comply with all requirements set out in OAR 581-022-2000 except sections (7), (8), (9), (10), and (11).

(b) Modified Diploma. School districts and public charter schools must comply with all requirements set out in OAR 581-022-2010 except sections (9) and (12).

(c) Essential Skills and Local Performance Assessments. The Essential Skills graduation requirement and local performance assessment requirement for grades 3 - 8 and high school set out in OAR 581-022-2115 are waived.

(d) Health Services. School districts and public charter schools must comply with all requirements set out in OAR 581-022-2220 except section (1)(f).

(e) Physical Education Requirements. School districts and public charter schools must comply with the requirement in OAR 581-022-2263(2)(a) to ensure that each public school student in kindergarten through grade eight will receive physical education throughout the entire school year. All other requirements in OAR 581-022-2263 are waived for the 2020-21 school year.

(f) Identification of Academically Talented and Intellectually Gifted Students. The identification of talented and gifted students as required in OAR 581-022-2325 is waived.

(4) **Nationally Normed College Entrance Practice Assessment.** The requirement established in ORS 329.488 that school districts must make a nationally-normed college entrance practice assessment available to all students in grade 10 who are enrolled in a public school is waived for the 2020-21 school year.

(5) **Ready School, Safe Learners Guidance.** School districts and public charter schools must comply with the Ready School, Safe Learners Guidance issued by the Oregon Department of Education.

(6) **Instructional Time.** School districts and public charter schools may include in the calculation of required instructional time of up to an additional 60 hours for staff professional development and up to an additional 60 hours for parent teacher communication to facilitate student learning, including parent teacher conferences, training, and support for distance learning. This allowance is in addition to the 30 hours allowed under OAR 581-022-2320(6)(d) and (e), respectively.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

[ODE 33-2021, amend filed 10/22/2021, effective 10/22/2021](#)

[ODE 7-2021, temporary amend filed 03/24/2021, effective 03/24/2021 through 09/18/2021](#)

[ODE 2-2021, adopt filed 01/28/2021, effective 01/28/2021](#)

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

581-022-0106

State Standards for the 2021-22 School Year

(1) Applicability.

(a) This rule sets forth the rules in Oregon Administrative Rules Chapter 581, Division 22 that are in effect for the 2021-22 school year.

(b) The definitions set forth in OAR 581-022-0102, 581-022-2010(1), 581-022-2015(1), and 581-022-2020(1) apply to this rule.

(2) State Standards for the 2021-22 School Year. All rules set forth in Oregon Administrative Rules Chapter 581, Division 22 are in effect for the 2021-22 school year except as specifically waived or modified by this rule.

(3) Waiver – Essential Skills for class of 2022. OAR 581-022-2000(4) is waived for Students first enrolled in ninth grade in the 2018-19 school year or earlier or were first enrolled in ninth grade in the 2019-2020 and have an approved early graduation plan.

Note: the State Board has previously waived the essential skills requirements in OAR 581-022-2115(3), (4) and (5) for the class of 2022. That waiver, adopted in April 2021, is set out in the OAR 581-022-2115(22).

(4) Operational Plans. School districts and public charter schools must periodically submit to the Department a plan for operation during the 2021-22 school year. The plan must be submitted on a timeline to be determined by the Department and on a form provided by the Department.

Statutory/Other Authority: ORS 326.051, 327.006 & 329.451

Statutes/Other Implemented: ORS 326.051, 327.006 & 329.451

History:

ODE 43-2022, minor correction filed 08/25/2022, effective 08/25/2022

ODE 36-2021, adopt filed 10/26/2021, effective 10/26/2021

ODE 24-2021, temporary adopt filed 06/22/2021, effective 06/22/2021 through 12/18/2021

581-022-0107

Operational Plans for the 2022-23 School Year

School districts and public charter schools must periodically submit to the Department a plan for operation during the 2022-23 school year. The plan must be submitted on a form and on a timeline to be determined by the Department.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

ODE 34-2022, adopt filed 06/23/2022, effective 06/23/2022

581-022-2000

Diploma Requirements

(1) Each district school board and public charter school with jurisdiction over high school programs shall award diplomas to all students who fulfill all state requirements as described in sections (2) to (8) of this rule and all local school district requirements as described in district school board policies or all public charter school requirements as described in the policies or charter of the public charter school.

(2) Unit of Credit Requirements for students who were first enrolled in grade 9 during the 2010–2011 school year:

(a) Each student shall earn a minimum of 24 units of credit to include at least:

(A) English Language Arts — 4 (shall include the equivalent of one unit in Written Composition);

(B) Mathematics — 3 (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);

(C) Science — 3;

(D) Social Sciences 3 — (including history, civics, geography and economics (including personal finance));

(E) Health Education — 1;

(F) Physical Education — 1;

(G) Career and Technical Education, The Arts or World Languages — 3 (units shall be earned in any one or a combination).

(b) A district school board or public charter school with a three-year high school may submit through the waiver process alternative plans to meet unit requirements;

(c) A district school board or public charter school may increase the number of units required in specific areas, and may increase or decrease the number of elective units; however, the total units of credit required for graduation shall not be less than 24;

(d) A district school board or public charter school must waive any additional district requirements if students are or, were at any time from grade 9-12:

(A) A foster child, a child receiving 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition if the foster care facility is licensed and

payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made;

(B) Homeless, a child who lacks a fixed, regular, and adequate nighttime residence; a child who is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; is living in emergency or transitional shelters; or is abandoned in hospitals; a child whose primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; a child who is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; an unaccompanied youth not in physical custody of a parent or guardian;

(C) A runaway, an unmarried child under 18 years of age who, without consent of the parent or other person having legal custody of that child, leaves and stays away from the home or other dwelling place provided for the child by that person;

(D) A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;

(E) A child of a migrant worker, a worker that moved as a migratory agricultural worker or migratory fisher due to economic necessity from one residence to another residence, and from one school district to another; or

(F) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program.

(e) A school district or public charter school must accept any credits earned by students qualified for the additional district credit requirements waiver in another school district or public charter school and must apply them toward the 24 Units of Credit Requirements for the diploma.

(f) A school district or public charter school may grant high school credit for courses taken prior to grade 9 if students taking pre-grade 9 courses are required to meet performance criteria that are equivalent to the performance criteria for students taking the same high school courses;

(g) Course syllabi shall be written for courses in grades 9 through 12 and shall be available to students, staff, parents, the district school board and other interested individuals.

(3) Unit of Credit Requirements for students who were first enrolled in grade 9 during the 2022–2023 school year or first enrolled in grade 9 in any subsequent school year:

(a) Each student shall earn a minimum of 24 units of credit aligned to the Oregon State Board adopted standards to include:

(A) English Language Arts — 4 (shall include the equivalent of one unit in Written Composition);

(B) Mathematics —3 (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);

(C) Science — 3;

(D) Social Sciences 3 — (shall include 0.5 unit of US civics credit in addition to at least 2.5 units of credit aligned to the Oregon State Board adopted standards for U.S. history, world history, geography, economics, and financial literacy);

(E) Health Education — 1;

(F) Physical Education — 1;

(G) Career and Technical Education, The Arts or World Languages — 3 (units shall be earned in any one or a combination).

(b) A district school board or public charter school with a three-year high school may submit through the waiver process alternative plans to meet unit requirements;

(c) A district school board or public charter school may increase the number of units required in specific areas, and may increase or decrease the number of elective units; however, the total units of credit required for graduation shall not be less than 24;

(d) A district school board or public charter school must waive any additional district requirements if students are or, were at any time from grade 9-12:

(A) A foster child, a child receiving 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition if the foster care facility is licensed and payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made;

(B) Homeless, a child who lacks a fixed, regular, and adequate nighttime residence; a child who is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; is living in emergency or transitional shelters; or is abandoned in hospitals; a child whose primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; a child who is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; an unaccompanied youth not in physical custody of a parent or guardian;

(C) A runaway, an unmarried child under 18 years of age who, without consent of the parent or other person having legal custody of that child, leaves and stays away from the home or other dwelling place provided for the child by that person;

(D) A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;

(E) A child of a migrant worker, a worker that moved as a migratory agricultural worker or migratory fisher due to economic necessity from one residence to another residence, and from one school district to another; or

(F) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program.

(e) A school district or public charter school must accept any credits earned by students qualified for the additional district credit requirements waiver in another school district or public charter school and must apply them toward the 24 Units of Credit Requirements for the diploma.

(f) A school district or public charter school may grant high school credit for courses taken prior to grade 9 if students taking pre-grade 9 courses are required to meet performance criteria that are equivalent to the performance criteria for students taking the same high school courses;

(g) Course syllabi shall be written for courses in grades 9 through 12 and shall be available to students, staff, parents, the district school board and other interested individuals.

(4) Each student shall demonstrate proficiency in essential skills adopted by the State Board of Education as provided in OAR 581-022-2115;

(5) School districts shall develop a process that provides each student the opportunity to develop an education plan and build an education profile in grades 7 through 12 with adult guidance. The plan and profile shall be reviewed and updated periodically (at least annually) and be supported by a Comprehensive Guidance Program as defined in OAR 581-022-2060.

(6) Each student shall develop an education plan and build an education profile.

(a) Each student shall develop an education plan that:

(A) Identifies personal and career interests;

(B) Identifies tentative educational and career goals and post high school next steps (i.e. college, workforce, military, apprenticeship, other);

(C) Sets goals to prepare for transitions to next steps identified in section (7)(b);

(D) Designs, monitors and adjusts a course of study that meets the interest and goals of the student as described in subsection (a) (A), (B) and (C) of this rule that includes but is not limited to:

(i) Appropriate coursework and learning experiences;

(ii) Identified career-related learning experiences; and

(iii) Identified extended application opportunities.

(b) Through the education profile each student shall:

(A) Monitor progress and achievement toward standards including:

(i) Content standards;

(ii) Essential skills;

(iii) Extended application standard; and

(iv) Other standards where appropriate (e.g. industry standards).

- (B) Document other personal accomplishments determined by the student or school district.
- (C) Review progress and achievement in subsection (b)(A) and (B) of this subsection at least annually.
- (7) Each student shall build a collection of evidence, or include evidence in existing collections(s), to demonstrate extended application (as defined in OAR 581-022-0102);
- (8) Each student shall participate in career-related learning experiences outlined in the education plan (as defined in OAR 581-022-0102);
- (9) Notwithstanding sections (1) to (8) of this rule, each district school board or public charter school governing board with jurisdiction over high school programs shall award a modified diploma to those students who have demonstrated the inability to meet the full set of academic content standards even with reasonable modifications and accommodations and who fulfill all requirements as described in OAR 581-022-2010.
- (10) Notwithstanding sections (1) to (8) of this rule, each district school board or public charter school governing board with jurisdiction over high school programs shall award an extended diploma to those students who have demonstrated the inability to meet the full set of academic content standards even with reasonable modifications and accommodations and who fulfill all requirements as described in OAR 581-022-2015.
- (11) Notwithstanding sections (1) to (8) of this rule and as provided in OAR 581-022-2020, schools districts and public charter schools shall make an alternative certificate available to students as an alternative for students who do not obtain the regular diploma, modified diploma or extended diploma.
- (12) Attendance Requirements:
- (a) Twelve school years shall be required beginning with grade 1, except when the school district adopts policies providing for early or delayed completion of all state and school district credit and performance requirements;
- (b) Notwithstanding subsection (a) of this section, a student may satisfy the requirements of sections (2)(6) of this rule in less than four years. If the school district or public charter school has the consent of the student's parent or guardian, a school district or public charter school shall award a diploma to a student upon request from the student, if the student satisfies the requirements for the diploma that apply to the student based on the date of graduation of the student or the school year when the student first enrolled in grade 9, as applicable.
- (c) If a school district or public charter school has the consent of a student's parent or guardian, the school district or public charter school may advance the student to the next grade level if the student has satisfied the requirements for the student's current grade level.
- (d) The requirement for obtaining the consent of a student's parent or guardian under subsections (b) and (c) of this section does not apply to a student who is:
- (A) Emancipated pursuant to ORS 419B.550 to 419B.558; or
- (B) 18 years of age or older.
- (e) The district school board may adopt policies for alternative learning experiences, such as credit by examination and credit for off-campus experiences;
- (f) With any modification of the attendance requirements for graduation, school district and public charter school staff shall consider age and maturity of students, access to alternative learning experiences, performance levels, school district or public charter school guidelines and the wishes of parents and guardians.
- (13) A school district or public charter school shall ensure that students have access to the appropriate resources to achieve a diploma at each high school in the school district or at the public charter school.

Statutory/Other Authority: ORS 326.051 & 329.451

Statutes/Other Implemented: ORS 326.051, 329.451 & 339.280

History:

[ODE 42-2022, minor correction filed 08/25/2022, effective 08/25/2022](#)

[ODE 22-2022, amend filed 04/26/2022, effective 04/26/2022](#)

[ODE 15-2022, amend filed 03/24/2022, effective 03/24/2022](#)

[ODE 21-2018, amend filed 06/05/2018, effective 06/06/2018](#)

[ODE 3-2018, amend filed 01/30/2018, effective 01/30/2018](#)

Renumbered from 581-022-1130 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 45-2014, f. & cert. ef. 12-17-14

ODE 20-2009, f. & cert. ef. 12-10-09

ODE 5-2009(Temp), f. 6-29-09, cert. ef. 6-30-09 thru 12-22-09
ODE 18-2008, f. & cert. ef. 6-27-08
ODE 18-2007, f. & cert. ef. 9-10-07
ODE 18-2006, f. 12-11-06, cert. ef. 12-12-06
ODE 12-2002, f. & cert. ef. 4-15-02
EB 2-1997, f. 3-27-97, cert. ef. 9-1-97

581-022-2005

Veterans Diploma

(1) Notwithstanding sections (1) to (11) and (15) of OAR 581-022-2000, school districts and public charter schools shall, upon request, award a diploma to veterans of the Armed Forces of the United States, alive or deceased, that meet the following requirements:

- (a) The veteran resides within the boundaries of the school district or is a resident of the State of Oregon and attended a high school of the school district.
- (b) The veteran attended a high school, but did not complete a high school diploma, before serving in the Armed Forces of the United States.
- (c) The veteran was discharged or released under honorable conditions from the Armed Forces of the United States.
- (d) The veteran served in Armed Forces of the United States during:
 - (A) World War I;
 - (B) World War II;
 - (C) The Korean Conflict;
 - (D) The Vietnam War;
 - (E) Operation Urgent Fury (Grenada);
 - (F) Operation Just Cause (Panama);
 - (G) Operation Desert Shield/Desert Storm (the Persian Gulf War);
 - (H) Operation Restore Hope (Somalia);
 - (I) Operation Enduring Freedom (Afghanistan); or
 - (J) Operation Iraqi Freedom (Iraq); or
 - (K) Served in the Armed Forces of the United States in an area designated as a combat zone by the President of the United States.

(2) Requests for a diploma shall be made by the veteran or, if deceased, a representative of the veteran.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 332.114

History:

ODE 7-2018, adopt filed 02/22/2018, effective 02/22/2018

581-022-2010

Modified Diploma

(1) Definitions. As used in this rule:

- (a) "Documented history" means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.
- (b) "Instructional barrier" means a significant physical, cognitive or emotional barrier that impairs a student's ability to maintain grade level achievement.

(c) "Modified course" means a course that has been systematically changed or altered for a student only after reasonable alternative instructional strategies (e.g. accommodations, remediation) are exhausted.

(d) "Other services" for the purposes of this rule means:

(A) Those services paid for or provided by another agency, such as Vocational Rehabilitation or Brokerages, which may be considered in the calculation of the total number of hours that equals at least the total number of instructional hours that is required to be provided to students who are attending public high school. These "other services" are not to be considered educational services and are not provided by or through the school district or public charter school.

(B) Those services identified in OAR 581-022-2320(4), such as school assemblies, student orientations, testing, etc, which may be considered in the calculation of the total number of hours that equals at least the total number of instructional hours that is required to be provided to students who are attending public high school. These services are provided by the school district or public charter school.

(2) On or after July 1, 2009, each district school board or public charter school governing board with jurisdiction over high school programs shall award a modified diploma only to students who have demonstrated the inability to meet the full set of academic content standards for a high school diploma even with reasonable modifications and accommodations but who fulfill all state requirements as described in this rule and all applicable local school district requirements as described in district school board policies or public charter school requirements as described in school policies. In addition, on or after July 1, 2009, a district school board or public charter school governing board may only award a modified diploma to a student who meets the eligibility criteria specified in section 3 of this rule.

(3)(a) Except as provided in paragraph (c) or (d) of this section, a school district or public charter school shall grant eligibility for a modified diploma to a student who has:

(A) A documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or

(B) A documented history of a medical condition that creates a barrier to achievement.

(b) A student shall have the opportunity to meet the requirements of a modified diploma by the later of:

(A) Four years after starting grade nine; or

(B) The student reaching the age of 21 years, if the student is entitled to a public education until the age of 21 years under state or federal law.

(c) A student may complete the requirements for a modified diploma in less than four years if the parent/guardian or adult student gives consent.

(A) The consent must be written and must clearly state that the parent/guardian or adult student is waiving the 4 years to complete the requirements for a modified diploma.

(B) A copy of all consents must be sent to the district superintendent.

(C) Each school district must annually provide the number of consents obtained to the State Superintendent of Public Instruction.

(D) The consent may not be used to allow a student to satisfy the requirements for a modified diploma in less than three years.

(d) A school district or public charter school may not deny a student who has the documented history described in paragraph (a) of this subsection the opportunity to pursue a diploma with more stringent requirements than a modified diploma for the sole reason that the student has the documented history.

(e) Students currently engaged in the use of illegal drugs are not eligible for a modified diploma if the significant learning and instructional barriers are due to the use of illegal drugs.

(f) Students currently engaged in the illegal use of alcohol are not eligible for a modified diploma if the significant learning and instructional barriers are due to the alcohol abuse, regardless of whether that student is disabled under Section 504 on the basis of alcoholism.

(g) Notwithstanding paragraph (c) and (d) of this section, a school district or public charter school may grant eligibility for a modified diploma to a student who is no longer engaging in illegal use of drugs or alcohol if the student:

(A) Has successfully completed a supervised drug or alcohol rehabilitation program and are no longer engaged in the illegal use of drugs or alcohol; or

- (B) Has been rehabilitated successfully and is no longer engaged in the illegal use of drugs or alcohol; or
- (C) Is participating in a supervised rehabilitation program and is no longer engaging in the illegal use of drugs or alcohol.
- (4)(a) A school district or public charter school shall determine which school teams shall decide if a student will work toward obtaining a modified diploma. A student's school team must include an adult student, parent/ guardian of the student.
- (b) A school district or public charter school may award a modified diploma to a student only upon the consent of the parent or guardian of the student or upon the consent of the adult student or emancipated minor student. A district or school must receive the consent in writing and during the school year in which the modified diploma is awarded.
- (A) If student is under 18, consent must be received from the parent or guardian.
- (B) If the student is under age 18 and emancipated, consent must be received from the student.
- (C) If the adult student is 18 or older, consent must be received from the student or guardian.
- (D) If the student is under guardianship from the courts, consent must come from the court-appointed authority.
- (c) Except as provided in subsection (e) of this section, a student's school team shall decide that a student should work toward a modified diploma no earlier than the end of the 6th grade and no later than 2 years before the student's anticipated exit from high school.
- (d) Beginning in grade five, school district and public charter schools shall annually provide information to the parents or guardians of a student taking an alternate assessment of the availability of a modified diploma and the requirements for the modified diploma.
- (e) A student's school team may formally decide to revise a modified diploma decision.
- (f) A student's school team may decide that a student who was not previously working towards a modified diploma should work toward a modified diploma when a student is less than 2 years from anticipated exit from high school if the documented history of the student described in section (3) of this rule has changed.
- (5) Unit of credit requirements for students graduating with a modified diploma:
- (a) To receive a modified diploma a student must earn 24 units of credit, between grade 9 and the end of their high school career with at least 12 of those credits to include:
- (A) Language Arts — 3;
- (B) Mathematics — 2;
- (C) Science — 2;
- (D) Social Sciences (which may include history, civics, geography and economics (including personal finance)) — 2;
- (E) Health Education — 1;
- (F) Physical Education — 1; and
- (G) Career Technical Education, The Arts or World Languages (units may be earned in any one or a combination) — 1.
- (b) School districts and public charter schools shall be flexible in awarding the remaining 12 units of credit. These credits must be awarded to meet the needs of the individual student as specified in the education plan of the student with the expectations and standards aligned to the appropriate grade level academic content standards. These credits may include:
- (A) Additional core credits described in paragraph (a) of this section;
- (B) Professional technical education;
- (C) Electives; and
- (D) Career development.
- (c) Students may earn units of credit through regular education with or without accommodations or modifications and through modified courses.

- (d) Students shall have the option to earn credit for demonstrating proficiency. A student may be given credit for successful demonstration of knowledge and skills that meets or exceeds defined levels of performance. Students may demonstrate proficiency through classroom work or documentation of learning experiences outside of school, or through a combination of these means.
- (e) School districts and public charter schools shall ensure that students have access to needed courses, modifications and supports to pursue a modified diploma and to progress in the general education curriculum.
- (f) A school district or public charter school may not require a student to earn more than 24 units of credit to receive a modified diploma.
- (6) A school district or public charter school shall grant credit toward a modified diploma only for courses that contain substantial academic content. A school district or public charter school shall grant credit for a modified diploma through a continuum of instruction beginning at basic skills and progressing through high level skills.
- (7) A school district or public charter school shall award a regular diploma under OAR 581-022-2000 if all requirements for a regular diploma are met. Completion of one or more modified courses shall not prohibit a student from earning a regular diploma; however, required core courses taken under modified conditions must be retaken under standard conditions to be counted toward a regular diploma.
- (8) A school district or public charter school shall grant credit toward a modified diploma according to individual student needs across academic content areas including applied, consumer, academic, or knowledge and skill development.
- (9) Each student shall develop an education plan and build an education profile as provided under OAR 581-022-2000.
- (10) A school district or public charter school shall inform the student and parent or guardian of the student if the courses in grades 9-12 have been modified for an individual student.
- (11) A school district or public charter school shall provide transcripts which clearly identify modified courses that do not count toward the regular diploma but that do count toward a modified diploma.
- (12) Each student shall build a collection of evidence, or include evidence in existing collections, to demonstrate extended application of the standards as defined in OAR 581-022-0102;
- (13) Each student receiving a modified diploma shall have the option of participating in the high school graduation ceremony with the members of their class receiving a high school diploma.
- (14)(a) A student who receives a modified diploma shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student.
- (b) When added together, the school district or public charter school will provide a total number of hours of instruction and services to the student that equals at least the total number of instructional hours that is required to be provided to students who are attending a public high school.
- (c) The total number of hours that are appropriate for a student shall be determined by the individualized education program (IEP) team if the student is eligible for special education.
- (d) Based on the student's needs and performance level, the student's IEP team may decide that the student will not access the total number of hours of instruction and services required to be provided to students who are attending a public high school.
- (e) The school district or public charter school may not unilaterally decrease the total number of hours of instruction and services to which the student has access regardless of the age of the student.
- (f) If a student's IEP team or school team, decides that the student will not access the total number of hours of instruction and services to which the student has access the school district or public charter school shall annually:
- (A) Provide the following information in writing to the adult student, parent or guardian of the student:
- (i) The school district's or public charter school's duty to comply with the requirements to provide the total number of hours of instruction and services to the student; and
- (ii) The prohibition against a school district's or public charter school's unilaterally decreasing the total number of hours of instruction and services to which the student has access.
- (B) Obtain a signed acknowledgment from the adult student, parent or guardian of the student that the adult student, parent or guardian received the information.

(C) Include in the IEP for the student a written statement that explains the reasons the student is not accessing the total number of hours of instruction and services to which the student has access.

(g) Transition services and other services designed to meet the unique needs of the student may be provided to the student through an interagency agreement entered into by the school district if the individualized education program developed for the student indicates that the services may be provided by another agency. The school district or public charter school retains the responsibility for ensuring that the student has access to the number of service hours required to be provided to the student.

(h) An agency is not required to change any eligibility criteria or enrollment standards prior to entering into an interagency agreement with the school district.

(i) School districts and public charter schools shall ensure that students have on-site access to the appropriate resources to achieve a modified diploma at each high school in the school district or at the public charter school.

(15)(a) The unit of credit requirements in section (5) of this rule for a modified diploma apply to all students who enter 9th grade on or after July 1, 2007.

(b) If a student entered 9th grade prior to July 1, 2007, the student's team shall decide whether the student must meet the unit of credit requirements in section (5) of this rule to receive a modified diploma or the unit of credit requirements specified by the school district or public charter school for a modified diploma when the student entered 9th grade. If a student's team decides that a student may receive a modified diploma by meeting the unit of credit requirements required by the district or school when the student entered 9th grade, a school district or public charter school may award a student who entered 9th grade prior to July 1, 2007 a modified diploma if the student meets the unit of credit requirements for a modified diploma specified by the district or school when the student entered 9th grade.

