

Oregon State Board of Education

June 23, 2016

<p>SUBJECT: Examination of Children Instructed by Parent, Legal Guardian, or Private Teacher, 581-021-0026; Homeschooling for Children with Disabilities, 581-021-0029</p> <p>STAFF NAME & OFFICE: Jan McComb, Deputy Supt. Office</p> <p>SUMMARY: Lowers compulsory school age from seven years to six years to comply with legislation.</p> <p><input type="checkbox"/> New Rule <input checked="" type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> Consent Agenda</p> <p><input type="checkbox"/> First Reading</p> <p><input checked="" type="checkbox"/> Action (Adoption)</p> <p><input type="checkbox"/> Information</p>
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BACKGROUND

A body of research supports the policy of children starting school by age six or seven. The Department of Education and Sen. Mark Hass proposed legislation in 2015 (SB 321) to lower the compulsory school age from seven years to five years. The Legislature heard from the public that many five-year-olds were not mature enough for school and amended the bill to lower the compulsory age to six years. The law takes effect July 1, 2016.

While no administrative rules exist on the compulsory school age (being straight forward in its statutory language, no rules are needed), there *are* rules referencing the compulsory school age in the homeschooling rules. Those parents who decide to educate their children at home must register the decision at their local ESD once the child reaches the compulsory school age.

State law requires that homeschooled children be tested in grades 3, 5, 8, and 10. The grade at which children are enrolled (kindergarten or first grade) will therefore determine whether home schooled children are assessed after 3 years of education or four years of education. If a child repeatedly declines in their test scores, the child could be remanded to public school.

For homeschoolers, "grade level" is used primarily to determine when the child will be tested. The attached amended administrative rules update the homeschooling assessment rules to reflect the lower compulsory school age and yet do not change the current practice of homeschooled children entering first grade at age 7 and first being assessed at age 9 when the child is in the third grade.

SUMMARY OF PREVIOUS BOARD ACTION

The board heard this issue in April. At that time, no one had contacted the department with concerns about the rule update. Since that time, the department has been made aware of an unintended consequence of the re-write and the rule has been revised to address those concerns.

POLICY ISSUE OR CONCERNS (IF APPLICABLE)

The Oregon Christian Home Education Association Network expressed concern that the changes, as originally proposed, would pressure parents to enroll their six-year-old as a first grader rather than a kindergartner. This concern was prompted by the timing of when the first assessment would take

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place (section 6 of first rule). Under the original proposed change, the first year that counted toward the assessment in grade 3 would be when the child turned six on Sept. 1; however, if the six year old was registered as a kindergartner, then the test would take place in the second grade, rather than the third grade as intended. Legislators repeatedly told home schoolers that lowering the compulsory age would not affect home schoolers. This issue has been addressed and is reflected in the revised rule.

CHANGED SINCE LAST BOARD MEETING? (IF APPLICABLE)

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

In OAR 581-021-0026, the sentence, "A six-year-old is assumed to be a kindergartner, unless the parent wishes to place the child in a higher grade" was added to clarify that the default is that six year olds are kindergartners but may be placed in a higher grade at the parents' discretion. In subsection (6), the age at testing was changed to revert to the original language, triggering year 1 to be at age 7 for testing purposes.

While checking in with the Special Education education specialist, it was discovered that many of the cited OARs within these two rules were wrong. They have been corrected.

EFFECT OF A "YES" OR "NO" VOTE (AS APPROPRIATE)

A "yes" vote will update rules such that they align with the lower compulsory education age. A "no" vote will leave the administrative rule stating that homeschooling parents must notify their ESD of their plan to home school when their child turns seven rather than six. The statute trumps the rule, so parents will still need to notify their ESD of their plan to homeschool when their child turns six regardless of what the rule states. Not changing the rule will potentially lead to needless confusion for parents and ESDs.

STAFF RECOMMENDATION

- Approve Approve next month No recommendation at this time

Hearing Date:

Prompted by:

- State law changes Federal law changes other

FISCAL ANALYSIS (AS APPROPRIATE)

No impact to school districts. According to ODE data, the majority of five and six year olds already enroll in school. ODE has no data on the possible fiscal impact on homeschoolers.

