

**STATE BOARD OF EDUCATION – ADMINISTRATIVE RULE SUMMARY**

**Title/OAR #:** **Adoption**—Revision of language for under-represented TAG populations of Academically Talented and Intellectually Gifted Students/581-022-1310

**Date:** January 21, 2016

**Staff/Office:** Angela Allen/Office of Learning/College and Career Readiness

**New Rule**     **Amend Existing Rule**     **Repeal Rule**

**Hearing Date:** \_\_\_\_\_  **Hearings Officer Report Attached**

**Prompted by:**  **State law changes**  **Federal law changes**  **Other**

**Action Requested:**

**First Reading/Second Reading Agenda**     **Adoption**     **Adoption/Consent**

**PROPOSED/AMENDED RULE SUMMARY:** Requires school districts to use research based best practices when determining eligibility of under-represented populations. Changing to more inclusive and equitable language when describing student populations. Replaces OAKS total reading score to the total ELA/Literacy SBAC score for identification eligibility.

**BACKGROUND:**

- The board has discretion in the revision of OAR 581-022-1310
- This OAR was last revised in June 2009. Currently, the rule describes students as “culturally different.” Stakeholders have expressed concern with the term “culturally different” when describing student populations as ambiguous and potentially offensive to some stakeholders. Recently, a school district has used the current language as a loophole to justify their decision to exclude efforts in identifying students who are linguistically diverse. The proposed OAR language identifies specific underrepresented populations and changes “culturally different” to “culturally and/or linguistically diverse”.
- Current language of the OAR directs districts to “make efforts” in identifying students in under-represented populations, but does not insist that their efforts are based on research and best practices. The new language directs districts to use research based best practices to identify students.
- We are no longer using a total reading from OAKS to identify students as academically talented in reading. We are now using the total ELA/Literacy score from SBAC and the language of the OAR has been updated to reflect this change.

**ISSUES/CONCERNS THAT SURFACED DURING RULE WORK:**

- Will districts know what “research based best practices are?”; ODE will be working with district TAG coordinators to understand research based best practices.
- Should we solely use the reading score of SBAC, or the total ELA/Literacy score? It is recommended that we use the total ELA score, but suggest follow up testing for students who score well in one of the subsections.
- How do we know if districts are actually making efforts with identifying students from under-represented populations? ODE will be following OAR rule changes with a survey

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to identify practices and progress in identification efforts of underrepresented student populations.

**CHANGED SINCE LAST BOARD MEETING?** (so members can focus on what's different)

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

**FISCAL IMPACT:**

School districts will have to provide professional development regarding best practices of TAG identification specific to special populations/under-represented populations.

**EFFECT OF YES VOTE:**

Districts would have to use research based best practices to initiate and implement equitable best practices regarding identification of TAG students

**EFFECT OF NO VOTE:**

Our TAG identification numbers will continue to decline as our student populations are becoming more diverse.

**STAFF RECOMMENDATION:**

- Adopt administrative rule as prepared this month
- Adopt administrative rule next month
- No recommendation at this time (rarely used)

Comments: