

STATE BOARD OF EDUCATION – ADMINISTRATIVE RULE SUMMARY

Title/OAR #: Employment Related Transition Services / OAR 581-015-2000 and OAR 581-015-2245

Date: December 11, 2014

Staff/Office: Sarah Drinkwater and Claudette Rushing, Office of Learning- Student Services

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 **Adoption** **Adoption/Consent Agenda**

PROPOSED/AMENDED RULE SUMMARY: Minor changes were necessary to the definition of “sheltered workshop” in OAR 581-015-2000, in order to more fully align this definition with the definition as used by the Department of Human Services, for further clarity and consistency. Also, one additional citation was needed for OAR 581-015-2245 to further align the ODE Administrative Rules in this area to the rules that were promulgated by the Department of Human Services- Office of Employment, pursuant to Executive Order 13-04.

BACKGROUND:

- The ODE created administrative rules which were adopted last fall, pursuant to Executive Order 13-04, which address employment services for transition aged students.
- The ODE created necessary rules and definitions to comply with this Executive Order.
- The Department of Human Services (DHS) also had a number of rules to inact pursuant to Executive Order No.13-04 .
- DHS has now adopted OAR 407-025-0010(16) which defines the term “sheltered workshop” in a similar but slightly different manner than the definition that is currently found at OAR 581-015-2000(33). Due to the coordinated nature of activities and services from both DHS and ODE for transition aged students, consistency in this term is necessary.
- The ODE accordingly, rewrote the definition of OAR 581-015-2000(33) to futher align with the definition as found in the Executive Order 13-04 and the corresponding DHS definition.
- ODE also added a cross reference to the DHS definition in OAR 581-015-2245 to ensure consistency and interagency alignment.

ISSUES/CONCERNS THAT SURFACED DURING RULE WORK The draft rules were first sent to the State Advisory Counsel for Special Education (SACSE) and the Dispute Resolution advisory committee (DRC) for commentary during the public commentary period in order to see if any issues arise. No negative comments were received for the rules. Since this time, DHS has adopted their own rules and definitions. As noted above, minor changes are now needed to the ODE rules for further alignment with Executive Order 13-04 and the DHS rules. No negative commentary was received related to the revisions either.

CHANGED SINCE LAST BOARD MEETING?

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

Example: In response to public comment, the effective date was pushed back from February 2010 to September 2010.

FISCAL IMPACT: None

STAFF RECOMMENDATION:

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

Comments: NA