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Kindergarten Students First Enrolled in 2014-15 by Age on September 1, 2014

Age	Number of Students
4	12
5	20,270
6	20,712
7	86
8	16
Other	22
Total	41,118

581-015-0029 Cross-References	Replaced by
581-015-0051 Criteria for Evaluation & Eligibility Determination	581-015-2130 through 581-015-2180 (Now a separate OAR for each disability category)
581-015-0005 Definitions	581-015-2000 Definitions 581-015-2000(15) IEP
581-015-0072 Evaluation Procedures 581-015-0074 Reevaluation 581-015-0701 Review of Existing Data and Evaluation Planning	581-015-2100 Responsibility for Evaluation and Eligibility Determination 581-015-2105 Evaluation and Reevaluation Requirements 581-015-2210 General Evaluation and Reevaluation Procedures 581-015-2115 Evaluation Planning 581-015-2120 Determination of Eligibility 581-015-2125 Interpretation of Evaluation Data
581-015-0075 Prior Written Notice	581-015-2310 Prior Written Notice
581-015-0039 Consent	581-015-2090 Consent; 581-015-2095 Exceptions to Consent
581--015-0051 Criteria for Evaluation & Eligibility Determination 581-015- 0053 Eligibility Determination Procedures 581-015- 0071 Evaluation Required 581-015- 0072 Evaluation Procedures 581-015- 0073 Interpretation of Evaluation Data 581-015—0701 Review of Existing Data and Evaluation Planning	581-015-2100 Responsibility for Evaluation and Eligibility Determination 581-015-2105 Evaluation and Reevaluation Requirements 581-015-2210 General Evaluation and Reevaluation Procedures 581-015-2215 Evaluation Planning 581-015-2120 Determination of Eligibility 581-015-2125 Interpretation of Evaluation Data
581-015-0066 IEP Team	581-015-2210 IEP Team
581-015-0094 Independent Educational Evaluations	581-015-2305 Independent Educational Evaluation
581-015-0054 Procedures for Complaints as Required by IDEA Regulations	581-015-2030 Procedures for Complaints as Required by IDEA Regulations

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ATTACHMENTS (e.g., OAR with “track changes” ...)

Attachment 1:

581-021-0026

Examination of Children Instructed by Parent, Legal Guardian or Private Teacher

(1) The following definitions and abbreviations apply to OAR 581-021-0026 unless otherwise specified within the rule:

(a) "Approved Tests" Tests approved for assessment of satisfactory progress by home school students are the two most recent versions of the following tests;

(A) California Achievement Test;

(B) Comprehensive Tests of Basic Skills;

(C) Iowa Tests of Basic Skills/Tests of Achievement and Proficiency;

(D) Metropolitan Achievement Battery;

(E) Stanford Achievement Test Battery.

(b) "Child" means a person between ages 7~~6~~ and 18 whose parent or parents seek exemption from compulsory school attendance under ORS 339.030(1)~~(e) or (1)(d)~~(e). A child is considered to be six years of age if the sixth birthday of the child occurred on or before September 1 immediately preceding the beginning of the current school term. A six-year-old is assumed to be a kindergartner, unless the parent wishes to place the child in a higher grade.

(c) "Education Service District" means the education service district that contains the school district of which the child is a resident.

(d) "Department" means the Oregon Department of Education;

(e) "Neutral person" means an individual selected by the parent or guardian of the child to be taught at home who has no relationship by bloodline or marriage to the child;

(f) "Notification" means written notice containing:

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(A) The child's and the parent's name, address, telephone number (optional), and e-mail address (optional);

(B) The child's birth date; and

(C) The name of the school the child is presently attending, or last attended, or if child has not attended school, the name of the public school district in which the child resides.

(g) "Order" means to provide formal written notice.

(h) "Parent" is the natural parent or legal guardian of a child whom the parent desires to be exempted from compulsory attendance under the provisions of ORS 339.030(1)(c) or (1)(d).