Statutory/Other Authority: ORS 329.451

Statutes/Other Implemented: ORS 329.451

History:

[ODE 15-2022, amend filed 03/24/2022, effective 03/24/2022](#)

[ODE 17-2017, temporary amend filed 10/10/2017, effective 10/10/2017 through 04/08/2018](#)

Renumbered from 581-022-1134 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 45-2014, f. & cert. ef. 12-17-14

ODE 4-2012, f. 2-1-12, cert. ef. 2-3-12

ODE 22-2009, f. & cert. ef. 12-10-09

ODE 15-2008, f. & cert. ef. 5-23-08

581-022-2015

Extended Diploma

(1) Definitions: "Other services" for the purposes of this rule means:

(a) Those services paid for or provided by another agency, such as Vocational Rehabilitation or Brokerages, which may be considered in the calculation of the total number of hours that equals at least the total number of instructional hours that is required to be provided to students who are attending public high school. These "other services" are not to be considered educational services and are not provided by or through the school district or public charter school.

(b) Those services identified in OAR 581-022-1620(4), such as school assemblies, student orientations, testing, etc, which may be considered in the calculation of the total number of hours that equals at least the total number of instructional hours that is required to be provided to students who are attending public high school. These services are provided by the school district or public charter school.

(2) A school district or public charter school shall award an extended diploma to a student who satisfies the requirements of this rule.

(3) A school district or public charter school shall award an extended diploma only to students who have demonstrated the inability to meet the full set of academic content standards for a high school diploma with reasonable modifications and accommodations.

(4) A school district or public charter school may award an extended diploma to a student only upon the consent of the parent or guardian of the student, or upon the consent of the adult student or emancipated minor student. A district or school must receive the consent in writing and during the school year in which the extended diploma is awarded.

(a) If student is under 18, consent must be received from the parent or guardian.

(b) If the student is under age 18 and emancipated, consent must be received from the student.

- (c) If the adult student is 18 or older, consent must be received from the student.
- (d) If the student is under guardianship from the courts, consent must come from the court-appointed authority.
- (5) To be eligible for an extended diploma, a student must:
- (a) While in grade nine through completion of high school, complete 12 credits, which may not include more than six credits earned in a self-contained special education classroom and shall include:
- (A) Two credits of mathematics;
- (B) Two credits of language arts;
- (C) Two credits of science;
- (D) Three credits of history, geography, economics, or civics;
- (E) One credit of health;
- (F) One credit of physical education; and
- (G) One credit of arts or a world language; and;
- (b) Have a documented history of:
- (A) An inability to maintain grade level achievement due to significant learning and instructional barriers;
- (B) A medical condition that creates a barrier to achievement; or
- (C) A change in the student's ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.
- (D) One credit of the arts or a world language;
- (6)(a) A student shall have the opportunity to meet the requirements of an extended diploma by the later of:
- (A) Four years after starting grade nine; or
- (B) The student reaching the age of 21 years, if the student is entitled to a public education until the age of 21 years under state or federal law.
- (b) A student may complete the requirements for an extended diploma in less than four years if the parent/guardian or adult student gives consent. The consent must be written and must clearly state that the parent/guardian or adult student is waiving the 4 years to complete the requirements for an extended diploma. A copy of all consents must be sent to the district superintendent. Each school district must annually provide the number of consents obtained to the State Superintendent of Public Instruction. The consent may not be used to allow a student to satisfy the requirements for an extended diploma in less than three years.
- (7) A school district or public charter school shall:
- (a) Ensure that students have on-site access to the appropriate resources to achieve an extended diploma at each high school in the school district or at the public charter school or beginning after a documented history described in section (5)(b) above has been established, annually provide to the parents or guardians of a student who has the documented history, described above, information about the availability of an extended diploma and the requirements for the extended diploma.
- (b) A school district or public charter school may not deny a student who has the documented history described in subsection (1)(a) of this section the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason that the student has the documented history.
- (8)(a) A student who receives an extended diploma shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student.
- (b) When added together, the school district or public charter school will provide a total number of hours of instruction and services to the student that equals at least the total number of instructional hours that is required to be provided to students who are attending a public high school; or,
- (c) The total number of hours that are appropriate for a student shall be determined by the individualized education program (IEP) team if the student is eligible for special education;

(d) Based on the student's needs and performance level, the student's IEP team may decide that the student will not access the total number of hours of instruction and services required to be provided to students who are attending a public high school.

(e) The school district or public charter school may not unilaterally decrease the total number of hours of instruction and services to which the student has access regardless of the age of the student.

(f) If a student's IEP team decides that the student will not access the total number of hours of instruction and services to which the student has access, the school district or public charter school shall annually:

(A) Provide the following information in writing to the adult student, parent, or guardian of the student:

(i) The school district's or public charter school's duty to comply with the requirements to provide the total number of hours of instruction and services to the student; and

(ii) The prohibition against a school district's or public charter school's unilaterally decreasing the total number of hours of instruction and services to which the student has access.

(B) Obtain a signed acknowledgment from the adult student, parent or guardian of the student that the adult student, parent or guardian received the information.

(C) Include in the IEP for the student a written statement that explains the reasons the student is not accessing the total number of hours of instruction and services to which the student has access.

(g) Transition services and other services designed to meet the unique needs of the student may be provided to the student through an interagency agreement entered into by the school district if the individualized education program developed for the student indicates that the services may be provided by another agency. The school district or public charter school retains the responsibility for ensuring that the student has access to the number of service hours required to be provided to the student.

(h) An agency is not required to change any eligibility criteria or enrollment standards prior to entering into an interagency agreement with the school district.

(9) School districts and public charter schools shall make extended diplomas as required by ORS 329.451 and this rule first available to students during the 2009-2010 school year.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 329.451

History:

[ODE 15-2022, amend filed 03/24/2022, effective 03/24/2022](#)

[ODE 37-2018, amend filed 11/21/2018, effective 11/23/2018](#)

Renumbered from 581-022-1133 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 43-2016, f. & cert. ef. 9-6-16

ODE 29-2016, f. & cert. ef. 4-28-16

ODE 45-2014, f. & cert. ef. 12-17-14

ODE 44-2014, f. & cert. ef. 12-17-14

ODE 3-2012, f. 2-1-12, cert. ef. 2-3-12

ODE 21-2009, f. & cert. ef. 12-10-09

581-022-2020

Alternative Certificate

(1) Definitions.

(a) "Other services" for the purposes of this rule means:

(A) Those services paid for or provided by another agency, such as Vocational Rehabilitation or Brokerages, which may be considered in the calculation of the total number of hours that equals at least the total number of instructional hours that is required to be provided to students who are attending public high school. These "other services" are not to be considered educational services and are not provided by or through the school district or public charter school.

(B) Those services identified in OAR 581-022-2320(4), such as school assemblies, student orientations, testing, etc, which may be considered in the calculation of the total number of hours that equals at least the total number of instructional hours that is required to be provided to students who are attending public high school. These services are provided by the school district or public charter school.

(2) A School district or public charter school shall award an alternative certificate to a student who does not satisfy the requirements for a high school diploma, a modified diploma or an extended diploma.

(3)(a) Each district school board or public charter school governing board with jurisdiction over high school programs shall define criteria for an alternative certificate and shall award an alternative certificate to those students who have met the criteria requirements as described in district school board policies.

(4) A student shall have the opportunity to meet the requirements of an alternative certificate by the later of:

(a) Four years after starting grade nine; or

(b) The student reaching the age of 21 years, if the student is entitled to a public education until the age of 21 years under state or federal law.

(c) A student may complete the requirements for an alternative certificate in less than four years if the parent/guardian or adult student gives consent.

(A) The consent must be written and must clearly state that the parent/guardian or adult student is waiving the 4 years to complete the requirements for an alternative certificate.

(B) A copy of all consents must be sent to the district superintendent.

(C) Each school district must annually provide the number of consents obtained to the State Superintendent of Public Instruction

(D) The consent may not be used to allow a student to satisfy the requirements for an alternative certificate in less than three years.

(5) A school district or public charter school shall:

(a) Ensure that students have on-site access to the appropriate resources to achieve an alternative certificate at each high school in the school district or at the public charter school.

(b) Beginning grade five, annually provide information to the parents or guardians of a student taking an alternate assessment of the availability of an alternative certificate and the requirements for the certificate.

(6) Each student receiving an alternative certificate shall have the option of participating in the high school graduation ceremony with the members of their class receiving a high school diploma.

(7)(a) A student who receives an alternative certificate shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student.

(b) When added together, the school district or public charter school will provide a total number of hours of instruction and services to the student that equals at least the total number of instructional hours that is required to be provided to students who are attending a public high school.

(c) The total number of hours that are appropriate for a student shall be determined by the individualized education program (IEP) team if the student is eligible for special education.

(d) Based on the student's needs and performance level, the student's IEP team may decide that the student will not access the total number of hours of instruction and services required to be provided to students who are attending a public high school.

(e) The school district or public charter school may not unilaterally decrease the total number of hours of instruction and services to which the student has access regardless of the age of the student.

(f) If a student's IEP team, decides that the student will not access the total number of hours of instruction and services to which the student has access the school district or public charter school shall annually:

(A) Provide the following information in writing to the adult student parent or guardian of the student:

(i) The school district's or public charter school's duty to comply with the requirements to provide the total number of hours of instruction and services to the student; and

(ii) The prohibition against a school district's or public charter school's unilaterally decreasing the total number of hours of instruction and services to which the student has access.

(B) Obtain a signed acknowledgment from the adult student, parent or guardian of the student that the adult student, parent or guardian received the information.

(C) Include in the IEP for the student a written statement that explains the reasons the student is not accessing the total number of hours of instruction and services to which the student has access.

(g) Transition services or other services designed to meet the unique needs of the student may be provided to the student through an interagency agreement entered into by the school district if the individualized education program developed for the student indicates that the services may be provided by another agency. The school district or public charter school retains the responsibility for ensuring that the student has access to the number of service hours required to be provided to the student.

(h) An agency is not required to change any eligibility criteria or enrollment standards prior to entering into an interagency agreement with the school district.

Statutory/Other Authority: ORS 329.451

Statutes/Other Implemented: ORS 329.451

History:

Renumbered from 581-022-1135 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 5-2012, f. 2-1-12, cert. ef. 2-3-12

ODE 23-2009, f. & cert. ef. 12-10-09

ODE 15-2008, f. & cert. ef. 5-23-08

581-022-2025

Credit Options

(1) A school district or public charter school shall grant required and elective credit towards the diploma or a modified diploma, provided the method for accruing such credit is described in the student's personal education plan and the student earns the credit by meeting the requirements of one or more of the options described in this rule.

(2) A school district or charter school may grant credit to a student if the student demonstrates defined levels of proficiency or mastery of recognized standards (e.g., state academic content standards and essential skills, industry-based or other national or international standards) by any one or more of the following options:

(a) Successfully completing classroom or equivalent work (e.g., supervised independent study, career-related learning experiences, project based learning), which meets Common Curriculum Goals and academic content standards required by OAR 581-022-2030;

(b) Successfully completing classroom or equivalent work designed to measure proficiency or mastery of identified standards (knowledge and skills) in class or out of class, where hours of instruction may vary;

(c) Successfully passing an appropriate exam designed to measure proficiency or mastery of identified standards (knowledge and skills);

(d) Providing a collection of work or other assessment evidence which demonstrates proficiency or mastery of identified standards (knowledge and skills); or

(e) Providing documentation of prior learning activities or experiences which demonstrates proficiency or mastery of identified standards (knowledge and skills) (e.g., certification of training, letters, diplomas, awards, etc.).

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

Renumbered from 581-022-1131 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 3-2015, f. 1-30-15, cert. ef. 7-1-15

ODE 2-2009, f. & cert. ef. 4-23-09

ODE 4-2003, f. & cert. ef. 3-14-03

581-022-2030

District Curriculum

(1) Each school district shall provide a planned K–12 instructional program.

(2) The planned K–12 instructional program shall include the following:

(a) Common Curriculum Goals and academic content standards adopted by the State Board of Education to include:

- (A) Language Arts;
 - (B) Mathematics;
 - (C) Science;
 - (D) Social Science (including history, geography, economics and civics);
 - (E) The Arts;
 - (F) World Languages;
 - (G) Health Education; and
 - (H) Physical Education; and
 - (I) Comprehensive School Counseling.
- (b) Additional Common Curriculum Goals for technology.
 - (c) Essential Learning Skills, as contained in the Common Curriculum Goals and academic content standards;
 - (d) Career-related learning standards, as contained in the Common Curriculum Goals and academic content standards; and
 - (e) Career education which may include career and technical education.
- (3) The school district shall also provide instruction in other areas identified in chapter 581, division 22 of the Oregon Administrative Rules, including:
- (a) Infectious diseases, including AIDS/HIV and Hepatitis B;
 - (b) Prevention education in drugs and alcohol; and
 - (c) Emergency plans and safety programs.
- (4) The school district is also accountable to provide instruction in compliance with requirements set forth in ORS Chapter 336, Conduct of Schools Generally.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 329.045

History:

[ODE 15-2022, amend filed 03/24/2022, effective 03/24/2022](#)

[ODE 17-2018, amend filed 06/05/2018, effective 06/06/2018](#)

Renumbered from 581-022-1210 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 5-2017, f. & cert. ef. 5-2-17

ODE 45-2014, f. & cert. ef. 12-17-14

ODE 25-2008, f. & cert. ef. 9-26-08

ODE 19-2007, f. & cert. ef. 9-10-07

ODE 5-2006, f. & cert. ef. 2-14-06

Reverted to EB 6-1997, f. & cert. ef. 6-9-97

ODE 7-2005(Temp), f. & cert. ef. 3-15-05 thru 9-1-05

EB 6-1997, f. & cert. ef. 6-9-97

581-022-2045

Prevention Education in Drugs and Alcohol

- (1) Each school district shall develop a comprehensive plan for alcohol and drug abuse prevention program which shall include, but not limited to:
- (a) Instruction in the effects of tobacco, alcohol, drugs, including anabolic steroids, performance-enhancing and controlled substances as an integral part of the district's K–12 comprehensive health education program. In addition, at least annually, all high school students, grades 9–12 shall receive age-appropriate instruction about drug and alcohol prevention
- (A) The age-appropriate curriculum for this instruction shall:
- (i) Emphasize prevention strategies;

- (ii) Be reviewed and updated annually to reflect current research; and
 - (iii) Be consistent with State Board adopted Health Education Academic Content Standards.
- (B) Basic information shall include:
- (i) The effects of alcohol, tobacco and other drug use, including anabolic steroids, performance-enhancing and controlled substances
 - (ii) All laws relating to the use, especially by minors, of alcohol and other illegal drugs; and
 - (iii) The availability of school and community resources.
- (C) The instructional program shall include activities which will assist students in developing and reinforcing skills to:
- (i) Understand and manage peer pressure;
 - (ii) Understand the consequences of consuming alcohol and other drugs;
 - (iii) Make informed and responsible decisions; and
 - (iv) Motivate students to adopt positive attitudes towards health and wellness.
- (b) A public information program for students, parents, and district staff; and
- (c) Policies, rules, and procedures which:
- (A) Include a philosophy statement relating to drug-free schools and the established tobacco-free policies and procedures for students, staff and visitors.
 - (B) Define the nature and extent of the district's program, including a plan to access and use federal funds;
 - (C) State that alcohol, tobacco, and other drug use by student is illegal and harmful;
 - (D) In accordance with OAR 581-021-0050 and 581-021-0055, indicate the consequences for using and/or selling alcohol and other drugs, including the specific rule of the school as it relates to law enforcement agencies;
 - (E) Describe the district's intervention and referral procedures, including those for drug-related medical emergencies;
 - (F) Indicate clearly that the school district's jurisdiction includes all school sponsored events including student activities; and
 - (G) Are reviewed and updated annually.
- (2) The district's drug and alcohol prevention and intervention program shall be approved by the school district board after consultation from parents, teachers, school administrators, local community agencies, and persons from the health or alcohol and drug service community who are knowledgeable of the latest research information.
- (3) Staff development in the district shall:
- (a) Inform all staff of the district plan and their responsibilities within that plan; and
 - (b) Provide alcohol and drug abuse prevention education to all staff.

Statutory/Other Authority: ORS 326.051 & 336.235

Statutes/Other Implemented: ORS 336.067 & 336.222

History:

Renumbered from 581-022-0413 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 14-2008, f. & cert .ef. 5-23-08

EB 30-1989, f. & cert. ef. 10-24-89

581-022-2050

Human Sexuality Education

- (1) The following definitions apply to Oregon Administrative Rule 581-022-2050:
- (a) "Age-appropriate" means curricula designed to teach concepts, information, and skills based on the social, cognitive, emotional, experience and developmental level of students;

- (b) "Balanced" means instruction that provides information with the understanding of, and strength of the preponderance of evidence;
- (c) "Best practice" means a practice/curriculum that is based in proven theory and practices, and has some evidence of effectiveness, but has not specifically gone through a randomized controlled trial that is needed to become an evidence-based practice;
- (d) "Comprehensive plan of instruction" (as defined by Oregon education statutes) means k–12 programs that emphasize abstinence, but not to the exclusion of condom and contraceptive skills-based education. The human sexuality information provided is complete, balanced, and medically accurate. Opportunities are provided for young people to develop and understand their values, attitudes, beliefs and decisions about sexuality as a means of helping young people exercise responsibility regarding sexual relationships and sexual health decisions as further defined by subsections (2) and (3);
- (e) "Consensual" means the presence of a "yes" when "no" is a viable option;
- (f) "Culturally inclusive" means using materials and instruction strategies that respond to culturally diverse individuals, families, and communities in a respectful and effective manner;
- (g) "Gender expression" means how people express their gender based on mannerisms, dress, etc. A person's gender expression/presentation may not always match their gender identity;
- (h) "Gender identity" means a person's internal sense of being male, female or some other gender, regardless of whether the individual's appearance, expression or behavior differs from that traditionally associated with the individual's sex assigned at birth;
- (i) "Gender role" means the socially determined sets of behaviors assigned to people based on their biological sex;
- (j) "Gender sensitive" means using materials and instruction strategies that are sensitive to individual's similarities and differences regarding gender role, gender identity and/or sexual orientation;
- (k) "Healthy relationship" means one in which both people feel a healthy sense of "self". Each person feels comfortable and safe when spending time with the other person. Two individuals try to meet each other's needs, and each can ask for help and support, within and outside of the relationship without fear of criticism or harm;
- (l) "Medically accurate" means information that is established through the use of the 'scientific method.' Results can be measured, quantified, and replicated to confirm accuracy, and are reported or recognized in peer-reviewed journals or other authoritative publications;
- (m) "Non-consensual sexual behavior" means any sexual act that is inflicted upon a person who is unable to grant consent or that is unwanted and compelled through the use of physical force, manipulation, threats, or intimidation;
- (n) "Research-based" means intervention is based on theoretical approaches that have been shown through scientific evaluation to be effective in achieving the intended outcomes. Evaluation based on studies using scientifically based designs; results published in recognized, peer-reviewed journals;
- (o) "Sexual intercourse" means a type of sexual contact or activity involving one of the following:
- (A) Vaginal sex;
 - (B) Oral sex; or
 - (C) Anal sex;
- (p) "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or other romantic and/or sexual attraction;
- (q) "Shame or fear based" means terminology, activities, scenarios, context, language, and/or visual illustrations that are used to devalue, ignore, and/or disgrace students who have had or are having sexual relationships. Not all curricula or activities that describe risks of sexual activities can be considered "fear-based;"
- (r) "Skills-based" means instructional strategy that has students practice the desired skill; and
- (s) "Student bystander behavior" means behaviors in which students who witness or learn about a peer's harmful behaviors or attitudes intervene when it is safe to do so.

(2) Each school district shall provide an age-appropriate, comprehensive plan of instruction focusing on human sexuality education, HIV/AIDS and sexually transmitted infections and disease prevention in elementary and secondary schools as an integral part of health education and other subjects. Course material and instruction for all human sexuality education courses

that discuss human sexuality in public elementary and secondary schools shall enhance students' understanding of sexuality as a normal and healthy aspect of human development. As part of the comprehensive plan of human sexuality instruction, each school district board shall adopt a child sexual abuse prevention instructional program for students in kindergarten through grade 12 as defined in subsection (9). In addition, the HIV/AIDS and sexually transmitted infections and disease prevention education and the human sexuality education comprehensive plan shall provide adequate instruction at least annually, for all students' grades 6-8 and at least twice during grades 9-12.

(3) Parents, teachers, school administrators, local health department staff, other community representatives, and persons from the medical community who are knowledgeable of the latest scientific information and effective education strategies shall develop the plan of instruction required by this rule, and in alignment with the Oregon Health Education Standards and Benchmarks, cooperatively.

(4) Local school boards shall approve the plan of instruction and require that it be reviewed and updated biennially in accordance with new scientific information and effective education strategies.

(5) Any parent may request that his/her child be excused from that portion of the instructional program required by this rule under the procedures set forth in ORS 336.035(2).

(6) The comprehensive plan of instruction shall include information that:

(a) Promotes abstinence for school-age youth and mutually monogamous relationships with an uninfected partner for adults as the safest and mostly responsible sexual behavior to reduce the risk of unintended pregnancy and exposure to HIV, Hepatitis B/C and other sexually transmitted infectious diseases;

(b) Allays those fears concerning HIV that are scientifically groundless;

(c) Is balanced and medically accurate;

(d) Provides balanced, accurate information, and skills-based instruction on the risks and benefits of contraceptives, condoms and other disease reduction measures which reduce the risk of unintended pregnancy, exposure to HIV, hepatitis B/C and other sexually transmitted infections and diseases;

(e) Discusses responsible sexual behaviors and hygienic practices which may reduce or eliminate unintended pregnancy, exposure to HIV, hepatitis B/C and other sexually transmitted infections and diseases;

(f) Stresses the risks of contracting HIV, hepatitis B and C and other infectious diseases through sharing of needles or syringes for injecting illegal drugs and controlled substances;

(g) Discusses the characteristics of the emotional, physical and psychological aspects of a healthy relationship;

(h) Discusses the benefits of delaying pregnancy beyond the adolescent years as a means to better ensure a healthy future for parents and their children. Students shall be provided with statistics based on the latest medical information regarding both the health benefits and the possible side effects of all forms of contraceptives, including the success and failure rates for prevention of pregnancy, sexually transmitted infections and diseases;

(i) Stresses that HIV/STDs and hepatitis B/C can be possible hazards of sexual contact;

(j) Provides students with information about Oregon laws that address young people's rights and responsibilities relating to childbearing and parenting, and prevention of the spread of STDs, STIs, including testing for STDs, STIs, HIV and pregnancy;

(k) Advises pupils of the circumstances in which it is unlawful under ORS 163.435 and 163.445 for persons 18 years of age or older to have sexual relations with persons younger than 18 years of age to whom they are not married;

(l) Encourages positive family communication and involvement and helps students learn to make responsible, respectful and healthy decisions;

(m) Teaches that no form of sexual expression, or behavior is acceptable when it physically or emotionally harms oneself or others and that it is wrong to take advantage of or exploit another person;

(n) Teaches that consent is an essential component of healthy sexual behavior. Course material shall promote positive attitudes and behaviors related to healthy relationships and sexuality, and encourage active student bystander behavior;

(o) Teaches students how to identify and respond to attitudes and behaviors which contribute to sexual violence;

(p) Validates through course material and instruction the importance of honesty with oneself and others, respect for each person's dignity and well-being, and responsibility for one's actions;

(q) Uses inclusive materials, language, and strategies that recognizes different sexual orientations, gender identities and gender expression;

(r) Includes information about relevant community resources, how to access these resources, and the laws that protect the rights of minors to anonymously access these resources; and

(s) Is culturally inclusive.

(7) The comprehensive plan of instruction shall emphasize skills-based instruction that:

(a) Assists students to develop and practice effective communication skills, the development of self-esteem and the ability to resist peer and partner pressure;

(b) Provides students with the opportunity to learn about and personalize peer, media, technology and community influences that both positively and negatively impact their attitudes and decisions related to healthy sexuality, relationships, and sexual behaviors, including decisions to abstain from sexual intercourse;

(c) Enhances students' ability to access valid health information and resources related to their sexual health;

(d) Teaches how to develop and communicate relational, sexual and reproductive boundaries;

(e) Is research-based, evidence-based and/or best practice; and

(f) Aligns with the Oregon Health Education Content Standards and Benchmarks.

(8) All human sexuality education programs shall emphasize that abstinence from sexual intercourse, when practiced consistently and correctly, is the only method that is 100 percent effective against unintended pregnancy, HIV infection (when transmitted sexually), hepatitis B/C infection, and other sexually transmitted infections and diseases. Abstinence is to be stressed, but not to the exclusion of contraceptives and condoms for preventing unintended pregnancy, HIV infection, sexually transmitted infections and diseases, and hepatitis B/C. Such courses are to acknowledge the value of abstinence while not devaluing, ignoring or stigmatizing those students who have had or are having sexual relationships. Further, sexuality education materials, instructional strategies, and activities must not, in any way, use shame or fear based tactics.

(9) As part of the comprehensive plan of human sexuality instruction, each school district shall provide child sexual abuse prevention instruction from kindergarten through grade 12. School Districts must provide a minimum of four instructional sessions per year. One instructional session is equal to one standard class period.

(10) Materials and information shall be presented in a manner sensitive to the fact that there are students who have experienced, perpetrated, or witnessed sexual abuse and relationship violence.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 336.455 & 336.455

History:

Renumbered from 581-022-1440 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 16-2016, f. & cert. ef. 3-22-16

ODE 10-2013, f. & cert. ef. 4-10-13

ODE 25-2009, f. & cert. ef. 12-10-09

ODE 15-2007, f. & cert. ef. 7-6-07

ODE 25-2002, f. & cert. ef. 11-15-02

EB 2-1997, f. & cert. ef. 3-27-97

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2055

Career Education

Each school district shall implement plans for career education for grades K through 12, as part of its comprehensive school counseling program, based on the Oregon Department of Education's Framework for Comprehensive School Counseling Programs. Career education curriculum is part of the overall comprehensive school counseling curriculum, written to address Essential Skills, Education Plan and Education Profile and the four interrelated student developmental domains: academic, career, social/emotional, and community involvement.

Statutory/Other Authority: ORS 326.051 & 329.275

Statutes/Other Implemented: ORS 326.051

History:

ODE 22-2018, amend filed 06/05/2018, effective 06/06/2018

Renumbered from 581-022-0405 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 19-2008, f. & cert. ef. 6-27-08
 EB 4-1989, f. & cert. ef. 1-23-89
 1EB 19-1980, f. 6-17-80, ef. 9-1-81

581-022-2060

Comprehensive School Counseling

(1)(a) District Comprehensive School Counseling. Each school district shall provide a coordinated comprehensive school counseling program to support the academic, career, social-emotional, and community involvement development of each and every student. The district shall:

(b) Adopt comprehensive school counseling program goals that assist students to:

- (A) Understand and utilize the educational opportunities and alternatives available to them;
- (B) Meet academic standards;
- (C) Establish tentative career and educational goals;
- (D) Create and maintain an education plan and education portfolio;
- (E) Demonstrate the ability to utilize personal qualities, education and training, in the world of work;
- (F) Develop decision-making skills;
- (G) Obtain information about self;
- (H) Accept increasing responsibility for their own actions, including the development of self-advocacy skills;
- (I) Develop skills in interpersonal relations, including the use of affective and receptive communication;
- (J) Utilize school and community resources;
- (K) Demonstrate and discuss personal contributions to the larger community; and
- (L) Know where and how to utilize personal skills in making contributions to the community.

(2) School Comprehensive Counseling. Each school shall provide a comprehensive counseling program that serves students grades K-12, based upon the Oregon Department of Education's Framework for Comprehensive School Counseling Programs which:

- (a) Identifies staff responsibilities to plan, design and deliver a comprehensive school counseling program that meets the unique needs of their students and community;
- (b) Aligns with the district's school improvement plans;
- (c) Assigns counseling responsibilities to the appropriate personnel;
- (d) Expects all school staff to participate in implementing the comprehensive school counseling program; and
- (e) Assists each student to develop, and annually review, an educational plan (a formalized plan and process in which students establish their education, career and life goals, identify learning goals and connect them to activities that will help them achieve their goals) in grades 7-12.

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

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

- (A) A person who is licensed by the Teacher Standards and Practices Commission as a school counselor;
- (B) A person who is licensed by the Teacher Standards and Practices Commission as a school social worker; or
- (C) A team consisting of a combination of staff who include one or more professionals licensed by the Teacher Standards and Practices Commission and the members of the team as a whole have professional training or experience in the following areas:

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

(ii) Counseling methodologies;

(iii) Social-emotional learning;

(iv) Mental and behavioral health supports;

(v) Trauma-sensitive practices;

(vi) Culturally responsive and sustaining practices;

(vii) Curriculum, instruction and assessment; and

(viii) Career development.

(b) In determining staffing for the program, the following shall be considered:

(A) Alignment with the American School Counselor Association and School Social Work Association recommended ratio of 1:250 students; and

(B) The number of aides or clerical staff assigned to support the implementation of the comprehensive school counseling program.

(c) Nothing in this section may be construed to allow a person:

(A) Who is licensed by the Teacher Standards and Practices Commission to practice outside of the scope of the person's license; or

(B) To practice within the scope of a license not held by that person.

(4) The department shall conduct a review of annual comprehensive school counseling program assessments of any district or school as part of the program evaluation and improvement process.

Statutory/Other Authority: ORS 326.051, 329.275 & ORS 329.603

Statutes/Other Implemented: ORS 326.051 & ORS 329.603

History:

[ODE 18-2020, amend filed 04/23/2020, effective 04/23/2020](#)

[ODE 39-2018, amend filed 11/28/2018, effective 11/28/2018](#)

[ODE 20-2018, amend filed 06/05/2018, effective 06/06/2018](#)

Renumbered from 581-022-1510, ODE 16-2017, f. & cert. ef. 7-5-17

ODE 19-2008, f. & cert. ef. 6-27-08

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2100

Administration of State Assessments

(1) Definitions. As used in this rule:

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

(b) "Designated supports" means access features of the assessment available for use by any student for whom the need has been indicated by an educator or team of educators.

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

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

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

(f) "Invalidation" means the act of omitting test results and student responses from the testing, reporting, and accountability systems for a given testing event for which the student may not retest.

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

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

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

(j) "Oregon Statewide Assessments" means:

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

(i) Science;

(i) Social Sciences;

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

(i) Mathematics

(ii) English Language Arts (ELA)

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

(D) The Extended Assessment in:

(i) English Language Arts (ELA);

(ii) Mathematics;

(iii) Science; and

(E) The Kindergarten Assessment

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

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

(m) "School district" means:

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

(B) The Oregon School for the Deaf;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) The ODE may invalidate assessment results and student responses for assessments administered under conditions not meeting the assessment administration requirements specified in Sections 3 and 4 of this rule. In rare instances, ODE may reset a student assessment at the request of the school district if ODE determines that a reset would not compromise the security or validity of the assessment.

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

- (a) Assessments administered using modifications as defined in section (1)(h) of this rule;
- (b) Invalidated assessments;
- (c) Assessments administered outside the testing window specified in the Test Schedule; or
- (d) Assessments shipped or postmarked after the dates identified in the Test Schedule.

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

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

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

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

Statutory/Other Authority: ORS 326.051 & 329.075

Statutes/Other Implemented: ORS 329.075 & 329.485

History:

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

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

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

ODE 7-2011, f. & cert. ef. 7-1-11

ODE 7-2010, f. & cert. ef. 5-27-10

ODE 12-2009, f. & cert. ef. 12-10-09

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

ODE 16-2002, f. & cert. ef. 6-10-02

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

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

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

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

581-022-2110

Exception of Students with Disabilities from State Assessments

(1) For the purposes of this rule a "student with a disability" is a student identified under the Individuals with Disabilities Education Act, consistent with OAR chapter 581, division 015, or a student with a disability under Section 504 of the Rehabilitation Act of 1973.

(2) A public agency shall not exempt a student with a disability from participation in the Oregon State Assessment System or any district wide assessments to accommodate the student's disability unless the parent has requested such an exemption.

Statutory/Other Authority: ORS 326.051 & 343.045

Statutes/Other Implemented: ORS 329.485 & 659.850

History:

Renumbered from 581-022-0612 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 25-2008, f. & cert. ef. 9-26-08

ODE 14-2002, f. & cert. ef. 5-15-02

ODE 3-2002(Temp), f. & cert. ef. 1-25-02 thru 6-30-02

581-022-2115**Assessment of Essential Skills**

(1) Definitions. As used in this rule:

(a) "Assessment option" means an assessment approved to assess proficiency in the Essential Skills for the purpose of earning a high school diploma or a modified diploma.

(b) "Essential Skills" means process skills that cross academic disciplines and are embedded in the content standards. The skills are not content specific and can be applied in a variety of courses, subjects, and settings.

(c) "Local performance assessment" means a standardized measure (e.g., activity, exercise, problem, or work sample scored using an official state scoring guide), embedded in the school districts' and public charter schools' curriculum that evaluates the application of students' knowledge and skills.

(d) "Official state scoring guide" means an evaluation tool designed for scoring student work that includes specific, consistent assessment criteria for student performance and a 1-6 point scale to help rate student work. It is used by Oregon teachers to evaluate student work samples.

(e) "Student-initiated test impropriety" means student conduct that:

(A) Is inconsistent with:

(i) The Test Administration Manual; or

(ii) Accompanying guidelines; or

(B) Results in a score that is invalid.

(f) "Work sample" means a representative sample of individual student work (e.g., research papers, statistical experiments, speaking presentations, theatrical performances, work experience) that may cover one or more content areas and therefore may be scored using one or more official state scoring guide(s). At the high school level, a work sample can be used to fulfill both the local performance assessment requirement described in Section 2 of this rule and the Essential Skills requirement described in Section 3 of this rule.

(2) School districts and public charter schools that offer grades 3 through 8 or high school shall administer local performance assessments for students in grades 3 through 8 and at least once in high school. For each skill area listed in section (17) of this rule, the assessments shall consist of:

(a) One work sample per grade scored using official state scoring guides; or

(b) Comparable measures adopted by the district.

(3) School districts and public charter schools shall require high school students to demonstrate proficiency in the Essential Skills using assessment options that are approved by the State Board of Education for the purpose of student eligibility for:

(a) The high school diploma as established in OAR 581-022-2000; or

(b) The modified diploma as established in OAR 581-022-2010.

(4) Pursuant to ORS 339.115 and 339.505, school districts and public charter schools shall provide any eligible student with instruction in and multiple assessment opportunities to demonstrate proficiency in the Essential Skills for the purpose of achieving the high school diploma or the modified diploma.

(5) To be eligible to receive a high school diploma or a modified diploma:

(a) For students first enrolled in grade 9 during the 2008-2009 school year, school districts and public charter schools shall require students to demonstrate proficiency in the Essential Skill listed in section (16)(a) of this rule: Read and comprehend a variety of text.

(b) For students first enrolled in grade 9 during the 2009-2010 school year, school districts and public charter schools shall require students to demonstrate proficiency in the Essential Skills listed in sections (16)(a)-(b) of this rule:

(A) Read and comprehend a variety of text; and

(B) Write clearly and accurately.

(c) For students first enrolled in grade 9 during the 2010-2011 school year, school districts and public charter schools shall require students to demonstrate proficiency in the Essential Skills listed in section (16)(a)–(c) of this rule:

- (A) Read and comprehend a variety of text;
- (B) Write clearly and accurately; and
- (C) Apply mathematics in a variety of settings.

(d) For students first enrolled in grade 9 during the 2011-2012 school year or first enrolled in grade 9 in any subsequent school year, school districts and public charter schools shall require students to demonstrate proficiency in the Essential Skills listed in Section 16(a)–(c) of this rule and any additional Essential Skills for which:

(A) The State Board of Education has adopted the determination to phase in for inclusion in the high school diploma and modified diploma requirements; and

(B) The State Board of Education has adopted assessment options by March 1 of the student's 8th grade year.

(e) School districts and public charter schools may require students to demonstrate proficiency in additional Essential Skills beyond the minimum requirements described in section (5)(a)-(d) of this rule.

(6) The Superintendent of Public Instruction shall establish an Assessment of Essential Skills Review Panel (AESRP) to make recommendations on:

(a) The phasing in of Essential Skills for inclusion in the high school diploma and the modified diploma requirements;

(b) The adoption of assessment options to measure students' proficiency in the approved Essential Skills for the purpose of the high school diploma or the modified diploma; and

(c) The achievement standards used to determine student eligibility for the high school diploma or the modified diploma.

(7) The AESRP shall work toward the goal of a system with a high degree of technical adequacy and equivalent rigor between assessment options as practicable.

(8) The AESRP shall base its recommendations on evidence provided by:

- (a) School districts;
- (b) Research organizations; and
- (c) Other experts.

(9) The AESRP shall consist of assessment experts from:

(a) School districts, including but not limited to:

- (A) Superintendents;
- (B) Principals;
- (C) Curriculum Directors;
- (D) Educators;
- (E) Special education educators; and
- (F) English Language Learners (ELL) educators;
- (b) Post-secondary education institutions; and
- (c) Business partners who have expertise in:

- (A) Assessment design;
- (B) Assessment administration; or
- (C) Use of assessments

(10) The State Board of Education shall make the determination to adopt the AESRP's recommended assessment options, and achievement standards for the purpose of conferring high school diplomas and modified diplomas. The determination of the State Board of Education will be final and not subject to appeal.

(11) The ODE shall issue the State Board of Education's intentions regarding the AESRP's recommendations by December 15 of each year and formal notice of the State Board of Education's final determination regarding the AESRP's recommendations by March 1 of each year as an addendum to the Test Administration Manual, which the ODE shall issue by August 1 of each year.

(12) School districts and public charter schools shall adhere to the requirements set forth in the Test Administration Manual to:

(a) Administer;

(b) Score;

(c) Manage; and

(d) Document the district and school assessments of students' proficiency in the Essential Skills required to receive a high school diploma or a modified diploma.

(13) School districts and public charter schools shall establish conduct and discipline policies addressing student-initiated test impropriety.

(14) School districts and public charter schools shall allow students to use assessment options and achievement standards adopted by the State Board of Education in a student's ninth through twelfth grade years as follows:

(a) Students may demonstrate proficiency in the Essential Skills using assessment options adopted in their ninth through twelfth grade years.

(b) Students may use achievement standards adopted in their 9th through 12th grade years that are equal to or lower than the achievement standards approved as of March 1 of the students' 8th grade year.

(15) Districts may develop and administer a local assessment option for students to demonstrate proficiency in the Essential Skills, using established professional and technical standards in place of the assessment options adopted by the State Board of Education as described in section 14 of this rule. Districts that choose this option are required to publish:

(a) A communication strategy to ensure stakeholders are notified of the district's approach to the local assessment option; and

(b) Materials written in plain language that contain descriptions of the

(A) Purpose of the assessment;

(B) Scoring methodology;

(C) Method by which students and parents will receive results from the assessment;

(D) Criteria for determining student proficiency using the assessment; and

(E) Criteria for determining which students will have access to the assessment

(16) The ODE shall publish the subset of Essential Skills assessment options and the associated performance levels which may be used by each of Oregon's post-secondary institutions as defined by those institutions' policies provided to the ODE by October 15 of each year.

(17) The Essential Skills identified by the State Board of Education as of July 1, 2008 are as follows:

(a) Read and comprehend a variety of text;

(b) Write clearly and accurately;

(c) Apply mathematics in a variety of settings;

(d) Listen actively and speak clearly and coherently;

(e) Think critically and analytically;

(f) Use technology to learn, live, and work;

(g) Demonstrate civic and community engagement;

(h) Demonstrate global literacy; and

(i) Demonstrate personal management and teamwork skills.

(18) School districts and public charter schools shall include one or more local performance assessments for grades 3 through 8 and for high school for each of the following skill areas:

(a) Writing;

(b) Speaking;

(c) Mathematical problem-solving; and

(d) Scientific inquiry.

(19) School districts and public charter schools may include one social science analysis work sample that is administered in accordance with school district or public charter school policies as a local performance assessment for grades 3 through 8 and for high school.

(20) For students on an Individualized Education Plan (IEP) or 504 Plan, if a student's IEP or 504 Team determines that the nature of a student's disability prevents the student from demonstrating proficiency in an Essential Skill using any of the approved assessment options listed in the Test Administration Manual, the student's IEP Team may exempt the student from the requirement as listed in the Test Administration Manual and determine an appropriate replacement assessment option for the student to use that addresses the Essential Skill in a manner that is consistent with:

(a) The student's instructional plan; and

(b) The state assessment criteria adopted by the State Board of Education.

(21) For students seeking a modified diploma, school districts and public charter schools may modify the assessment options adopted by the State Board of Education when the following conditions are met:

(a) For students on IEP or 504 Plans:

(A) School districts and public charter schools must comply with all requirements established by the student's IEP or 504 Plan when implementing modifications for work samples;

(B) School districts and public charter schools must comply with OAR 581-022-2100 section (4)(d) when implementing modifications for a statewide assessment.

(b) For students not on IEP or 504 Plans:

(A) School districts and public charter schools may only implement modifications for work samples that are consistent with the modifications the student has received during instruction in the content area to be assessed in the year in which the work sample is administered.

(B) School districts and public charter schools must obtain approval from the school team responsible for monitoring the student's progress toward the modified diploma before implementing modifications for work samples.

(C) Consistent with OAR 581-022-2100, school districts and public charter schools may not implement modifications for statewide assessments for students who are not on an IEP or 504 Plan.

(22) The Essential Skills graduation requirements established by Sections 3, 4, and 5 of this rule are waived for students graduating in the 2021-2022, 2022-2023, and 2023-2024 school years.

Statutory/Other Authority: ORS 329.451, 338.025, 339.115 & 339.505

Statutes/Other Implemented: ORS 329.045, 329.075, 329.451, 329.485 & 338.115

History:

[ODE 16-2022, amend filed 03/24/2022, effective 03/24/2022](#)

[ODE 12-2021, amend filed 04/21/2021, effective 04/21/2021](#)

Renumbered from 581-022-0615 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 8-2011, f. & cert. ef. 7-1-11

ODE 19-2009, f. & cert. ef. 12-10-09

ODE 10-2009(Temp), f. & cert. ef. 9-1-09 thru 2-28-10

ODE 17-2008, f. & cert. ef. 6-27-08

581-022-2120**Essential Skill Assessments for English Language Learners**

(1) Definitions. As used in this rule:

- (a) “Assessment option” means an assessment approved to assess proficiency in the Essential Skills for the purpose of earning a high school diploma or a modified diploma.
- (b) “English Language Learner” (ELL) means a student who meets the definition of “Limited English Proficient” found in Title IX, Part A, Section 9101.25 of the No Child Left Behind Act of 2001 (NCLB).
- (c) “Essential Skills” means process skills that cross academic disciplines and are embedded in the content standards. The skills are not content specific and can be applied in a variety of courses, subjects, and settings.
- (d) “Qualified Rater” means any individual who is:
- (A) Trained to a high degree of proficiency in scoring the assessment administered to the student; and
- (B) Endorsed by the school district or public charter school, consistent with local school board policy, as proficient in the student’s language of origin for the purposes of accurately scoring the student’s work in the student’s language of origin.

(2) Consistent with OAR 581-022-2115, school districts and public charter schools must adopt a policy whether to allow ELL students to demonstrate proficiency in all required Essential Skills in the students’ language of origin.

(3) If a school district or public charter school adopts a policy allowing ELL students to demonstrate proficiency in the Essential skills in the students’ language of origin under Sections 2 and 3 of this rule, that policy must include the following:

- (a) Development of a procedure to provide assessment options as described in the Test Administration Manual in participating ELL students’ language of origin.
- (b) Development of a procedure to ensure that locally scored assessment options administered in an ELL student’s language of origin are scored by a qualified rater.

Statutory/Other Authority: 329.075 & ORS 326.051

Statutes/Other Implemented: ORS 329.045, 329.075 & 329.485

History:

[ODE 18-2019, amend filed 05/17/2019, effective 05/17/2019](#)

[ODE 10-2018, amend filed 04/03/2018, effective 04/03/2018](#)

Renumbered from 581-022-0617 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 22-2016, f. & cert. ef. 3-22-16

ODE 18-2010, f. & cert. ef. 12-17-10

581-022-2130**Kindergarten Assessment**

(1) The Department of Education shall implement a kindergarten assessment as part of the statewide assessment system implemented pursuant to ORS 329.485. The kindergarten assessment shall allow for the assessment of children to determine their readiness for kindergarten.

(2) The Department shall work jointly with the Early Learning Council to adopt a tool to be used for the kindergarten assessment. The kindergarten assessment shall measure areas of school readiness, which may include physical and social-emotional development, early literacy, language, cognitive (including mathematics), and logic and reasoning. The tool selected will be appropriate for all children including children with high needs and English language learners, and will align with Oregon’s early learning and development standards as well as the adopted Common Core State Standards.

(a) All school districts shall administer the kindergarten assessment to students who are enrolled in kindergarten.

(b) Notwithstanding subsection (a) of this rule, the kindergarten assessment is suspended and shall not be administered for the 2021-2022 school year.

(3) The Department shall include the results of the kindergarten assessment in the statewide longitudinal data system.

Statutory/Other Authority: ORS 326.051 & 329.485

Statutes/Other Implemented: ORS 329.485 & 2013 OL Ch. 37 & Sec. 14 (Enrolled HB 4165)

History:

[ODE 12-2021, amend filed 04/21/2021, effective 04/21/2021](#)

ODE 24-2020, temporary amend filed 05/28/2020, effective 05/28/2020 through 11/23/2020

ODE 34-2016, f. & cert. ef. 5-17-16

ODE 8-2013, f. & cert. ef. 4-5-13

581-022-2205

Policies on Reporting of Child Abuse

- (1) Each school board shall adopt policies applicable to all school district employees, specifying that child abuse by school employees is not tolerated and that all school employees report suspected child abuse to a law enforcement agency, the Department of Human Services or a designee of the department as required by ORS 419B.010 and 419B.015 and report suspected child abuse to the employees' supervisors or other persons designated by the school board.
- (2) The policy must:
- (a) Designate a person to receive reports of suspected child abuse by school employees and specify the procedures to be followed by that person upon receipt of a report;
 - (b) Require the posting in each school building of the name and contact information for the person designated for the school building to receive reports of suspected child abuse by school employees and the procedures the person will follow upon receipt of a report;
 - (c) Specify that the initiation of a report in good faith about suspected child abuse may not adversely affect any terms or conditions of employment or the work environment of the complainant;
 - (d) Specify that the school board or any school employee will not discipline a student for the initiation of a report in good faith about suspected child abuse by a school employee;
 - (e) Require notification by the school district to the person who initiated the report about actions taken by the school district based on the report;
 - (f) Require a written procedure for the reporting of child abuse by school employees in accordance with ORS 339.388; and
 - (g) Require a written procedure for providing annual training for:
 - (A) School employees each school year on the prevention and identification of child abuse and on the obligations of school employees under ORS 419B.005 to 419B.050 and under policies adopted by the school board to report child abuse;
 - (B) Parents and legal guardians of children who attend a school operated by the school board. The training shall be on the prevention and identification of child abuse and on the obligations of school employees under ORS 419B.005 to 419B.050. The training shall be provided separately from the training provided to school employees under paragraph (A) of this subsection.
 - (C) Children who attend a school operated by the education provider. The training shall be designed to prevent child abuse.
- (3)(a) The school district shall maintain records of each reported incident of child abuse, action taken by the school district and any findings as a result of the report.
- (b) A supervisor or other person designated by the school board in its policy who receives a report, shall follow the procedures required by the policy adopted by the school board under ORS 339.372 and this rule.
 - (c) Except as provided in paragraph (d) of this section, when a school district receives a report of suspected child abuse by one of its employees, and the school district determines that there is reasonable cause to support the report, the school district shall place the school employee on paid administrative leave until either:
 - (A) The Department of Human Services or a law enforcement agency determines that the report is unfounded or that the report will not be pursued; or
 - (B) The Department of Human Services or a law enforcement agency determines that the report is founded and the school district takes the appropriate disciplinary action against the school employee.
 - (d) If the Department of Human Services or a law enforcement agency is unable to determine, based on a report of suspected child abuse, whether child abuse occurred, an education provider may reinstate a school employee placed on paid administrative leave under paragraph (c) of this subsection or may take the appropriate disciplinary action against the employee.

(e)(A) Upon request from a law enforcement agency, the Department of Human Services or the Teacher Standards and Practices Commission, a school district shall provide the records of investigations of suspected child abuse by a school employee or former school employee.

(B) The disciplinary records of a school employee or former school employee convicted of a crime listed in ORS 342.143 are not exempt from disclosure under 192.501 or 192.502. If a school employee is convicted of a crime listed in 342.143, the school district that is the employer of the employee shall disclose the disciplinary records of the employee to any person upon request. If a former school employee is convicted of a crime listed in 342.143, the education provider that was the employer of the former employee when the crime was committed shall disclose the disciplinary records of the former employee to any person upon request.

(C) Prior to disclosure of a disciplinary record under this paragraph, the school district shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee or former school employee who is not the subject of the disciplinary record.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 339.370, 339.372, 339.388 & 339.377

History:

ODE 26-2018, minor correction filed 09/19/2018, effective 09/19/2018

Renumbered from 581-022-0711 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 31-2008, f. 12-16-08, cert. ef. 12-19-08

581-022-2210

Anabolic Steroids and Performance Enhancing Substances

(1) As used in this rule:

(a) "Anabolic steroid" includes any drug or hormonal substance chemically or pharmacologically related to testosterone, all prohormones, including dehydroepiandrosterone and all substances listed in the Anabolic Steroid Control Act of 2004. "Anabolic steroid" does not include estrogens, progestins, corticosteroids and mineralocorticoids.

(b) "Performance-enhancing substance" means a manufactured product for oral ingestion, intranasal application or inhalation containing compounds that:

(A) Contain a stimulant, amino acid, hormone precursor, herb or other botanical or any other substance other than an essential vitamin or mineral; and

(B) Are intended to increase athletic performance, promote muscle growth, induce weight loss or increase an individual's endurance or capacity for exercise.

(c) "School district employee" means:

(A) An administrator, teacher or other person employed by a school district;

(B) A person who volunteers for a school district; and

(C) A person who is performing services on behalf of a school district pursuant to a contract.

(2) Each school district shall:

(a) Utilize evidence-based programs such as the Oregon Health and Science University's Athletes Training and Learning to Avoid Steroids (ATLAS) and Athletes Targeting Healthy Exercise and Nutrition Alternatives (ATHENA) for the reduction in anabolic steroid and performance-enhancing substance abuse by high school athletes.