(i) For the purposes of OAR 581-021-0026 only, "Qualified person" is an individual who:

(A) Holds a current personnel service license or teaching license from Oregon Teacher Standards and Practices Commission; or

(B) Has been licensed by the Oregon Board of Psychologist Examiners; or

(C) Has met the publisher's qualifications for purchase, and has purchased at least one test from the list set forth in section (1)(a) of this rule; or

(D) Provides evidence of satisfactory completion of a graduate course in which test administration and interpretation is included in the objective; or

(E) Has previously qualified as a tester pursuant to paragraph (1)(i) of this rule, and has during the previous year administered at least one test from the list set forth in section (1)(a) of this rule.

(j) "Superintendent" is the executive officer of the education service district (ESD).

(2) The State Superintendent and the Oregon Department of Education shall make available a list of the test publishers and their addresses.

(3) The Department shall make available a list of persons qualified to administer tests under this rule, such list to be updated by July 1 of each year. To be placed on the list, an applicant shall submit to the State Superintendent of Public Instruction evidence that satisfies any one of the requirements stated in subsection (1)(i)(A) through (E) of this rule.

(4) When a child is taught or is withdrawn from a public or private school to be taught by a parent, legal guardian or private teacher, as provided in ORS 339.030(1)(c) or (d), the parent, legal guardian or private teacher must notify the education service district in writing within 10 days of such occurrence. In addition, when a child who is taught by a parent, legal guardian or private

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teacher moves to a new education service district, the parent shall notify the new education service district in writing within 10 days of such occurrence of their intent to continue home schooling.

(a) The ESD must acknowledge in writing receipt of any notification from a parent, legal guardian or private teacher within 90 days of having record of such notification.

(b) The ESD must also notify at least annually, school districts of home schooled students who reside in the school district.

(5) Children in grades 3, 5, 8, and 10, being taught as provided in section (4) of this rule, shall be examined no later than August 15 in accordance with the following procedures:

(a) The parent or legal guardian shall select an examination from the list of approved tests provided in subsection (1)(a) above and arrange to have the examination administered to the child by a neutral qualified person as defined in subsections (1)(e) and (i) above.

(A) If the child was withdrawn from public or private school, the first examination shall be administered to the child at least 18 months after the date on which the child was withdrawn from public or private school.

(B) If the child never attended public or private school, the first examination shall be administered to the child prior to the end of grade three.

(b) The person administering the examination shall:

(A) Score or provide for the scoring of the examination; and

(B) Report the results of the examination to the parent or legal guardian.

(c) Upon request of the superintendent of the education service district, the parent or legal guardian shall submit the results of the examination to the education service district.

(6) Testing for grade levels 3, 5, 8, and 10 shall occur in the third, fifth, eighth, and tenth year ending August 15. The first year is defined as when the child is seven on September 1, or earlier at the parent's discretion.

(7) Test score results shall be evaluated as follows:

(a) If the composite test score of the child places the child below the 15th percentile based on national norms, the child shall be given an additional examination within one year of when the first examination was administered.

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(b) If the composite test score of the child on the second examination shows a declining score, then the child shall be given an additional examination within one year of when the second examination was administered and the superintendent of the education service district may:

(A) Allow the child to continue to be taught by a parent, legal guardian or private teacher; or

(B) Place the education of the child under the supervision of a person holding a teaching license who is selected by the parent or legal guardian at the expense of the parent or legal guardian.

(c) If the composite test score of the child continues to show a declining score, the superintendent of the education service district may:

(A) Allow the child to continue under the educational supervision of a licensed teacher selected by the parent or legal guardian, at the expense of the parent or legal guardian, and require that the child be given an additional examination within one year of when the last examination was administered;

(B) Allow the child to be taught by a parent, legal guardian or private teacher and require that the child be given an additional examination within one year of when the last examination was administered; or

(C) Order the parent or legal guardian to send the child to school for a period not to exceed 12 consecutive months as determined by the superintendent.