(b) Ensure school district employees who are coaches or athletic directors receive training once every four years on identifying the components of anabolic steroids abuse and prevention strategies for the use of performance-enhancing substances.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 342.721 & 342.726

History:

Renumbered from 581-022-0416 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 22-2008, f. 8-28-08, cert. ef. 8-29-08

581-022-2215**Safety of School Sports – Concussions**

(1) As used in this rule:

(a) “Annual training” means once in a twelve month period.

(b) “Coach” means a person who instructs or trains members on a school athletic team and may be:

(A) A school district employee;

(B) A person who volunteers for a school district

(C) A person who is performing services on behalf of a school district pursuant to a contract.

(c) “Concussion” means exhibiting signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body.

(d) “Health care professional” means a medical doctor, osteopathic physician, psychologist, physician assistant or nurse practitioner licensed or certified under the laws of this state.

(e) “Proper medical treatment” means treatment provided by a licensed healthcare professional which is within their scope of practice.

(f) “Return to participation” means a student can rejoin the athletic event or training.

(g) “Training timeline” means every coach receives the training prior to the beginning of the season for the school athletic team they are specifically coaching.

(h) “Same day” means the same calendar day on which the injury occurs.

(2) Each school district shall:

(a) Develop a list of coaches.

(b) Identify which community (may include state or national) resources the district will use to provide the training as required in section (3) of this rule.

(c) Develop training timelines for coaches of all school athletic teams.

(d) Ensure coaches receive training once every twelve months.

(e) Develop a tracking system to document that all coaches meet the training requirements of this rule.

(f) Ensure no coach allows a member of a school athletic team to participate in any athletic event or training on the same calendar day that the member:

(A) Exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body; or

(B) Has been diagnosed with a concussion.

(g) Except as provided by subsection (3) in this section ensure no coach will allow a student who is prohibited from participating in an athletic event or training, as described in section (2)(f), to return to participate in an athletic event or training no sooner than the day after the student experienced a blow to the head or body. The student may not return to participate in an athletic event or training until the following two conditions have been met:

(A) The student no longer exhibits signs, symptoms or behaviors consistent with a concussion; and

(B) The student receives a medical release form from a health care professional.

(3) A coach may allow a member of a school athletic team to participate in any athletic event or training at any time after an athletic trainer registered by the Board of Athletic Trainers determines that the member has not suffered a concussion. The athletic trainer may, but is not required to, consult with a healthcare professional in making the determination that the member has not suffered a concussion.

(4) The training required of coaches under this rules shall include the following:

- (a) Training in how to recognize the signs and symptoms of a concussion;
- (b) Training in strategies to reduce the risk of concussions;
- (c) Training in how to seek proper medical treatment for a person suspected of having a concussion; and
- (d) Training in determination of when the athlete may safely return to the event or training.

Statutory/Other Authority: ORS 336.485

Statutes/Other Implemented: ORS 336.485

History:

Renumbered from 581-022-0421 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 29-2015, f. & cert. ef. 12-22-15

ODE 2-2011, f. 1-31-11, cert. ef. 2-1-11

ODE 13-2010, f. & cert. ef. 6-30-10

581-022-2220

Health Services

- (1) The school district shall maintain a prevention oriented health services program for all students which provides:
 - (a) Health care and space that is appropriately supervised and adequately equipped for providing first aid, and isolates the sick or injured child from the student body;
 - (b) Communicable disease control, as provided in Oregon Revised Statutes;
 - (c) Health screening information, including required immunizations and TB certificates, when required by ORS 433.260 and 431.110 and OAR 333-019-0405;
 - (d) Services for students who are medically fragile or have special health care needs;
 - (e) Integration of school health services with school health education programs and coordination with health and social service agencies, public and private;
 - (f) Vision and hearing screening;
 - (g) Compliance with OR-OSHA Bloodborne Pathogens Standards for all persons who are assigned to job tasks which may put them at risk for exposure to body fluids (ORS 1910-1030); and
 - (h) Policy and procedures for medications, as per ORS 339.870.
- (2) School districts shall adopt policies and procedures which consider admission, placement and supervision of students with communicable diseases, including but not limited to Hepatitis B (HBV), Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) (OAR 333-019-0015).
- (3) School districts which employ nurses to provide health services shall employ persons currently licensed to practice as Registered Nurses or Nurse Practitioners in Oregon:
 - (a) School districts may employ Licensed Practical Nurses, providing that their practice is supervised by a Registered Nurse or Nurse Practitioner with the above stated qualifications;
 - (b) Job descriptions shall reflect assignments complying with the Oregon State Board of Nursing (OSBN) Scope of Practice Administrative Rules for all levels of licensed providers, OAR 851-450-0000 to 0010 and 851-050-0000 and 0005; and
 - (c) If school districts employ Registered Nurses or Nurse Practitioners who are not licensed by Teacher Standards and Practices Commission as school nurses, the district shall not designate such personnel as "school nurse" by job title as per ORS 342.475 and 342.495.
- (4) Each school shall have, at a minimum, at least one staff member with a current first aid card for every 60 students enrolled, or an emergency response team per building consisting of no less than six persons who hold current first aid/CPR cards and who are trained annually in the district and building emergency plans.
- (5) The school district shall have policies and/or administrative procedures concerning employees with communicable diseases, including but not limited to Hepatitis B (HBV), Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS).

(6) Each school building must have a written plan for response to medical emergencies; such plan should be articulated with general emergency plans for buildings and districts as required by OAR 581-022-2225.

Statutory/Other Authority: ORS 326 & 342

Statutes/Other Implemented: ORS 326.051

History:

Renumbered from 581-022-0705 by ODE 16-2017, f. & cert. ef. 7-5-17

EB 17-1996, f. & cert. ef. 11-1-96

EB 21-1988, f. & cert. ef. 4-26-88

1EB 12-1982, f. & cert. ef. 3-24-82

1EB 16-1981 (Temp), f. & cert. ef. 11-3-81

1EB 19-1980, f. 6-17-80, cert. ef. 9-1-80

581-022-2223

Healthy and Safe Schools Plan

(1) The following definitions apply to this rule:

(a) "Department" means the Oregon Department of Education;

(b) "District" or "School District" means school districts as defined by ORS Chapter 332;

(c) "Education Service District" or "ESD" means an education service district as defined by ORS Chapter 334;

(d) "Electronic Communications Program" means a program or service that allows a School District, Public Charter School or Education Service District to send out electronic communications and email to multiple recipients at once;

(e) "Facilities" means all buildings or properties owned or leased by a District, ESD, or Charter School that are required to be included in the HASS Plan;

(f) "Final Test Results" means final test results for any test required as part of the Healthy and Safe Schools Plan that contains the results from the appropriate laboratory as well as enough additional information to contextualize and explain the laboratory results;

(g) "Healthy and Safe Schools Plan" or "HASS Plan" means a plan that complies with all requirements in ORS 332.331;

(h) "OHA" means the Oregon Health Authority;

(i) "Public Charter School" or "Charter School" means a charter school as defined by ORS Chapter 338;

(j) "Required Fixtures" means fixtures required to be tested for elevated levels of lead per OAR 333-061-0400; and

(k) "Testing Cycle" means a six year cycle, as required per OAR 333-061-0400 in which School Districts, Education Service Districts and Public Charter Schools test all Required Fixtures in all Facilities for elevated levels of lead.

(2) The Department shall publish on its website, and send out via electronic means, a copy of model HASS Plans to Districts, ESDs, and Charter Schools by January 1, 2019.

(3) The model HASS Plan shall:

(a) Contain language that Districts, ESDs, and Charter Schools may adopt in creating their HASS Plans;

(b) Contain all elements required under ORS 332.331; and

(c) Contain instructions to enable Districts, ESDs, and Charter Schools to complete their HASS Plans according to the model plan.

(4) Districts, ESDs, and Charter Schools shall submit an electronic copy of a draft HASS Plan to the Department by April 1, 2019.

(5) The draft HASS Plan submitted by Districts, ESDs, and Charter Schools, shall:

(a) Contain all requirements listed in ORS 332.331; and

(b) Provide a schedule of when the District, ESD, or Charter School will test Required Fixtures for each Facility based on the schedule set forth in this rule.

- (6) The Department shall review draft model plans and report their results back to Districts, ESDs, and Charter Schools.
- (7) The governing body of a District, ESD, or Charter School shall adopt the final HASS Plan by July 1, 2019.
- (8) Districts, ESDs, and Charter Schools must submit an electronic copy of their adopted HASS Plan to the Department by July 15, 2019.
- (9) If a District, ESD, or Charter School has a change in Facilities, personnel, policies and procedures, or any other change, which requires updating their HASS Plan, the District, ESD, or Charter School shall submit an electronic copy of the revised HASS Plan to the Department by June 1 of the school year in which the revisions occurred.
- (10) By January 1, 2019, the Department shall publish on its website and distribute an electronic copy of a model annual statement required by ORS 332.334 to Districts, ESDs, and Charter Schools.
- (11) By June 1 of each year, Districts, ESDs, and Charter Schools shall submit an electronic copy of their annual statement to the Department and all others required by ORS 332.334.
- (12) Districts, ESDs, and Charter Schools that have email addresses for parents of minor students and students over 18 years of age may email them the annual certification.
- (13) Districts, ESDs, and Charter Schools that use an electronic communications program, in place of an email list, to send regular communications to members of their community may use that program to provide Final Test Results as part of a regular communication to members of the community.
- (14) If the electronic communication programs allow the District, ESD or Charter School to specify which community members receive an email communication, then school districts, education service districts, or public charter schools may limit who receives the communication of Final Test results of a specific building so long everyone connected with that building receives the required notice.
- (15) The Department shall reimburse Districts, ESDs, and Charter Schools that complete initial testing between July 1, 2019 and June 30, 2020 for testing costs as stated in subsections (17)(a) through (c) of this rule plus an additional ten dollars.
- (16) All Districts, ESDs, and Charter Schools must test all Required Fixtures for elevated levels of lead every 6 years starting July 1, 2020 per OAR 333-061-0400.
- (17) The Department shall reimburse districts for the following costs:
- (a) Actual testing of water samples for elevated levels of lead, as evidenced by invoices from an OHA accredited lab;
 - (b) Shipping costs to send samples to an OHA accredited lab;
 - (c) Costs of supplies needed to collect samples; and
 - (d) An additional amount to be determined by the Department that:
 - (A) Provides as practical as possible an equal amount per sample across all tests; and
 - (B) Help districts offset some of the costs of collecting the samples and associated administrative costs.
- (18) The Department may reimburse Districts, ESDs, and Charter Schools for testing done on fixtures in addition to the testing done on Required Fixtures. The additional reimbursement shall be at the discretion of the Department and the Department shall consider:
- (a) Total available funds for reimbursement; and
 - (b) Total additional tests done.
- (19) Districts and ESDs shall use the following schedule for testing through the Testing Cycle:
- (a) Districts with 1-3 schools within their district will test all Required Fixtures in the first year of the Testing Cycle;
 - (b) Districts with 4-6 schools within their district will test all Required Fixtures in the second year of the Testing Cycle;
 - (c) ESDs will test all Required Fixtures in the third year of the Testing Cycle;
 - (d) Districts with 7-8 schools within their district will test all Required Fixtures in the third and fourth years of the Testing Cycle;
 - (e) Districts with 9-10 schools within their district will test all Required Fixtures in the fifth and sixth years of the Testing Cycle;

- (f) Districts with 11-12 schools within their district will test all Required Fixtures in the fourth, fifth, and sixth years of the Testing Cycle;
- (g) Districts with 13-15 schools within their district will test all Required Fixtures in the fourth, fifth, and sixth years of the Testing Cycle;
- (h) Districts with 16-20 schools within their district will test all Required Fixtures in the third, fourth, fifth, and sixth years of the Testing Cycle;
- (i) Districts with over 20 schools within their district will test a portion of all Required Fixtures in each year of the Testing Cycle;
- (20) Charter Schools will test all Required Fixtures according to the testing schedule for the district in which they are located.
- (21) Districts and Charter Schools that have multiple years to test all Required Fixtures shall report in their HASS Plans when each Facility will be tested.
- (22) The Department shall approve District, ESD, and Charter School schedules.
- (23) If the Department does not approve a schedule, the District, ESD, or Charter School shall resubmit their schedule.
- (24) The Department may determine a schedule for when Districts, ESDs, and Charter Schools must submit their reimbursement requests.
- (25) The Department may require Districts, ESDs, and Charter Schools to report data using reimbursement templates and forms developed by the Department for this purpose.

Statutory/Other Authority: ORS 326.051, ORS 332.331 & 332.334

Statutes/Other Implemented: ORS 332.331 & 332.334

History:

ODE 12-2019, amend filed 04/22/2019, effective 04/22/2019

ODE 32-2018, amend filed 10/19/2018, effective 10/21/2018

ODE 42-2016, f. & cert. ef. 8-19-16

581-022-2225

Emergency Plans and Safety Programs

The school district shall maintain a comprehensive safety program for all employees and students which shall:

- (1) Include plans for responding to emergency situations.
- (2) Specify general safety and accident prevention procedures with specific instruction for each type of classroom and laboratory.
- (3) Provide instruction in basic emergency procedures for each laboratory, shop and studio, including identification of common physical, chemical, and electrical hazards.
- (4) Require necessary safety devices and instruction for their use.
- (5) Require that an accident prevention in service program for all employees be conducted periodically and documented.
- (6) Provide assurance that each student has received appropriate safety instruction.
- (7) Provide for regularly scheduled and documented safety inspections which will assure that facilities and programs are maintained and operated in a manner which protects the safety of all students and employees.
- (8) Require reports of accidents involving school district property, or involving employees, students or visiting public, as well as prompt investigation of all accidents, application of appropriate corrective measures, and monthly and annual analyses of accident data and trends.
- (9) In schools operated by the district that are occupied by students, the district must ensure that all students are instructed and have drills on emergency procedures in compliance with ORS 336.071. The emergency procedures shall include drills and instruction on:

- (a) Fires;
- (b) Earthquakes, which shall include tsunami drills and instruction in schools in a tsunami hazard zone; and
- (c) Safety threats including procedures related to lockdown, lockout, shelter in place and evacuation and other appropriate actions to take when there is a threat to safety.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 336.071

History:

Renumbered from 581-022-1420 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 28-2015, f. & cert. ef. 12-22-15

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2230

Asbestos Management Plans

- (1) The statutory authority for this rule is the Asbestos Hazard Emergency Response Act of 1986 as amended by Public Law 100.368 and subsequent rule published in the Friday, October 30, 1987, Federal Register (40 CFR Part 763).
- (2) Any public and private school that acquires or leases a school building after October 12, 1988 shall submit an Asbestos Management Plan to the Department of Education prior to occupancy.
- (3) The Management Plan shall include all the elements contained in 40 CFR §763.93(e).
- (4) General local education agency responsibilities (as stated in 40 CFR §763.84). Each local education agency shall:
 - (a) Ensure that the activities of any persons who perform inspections, reinspections, and periodic surveillance, develop and update management plans, and develop and implement response actions, including operations and maintenance, are carried out in accordance with Subpart E (40 CFR 763);
 - (b) Ensure that all custodial and maintenance employees are properly trained as required by Subpart E (40 CFR 763) and other applicable federal and/or state regulations (e.g., the Occupational Safety and Health Administration asbestos standard for construction, the EPA worker protection rule);
 - (c) Ensure that workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response action activities, including periodic reinspection and surveillance activities that are planned or in progress; or
 - (d) Ensure that short-term workers (e.g., telephone repair workers, utility workers, or exterminators) who may come in contact with asbestos in a school are provided information regarding the locations of Asbestos Containing Building Material (ACBM) and suspected ACBM assumed to be Asbestos Containing Material (ACM);
 - (e) Ensure that warning labels are posted in accordance with §763.95;
 - (f) Ensure that management plans are available for inspection and notification of such availability has been provided as specified in the management plan under §763.93(g);
 - (g)(A) Designate a person to ensure that requirements of this section are properly implemented; and
 - (B) Ensure that the designated person receives adequate training to perform duties assigned under this section. Such training shall provide, as necessary, basic knowledge of:
 - (i) Health effects of asbestos;
 - (ii) Detection, identification, and assessment of ACM;
 - (iii) Options of controlling ACBM;
 - (iv) Asbestos management programs;
 - (v) Relevant federal and state regulations concerning asbestos, including those in Subpart E (40 CFR 763) and those of the Occupational Safety and Health Administration, U. S. Department of Labor, the U. S. Department of Transportation and the U. S. Environmental Protection Agency.
 - (h) Consider whether any conflict of interest may arise from the interrelationships among accredited personnel and whether that should influence the selection of accredited personnel to perform activities under this subpart.

Statutory/Other Authority: ORS 363 & PL 100.368

Statutes/Other Implemented: 40 CFR Part 763

History:

Renumbered from 581-022-1430 by ODE 16-2017, f. & cert. ef. 7-5-17

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2250

District Improvement Plans

(1) For the purposes of OAR 581-022-2250 the following definitions apply:

(a) “Aligned with standards” means that the taught curriculum (what teachers teach), the learned curriculum (what students learn), and the assessed curriculum (what students are tested on) as identified through state and national academic standards do not deviate significantly one from another. This alignment includes four components:

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

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

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

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

(b) “Data-driven” means the use of information available from a high quality data system to focus decisions regarding curriculum, instruction, staff assignment, and staff development to promote student achievement through a planned, systemic program improvement effort.

(c) “Family and community engagement” means a system of shared responsibility in which schools and other community agencies and organizations are committed to engaging families in meaningful and culturally respectful ways while families are committed to actively supporting their children’s learning and development.

(d) “High quality data system” means a method by which teachers and administrators have access to data needed for instructional and administrative decision-making, one that makes available to the public appropriate data content and displays and provides for regular updates to the data, maintenance and upgrading of the system, and training for key personnel on use and maintenance. The collection and use of data in such a system would include district-, school-, and student-level data describing but not limited to:

(A) Instruction;

(B) Accountability;

(C) Demographics;

(D) Achievement; and

(E) Assessment.

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

(f) “Long-term professional development plans” means teacher training reflecting best practice as defined by national standards related to content, process, and context. Such training supports:

(A) Continuing advancement of professional collaboration;

(B) Ongoing, job-embedded experiences,

(C) Standards-based instruction, and

(D) Continual, guided reflection on school/student data a part of professional learning.

(g) “Rigorous curriculum” means multiple courses of study any one of which will prepare students to successfully meet the Oregon diploma requirements. These courses are cognitively demanding and challenging to students as those students apply the fundamental concepts and skills from various disciplines to real world problems in complex and open ended situations.

(h) "Safe educational environment" means a healthy, positive school climate free of drug use, gangs, violence, intimidation, fear, and shaming, ensuring the physical and emotional well-being and academic and social growth of every student.

(i) "Service plans for students" means a system of planned services outlining student educational activities, supporting students in meeting expectations for one or more content areas and continuing to academically challenge students who have exceeded expectations in one or more content areas.

(j) "Short-term professional development plans" means a component of a long term professional development plan with a direct connection with one or more of the following—individual continuing professional development plans; board, district or school goals; state certification criteria; or other regulatory mandates. Such plans may be responsive to emerging needs not yet addressed in long-term professional development plans.

(k) "Staff leadership development" means practices, policies, and procedures that create shared leadership opportunities and empower teacher participation in setting and achieving school goals and policies.

(l) "Strong school library program" means a planned effort to ensure the instruction of students, school staff, and the broader learning community in library skills, information literacy, and educational technology; such a program promotes a rich array of literacy experiences supporting life-long reading; facilitates collaboration in lesson planning and instruction; ensures equitable access to library resources and licensed school librarians; and develops and manages current, plentiful, and diverse library collections of print and electronic resources that support classroom curricula and student interests.

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

(3) Each school district shall:

(a) Submit its local district continuous improvement plan to the Department of Education once every four years unless there are substantial changes.

(b) Notify the Department and update its local district continuous improvement plan when there has been a substantial change.

(c) Substantial change is defined as changes to:

(A) School or district improvement status under state or federal law;

(B) Student academic achievement;

(C) Student demographics (including changes in excess of 10% in identified subgroups);

(D) Instructional staffing (either counts of personnel or changes in individual staff);

(E) Financial resources available to the district; or

(F) The district's goals for student achievement.

(4) The self-evaluation process shall involve the public in the setting of local goals. The school district shall ensure that representatives from the demographic groups of their school population are invited to participate in the development of local district continuous improvement plans to achieve the goals.

(5) As part of setting local goals, school districts shall undertake a communications process that involves parents, students, teachers, school employees and community representatives to explain and discuss the local goals and their relationship to programs in the continuous improvement plan.

(6) At the request of the school district, department staff shall provide ongoing technical assistance in the development and implementation of the local district continuous improvement plan.

(7) The local district continuous improvement plan shall include:

(a) A rigorous curriculum aligned with state standards;

(b) High-quality instructional programs;

(c) Short-term and long-term professional development plans;

(d) Programs and policies to achieve a safe educational environment;

- (e) A plan for family and community engagement;
 - (f) Staff leadership development;
 - (g) High-quality data systems;
 - (h) Improvement planning that is data-driven;
 - (i) Education service plans for students who have or have not exceeded all of the academic content standards;
 - (j) A strong school library program;
 - (k) A review of demographics, student performance, staff characteristics and student access to, and use of, educational opportunities; and
 - (l) District efforts to achieve local efficiencies and efforts to make better use of resources.
- (8) Each school district shall annually review and report test results and progress on the district improvement plan to the community.
- (9) Each school district shall maintain copies of the school and district improvement plans as a public record.
- (10) Each school district shall submit the district improvement plan to the Department of Education when requested.

Statutory/Other Authority: ORS 326.051 & 329.095

Statutes/Other Implemented: ORS 326.051 & 329.095

History:

[ODE 23-2022, amend filed 04/27/2022, effective 04/27/2022](#)

Renumbered from 581-022-0606 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 38-2013, f. & cert. ef. 12-18-13

ODE 25-2008, f. & cert. ef. 9-26-08

EB 15-1996, f. & cert. ef. 9-26-96

EB 38-1990, f. & cert. ef. 7-10-90

1EB 21-1986, f. & cert. ef. 7-2-86

1EB 26-1980, f. 11-7-80, cert. ef. 9-1-81

1EB 19-1980, f. 6-17-80, cert. ef. 7-1-80

581-022-2255

School and District Performance Report Criteria

- (1) The Superintendent of Public Instruction will annually collect data and produce annual school district and school performance reports to provide information to parents and to improve schools.
- (2) The Superintendent will notify the public and the media by December 15 of each year that school and district performance reports are available at each school and school district and at the Department of Education website and office.
- (3) Each school and school district report shall contain the information required by this rule. By January 15 of each year, school districts shall make a copy of the state provided school and school district performance report available to the parent(s) or guardian(s) of each child enrolled in a public school in the school district by doing one or more of the following:
- (a) Mailing a copy;
 - (b) Electronically sending a copy; or
 - (c) Providing a link to a state or district web site containing the reports and also making copies available in local schools, libraries, parents centers, community centers, or other public locations easily accessible to parents and others.
- (4) School performance reports will include ratings assigned by the Superintendent. School ratings shall be reported in terms of five levels.
- (5) The school rating system will be based upon the following indicators:
- (a) Achievement in reading and mathematics.
 - (b) Growth in reading and mathematics.
 - (c) Growth for underserved subgroups of students.

(d) Student participation rates in reading and mathematics.

(6) In addition to the indicators listed in subsection (5) of this section, for schools that are high schools or that offer grades 9, 10, 11 or 12 as part of the schools the rating system will also include the following indicators:

(a) Graduation rates for all students.

(b) Graduation rate for underserved subgroups.

(7) School performance reports may include information other than that listed in ORS 329.105 or sections (4), (5) and (6) of this rule. Such information will not be part of the calculation of the school rating.

(8) School district performance reports will be developed and must include the overall rating of each school in the district. The district performance report may include information other than that listed in ORS 329.105 or section (4) or this rule.

(9) School and school districts may include information in addition to that listed in ORS 329.105 or sections (4) and (5) of this rule in their locally prepared and distributed school and school district performance reports.

(10) School and school district performance reports, in conjunction with electronic supplements of the performance reports, will serve as the means by which the state meets the report card requirements of section 1111 of the Elementary and Secondary Education Act of 1965 (ESEA).

(11) The Superintendent shall produce a Policy and Technical Manual to provide school districts and schools with details of the data elements and calculations used the district and school performance reports. The Superintendent shall make the manual available to districts and schools.

Statutory/Other Authority: ORS 326.051 & 329.075

Statutes/Other Implemented: ORS 329.105

History:

Renumbered from 581-022-1060 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 13-2013, f. & cert. ef. 7-11-13

ODE 17-2011, f. 12-15-11, cert. ef. 1-1-12

ODE 4-2009, f. & cert. ef. 6-29-09

ODE 25-2008, f. & cert. ef. 9-26-08

ODE 5-2007, f. & cert. ef. 2-21-07

ODE 36-1999, f. 12-13-99, cert. ef. 12-14-99

581-022-2260

Records and Reports

(1) Required Records and Reports: The school district shall provide all records and reports required by the Oregon Department of Education.

(2) Student Activity Funds: The school district shall prescribe the purposes for which student activity funds may be obtained and used and the role of students in management and expenditure of funds.

(3) Education Records of Students: The school district shall maintain education records of students according to the provisions of OARs 581-021-0210 through 581-021-0440.

(4) ESD Annual Report: Pursuant to the requirements and review schedule as set out in OAR 581-024-0228 and ORS 334.125 (9), all school districts shall cooperate with their education service district in:

(a) Annually reviewing specific school district operations for purposes of achieving economies and efficiencies; and

(b) Preparing and submitting an annual report concerning the results of the annual review to the State Board of Education.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 334.125(9)

History:

Renumbered from 581-022-1660 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 3-1999, f. & cert. ef. 1-12-99

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2263

Physical Education Requirements

(1) For purposes of this section, "district" means a school district, education service district, or public charter school.

(2)(a) Districts shall ensure that each public school student in kindergarten through grade eight will receive physical education throughout the entire school year.

(b)(A) Except as provided in subparagraph (C) of this paragraph, districts shall ensure that each public student in kindergarten through grade five will receive:

(i) For the 2019-2020 school year, at least 120 minutes of physical education each school week if the school on average holds classes five days a week over the course of the school year, or at least 100 minutes of physical education each school week if the school on average holds classes four days a week over the course of the school year.

(ii) For each school year subsequent to the 2019-2020 school year, at least 150 minutes of physical education each school week if the school on average holds classes five days a week over the course of the school year, or at least 120 minutes of physical education each school week if the school on average holds classes four days a week over the course of the school year.

(B) Except as provided in subparagraph (C) of this paragraph, districts shall provide each public student in grade six through grade eight with:

(i) For the 2021-2022 school year, at least 180 minutes of physical education each school week if the school on average holds classes five days a week over the course of the school year, or at least 144 minutes of physical education each school week if the school on average holds classes four days a week over the course of the school year.

(ii) For each school year subsequent to the 2022 school year, at least 225 minutes of physical education each school week if the school on average holds classes five days a week over the course of the school year, or at least 180 minutes of physical education each school week if the school on average holds classes four days a week over the course of the school year.

(C) Districts shall provide each public student in grade six with the number of physical education minutes required by subparagraph (A) of this paragraph if the student attends a public school teaching students in kindergarten through grade six.

(c) Notwithstanding the time requirements of paragraph (b) of this subsection, for weeks during which the number of minutes that a public school provides instruction is less than the number of minutes that the school provides instruction during a week where the school provides instruction for every usual school hour, the time requirements specified in paragraph (b) of this subsection may be reduced by the percentage of the time requirements specified in paragraph (b) of this subsection that correlates to the percentage of minutes that the school did not provide instruction. For purposes of this paragraph, "provide instruction" means "provide instruction during usual school hours."

(d) Notwithstanding the time requirements of paragraph (b) of this subsection, if a district receives a waiver pursuant to OAR 581-022-1920 of the requirement to teach 900 hours of instructional time for kindergarten through grade eight, the time requirements of paragraph (b) of this subsection may be reduced by the percentage of the time requirements specified in paragraph (b) of this subsection that correlates to the percentage of instructional time for which the district receives the waiver.

(3)(a) Districts are not required to comply with the time requirements established by subsection (1)(b) of this rule for school years during the biennium in which the total amounts appropriated or allocated to the State School Fund and available for distribution to districts are less than the amounts determined to be needed to be distributed to districts from the State School Fund under the tentative budget prepared pursuant to ORS 291.210. After the beginning of the biennium, a district may cease to comply with the time requirements established by subsection (1)(b) of this rule if the amounts appropriated or allocated to the State School Fund and available for distribution to districts are less than the amounts determined to be needed to be distributed to districts from the State School Fund, as calculated under ORS 291.210.

(b) In any biennia in which the total amounts appropriated or allocated to the State School Fund and available for distribution to districts are less than the amounts determined to be needed to be distributed to districts from the State School Fund under the tentative budget prepared pursuant to ORS 291.210, the Oregon Department of Education shall provide notice to each district as soon as practicable after making the determination that they are not required to comply with the time requirements established by subsection (1)(b) of this rule.

(4) Nothing in this rule affects the duties described in OAR 581-022-2265.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 329.496 & 2017 OL Ch. 301 Sec. 2

History:

ODE 16-2019, adopted filed 05/17/2019, effective 05/17/2019

581-022-2265**Report on PE Data**

(1) The following definitions apply to this rule:

(a) "Additional facilities" means the added space to the school needed to provide the minimum number of minutes of physical education instruction per week.

(b) "Number of minutes" means the number of minutes of physical education instruction that is actually provided to all students kindergarten through grade 8 each school week.

(c) "Physical capacity" means the space, indoors and out, available at the school to provide the prescribed number of minutes per at a class size that promotes effective practices consistent with the outcomes expected of the instructional programs.

(2) The Department of Education shall collect from school districts:

(a) The number of minutes of physical education that are provided to students in kindergarten through grade 8 each school week in each public school within the district;

(b) The physical capacity of public schools to provide students in kindergarten through grade 5 with at least 150 minutes of physical education during each school week and to provide students in grades 6 through 8 with at least 225 minutes of physical education during each school week; and

(c) The additional facilities required by public schools to provide physical education to students for the minimum number of minutes as described in paragraph (b) of this subsection.

(3) The department shall collect the data described in paragraph (2) of this section:

(a) Annually, for data described in paragraph (2)(a) of this section.

(b) Whenever a public school increases or decreases the school's physical capacity to provide students with physical education, for data described in paragraph (2)(b) and (c) of this paragraph.

(4) Prior to February 1 of each odd-numbered year, the Department shall report to the Legislative Assembly on the data collected under this rule for the prior two school years.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 329.498

History:

Renumbered from 581-022-1661 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 42-2014, f. & cert. ef. 12-4-14

ODE 30-2007, f. & cert. ef. 12-12-07

581-022-2267**Annual Report on use of Restraint and Seclusion**

(1) Each entity that has jurisdiction over a public education program must prepare and submit an annual report detailing the use of restraint and seclusion for the preceding school year to the Oregon Department of Education. The annual report shall include, at a minimum:

(a) The total number of incidents involving restraint;

(b) The total number of students placed in restraint;

(c) The total number of incidents involving seclusion;

(d) The total number of students placed in seclusion;

(e) The total number of seclusions in a locked room;

(f) The total number of seclusion rooms available, including a description of the dimensions and design of the rooms;

(g) The total number of incidents that resulted in injuries or death to students or personnel as a result of the use of restraint or seclusion;

(h) The number of students who were placed in restraint or seclusion more than 10 times in the course of a school year and an explanation of what steps have been taken by the public education program to decrease the use of restraint and seclusion

for each student;

(i) The number of incidents in which the personnel of the public education program administering restraint or seclusion were not trained; and

(j) The demographic characteristics of all students upon whom restraint or seclusion was imposed, including race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

(2)(a) Each entity that has jurisdiction over a public education program shall make its annual report about restraint and seclusion available to:

(A) The public at the entity's main office and the website of the entity;

(B) The school board or governing body overseeing the entity;

(C) If the entity is an education service district, the component school districts of the education service district; and

(D) If the entity is a public charter school, the sponsor of the public charter school.

(b) Parents and guardians of students in a public education program shall be advised at least once each school year about how to access the report.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 339.285 - 339.303

History:

[ODE 145-2019, adopt filed 10/24/2019, effective 10/24/2019](#)

581-022-2270

Individual Student Assessment, Recordkeeping and Reporting

(1) As used in this rule:

(a) "Continuum of knowledge and skills" means the Oregon Academic Content Standards.

(b) "Proficiency" means demonstrated knowledge and skills which meet or exceed defined levels of performance.

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

(a) At a minimum, provide all teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects with student performance data, including growth data on their current students and students they taught in the previous year in a manner that is timely and informs instructional programs.

(b) Instruments and/or strategies used to determine student progress may assess multiple standards;

(c) Results from the assessment instruments and/or strategies may be used as a record of achievement level; and

(d) Records of student performance may be kept in teacher grade books, student folders, portfolios, or similar devices.

(3) Each school district shall assist teachers in adapting instruction and curriculum to meet the needs and learning rates of all students in achieving proficiency in the academic content standards. Districts must:

(a) Provide multiple opportunities for students to demonstrate mastery of academic content standards through sufficient and appropriate assessment evidence.

(b) Continue to provide opportunities for students who have met standards to advance their learning.

(c) Provide students who have not met or have exceeded the academic content standards with access to additional services and other public school or alternative educational options.

(4) Each school district shall annually report progress towards completion of diploma requirements to parents of students in grades 9–12, including credits earned, demonstration of extended application, and demonstration of the Essential Skills.

(5) Each school district shall adopt a grading system based on the local district board adopted course content aligned to the academic content standards consistent with Section (2) of this rule. The grading system shall:

- (a) Clearly show the student and parents whether the student is achieving course requirements at the student's current grade level;
 - (b) Be based on the student's progress toward becoming proficient in a continuum of knowledge and skills; and
 - (c) Assure that the student's academic grade reflects his/her academic performance consistent with OAR 581-021-0022; behavioral performance shall be reported separately.
- (6) Each school district shall report at least annually on student progress to meeting or exceeding grade-level academic content standards to parents or guardians of all students in grades K–12 including, but not limited to, the following:
- (a) Information on progress in each subject area (e.g., grades, checklists, folders, etc.) including major goals used to determine such information;
 - (b) Upon request from a parent or guardian, specific evidence of student progress on the continuum of knowledge and skills (academic content standards) of a subject area and
 - (c) Student scores on all state and local assessments indicating any of the requirements that have been waived for the school district or the individual and the time periods for the waiver.
- (7) Each school district shall maintain student records under the student's legal name and SSID or establish a cross-reference system to locate the student's records by use of the student's legal name, for time periods consistent with state archive rules as outlined in OAR 166-400-0060.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

Renumbered from 581-022-1670 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 7-2013, f. & cert. ef. 2-20-13

ODE 25-2008, f. & cert. ef. 9-26-08

ODE 18-2002, f. & cert. ef. 6-10-02

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2300

Standardization

- (1) A school district, to be standard, must provide acceptable educational opportunities for all Oregon students who reside in the district regardless of where they live in the district.
- (2) Local school districts shall cooperate with procedures to verify compliance with state standards, to collect information about schools, to identify exemplary performance, and to promote school improvement.
- (3) Methods of verifying compliance and identifying practices or conditions needing improvement shall include:
 - (a) Assurances of the district school board designated chief administrative officer;
 - (b) Review of district materials through Department of Education desk audit;
 - (c) On-site review of practices or conditions; and
 - (d) Other methods selected by the Superintendent of Public Instruction.
- (3) The Superintendent or a designee of the superintendent shall declare a school district as "Nonstandard" as defined in OAR 581-022-0102, after verification through the methods described in section (2) of this rule.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051 & 327.103

History:

Renumbered from 581-022-0807 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 25-2008, f. & cert. ef. 9-26-08

1EB 3-1985, f. 1-4-85, ef. 1-7-85

581-022-2305

District Assurances of Compliance with Public School Standards

- (1) Districts must comply with the state standards set forth in OAR chapter 581, division 22.
- (2) Districts must maintain evidence of compliance with the state standards and make such evidence available upon request.
- (3) Districts must report compliance for the preceding school year with all state standards set forth in OAR chapter 581, division 22:
 - (a) To the community on or before November 1, by presenting the report to the school board of the district in an oral presentation at an open public meeting, allowing for public comment, and by posting the report on the district's webpage. Districts must use the report form provided by the Department; and
 - (b) To the Department of Education on or before November 15 on a form to be provided by the Department.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

[ODE 17-2021, amend filed 05/25/2021, effective 05/25/2021](#)

[ODE 22-2017, amend filed 11/29/2017, effective 11/30/2017](#)

Renumbered from 581-022-1610 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 46-2014, f. & cert. ef. 12-17-14

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2307

Educational Equity Advisory Committees

- (1) The following definitions apply to Oregon Administrative Rule 581-022-2307:
 - (a) "Parent" means one or more of the following persons:
 - (A) A biological or adoptive parent of a student;
 - (B) A foster parent of a student,
 - (C) A legal guardian, other than a state agency;
 - (D) An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom a student lives, or an individual who is legally responsible for a child's welfare; or
 - (E) A surrogate parent who has been appointed in accordance with OAR 581-015-2320, for school-age children, or 581-015-2760 for preschool children.
 - (b) "Student" means a school-aged individual.
 - (c) "Community Member" means:
 - (A) a representative of a community-based organization that serves the local community;
 - (B) a representative of a culturally specific organization that serves the local community;
 - (C) a representative of an organization that regularly partners with the school district to network resources and assist students in meeting state and local standards, and prepare students for post high school transitions; or
 - (D) a resident of the local community capable of representing underserved community voices
 - (d) "Underrepresented" refers to communities, groups, families and students that due to systemic barriers and intersectional oppression have been excluded and limited proportionate access to the dominant or mainstream educational system despite efforts to participate. This includes students of color, tribal students, English language learners, LGBTQ2SIA+ students, students experiencing and surviving poverty and homelessness, students with disabilities, women/girls, and students from rural communities.
 - (e) "Underserved" refers to communities, groups, families and students that the dominant or mainstream educational system has historically and currently excluded, impacted, marginalized, underserved and/or refused service due to institutionalized and intersectional racism and systemic oppression. This includes students of color, tribal students, English language learners, LGBTQ2SIA+ students, students experiencing and surviving poverty and homelessness, students with disabilities, women/girls, and students from rural communities.
- (2) There shall be established at each school district an educational equity advisory committee.

- (a) For school districts with an average daily membership of 10,000 or more, the school district is required to first convene an educational equity advisory committee by September 15, 2022.
- (b) For school districts with an average daily membership of 10,000 or less, the school district is required to first convene an educational equity advisory committee by September 15, 2025.
- (3)(a) An educational equity advisory committee shall be selected by the school district board and school district superintendent and must be composed of parents, employees, students and community members from the school district.
- (b) The school district superintendent is responsible for coordinating the member nomination process and proposing finalists to the school district board.
- (c) The school district board is responsible for appointing members from those proposed by the superintendent, and ensuring that membership is primarily representative of underserved student groups.
- (d) For the purpose of selecting members, the school district board and school district superintendent:
- (A) May not deny members based on language;
- (B) May not deny members based on immigration status;
- (C) May not deny members based on protected class, including age, disability, national origin, race, color, marital status, religion, sex, sexual orientation, or gender identity;
- (D) May not appoint a voting member of the school board or the school district superintendent to an educational equity advisory committee; and
- (E) Must ensure that the composition of an educational equity advisory committee elevates underrepresented parent, employee, student, and community member voices.
- (e) The school district board and school district superintendent, in consultation with the educational equity advisory committee, shall fill vacancies on the committee in the same manner as original appointments.
- (f) The school district board, in consultation with the educational equity advisory committee, must select at least one member of the educational equity advisory committee to serve on the school district budget committee. A budget committee is not required to include a member of the educational equity advisory committee of the school district until a vacancy on the budget committee occurs by a member who is not also a member of the school district board.
- (g) Each school district, in consultation with the educational equity advisory committee, is required to provide sufficient support to educational equity advisory committee members to participate in meetings, including, but not limited to, access to district-managed emails, translation and interpretation services, and relevant public meeting and security trainings.
- (4) The duties of an educational equity advisory committee shall include:
- (a) Advising the school district board and the school district superintendent about the educational equity impacts of policy decisions; and
- (b) Informing the school district board and school district superintendent of the larger district-wide climate and the experiences of underserved student groups, and advising the board and superintendent on how best to support.
- (A) Informing the school district board and school district superintendent when a situation arises in a school of the school district that negatively impacts underrepresented students, and advising the board and superintendent on how best to handle that situation.
- (B) Informing the school district board and school district superintendent when a situation arises in a school of the school district that positively impacts underrepresented students, and advising the board and superintendent on how best to replicate within the district.
- (C) Considering whether such situations are unique to the school or indicative of a district-wide trend, and advising on how best to handle that trend.
- (5)(a) An educational equity advisory committee may consider topics that the educational equity advisory committee deems critical to its ability to represent and elevate educational equity impacts to student experience in the district.
- (b) An educational equity advisory committee may consider topics submitted by the school district board and school district superintendent.

(c) An educational equity advisory committee may select a single member to serve as an advisor to the school district board, for the purpose of providing updates and acting as a liaison between the educational equity advisory committee and the school district board and school district superintendent.

(d) An educational equity advisory committee may prepare an annual report that:

(A) Includes, but is not limited to the following information:

(i) The successes and challenges the school district has experienced in meeting the educational equity needs of students in the school district; and

(ii) Recommendations the committee made to the school district board and school district superintendent, and the actions that were taken in response to those recommendations;

(B) Is made available by being:

(i) Distributed to the parents of the students of the school district;

(ii) Posted on the school district's website;

(iii) Presented to the school district board in an open meeting with adequate opportunity for public comment; and

(iv) Sent to the State Board of Education.

(e) The Oregon Department of Education shall review all submitted reports and annually prepare a summary for the State Board of Education. Members of the State Board of Education shall have access to all submitted reports.

Statutory/Other Authority: ORS 329.711

Statutes/Other Implemented: ORS 329.711

History:

[ODE 39-2022, adopt filed 06/24/2022, effective 06/24/2022](#)

581-022-2308

Agreements Entered Into with Voluntary Organizations

(1) For purposes of this rule:

(a) "Discrimination" means any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on age, disability, national origin, race, color, marital status, religion, sex, sexual orientation, or gender identity;

(b) "District" means:

(A) A school district, an education service district, a Youth Corrections Education Program provider under contract with the department, a Juvenile Detention Education Program provider under contract with the department, or a program that receives moneys pursuant to ORS 343.243; and

(B) Any educational agency, program, or service under contract or the jurisdiction of an entity described in subparagraph (A) of this paragraph.

(c) "National origin" includes:

(A) An individual's or individual's parent's or guardian's place of origin;

(B) Latinx and other protected class ethnicities;

(C) An individual's religious or cultural ancestry that the individual associates with their personal identity;

(D) Physical characteristics that are historically associated with a place of origin, protected class ethnicity, or religious or cultural ancestry, including but not limited to individuals who identify as Syrian, Muslim, Middle Eastern, Arab, Sikh, and Jewish; and

(E) An individual whose first spoken language is not English or who is not proficient in speaking English, or who is under the custody of a parent or guardian whose first spoken language is not English or who is not proficient in speaking English.

(d) "Protective hairstyle" means a hairstyle, hair color, or manner of wearing hair that includes, but is not limited to, locs, twists, and braids, regardless of whether the braids are created with extensions or styled with adornments.

(e) "Race" includes:

(A) Black, African American, American Indian, Alaska Native, Asian, Native Hawaiian, Pacific Islander, other protected class races, and multiracial individuals; and

(B) Physical characteristics that are historically associated with race, that includes, but is not limited to, any natural hair, hair texture, hair type, or protective hairstyle associated with race.

(f) "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, or bisexuality.

(g) "Gender identity" means an individual's gender-related identity, appearance, expression or behavior, regardless of whether the identity, appearance, expression or behavior differs from that associated with the gender assigned to the individual at birth.

(2) A district shall adopt, and adhere to, a policy under which it may be a member of and pay fees, if any, to a voluntary organization that administers interscholastic activities or that facilitates the scheduling and programming of interscholastic activities only if the organization:

(a) Implements and adheres to equity focused policies that:

(A) Address the use of derogatory or inappropriate names, insults, verbal assaults, profanity, or ridicule that occurs at an interscholastic activity, including by spectators of the interscholastic activity;

(B) Prohibit discrimination;

(C) Permit a student to wear religious clothing in accordance with the student's sincerely held religious belief and consistent with any safety and health requirements; and

(D) Balance the health, safety, and reasonable accommodation needs of participants on an activity-by-activity basis;

(b) Maintains a transparent complaint process that:

(A) Has a reporting system to allow participants of interscholastic activities or members of the public to make complaints about student, coach, or spectator behavior;

(B) Responds to a complaint made under subparagraph (b)(A) of this paragraph within 48 hours of the complaint being received; and

(C) Resolves a complaint received under subparagraph (b) of this paragraph within 30 days of the complaint being received unless the organization determines that there is good cause to extend the timeline for resolving the complaint;

(c) Develops and implements a system of sanctions against schools, students, coaches, and spectators if a complaint made under paragraph (b) of this subsection is verified; and

(d) Performs an annual survey of students and their parents to understand and respond to potential violations of equity focused policies adopted under this rule or violations of OAR 581-021-0045, 581-021-0046, or 581-021-0047.

(3) Subsection (2)(a)(A) of this rule only applies to school districts and any educational agency, program, or service under contract or the jurisdiction of a school district unless the inappropriate name, insult, verbal assault, profanity, or ridicule is directed toward an individual because of the individual's age, disability, national origin, race, color, marital status, religion, sex, or sexual orientation.

Statutory/Other Authority: ORS 326 & 659.855

Statutes/Other Implemented: ORS 332.075 & 659.850

History:

[ODE 25-2022, minor correction filed 05/20/2022, effective 05/20/2022](#)

[ODE 39-2021, adopt filed 12/29/2021, effective 12/29/2021](#)

581-022-2310

Equal Education Opportunities

(1) Each district school board shall adopt written policies, and the school district shall implement in each school, programs which assure equity, opportunity and access for all students as provided in OAR 581-021-0045 and 581-021-0046.

(2) Each district school board shall adopt a policy in accordance with ORS 339.356 prohibiting harassment, intimidation or bullying and prohibiting cyberbullying. School districts are encouraged to develop the policy after consultation with parents and guardians, school employees, volunteers, students, administrators and community representatives.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 659.150 & 339.356

History:

Renumbered from 581-022-1140 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 25-2008, f. & cert. ef. 9-26-08

EB 1-1997, f. & cert. ef. 3-12-97

581-022-2312

Every Student Belongs

(1) It is the policy of the State Board of Education that all students, employees, and visitors in public schools are entitled to learn, work, and participate in an environment that is safe and free from discrimination, harassment, and intimidation.

(2) Definitions. For purposes of this rule:

(a)(A) "Bias Incident" means a person's hostile expression of animus toward another person, relating to the other person's perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate.

(B) "Bias Incident" may include derogatory language or behavior.

(b) "Education program" means any program, service, school or activity sponsored by an education provider.

(c) "Education Provider" means

(A) A school district;

(B) A public charter school;

(C) The Oregon School for the Deaf;

(D) An education service district;

(E) An educational program under the Youth Corrections Education Program or the Juvenile Detention Program, as those terms are defined in ORS 326/695; or

(F) a program that receives money pursuant to ORS 343.243.

(d) "Symbol of Hate" means nooses, symbols of neo-Nazi ideology or the battle flag of the Confederacy.

(e) "School property" means any property under the control of an education provider.

(3)(a) To comply with the prohibition on discrimination required by ORS 659.850, an education provider must prohibit the display of symbols of hate on school property or in any education program.

(b) The prohibition required or allowed by this subsection does not apply to displays that align with and are used in conjunction with state standards of education for public schools.

(4) To comply with the prohibition on discrimination required by ORS 659.850, each education provider must adopt a policy to address bias incidents and displays of symbols of hate. The policy must:

(a) Affirm that all students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin;

(b) Affirm that all employees of education providers are entitled to work in an environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin;

(c) Affirm that all visitors of an education provider are entitled to participate in an environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin;

(d) Prohibit the display of symbols of hate on school property or in an education program; and

(e) Establishes procedures for addressing bias incidents and displays of symbols of hate. The procedures must:

(A) Apply broadly to include persons directly targeted by an act, as well as the community of students as a whole who are likely to be impacted by the act.

- (B) Require the education provider to prioritize the safety and well-being of all persons impacted by the act.
- (C) Require the education provider to recognize the experience of all persons impacted by the act, acknowledge the impact, commit to taking immediate action and prevent further harm against those persons impacted.
- (D) Include educational components that:
- (i) Address the history and impact of hate;
 - (ii) Advance the safety and healing of those impacted by bias and hate; and
 - (iii) Promote accountability and transformation for people who cause harm as well as transformation of the conditions that perpetuated the harm.
- (E) Include communication protocols that provide all persons impacted by the act with information relating to the investigation and outcome of the investigation
- (i) The information provided to the persons directly targeted by an act and the person who committed the act must include notice that an investigation has been initiated, notice when an investigation has been completed, findings of the investigation and the final determination based on those findings, actions taken to remedy a person's behavior and prevent reoccurrence, and, when applicable, the legal citation to any law prohibiting the disclosure of any of the information described in this subparagraph and an explanation of how that law applies to the current situation.
 - (ii) The information provided to the community of students as a whole who are likely to be impacted by the act must include notice that an investigation has been initiated and actions taken to prevent reoccurrence.
- (F) Direct the education provider to consider whether the act implicates other civil rights laws and, if so, to respond accordingly. The nature of the conduct must determine:
- (i) The process used to respond to the act;
 - (ii) The rights and protections available to the person impacted by the act; and
 - (iii) The right to appeal to the Oregon Department of Education or the United States Department of Education.
- (G) Require the education provider to develop and implement instructional materials to make this policy and related practices, including reporting procedures, educational processes and possible consequences, known to all school employees and students of the education provider.