(d) If the parent or legal guardian of the child does not consent to placing the education of the child under the supervision of a licensed teacher who is selected by the parent or legal guardian, then the superintendent of the education service district may order the child to school for a period not to exceed 12 consecutive months as determined by the superintendent.

(e) If the composite test score of the child on an examination is equal to or greater than the percentile score on the prior test, the child may be taught by a parent, legal guardian or private teacher and for the next examination be examined pursuant to subsection (5) of this section.

(8) Procedures for homeschooling students with disabilities are set out in OAR 581-021-0029.

(9) A test administrator shall certify that the administrator is qualified and neutral as defined in this rule with respect to a child being tested.

(10) All costs for the test instrument, administration, and scoring are the responsibility of the parent.

(11) The parent of a child who turns [sevensix](#) after September 1 shall not be required to provide notice of intent to home school that child until the beginning of the next school year.

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(12) Violation of ORS 339.020 or the requirements of 339.035 is punishable as set out in 339.990.

Stat. Auth.: ORS 339.030 & ORS 339.035

Stats. Implemented: ORS 339.035

Hist.: 1EB 8-1986, f. 3-12-86, ef. 3-17-86; 1EB 10-1986, f. 3-21-86, ef. 3-24-86; EB 6-1992(Temp), f. & cert. ef. 2-25-92; EB 26-1992, f. & cert. ef. 7-28-92; EB 33-1992(Temp), f. & cert. ef. 10-29-92; EB 14-1993, f. & cert. ef. 3-25-93; EB 12-1996, f. 7-26-96, cert. ef. 11-1-96; ODE 19-2000, f. & cert. ef. 5-23-00

581-021-0029

Home Schooling for Children with Disabilities

(1) The definitions in OAR 581-021-0026 apply to this rule, along with the following definitions:

(a) "District" means the student's resident school district under 339.133

(b) "Child with a disability means a child between the ages of 76 and 18 whose parent or guardian seeks exemption from compulsory school attendance under ORS 339.030 ~~(1)(c)~~ or (1)(de) and who meets eligibility criteria for a specific disability category under OAR 581-015-~~00542130-2180~~.

(c) "Individualized educational program" (IEP) is defined under OAR 581-015-~~00052000~~(4415).

(d) "Privately developed plan" (PDP) means an individual plan developed by a team including the parent and one or more private service providers to address the educational needs of a child with a disability. A PDP shall include individual educational goals for the student and a statement indicating how satisfactory educational progress will be determined for the student.

(e) "Satisfactory educational progress" means educational progress across academic and/or developmental areas appropriate to the child's age and abilities. The student need not complete all individualized educational program or privately developed plan goals for the team to determine that the student is making satisfactory educational progress.

(2) Notice Requirements:

(a) Parents shall notify the ESD superintendent of intent to home school a child with a disability in accordance with OAR 581-021-0026(1)(f) and (4).

(b) The ESD superintendent shall notify the district if the ESD receives notice that a parent intends to home school a child with a disability.

(c) The district shall provide written notice to the parent that it stands ready to provide a free appropriate public education if the child enrolls in the district. This notice shall be provided annually as long as:

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- (A) The child remains eligible for special education; and
 - (B) The child is exempt from compulsory education as a home schooled child; and
 - (C) The child is not receiving special education and related services from the district.
- (3) Testing and Reporting Requirements:
- (a) If a child with a disability is receiving IEP services from a district and the IEP includes a provision for IEP team assessment of satisfactory educational progress, the district shall:
 - (A) Complete this assessment according to the schedule identified in OAR 581-021-0026(6); and
 - (B) Provide the parent with a copy of the results, including a summary statement indicating whether the child has made satisfactory educational progress in light of the child's age and disability.
 - (b) If a child with a disability is receiving services under a PDP, and the PDP includes a provision for assessment of satisfactory educational progress, the PDP team shall:
 - (A) Complete this assessment according to the schedule identified in OAR 581-021-0026(6); and
 - (B) Provide the parent with a copy of the results, including a summary statement indicating whether the child has made satisfactory educational progress in light of the child's age and disability.
 - (c) Parents who are home schooling a child with a disability shall do one of the following:
 - (A) If the district has conducted an assessment under subsection (3)(a)(A), retain documentation of the child's progress under subsection (3)(a)(B) and, upon request, report this information to the ESD on the same schedule as required under OAR 581-021-0026(6); or
 - (B) Ensure that the child's progress is evaluated according to a privately developed plan, and retain and report progress, upon request, on the same schedule as required by OAR 581-021-0026; or
 - (C) Follow the testing and reporting requirements in OAR 581-021-0026.
 - (d) Parents of a child who is not identified under OAR 581-015-~~0054~~[2130-2180](#) but who is disabled under Section 504 of the Rehabilitation Act shall comply with subsections (B) or (C), above.
- (4) If the IEP or PDP team determines that the child has not made satisfactory educational progress, the superintendent shall take the actions identified in OAR 581-021-0026 in the sequence stated.