Statutory/Other Authority: ORS 326.051 & ORS 659.850

Statutes/Other Implemented: ORS 659.850

History:

ODE 35-2021, amend filed 10/26/2021, effective 10/26/2021

ODE 6-2021, adopt filed 02/19/2021, effective 02/19/2021

ODE 36-2020, temporary adopt filed 09/18/2020, effective 09/18/2020 through 03/16/2021

581-022-2315

Special Education for Children with Disabilities

Each school district shall provide an educational program for all resident children with a disability who are eligible under ORS Chapter 343. The program shall be carried out in accordance with all applicable Oregon Administrative Rules.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 343.041

History:

Renumbered from 581-022-1340 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 25-2008, f. & cert. ef. 9-26-08

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2320

Required Instructional Time

(1)(a) Except as allowed under subsections (2) and (4), each school district shall ensure that at least 92% of all students in the district and at least 80% of all students at each school operated by the district are scheduled to receive annually the following minimum hours of instructional time:

(A) Grade 12 — 966 hours;

(B) Grades 9–11 — 990 hours; and

(C) Grades K–8 — 900 hours.

(b) A student who is 18 years of age or older or an emancipated minor or the person in parental relationship to a minor student may request to annually receive the minimum hours of instructional time. The school district must honor the request except as specifically provided for by rule or law.

(2)(a) Notwithstanding the requirements of subsection (1), with the annual approval of the local school board after a public hearing, the following students are exempted from the instructional time requirement and are not included in the district's calculation of instructional time under subsection (1):

(A) Students who have fulfilled all state requirements for graduation under OAR 581-022-2000;

(B) Students who at the start of their senior year are on track to exceed all state requirements for graduation under OAR 581-022-2000 as determined by the number and type of credits earned by the student; and

(C) Students who are earning credits toward a diploma through accelerated learning classes, such as Advanced Placement, International Baccalaureate, or classes at a post-secondary institution, internship, work-based learning, or credits by proficiency.

(b) Each year, the school district must report to the local school board the total number of students disaggregated by relevant sociodemographic group that have been exempted from the instructional time requirements under this subsection.

(3) Nothing in this rule may be construed to affect the right of a person to be admitted to the school district in which they reside under ORS 339.115.

(4) A school district may request permission to exempt an alternative education program as defined in ORS 336.615 from the requirement in subsection (1). The request must be made in writing to the Deputy Superintendent of Public Instruction. The Deputy Superintendent is authorized to grant permission under this section without obtaining approval from the State Board of Education. Permission will be granted where:

(a) The request is made with the approval of the school district's governing school board;

(b) The school district is using an evidence-based strategy that includes flexible time options; and

(c) The school district has implemented a system to assess students prior to placement to determine whether placement in an alternative education program is appropriate.

(5) If a school district chooses to offer less than 900 hours of instructional time for kindergarten students, the kindergarten program shall be considered a half-day program for purposes of ORS 327.006(1) and the school district shall ensure that every kindergarten student is scheduled to receive a minimum of 450 hours of instructional time per year.

(6) Upon approval by the local school board, a district may include in its calculation of instructional time required by subsection (1) of this rule the following:

(a) For kindergarten programs offering 900 hours or more of instructional time, up to 60 hours of recess;

(b) For kindergarten programs offering less than 900 hours of instructional time, up to 30 hours of recess;

(c) For grades 1–3, up to 60 hours of recess;

(d) Up to 30 hours for staff professional development;

(e) Up to 30 hours for parent teacher conferences; and

(f) For the 2015–16 school year, up to 14 hours for emergency school closures due to adverse weather conditions and facilities failure.

(7) For students participating in online instruction:

(a) Instructional time includes online instruction supported by a licensed or registered teacher through electronic means.

(b) For online instruction, up to one hour per course per day may be counted as instructional time where the following criteria are met:

(A) Every student has access to a licensed or registered teacher through in-person, telephone, or electronic means for each course taken; and

(B) Every student has regular contact with school personnel for the purpose of attendance and progress monitoring as outlined in the policies maintained by the Oregon Department of Education.

(c) Instructional time may not be claimed for weekends or holidays, per ORS 336.010 and 187.010, or any other day during which a licensed or registered teacher is not available to students.

(8) There shall be no fewer than 265 consecutive calendar days between the first and last instructional day of each school year at each grade level.

(9) No student shall be required to exceed the following number of instructional hours per day:

(a) Grades 9–12 — 8.5 hours;

(b) Grades K–8 — 8 hours.

Statutory/Other Authority: ORS 326.011 & 326.051

Statutes/Other Implemented: ORS 326.051

History:

[ODE 29-2018, amend filed 09/26/2018, effective 09/26/2018](#)

Renumbered from 581-022-1620 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 2-2015, f. 1-30-15, cert. ef. 7-1-15

ODE 25-2008, f. & cert. ef. 9-26-08

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2325

Identification of Academically Talented and Intellectually Gifted Students

(1) Each school district shall have policies and procedures for the identification of talented and gifted students as defined in ORS 343.395.

(a) This population of students demonstrates exceptional performance when compared to applicable developmental or learning progressions, with consideration given for variations in student's opportunity to learn and to culturally relevant indicators of ability.

(b) Students identified as talented and gifted require differentiated instructional services and/or programs designed to address their strengths and needs.

(2) In the identification of talented and gifted students, district policies and procedures shall:

(a) Provide professional development for those responsible for identification of students who are talented and gifted;

(b) Use evidence-based practices that include a variety of tools and procedures to determine if a student demonstrates a pattern of exceptional performance and/or achievement that is relevant to the identification of talented and gifted students under ORS 343.395.

(c) Collect and use multiple modes and methods of qualitative and quantitative evidence to allow appropriate members of a student's identification team to make a determination about the identification and eligibility of the students for talented and gifted services, supports, and/or programs; with no single test or piece of evidence eliminating a student from eligibility.

(d) Use methods and practices that minimize or seek to eliminate the effects of bias in assessment and identification of students from historically underrepresented populations including, but not limited to:

(A) Students who are racially/ethnically diverse;

(B) Students experiencing disability;

(C) Students who are culturally and/or linguistically diverse;

(D) Students experiencing poverty; and

(E) Students experiencing high mobility.

(e) Incorporate assessments, tools, and procedures, that will inform the development of an appropriate plan of instruction for students who are identified as talented and gifted and describe how information from the assessments, tools and procedures

used in the identification for talented and gifted students will be used to support development of the plan of instruction.

(f) Identify how the educational record under ORS 326.565 of the student being considered will document and reflect the record of the team's decision and the procedures and data used by the team to make the decision.

(3) The following sources of evidence may be used by the identification team to provide students with multiple opportunities to demonstrate a pattern or preponderance of evidence of talent or giftedness:

(a) Local Performance Assessment data, as defined in OAR 581-022-2115, using local norms (building or district),

(b) National and/or state standardized assessment data using national and/or local norms (building or district),

(c) Evidence of rapid language acquisition, accelerated learning, and advanced vocabulary in any language,

(d) Research-based rating scales,

(e) Research-based comprehensive observational instruments, or

(f) Learning progressions, performance tasks, work samples, and other measures provided by the Department of Education.

(4) Academic evidence reviewed shall align to the full depth, breadth, and complexity of Oregon's content standards and benchmarks. Standardized assessments used for academic/achievement-based identification shall include technical documentation demonstrating alignment or documentation of intended use for the purpose of talented and gifted identification.

(5) Standardized assessments used for intellectually gifted identification shall include technical documentation demonstrating alignment to research-based best practices inclusive of students from underrepresented populations.

(6) School districts may identify additional students who are talented and gifted as defined in ORS 343.395, as determined by local district policies and provisions, if the students demonstrate outstanding ability or potential in one or more of the following areas:

(a) Creative ability in using original or nontraditional methods in thinking and producing.

(b) Leadership ability in motivating the performance of others either in educational or non-educational settings.

(c) Ability in the visual or performing arts, such as dance, music or art.

Statutory/Other Authority: ORS 343.391 - 343.413

Statutes/Other Implemented: ORS 326.051

History:

[ODE 18-2022, amend filed 03/28/2022, effective 03/28/2022](#)

Renumbered from 581-022-1310 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 23-2016, f. & cert. ef. 4-7-16

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

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2330

Rights of Parents of TAG Students

In carrying out the requirements of OAR 581-022-2325 and OAR 581-022-2500, the school district shall:

(1) Inform parents at the time of the identification of the child and the programs and services available.

(2) Provide an opportunity for the parents to provide input to and discuss with the district the programs and services to be received by their child.

(3) The parents may, at any time, request the withdrawal of their child from programs and services provided under OAR 581-022-2330. The school district shall notify parents of identified students of this right.

(4) Parents shall be informed of their right to file a complaint under OAR 581-002-0001 to OAR 581-002-0023.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 343.391 - 343.413

History:

[ODE 11-2019, amend filed 03/25/2019, effective 03/25/2019](#)

[ODE 36-2018, minor correction filed 11/14/2018, effective 11/14/2018](#)

Renumbered from 581-022-1320 by ODE 16-2017, f. & cert. ef. 7-5-17
EB 18-1996, f. & cert. ef. 11-1-96

581-022-2335

Daily Class Size

A school district shall maintain class sizes and teacher assignments which promote effective practices consistent with the outcomes expected of each instructional program.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

Renumbered from 581-022-1630 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 25-2008, f. & cert. ef. 9-26-08

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2340

Media Programs

(1) School District Media Services: The school district shall provide a coordinated media program. The district shall:

(a) Adopt Program goals for:

(A) Media instruction for all grade levels; and

(B) Support services.

(b) Provide appropriate instructional facilities, materials, equipment, and services which support the school district, program and course goals;

(c) Assign responsibilities to certificated media specialists and other personnel for the development, implementation, maintenance, and supervision of media services;

(d) Organize media services and materials required for the achievement of district and building media program goals; and

(e) Evaluate district and school media programs.

(2) School Media Services: The school district shall provide in each school a media program consistent with district, program and course goals which:

(a) Provides an organized media center with materials, equipment and services supervised by appropriate certificated personnel;

(b) Identifies instructional activities designed to achieve media skills goals; and

(c) Includes instruction that addresses the ability of each student to:

(A) Locate and retrieve organized print and nonprint media;

(B) Use media to record and express ideas and knowledge; and

(C) Listen to, view, interpret and analyze media materials.

(3) In determining whether the assignment of certificated media and other staff is appropriate, the following shall be considered:

(a) The district, program and course goals of the media services program;

(b) The number of schools, students and staff to be served;

(c) The access students and staff have to media services defined in the media program;

(d) The number, certification and training of personnel assigned to media program responsibilities including specialists, teachers and aides;

(e) The extent to which staffing patterns vary from general statewide practice; and

(f) The extent to which the media program enables students to attain instructional goals.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

Renumbered from 581-022-1520 by ODE 16-2017, f. & cert. ef. 7-5-17

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2345

Auxiliary Services

(1) Pupil Transportation Services: Pupil transportation provided by the school district shall comply with all applicable Oregon Revised Statutes and Oregon Administrative Rules.

(2) School Food Services: A school district operating a reimbursed student food service program shall comply with State Board of Education and State Health Division rules.

(3) Custodial Services: The school district shall maintain buildings and grounds to provide conditions conducive to health and safety of all persons and in accordance with all applicable Oregon Revised Statutes and Oregon Administrative Rules.

(4) Facilities: The school district shall provide physical facilities which are appropriate to instructional and support program activities.

(5) Equipment and Materials: The school district shall provide furniture, equipment and materials appropriate to instructional and support program activities.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

Renumbered from 581-022-1530 by ODE 16-2017, f. & cert. ef. 7-5-17

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2350

Independent Adoptions of Instructional Materials

Without prior notice to the State Board of Education, the district school board of any school district, with the assistance of teachers and administrators of the district, may adopt independently instructional materials for use in place of or in addition to those adopted by the Board, provided they meet the guidelines and criteria established by the Board. The district school board shall involve parents and citizens in the process. Such district adoptions shall be known as independent adoptions. In order to give proper notification that an independent adoption is being made, the administrative head of the district must provide the district school board, prior to placing the instructional materials into use in the local schools, the following information:

(1) The subject, category, and grade level(s) in which the instructional materials will be used;

(2) The title of the instructional materials;

(3) The publisher of the instructional materials;

(4) The copyright date of the instructional materials;

(5) The date on which the district intends to install the instructional materials for use in the school system; and

(6) A statement that a completed criteria checklist showing the degree to which the instructional materials meet the criteria established by the State Board of Education is on file in the district office. (Criteria checklists for the specific subject/category are available from the Department of Education.)

(7) A statement of assurance that the independently adopted instructional materials will comply with the most current National Instructional Materials Accessibility Standard (NIMAS) specifications regarding accessible instructional materials.

Statutory/Other Authority: ORS 337.050(2) & 337.141

Statutes/Other Implemented: ORS 337.120 & 337.141

History:

Renumbered from 581-022-1622 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 22-2012, f. & cert. ef. 8-1-12

ODE 3-2009, f. & cert. ef. 6-29-09
 Renumbered from 581-011-0085, ODE 25-2008, f. & cert. ef. 9-26-08
 ODE 10-2001, f. & cert. ef. 5-15-01
 EB 30-1991, f. & cert. ef. 12-18-91
 EB 21-1991(Temp), f. 10-30-91, cert. ef. 11-1-91
 EB 2-1991, f. & cert. ef. 2-28-91
 1EB 19-1982, f. & ef. 11-23-82
 1EB 245, f. & ef. 9-23-76
 1EB 215, f. 1-29-76, ef. 2-25-76

581-022-2355

Instructional Materials Adoption

(1) For each program and course in grades K-12, each school district, on a cycle established by the State Board of Education, shall select and provide students with free appropriate instructional and resource materials produced in accordance with the National Instructional Materials Accessibility Standard (NIMAS). These materials shall contribute to the attainment of district, program, and course or grade level goals and reflect recent knowledge, trends, and technology in the field. The school district process for selecting and adopting instructional materials shall include opportunities for citizen and parent involvement.

(2) The school district process must identify whether the district coordinates with the National Instructional Materials Access Center (NIMAC) when purchasing print materials under OAR 581-022-2350 and 581-022-2360.

(3) Districts that do not coordinate with NIMAC must provide instructional materials to persons who are blind and persons with print disabilities in accessible formats under 581-015-2060.

(4) Sufficient quantities, including those produced in alternate formats and those that cannot be produced from NIMAS files, shall be available in a timely manner to accommodate the number of students who will be using them at any one time. A timely manner means the materials are available at the same time materials are available for students who do not need materials in alternate formats.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 337.150

History:

Renumbered from 581-022-1640 by ODE 16-2017, f. & cert. ef. 7-5-17

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

ODE 13-2007, f. 4-25-07, cert. ef. 4-27-07

ODE 11-1998, f. & cert. ef. 6-23-98

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2360

Postponement of Purchase of State-Adopted Instructional Materials

If a district seeks to postpone regular purchase of state-adopted materials as required by ORS 337.120, it shall submit an application to the Department which shall include:

- (1) The reason for seeking postponement;
- (2) The subjects or categories for which postponement is sought;
- (3) The projected dates for purchase and implementation of new instructional materials which shall not be later than two years from the beginning of the school year following the state adoption;
- (4) Identification of the instructional materials to be used during the postponement;
- (5) Assurance that the postponement will not delay future purchases in other subject areas; and
- (6) Local school board approval of the application and the date of such approval.

Statutory/Other Authority: ORS 337.120

Statutes/Other Implemented: ORS 337.120

History:

Renumbered from 581-022-1650 by ODE 16-2017, f. & cert. ef. 7-5-17

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

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2370**Complaint Procedures**

- (1) Each school district must establish a process for the prompt resolution of a complaint by a person who resides in the district or by any parent or guardian of a student who attends school in the school district.
- (2) A school district's complaint procedure must:
- (a) Be in writing available at the main administrative office and, if the school district has a website, in a form available on the home page of the school district's website;
 - (b) Include the name of the person, position, or office within the school district with the responsibility for responding to the complaint; and
 - (c) Specify the time period during which the complaint will be addressed and a final decision issued. If the complaint procedure has multiple steps, the procedure must establish the time period for each step as well as the overall time period for completing the complaint procedure.
- (3) A school district's complaint procedure may:
- (a) Distinguish between those complaints that may be appealed under OAR 581-002-0040 OAR 581-002-0001 to OAR 581-002-0023, and other complaints;
 - (b) Offer mediation or other alternative dispute resolution processes as an option available if all parties to the complaint agree in writing to participate;
 - (c) Impose a time limitation for filing a complaint that is the later of either:
 - (A) Two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
 - (B) One year after the affected student has graduated from, moved away from, or otherwise left the school district.
 - (d) Include more than one but no more than four steps for addressing the complaint.
- (4) The procedure for hearing and acting on complaints alleging violation of the Oregon Administrative Rules, chapter 581, division 22 (division 22 Standards), ORS 339.285 to 330.303 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), ORS 659.850 or OAR 581-021-0045, 581-021-046, 581-021-047 (Discrimination); or ORS 659.852 (Retaliation) must include the following:
- (a) The point at which the district's decision is final; and
 - (b) A final decision in written or electronic form that addresses each allegation in the complaint and contains reasons for the district's decision and notifies the complainant that the district's decision may be appealed to the Deputy Superintendent of Public Instruction under OAR 581-002-0001 to OAR 581-002-0023.
- (5) This rule applies to appeals filed with a school district on or after January 1, 2018.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 327.103 & 326.051

History:

ODE 11-2019, amend filed 03/25/2019, effective 03/25/2019

ODE 2-2019, minor correction filed 01/08/2019, effective 01/08/2019

Renumbered from 581-022-1650 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 9-2017, f. 6-29-17, cert. ef. 7-1-17, Renumbered from 581-022-1941

ODE 31-2007, f. & cert. ef. 12-12-07

581-022-2400**Personnel**

- (1) All teachers, specialists, and administrators employed by school districts must hold valid Oregon licenses and be assigned in accordance with the individual license district policies, program goals and applicable statutes and administrative rules.
- (2) Any school district employing teacher aides shall follow applicable Oregon Administrative Rules.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

Renumbered from 581-022-1710 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 25-2008, f. & cert. ef. 9-26-08

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2405

Personnel Policies

(1) The school district shall adopt and implement personnel policies which address:

(a) Affirmative action;

(b) Staff development;

(c) Equal employment opportunity;

(d) Evaluation procedures; and

(e) Employee communication system.

(f) The requirement for releasing to Teacher Standards and Practices Commission, another district or any person upon request the disciplinary records of an employee or former school employee if the employee was convicted of one or more of the list of crimes addressed in ORS 342.143.

(2) Personnel policies shall be accessible to any school employee and notice of their availability to the general public shall be published:

(a) A current copy shall be accessible in each school office and library; and

(b) Any organization which represents employees of the district shall be furnished a copy and revisions as they are made.

(3) Bonded Employees: All employees responsible for funds, fees or cash collections shall be bonded in compliance with Oregon Revised Statutes and Oregon Administrative Rules.

(4) Employees for whom a teaching certificate is not required: The school district shall give to each such employee an individual written notice of reasonable assurance of continued employment as required by ORS 332.554.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 326.051

History:

Renumbered from 581-022-1720 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 21-2011, f. & cert. ef. 12-15-11

ODE 25-2008, f. & cert. ef. 9-26-08

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2410

Teacher and Administrator Evaluation and Support

(1) A school district board shall include the core teaching standards and administrator standards adopted by the State Board for all evaluations of teachers and administrators of the school district occurring on or after July 1, 2013. The standards shall be customized based on the collaborative efforts of the teachers and administrators of the school district and the exclusive bargaining representative of the employees of the school district and be separately developed for teachers and administrators.

(2) Local evaluation and support systems established by school districts for teachers and administrators must be designed to meet or exceed the requirements defined in the Oregon Framework for Teacher and Administrator Evaluation and Support Systems, including:

(a) Four performance level ratings of effectiveness;

(b) For teachers, classroom-level student learning and growth goals set collaboratively between teachers and evaluators.

(c) Consideration of multiple measures of teacher and administrator practice and responsibility which may include, but are not limited to:

- (A) Classroom-based assessments including observations, lesson plans and assignments;
- (B) Portfolios of evidence;
- (C) Supervisor reports; and
- (D) Self-reflections and assessments.

(d) Consideration of evidence of student academic growth and learning based on multiple measures of student progress, including performance data of students, schools, and school districts that is both formative and summative. Evidence may also include other indicators of student success;

(e) A summative evaluation method for considering multiple measures of professional practice, professional responsibilities and student learning and growth to determine the educator's professional growth path.

(f) Customization for each school district, which may include individualized weighting and application of standards.

(3) Evaluations using the core teaching and administrator standards must attempt to:

(a) Strengthen the knowledge, skills, disposition and classroom and administrative practices of teachers and administrators in public schools;

(b) Refine the support, assistance and professional growth opportunities offered to a teacher or an administrator, based on the individual needs of the teacher and administrator and the needs of the students, the school and the school district;

(c) Allow each teacher or administrator to establish a set of classroom or administrative practices and student learning objectives that are based on the individual circumstances of the teacher or administrator, including the classroom or other assignments of the teacher or administrator;

(d) Establish a formative growth process for each teacher and administrator that supports professional learning and collaboration with other teachers and administrators; and

(e) Use evaluation methods and professional development, support and other activities that are based on curricular standards and that are targeted to the needs of each teacher and administrator; and

(f) Address ways to help all educators strengthen their culturally responsive practices.

(4) Local evaluation and support systems established by school districts must evaluate teachers and administrators on a regular cycle.

(5) District superintendents shall regularly report to their governing boards on implementation of their local evaluation and support systems and educator effectiveness.

Statutory/Other Authority: ORS 342.805 - 342.937

Statutes/Other Implemented: 2011 OL Ch. 729 Sec. 2 (Enrolled SB 290)

History:

ODE 13-2017, f. & cert. ef. 7-5-17

Renumbered from 581-022-1723 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 33-2016, f. & cert. ef. 5-5-16

Reverted to ODE 23-2012, f. & cert. ef. 8-1-12

ODE 11-2015(Temp), f. & cert. ef. 7-15-15 thru 1-10-16

ODE 23-2012, f. & cert. ef. 8-1-12

ODE 21-2011, f. & cert. ef. 12-15-11

581-022-2415

Core Teaching Standards

School districts shall use the core teaching standards to evaluate teacher effectiveness outlined in OAR 581-022-2410. Performances, essential knowledge and critical dispositions for each standard are contained within the Interstate Teacher Assessment and Support Consortium (InTASC) core teaching standards published at: http://www.ccsso.org/Documents/2011/InTASC_Stds_MS_Word_version_4_24_11.doc. The core teaching standards are the same standards adopted by the Teacher Standards and Practices Commission (TSPC) for initial and advanced teacher preparation. The standards include:

(1) The Learner and Learning

(a) Learner Development: The teacher understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences. [InTASC Standard #1]

(b) Learning Differences: The teacher uses understanding of individual differences and diverse cultures and communities to ensure inclusive learning environments that enable each learner to meet high standards. [InTASC Standard #2]

(c) Learning Environments: The teacher works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self motivation. [InTASC Standard #3]

(2) Content

(a) Content Knowledge: The teacher understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches and creates learning experiences that make these aspects of the discipline accessible and meaningful for learners to assure mastery of the content. [InTASC Standard # 4]

(b) Application of Content: The teacher understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues. [InTASC Standard #5]

(3) Instructional Practice

(a) Assessment: The teacher understands and uses multiple methods of assessment to engage learners in their own growth, to monitor learner progress, and to guide the teacher's and learner's decision making. [InTASC Standard #6]

(b) Planning for Instruction: The teacher plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context. [InTASC Standard #7]

(c) Instructional Strategies: The teacher understands and uses a variety of instructional strategies to encourage learners to develop deep understanding of content areas and their connections, and to build skills to apply knowledge in meaningful ways. [InTASC Standard # 8]

(4) Professional Responsibility

(a) Professional Learning and Ethical Practice: The teacher engages in ongoing professional learning and uses evidence to continually evaluate his/her practice, particularly the effects of his/her choices and actions on others (learners, families, other professionals, and the community), and adapts practice to meet the needs of each learner. [InTASC Standard #9]

(b) Leadership and Collaboration: The teacher seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession. [InTASC Standard #10]

Statutory/Other Authority: ORS 342.805–342.937

Statutes/Other Implemented: OL 2011 § 2 & Ch 729 (SB 290)

History:

Renumbered from 581-022-1723 by ODE 16-2017, f. & cert. ef. 7-5-17
ODE 21-2011, f. & cert. ef. 12-15-11

581-022-2420**Educational Leadership — Administrator Standards**

School districts shall use the educational leadership–administrator standards to evaluate administrator effectiveness outlined in OAR 581-022-2410. These standards align with the Educational Leadership Constituents Council (ELCC) standards for Educational Leadership published at:

<http://www.ncate.org/Standards/ProgramStandardsandReportForms/tabid/676/Default.aspx#ELCC> The knowledge and skill abilities required for each program standard are found within the full document of the standards. These standards are aligned with the Interstate School Leaders Licensure Consortium (ISLLC) published at:

http://www.ccsso.org/Documents/2008/Educational_Leadership_Policy_Standards_2008.pdf. The educational leadership-administrator standards are the same standards adopted by the Teacher Standards and Practices Commission (TSPC) for administrator licensure. The standards include:

- (1) Visionary Leadership: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by stakeholders. [ISLLC Standard 1]
- (2) Instructional Improvement: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by sustaining a positive school culture and instructional program conducive to student learning and staff professional growth. [ISLLC Standard 2]
- (3) Effective Management: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by ensuring management of the organization, operation, and resources for a safe, efficient, and effective learning environment. [ISLLC Standard 3]
- (4) Inclusive Practice: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by collaborating with faculty and community members, responding to diverse community interests and needs, and mobilizing community resources in order to demonstrate and promote ethical standards of democracy, equity, diversity, and excellence, and to promote communication among diverse groups. [ISLLC Standard 4]
- (5) Ethical Leadership: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by acting with integrity, fairness, and in an ethical manner. [ISLLC Standard 5]
- (6) Socio-Political Context: An educational leader integrates principles of cultural competency and equitable practice and promotes the success of every student by understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context. [ISLLC Standard 6]

Statutory/Other Authority: ORS 342.805 - 342.937

Statutes/Other Implemented: 2011 OL Ch. 729 Sec. 2 (Enrolled SB 290)

History:

Renumbered from 581-022-1725 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 23-2012, f. & cert. ef. 8-1-12

ODE 21-2011, f. & cert. ef. 12-15-11

581-022-2430

Fingerprinting of Subject Individuals in Positions Not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses

All public school districts shall comply with the requirements for Fingerprinting of subject individuals as defined in and in compliance with OAR 581-021-0500.

Statutory/Other Authority: ORS 326.603

Statutes/Other Implemented: ORS 326.603

History:

Renumbered from 581-022-1730 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 25-2008, f. & cert. ef. 9-26-08

ODE 9-2006, f. & cert. ef. 2-21-06

ODE 3-2004, f. & cert. ef. 1-15-04

Reverted to ODE 29-1999, f. 12-13-99, cert. ef. 12-14-99

ODE 13-2003(Temp), f. & cert. ef. 7-1-03 thru 12-15-03

ODE 29-1999, f. 12-13-99, cert. ef. 12-14-99

ODE 4-1999, f. & cert. ef. 1-12-99

Reverted to EB 18-1996, f. & cert. ef. 11-1-96

ODE 12-1998(Temp), f. & cert. ef. 6-23-98 thru 12-19-98

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2440

Teacher Training Related to Dyslexia

(1) School districts must ensure that at least one kindergarten through grade five teacher in each kindergarten through grade five school has received training related to dyslexia. The training must be from the Department approved list referenced in 581-002-1805 and must include all of the content requirements in subsection (2)(b) of 581-002-1805.

(2) A teacher who has completed previous training on using evidence-based practices to teach the foundational skills in reading may demonstrate knowledge of that content through receiving a passing score on a certification exam that is directly aligned with the knowledge and practice standards of an international organization on dyslexia and be exempt from that area

of the training requirements as stated in (2)(b) of 581-002-1805. The teacher will still be required to complete training as outlined in 581-002-1805 (2)(a) and (c).

(3) The teacher who completes the dyslexia-related training must be a licensed or registered teacher serving in a position teaching students in any configuration of grades kindergarten through fifth grade and assigned to the school building at least .50 FTE. The position may include, but is not limited to, that of classroom teacher, reading specialist, special educator or English language learner teacher.

(4) The definitions of terms outlined in OAR 581-002-1800 apply to this rule.

(5) This rule is effective July 1, 2018.

Statutory/Other Authority: ORS 326.726

Statutes/Other Implemented: ORS 326.726

History:

[ODE 2-2018, amend filed 01/26/2018, effective 01/27/2018](#)

[ODE 1-2017, f. & cert. ef. 2-1-17](#)

581-022-2445

Universal Screenings for Risk Factors of Dyslexia

(1) School districts must universally screen for risk factors of dyslexia in kindergarten using a screening test that is on the Department's approved list referenced in 581-002-1820 and administering the measures in each area in 581-002-1820(2)(b) with fidelity as per guidelines of the test developers.

(2) If a student first enrolls in a public school in Oregon for first grade, school districts must screen the student in first grade using a screening test that is on the Department's approved list referenced in 581-002-1820 and administer the measures in each area in 581-002-1820(2)(c) with fidelity as per guidelines of the test developers.

(3) A school district may petition the Superintendent of Public Instruction or their designee to request selection of a screening test that is not included on the Department's approved list. The written petition must specify the screening test the district proposes to use along with evidence that all of the criteria referenced in 581-002-1820 are met by the test. If it is determined that the test meets the criteria, the Superintendent of Public Instruction shall approve the request.

(4) If a student shows risk factors for reading difficulties, including dyslexia, school districts must screen for a family history of difficulty in learning to read.

(a) A student is determined to show risk factors for reading difficulty, including dyslexia, if:

(A) Based on test developer guidelines, the student shows risk on the universal screening test; and

(B) The student does not make adequate progress, as indicated by the progress monitoring measures aligned with the universal screener, as the result of evidence-based reading intervention provided in addition to regular core instruction.

(b) The screening for family history:

(A) Must be completed no later than the next universal screening period according to test developer guidelines if a child continues to show risk on the universal screening test. Students who first enroll in a public school in kindergarten or grade one at the final universal screening period of the school year and show risk on the universal screening test will be screened for family history of reading difficulties immediately following the universal screening;

(B) May be conducted verbally or in a written format;

(C) Will consist of asking a parent or guardian if an immediate biological family member has experienced difficulty in learning to read, write or spell;

(D) Will include questions related to the student's developmental history; and

(E) Will be completed and documented by the classroom teacher, data-review team member, or designee of the team.

(5) School districts must include students who are English learners in the universal screening for risk factors of dyslexia.

(a) School districts will screen students who are English learners:

(A) In the student's native language, if the language of literacy instruction is in the student's native language;

(B) In English, if the language of literacy instruction is English; or

(C) In the student's dominant language, if the student is in a dual immersion program.

(b) School districts may screen students who are English learners in English if a district does not have access to screeners in the student's native language.

(6) If a student enrolls in kindergarten or first grade in a public school in this state midyear, a school district must begin screening for risk factors of dyslexia no later than 30 school days following enrollment.

(7) This rule is effective in the 2018-2019 school year.

Statutory/Other Authority: ORS 326.726

Statutes/Other Implemented: ORS 326.726

History:

ODE 31-2018, adopt filed 10/19/2018, effective 10/21/2018

581-022-2500

Programs and Services for Talented and Gifted Students

(1) Each school district shall submit to the Oregon Department of Education a written plan of instruction for talented and gifted children on a date and in a format provided in guidance documents provided by the Oregon Department of Education. The plan shall include, but not be limited to:

(a) A statement of school district policy on the education of talented and gifted children;

(b) An assessment of current special programs and services provided by the school district for talented and gifted children;

(c) A statement of school district goals for providing comprehensive special programs and services and over what span of time the goals will be achieved;

(d) A description of the nature of the special programs and services which will be provided to accomplish the goals; and

(e) A requirement that each talented and gifted child and the child's parents have the opportunity to discuss with the school district the programs and services available to the child and to provide input on the programs and services to be made available to the child;

(f) A plan for evaluating progress on the school district plan, including each component program and service;

(g) The name and contact information for the school district's coordinator of special educational services and programs for talented and gifted children.

(2)(a) For a plan described in subsection (1) of this section, a school district shall:

(A) Provide the plan when requested at any of the schools of the school district or at the school district's main office; and

(B) Provide the plan on the school district's website.

(b) A school district must provide the name and contact information for the school district's coordinator of special educational services and programs for talented and gifted children:

(A) To the Department of Education annually; and

(B) On the school district's website in the manner prescribed by the department.

(3) The instruction provided to identified students shall be designed to accommodate their assessed levels of learning and accelerated rates of learning.

(4) Assessments for the development of an appropriate academic instructional program shall include the information used by the team for identification purposes and also may include one or more of the following:

(a) An academic history which may include grades, portfolio assessment records or other progress records and achievement information that demonstrates the student's level of learning and rate of learning;

(b) Other evaluation methods such as formal tests or informal assessment methods designed by teachers to determine the student's instructional level and rate of learning related to specific academic programs;

(c) Student interest, style, and learning preferences information from inventories or interviews; and

(d) Other measures determined by the school district to be relevant to the appropriate academic instructional program for the student.

Statutory/Other Authority: ORS 343.391 - 343.413

Statutes/Other Implemented: ORS 326.051

History:

ODE 10-2022, amend filed 01/27/2022, effective 01/27/2022

Renumbered from 581-022-1330 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 20-2011, f. & cert. ef. 12-15-11

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

EB 18-1996, f. & cert. ef. 11-1-96

581-022-2505

Alternative Education Programs

(1) Sections (2)–(9) of this rule apply to each public or private alternative education program approved by a school district board on or after July 1, 2007. For the purposes of this rule, the term "program" includes "school."

(2) In order to provide innovative and more flexible ways of educating children, school districts may establish alternative education options within the public school system.

(3) School districts must adopt policies and procedures for the approval and at least annual evaluation of public and private alternative education programs under ORS 336.615-336.665 (Alternative Education Programs) that receive public funds. Those policies and procedures must provide that:

(a) The district's approval and at least annual evaluation must require that a public alternative program complies with all state statutes, rules and federal law applicable to public schools;

(b) Before contracting with or distributing any public school funds to a private alternative education program, the district must document that:

(A) The program is registered with the Oregon Department of Education (ODE) under the provisions of OAR 581-021-0072 by receiving a copy of the Department's written notice that the program's registration is approved for the current school year;

(B) The ODE has assigned the private alternative program an institution identification number;

(C) Before contracting with or distributing any public school funds to any private alternative education program for special education services identified in a child's IEP, the program is approved by the Department in compliance with OAR 581-015-2270;

(D) The program complies with the individual education plan for each student who is eligible to receive special education services;

(E) An education plan and education profile that meet the requirements of OAR 581-022-2000 are designed and implemented with each student in the program;

(F) The education plan includes criteria for determining if, when, where, and how the student may transition from the alternative program;

(G) A transportation plan is in place ensuring that the program is accessible to each student approved for placement in the program;

(H) The program assists the district in meeting its comprehensive K-12 instructional program in compliance with OAR 581-022-2030;

(I) The program assures that it provides an instruction based on academic content standards adopted by the State Board of Education and that students participate in district and state assessments of achievement for the grade level(s) the program serves;

(J) The program assists students in earning diploma credits consistent with OAR 581-022-2000, 581-022-2010 and 581-022-2020;

(K) The program collects and reports to the district each student's local and state assessment, attendance, behavior, graduation, dropout, and other data required by the district and the state;

(L) Student data is included in the district's at least annual evaluation of the program;

(M) The program complies with federal law; and

(N) If applicable, the private alternative education program is in compliance with its existing district contract.

(4) The contract between a school district and a private alternative education program must state that non-compliance with a rule or statute under this rule (OAR 581-022-2505) will result in the termination of the contract, and suspension or revocation of registration by the Department will terminate the district's contract with the private alternative program and that the private alternative education program's annual statement of expenditures is reviewed in the district's evaluation in accordance with ORS 336.635(2).

(5) School districts shall adopt policies and procedures to approve placing students in district approved public alternative education programs and district approved private alternative education programs. Such policies and procedures must ensure that:

(a) Students placed in alternative education programs are those whose educational needs and interests are best served by participation in such programs and will include:

(A) Students identified pursuant to ORS 339.250:

(i) Who are being considered for suspension or expulsion pursuant to ORS 339.250;

(ii) Who have been suspended or expelled pursuant to ORS 339.250;

(iii) Whose attendance patterns have been found to be so erratic that the students are not benefiting from the regular educational program; or

(iv) Who have had a second or subsequent occurrence within any three-year period of a severe disciplinary problem;

(B) Students identified pursuant to ORS 329.485 and OAR 581-022-1110(5) who do not meet the standards or who exceed all of the standards at any benchmark level;

(C) Students admitted to the district pursuant to ORS 339.115 who have not yet turned 21 prior to the start of the school year and who need additional instruction to earn a diploma in compliance with OAR 581-022-2000;

(D) Students whose parents or legal guardians apply for the student's exemption from compulsory attendance on a semiannual basis as provided in ORS 339.030 and OAR 581-021-0076; and

(E) Others who are individually approved for placement consistent with the district's board policies regarding the placement;

(b) Placement of a student in a public or private alternative education program may be made only if:

(A) The student is a resident of the district and the district has legal responsibility for the student's education consistent with ORS 327.006(7);

(B) After assessing the student's needs and interests and consulting with the parent or guardian, the district determines that the student is not benefiting, has not benefited, or will not benefit from attendance in other district schools or programs;

(C) The alternative program is determined by the district to best serve the student within local and state academic standards; and

(D) Placement in the program is made consistent with the student's education plan pursuant to 581-022-2000(5) and with district policies and procedures;

(c) Placement in a public or private alternative education program must be made with the approval of the student's resident school district and attending school district; and

(d) Payment to private alternative education providers must be the actual cost of the program or an amount at least equivalent to 80 percent of the district's estimated current year's average per student net operating expenditure, whichever is less.

(6) A school district must adopt policies and procedures for notification of students, parents or guardians of students of:

(a) The law regarding alternative education programs;

(b) The availability of existing alternative education programs; and

(c) The procedures for students, parents, or guardians of students residing in the district to request the establishment of new alternative education programs.

- (7) School districts must include opportunities for participation by educators, community members, and parents or guardians in the development of policies and procedures under this rule.
- (8) School districts must have policies and procedures in place to ensure that, for the purposes of making claims for state school funds;
- (a) Students enrolled in a public school district and receiving instruction in the district's comprehensive planned K–12 curriculum consistent with OAR 581-022-2030 and who are individually placed by the school district in an alternative education programs are accounted consistent with 581-023-0006(7);
- (b) Students supplementing home or private schooling by attending part-time and receiving less than comprehensive education from the district are accounted consistent with OAR 581-023-0006(6)(a);
- (c) Students receiving online instruction are accounted consistent with reporting guidelines published in the Oregon Student Personnel Accounting Manual, and
- (d) Activities claimed for state school funds and credits awarded in the alternative education program consistent with OAR 581-023-0008 are approved by the district and by the contract between a private alternative program and the district.
- (9) School districts must have policies and procedures in place to ensure that data for each student in public and private alternative education programs are included in district reporting as required by ODE.

Statutory/Other Authority: ORS 326.051, 327.125, 336.625 & 336.645

Statutes/Other Implemented: ORS 327.006, 329.485, 336.615 - 336.665, 329.485, 339.115, 339.030 & 339.250

History:

[ODE 31-2022, minor correction filed 06/01/2022, effective 06/01/2022](#)
 Renumbered from 581-022-1350 by ODE 16-2017, f. & cert. ef. 7-5-17
 ODE 25-2008, f. & cert. ef. 9-26-08
 ODE 20-2007, f. & cert. ef. 9-10-07
 ODE 12-2007, f. & cert. ef. 4-25-07
 ODE 4-2003, f. & cert. ef. 3-14-03
 ODE 2-1998, f. & cert. ef. 2-27-98
 EB 18-1996, f. & cert. ef. 11-1-96

581-022-2510

Suicide Prevention Plan

- (1) For purposes of this rule, “behavioral health crisis” means a disruption in an individual’s mental or emotional stability or functioning resulting in an urgent need for immediate treatment to prevent a serious deterioration in the individual’s mental or physical health.
- (2) Each district school board shall adopt a policy requiring plan on student suicide prevention for students in kindergarten through grade 12.
- (3) A plan required under this rule must include:
- (a) All requirements set out in ORS 339.343;
- (b) Supports that are culturally and linguistically responsive to the needs of students who are at higher risk of suicide and suicide ideation, including lesbian, gay, bisexual, transgender, queer and other minority gender identity and sexual orientation, Native American, Black, Latinx, and Asian students;
- (c) Procedures for reentry into the school environment following a hospitalization or behavioral health crisis; and
- (d) A process for designating staff to be trained in an evidence based suicide prevention program. The Department of Education will provide a list of available programs.

Statutory/Other Authority: 2019 OL Ch. 172 (Enrolled SB 52) & ORS 339.343

Statutes/Other Implemented: 2019 OL Ch. 172 (Enrolled SB 52) & ORS 339.343

History:

[ODE 13-2020, adopt filed 04/23/2020, effective 04/23/2020](#)



FORWARD
TOGETHER

Enrollment, Staffing, and Class Size Update

Board of Education Meeting
October 25, 2022

October 1st Enrollment Comparisons

Grade	Actual				Projected		
	2021-22 Students	2022-23 Students	Change from 2021-22 to 2022-23	Percent change	2022-23 Enrollment Projection	Difference from 2022-23 Projection to Actual	Percent Difference
KG	2,984	2,968	-16	-0.5%	3,108	-140	-4.5%
01	3,077	3,161	84	2.7%	3,134	27	0.9%
02	3,298	3,125	-173	-5.2%	3,054	71	2.3%
03	3,287	3,295	8	0.2%	3,255	40	1.2%
04	3,190	3,281	91	2.9%	3,256	25	0.8%
05	3,313	3,162	-151	-4.6%	3,141	21	0.7%
06	3,267	3,292	25	0.8%	3,243	49	1.5%
07	3,309	3,238	-71	-2.1%	3,275	-37	-1.1%
08	3,433	3,352	-81	-2.4%	3,300	52	1.6%
09	3,596	3,529	-67	-1.9%	3,595	-66	-1.8%
10	3,375	3,490	115	3.4%	3,552	-62	-1.7%
11	3,200	3,186	-14	-0.4%	3,260	-74	-2.3%
12	3,113	3,091	-22	-0.7%	3,115	-24	-0.8%
District Total	42,442	42,170	-272	-0.6%	42,288	-118	-0.3%

School Level Enrollment Highlights

43 schools are under their projection.

38 schools are over their projection.

2 schools are right at their projection.

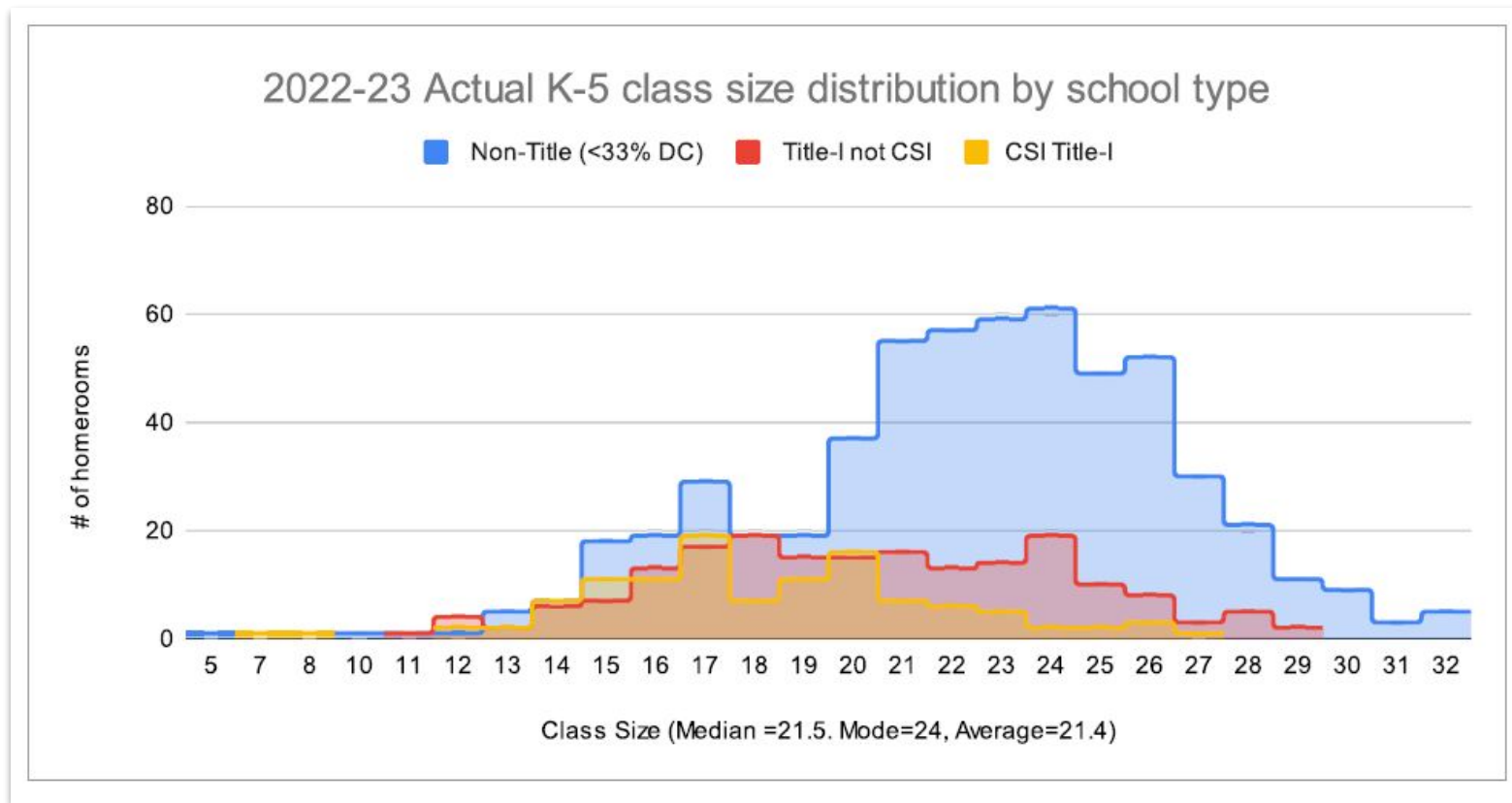
2021-22 Title/ESSA School	Grade Span	School / Program	2021-22 % Free Meals by Direct Certification	2022-23 % Historically Underserved Race	Enrollment (Actual)		Enrollment (Projected)	
					2022-23 Students	Change from 2021-22	2022-23 Enrollment Projection	Change from 2022-23 Projection to Actual
K-5 Abernethy			8%	11%	353	-21	364	-11
K-5 Ainsworth			5%	25%	563	10	541	22
K-5 Alameda			2%	12%	538	13	522	16
K-5 Arleta			28%	25%	256	-13	276	-20
K-5 Atkinson			12%	34%	337	-5	342	-5
K-5 Beach			22%	41%	346	-5	345	1
Title I / CSI K-5 Boise-Eliot/Humboldt			54%	74%	327	6	325	2
TSI K-5 Bridger			27%	44%	329	-8	335	-6
K-5 Bridlemile			9%	16%	458	23	430	28
K-5 Buckman			19%	25%	395	-5	401	-6
K-5 Capitol Hill			9%	19%	333	9	318	15
Title I / TSI K-5 Chapman			33%	34%	350	9	351	-1
TSI K-5 Chief Joseph			17%	27%	261	-8	271	-10
K-5 Creston			26%	23%	260	10	254	6
K-5 Duniway			5%	9%	422	-14	433	-11
K-5 Forest Park			1%	9%	328	-5	318	10
K-5 Glencoe			10%	21%	394	21	381	13
Title I K-5 Grout			33%	26%	316	-24	331	-15
K-5 Hayhurst			18%	23%	350	-1	341	9
TSI K-5 Irvington			16%	26%	228	-20	242	-14
Title I / TSI K-5 James John			38%	60%	337	5	338	-1
Title I / TSI K-5 Kelly			45%	39%	356	-16	361	-5
Title I / TSI K-5 Lee			33%	43%	276	40	232	44
Title I / CSI K-5 Lent			50%	64%	251	-26	275	-24
K-5 Lewis			15%	16%	320	-17	335	-15
K-5 Llewellyn			8%	16%	415	20	408	7
TSI K-5 Maplewood			11%	16%	310	19	274	36
K-5 Markham			28%	36%	426	2	431	-5
Title I K-5 Marysville			49%	42%	286	38	259	27
Title I / TSI K-5 MLK Jr			43%	55%	302	5	288	14
TSI K-5 Peninsula			26%	41%	225	24	218	7
K-5 Richmond			3%	10%	539	-12	581	-42
K-5 Rieke			7%	16%	300	-13	304	-4
Title I / CSI K-5 Rigler			40%	67%	223	-14	234	-11
K-5 Rosa Parks			71%	89%	197	-17	205	-8
K-5 Rose City Park			16%	19%	468	4	470	-2
TSI K-5 Sabin			17%	31%	312	-28	340	-28
Title I / CSI K-5 Scott			48%	59%	453	24	435	18
Title I / CSI K-5 Sitton			53%	67%	346	39	318	28
K-5 Stephenson			7%	12%	307	-13	325	-18
Title I / TSI K-5 Vestal			44%	44%	232	25	208	24
Title I K-5 Whitman			41%	56%	153	1	154	-1
Title I K-5 Woodlawn			31%	59%	288	5	289	-1
Title I / TSI K-5 Woodmere			45%	43%	235	-18	238	-3
K-5 Woodstock			13%	11%	491	12	488	3
K-5 Schools Total					15,192	61	15,129	63

Class Size Standards

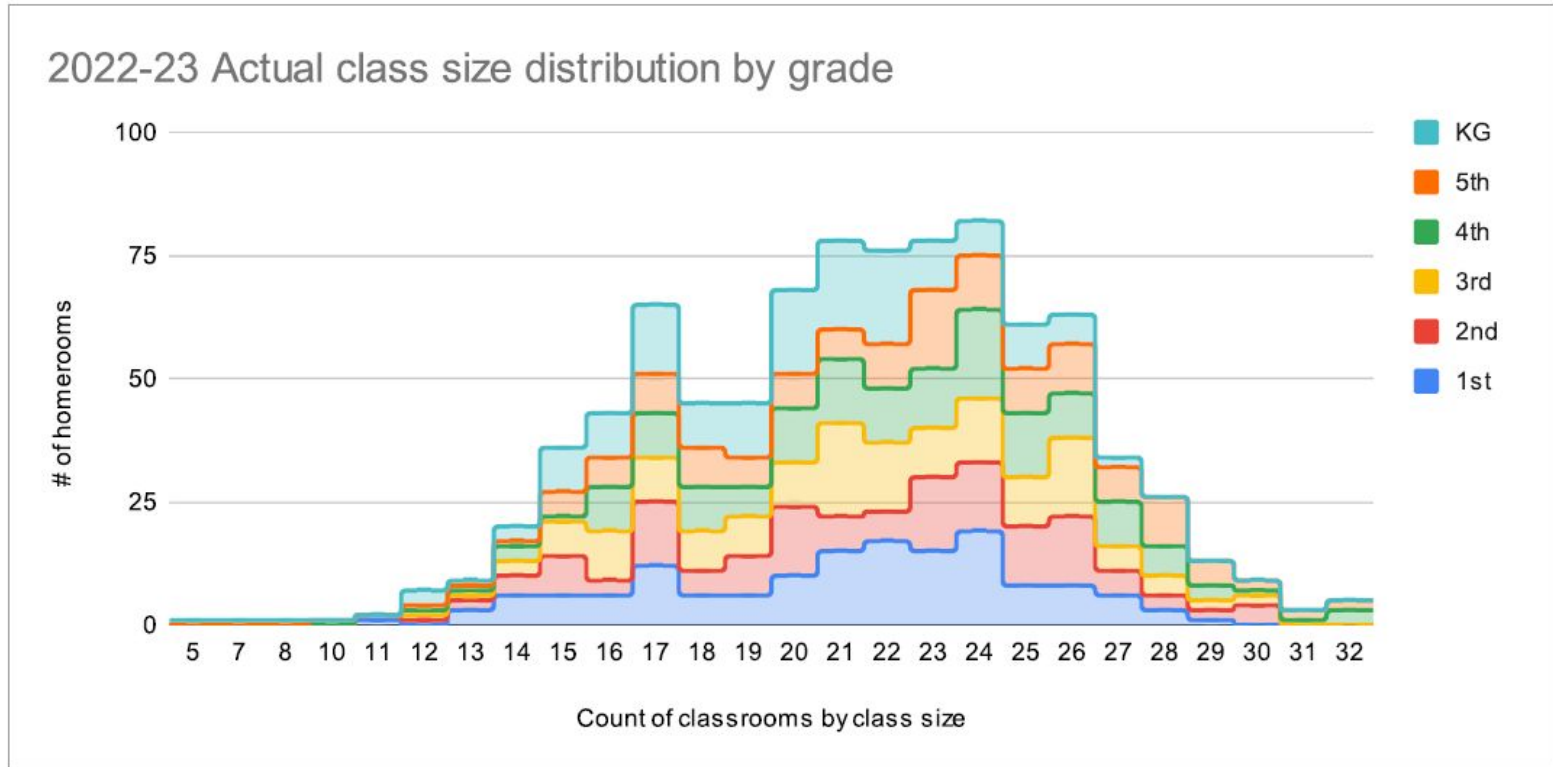
Class Size Standards (Before Equity, Foundation, Parent Fund):

	KG	01	02	03	04	05	06-08
CSI	24	26	28	28	32	32	33
Title not CSI	28	28	28	28	32	32	33
Other	29	31	32	33	33	33	34

Class Size Data: District by School Type



Class Size Data: District by Grade (K-5)



Questions and Discussion



Memorandum

To: Board of Education
From: Renard Adams, EdD; Chief of Research, Assessment and Accountability
Date: October 20, 2022
Re: Enrollment, Staffing, and Class Size Update for the October 25, 2022 Board Meeting

This memorandum includes data on enrollment, school staffing, and class sizes based on school enrollment. Enrollment data are as of October 3, 2022. Class size and school staffing data are as of October 18, 2022.

Each year, Portland Public Schools (PPS) monitors the count of actual students attending on October 1st. The October 1st enrollment data is shared with the Portland State University Population Research Center to update future enrollment forecasts and projections, which are used to forecast enrollment and staff schools for the next school year.

Highlights of enrollment data include the following:

- PPS’ overall October 1st enrollment for the 2022-2023 school year is 42,170, which represents a decrease of 272 students (0.6%) from the 2021-2022 school year.
- The largest decreases in students are seen in kindergarten, followed by grade 7 and grades 9-12.
- Increases in student enrollment as compared to the enrollment projections are noted in grades 1-6 and 8.
- 43 schools are under their projection, 38 schools are over their projection, and 2 schools are enrolled at their exact projection.

Below are the staffing standards that can be used when examining class size information:

Class Size Standards (Before Equity, Foundation, Parent Fund):

	KG	01	02	03	04	05	06-08
CSI	24	26	28	28	32	32	33
Title not CSI	28	28	28	28	32	32	33
Other	29	31	32	33	33	33	34

Attached to this memo are three addenda: Appendix A, Appendix B, and Appendix C. Outlined below is the information included in each appendix:

Appendix A: Overall Enrollment by Grade Level and by School.

This document shows actual and projected enrollment comparisons of October 1st enrollment for the past two years by grade level and then by individual school.

Appendix B: Elementary Class Size Charts with Measures of Central Tendency.

This document shows a visual representation of the class sizes at grades K through 5. It displays:

- Class size counts by type of school
- Measures of central tendency for grade level class sizes by the type of school
- Class size counts by grade level



- Measures of central tendency for grade level class sizes

Appendix C: Year to Year Staffing Change with Actual Class Size.

This document lists schools alphabetically within grade span (elementary, middle, high). It displays:

- A school's status as Title I, Target School Improvement (TSI), or Comprehensive School Improvement (CSI) as of 2021-2022 prior to new report cards being issued.
- Percentages of students qualifying for free and reduced meal via direct certification as of 2021-2022.
- Percentages of historically underserved students, which include students by race, special education and English Learner status, and Direct Certification status as of 2021-2022.
- Year to Year enrollment changes, school-based FTE changes, and Teacher FTE changes
- Each school's average class sizes for 2022-2023 by grade level

2022-23 Enrollment Comparison by Grade

As of October 3, 2022

Grade	Actual				Projected		
	2021-22 Students	2022-23 Students	Change from 2021-22 to 2022-23	Percent change	2022-23 Enrollment Projection	Difference from 2022-23 Projection to Actual	Percent Difference
KG	2,984	2,968	-16	-0.5%	3,108	-140	-4.5%
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District Total	42,442	42,170	-272	-0.6%	42,288	-118	-0.3%

All Actual Enrollment Data are as of the first weekday in October.

Alliance, Charters, CBO's, Headstarts, special programs, and PCC students are excluded from all of the data shown above, including Projections.

The Enrollment Projections are provided by the PSU demographer, based on 2021-22 October 1st Enrollment, and adjusted for other factors affecting the population.

2022-23 Enrollment Comparison by School and Grade

As of October 3, 2022

					Enrollment (Actual)		Enrollment (Projected)	
2021-22 Title/ESSA School	Grade Span	School / Program	2021-22 % Free Meals by Direct Certification	2022-23 % Historically Underserved Race	2022-23 Students	Change from 2021-22	2022-23 Enrollment Projection	Change from 2022-23 Projection to Actual
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	K-5	Buckman	19%	25%	395	-5	401	-6
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TSI	K-5	Peninsula	26%	41%	225	24	218	7
	K-5	Richmond	3%	10%	539	-12	581	-42
	K-5	Rieke	7%	16%	300	-13	304	-4
Title I / CSI	K-5	Rigler	40%	67%	223	-14	234	-11
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Title I / TSI	K-5	Woodmere	45%	43%	235	-18	238	-3
	K-5	Woodstock	13%	11%	491	12	488	3
		K-5 Schools Total			15,192	61	15,129	63

2022-23 Enrollment Comparison by School and Grade

As of October 3, 2022

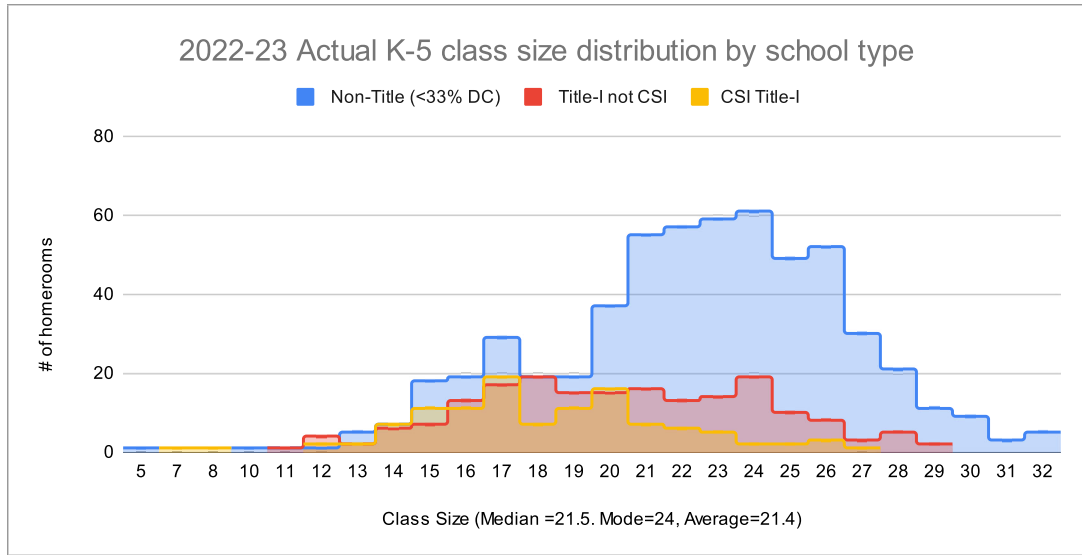
					Enrollment (Actual)		Enrollment (Projected)	
2021-22 Title/ESSA School	Grade Span	School / Program	2021-22 % Free Meals by Direct Certification	2022-23 % Historically Underserved Race	2022-23 Students	Change from 2021-22	2022-23 Enrollment Projection	Change from 2022-23 Projection to Actual
	1-8	Access	5%	10%	317	10	297	20
TSI	K-8	Astor	20%	33%	368	-25	375	-7
	K-8	Beverly Cleary	4%	14%	604	-53	617	-13
Title I / CSI	K-8	César Chávez	45%	79%	467	-18	459	8
	K-8	Creative Science	12%	19%	423	4	441	-18
Title I / TSI	K-8	Faubion	43%	69%	615	-12	631	-16
Title I	K-8	Harrison Park	47%	56%	575	46	505	70
	K-8	Laurelhurst	6%	12%	674	25	628	46
	K-8	Odyssey	1%	8%	225	6	243	-18
	K-8	Skyline	8%	16%	215	10	201	14
	K-8	Sunnyside Environmental	14%	20%	465	-4	465	0
	K-8	Vernon	23%	39%	555	38	525	30
	K-8	Winterhaven	7%	12%	313	21	298	15
		K-8 Schools Total			5,816	48	5,685	131
TSI	6-8	Beaumont	19%	35%	448	-19	428	20
	6-8	da Vinci	15%	26%	434	19	448	-14
Title I / TSI	6-8	George	54%	77%	387	2	373	14
	6-8	Gray	8%	16%	483	5	484	-1
Title I	6-8	Harriet Tubman	34%	57%	361	-27	374	-13
	6-8	Hosford	18%	16%	566	-63	574	-8
	6-8	Jackson	15%	25%	793	41	790	3
Title I	6-8	Kellogg	31%	44%	661	-23	657	4
Title I / TSI	6-8	Lane	42%	43%	336	-27	339	-3
TSI	6-8	Mt Tabor	9%	19%	607	-38	601	6
TSI	6-8	Ockley Green	30%	51%	483	-2	470	13
Title I / TSI	6-8	Roseway Heights	33%	42%	583	-6	584	-1
	6-8	Sellwood	7%	13%	563	10	550	13
	6-8	West Sylvan	9%	20%	759	32	713	46
		Middle School Total			7,464	-96	7,385	79
	9-12	Benson	23%	46%	827	-68	944	-117
	9-12	Cleveland	11%	16%	1,547	-76	1,605	-58
	9-12	Franklin	21%	32%	1,968	-46	2,015	-47
	9-12	Grant	8%	18%	2,159	33	2,178	-19
	9-12	Ida B. Wells-Barnett	9%	19%	1,558	-39	1,603	-45
TSI	9-12	Jefferson	39%	76%	607	19	607	0
	9-12	Lincoln	5%	18%	1,528	66	1,463	65
	9-12	McDaniel	29%	49%	1,443	74	1,407	36
TSI	9-12	Roosevelt	34%	61%	1,488	112	1,448	40
		District High School Total			13,125	75	13,270	-145
	K-12	Metro. Learning Center	9%	20%	348	7	361	-13
	K-12	Online Learning Academy	30%	47%	225	-367	458	-233
		Alternative Schools Total			573	-360	819	-246
		District Total			42,170	-272	42,288	-118

The Enrollment Data is as of the October 3, 2022 and excludes PK students. Whereas, the Direct Certification data is as of October 1, 2021.

PPS' current definition of Historically Underserved Race includes Students with any of the following races, ethnicities, or ancestry:
Black, Latino/Hispanic, Native American, Pacific Islander

The Enrollment Projections are provided by the PSU demographer, based on 2021-22 October 1st Enrollment, and adjusted for other factors affecting population.

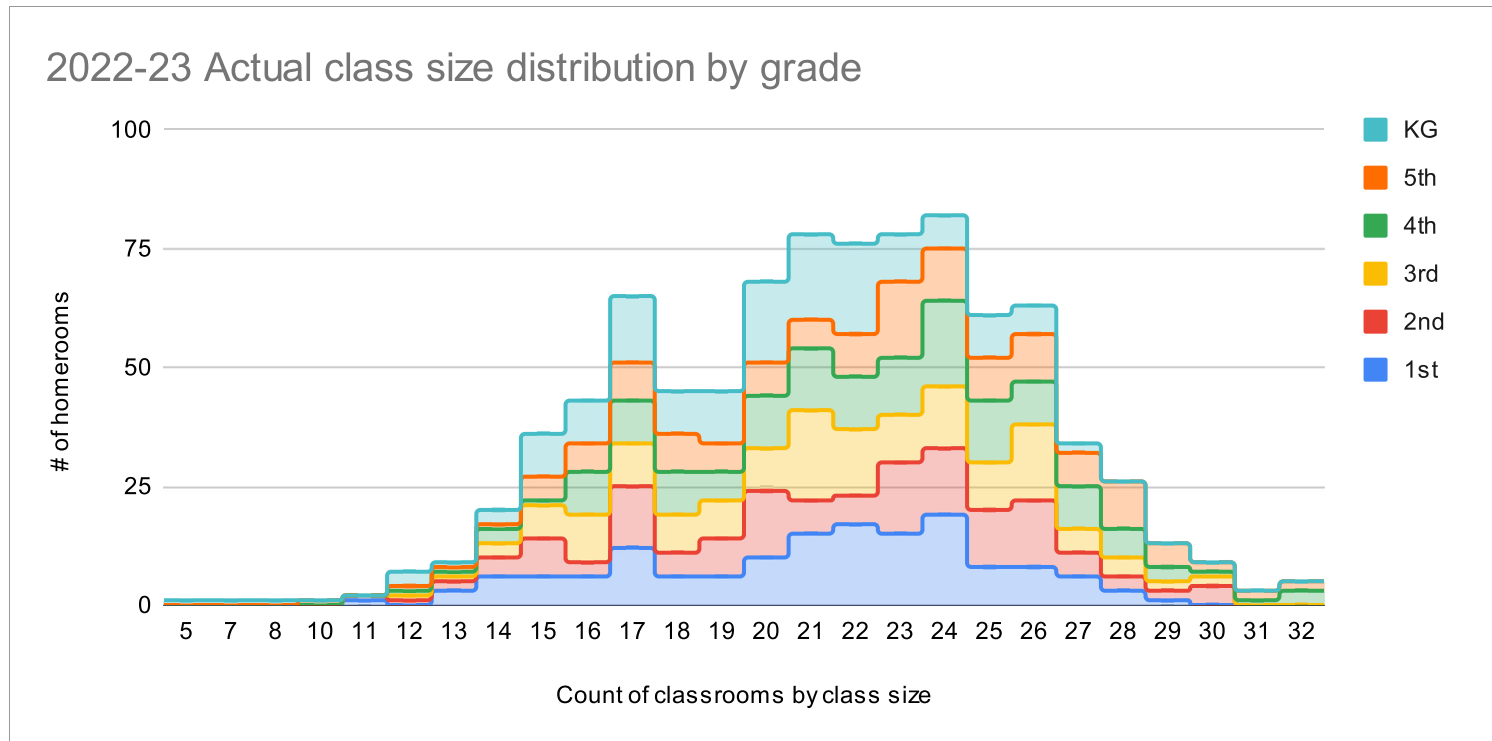
PORTLAND PUBLIC SCHOOLS - Elementary class size charts with measures of central tendency



grade and type	MIN of Class Size	AVERAGE of Class Size	MEDIAN of Class Size	MAX of Class Size	STDEV of Class
Non-Title (<33% DC) 1st	11	21.8	22	29	3.9
Non-Title (<33% DC) 2nd	13	22.8	23	30	3.9
Non-Title (<33% DC) 3rd	13	22.6	23	30	3.9
Non-Title (<33% DC) 4th	13	23.4	24	32	3.7
Non-Title (<33% DC) 5th	10	23.9	24	32	4.5
Non-Title (<33% DC) KG	5	20.3	21	27	3.6
Title-I not CSI 1st	13	20.4	21	26	3.3
Title-I not CSI 2nd	11	21.2	21	28	4.3
Title-I not CSI 3rd	12	19.6	19	26	3.4
Title-I not CSI 4th	12	20.4	21	29	4.9
Title-I not CSI 5th	13	20.5	21	29	4.0
Title-I not CSI KG	12	19.7	19	27	3.6
CSI Title-I 1st	13	18.6	18	26	3.8
CSI Title-I 2nd	14	16.3	16.5	19	1.5
CSI Title-I 3rd	14	19.0	19	27	3.6
CSI Title-I 4th	14	19.1	19.5	23	2.3
CSI Title-I 5th	12	19.4	19	26	3.5
CSI Title-I KG	7	17.5	19	25	4.8
Grand Total	5	21.4	22	32	4.2

Class sizes are based on Homeroom teachers (all funds) and actual enrollment, as of 10-18-2022.
 SPED K-5 Focus Classrooms and students not shown.

PORTLAND PUBLIC SCHOOLS - Elementary class size charts with measures of central tendency



<i>grade</i>	MIN of Class Size	MEDIAN of Class Size	AVERAGE of Class Size	MAX of Class Size	STDEV of Class Size
1st	11	22	21.1	29	3.9
2nd	11	22	21.5	30	4.3
3rd	12	22	21.5	30	4.0
4th	12	23	22.2	32	4.2
5th	10	23	22.5	32	4.6
KG	5	20	19.8	27	3.9
Grand Total	5	22	21.4	32	4.2

Class sizes are based on Homeroom teachers (all funds) and actual enrollment, as of 10-18-2022.

SPED K-5 Focus Classrooms and students not shown.

Appendix C: Year to Year Staffing Change with Actual Class Size

FTE shown in Licensed Equivalent, includes Gen. Fund, SIA, ESSER, ESL; does not include SPED, Foundation, PPS Parent Fund, Nutrition, Custodial. **As of 10-18-2022**

Title I	ESSA	Grade Span	School / Program	Student Count for Staffing	Student Count for Staffing	Free by Direct Certification	Historically Underserved	Student Count for Staffing	Y2Y % Enrollment Change
				2019-20	2021-22	2022-23	2022-23	2022-23	
			Sitton						
		K-5	Stephenson	362	367	7%	30%	325	-11%
Title I	TSI	K-5	Vestal	259	236	44%	69%	208	-12%
Title I		K-5	Whitman	238	210	41%	75%	154	-27%
Title I		K-5	Woodlawn	338	332	31%	72%	289	-13%
Title I	TSI	K-5	Woodmere	298	268	45%	74%	238	-11%
		K-5	Woodstock	556	562	13%	36%	488	-13%
			Woodstock						
K-5 Subtotal				19034	17529			15129	-14%

FTE Change based on Enrollment	Y2Y % FTE Change due to Enrollment	Y2Y % FTE TEACHER Change due to Enrollment	Total FTE Change (Enrollment and Improved Class Size)	% FTE Change with Enrollment and Class Size	Y2Y % FTE TEACHER Change
-3.70	-17%	-20%	-2.20	-10%	-13%
-1.20	-6%	-9%	0.24	1%	0%
-5.87	-29%	-42%	-1.98	-10%	-15%
-3.45	-13%	-13%	-1.51	-6%	-7%
-1.70	-7%	-7%	-0.26	-1%	0%
-1.00	-3%	4%	-0.25	-1%	4%
-96.10	-8%	-9%	-27.67	-2%	-4%

2022-23 Class Size based on ACTUAL Enrollment (yellow indicates sections are being staffed at the maximum K-5 class size) Includes Equity, Title-I, Foundation and PPS Parent Fund											
Program	KG	01	02	03	04	05	06	07	08	6-8 Avg	
Neighborhood	19	24	16	16	17	26					
Neighborhood	23	20	26	23	21	25					
Neighborhood	25	17	11	18	18	16					
Neighborhood	19	24	28	26	13	17					
Neighborhood	15	18	21	19	27	21					
Neighborhood	14	20	19	18	19	17					
Focus Option	18	24	20	24	24	18					
Neighborhood	17	22	22	19	20	19					

Data as of 10/18/2022

Appendix C: Year to Year Staffing Change with Actual Class Size

FTE shown in Licensed Equivalent, includes Gen. Fund, SIA, ESSER, ESL; does not include SPED, Foundation, PPS Parent Fund, Nutrition, Custodial. **As of 10-18-2022**

Title I	ESSA	Grade Span	School / Program	Student Count for Staffing	Student Count for Staffing	Free by Direct Certification		Historically Underserved	Student Count for Staffing	Y2Y % Enrollment Change	FTE Change based on Enrollment	Y2Y % FTE Change due to Enrollment	Y2Y % FTE TEACHER Change due to Enrollment	Total FTE Change (Enrollment and Improved Class Size)	% FTE Change with Enrollment and Class Size	Y2Y % FTE TEACHER Change	2022-23 Class Size based on ACTUAL Enrollment (yellow indicates sections are being staffed at the maximum K-5 class size) Includes Equity, Title-I, Foundation and PPS Parent Fund									
				2019-20	2021-22	2022-23	2022-23	2022-23	Y2Y % Enrollment Change	FTE Change based on Enrollment	Y2Y % FTE Change due to Enrollment	Y2Y % FTE TEACHER Change due to Enrollment	Total FTE Change (Enrollment and Improved Class Size)	% FTE Change with Enrollment and Class Size	Y2Y % FTE TEACHER Change	Program	KG	01	02	03	04	05	06	07	08	6-8 Avg
	TSI	9-12	Jefferson	677	612	39%	79%	607	-1%	-0.12	0%	-1%	0.38	1%	-1%											
	TSI	9-12	Roosevelt	1068	1366	34%	73%	1448	6%	6.92	7%	9%	7.92	8%	9%											
	CSI	9-12	Alliance	275	275	34%	67%	275	0%	0.25	1%	1%	0.25	1%	1%											
		9-12	Benson	1038	975	23%	64%	944	-3%	-2.68	-4%	-3%	-2.50	-4%	-3%											
		9-12	McDaniel	1170	1280	29%	64%	1407	10%	7.27	8%	13%	9.05	10%	15%											
		9-12	Franklin	1923	2060	21%	48%	2015	-2%	-3.09	-3%	-1%	-2.09	-2%	-1%											
		9-12	Cleveland	1618	1590	11%	31%	1605	1%	-0.53	-1%	1%	0.47	1%	1%											
		9-12	Ida B. Wells-Barnett	1569	1640	9%	29%	1603	-2%	-1.23	-1%	-2%	-1.23	-1%	-2%											
		9-12	Grant	1740	2057	8%	27%	2178	6%	3.50	3%	3%	5.00	5%	5%											
		9-12	Lincoln	1635	1511	5%	24%	1463	-3%	-2.07	-2%	-3%	-0.07	0%	0%											
		K-12 Other MPG Programs								-1.27	0%	0%	-0.26	0%	0%											
		HIGH SCHOOL TOTAL		12713	13366			13545	1%	6.96	1%	2%	16.92	2%	3%											
		DISTRICT TOTAL		46065	45898			42573	-7%	-169.13	-6%	-6%	-19.10	-1%	-2%											
		CBOs, Charters and Special Programs		2891	2751			2200	-20%	CBOs, Charters and Special Programs are not staffed as part of the School Staffing, so no FTE is shown.																
		Overall District Total		48956	48649			44773	-8%	-169.13	-6%	-6%	-19.10	-1%	-2%											

Data as of 10/18/2022