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(5) District responsibilities for home schooled children with disabilities:

(a) When the district receives notice that a parent intends to home school a child with a disability or that a child with a disability is being home schooled, the district shall offer, and document to the parent;

(A) An opportunity for the child to receive special education and related services if the child were enrolled in the district; and

(B) An opportunity for IEP meeting to consider providing special education and related services to the child with a disability in conjunction with home schooling.

(i) An IEP shall only be developed for a child with a disability if the IEP team determines that a free appropriate public education can be provided in conjunction with home schooling.

(ii) Services may be provided in the home only to the extent that special education or related services would be provided in the home if the child were not home schooled.

(b) The child's IEP team shall be convened and conducted, and an IEP developed, consistent with the requirements in OAR Division 15, with the following exceptions:

(A) The child's parent shall be treated as both parent and regular education teacher of the child unless the parent designates another individual as the regular education teacher;

(B) Under "extent of non-participation in regular education" the IEP shall state that the child is exempt from compulsory school attendance and regular education is provided through home schooling; and

(C) The IEP shall state how "satisfactory educational progress" will be determined for the student.

(i) If the IEP team determines that the testing requirements of OAR 581-021-0026 are appropriate for the child, the provisions of 581-021-0026(6) shall apply to the child.

(ii) If the IEP team determines that the testing requirements of OAR 581-0~~1521~~¹⁵²¹-0026 are not appropriate for the child, the IEP team shall identify another measure that will be used to determine whether the child has made satisfactory educational progress.

(iii) Notwithstanding subsections (i) and (ii), a parent may use a PDP to determine whether the child has made satisfactory educational progress. If so, the IEP shall indicate that satisfactory educational progress will be determined by the PDP team at parent request.

(c) Children with disabilities shall be reevaluated at least every three years in accordance with OAR 581-015-~~2100072~~ through 581-015-~~2180074 and 581-015-0701~~.

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(A) If the team determines that specific evaluation is necessary to continue eligibility or to determine appropriate special education and related services for the child's IEP, and the parent refuses consent for such evaluation, or refuses to make the child available, the district shall document to the parent that the district stands ready to conduct the evaluation when the parent gives consent or makes the child available.

(B) If the district does not have sufficient evaluation information to determine eligibility or to develop an IEP, the district is not required to complete these activities. The district shall provide prior written notice under OAR 581-015-~~0075~~[2310](#) if the district terminates eligibility or services under these circumstances.

(d) Child find:

(A) If a district suspects that a home schooled child has a disability under OAR 581-015-~~0054~~[2130-2180](#), the district shall:

(i) Obtain parent consent for initial evaluation under OAR 581-015-~~0039~~[2090](#) and OAR 581-015-[2095](#); and

(ii) Conduct an initial evaluation and determine the child's eligibility to receive special education and related services consistent with OAR 581-015-~~0051~~[2100, 0053, 0071, 0072, 0073, and 0701 through 581-015-2180](#).

(B) If the child is eligible, the district shall notify the parent and shall offer and document to the parent an opportunity for an IEP meeting to consider initiation of special education and related services to the child with a disability.

(C) If the parent refuses consent, does not respond, or refuses to make the child available, the district shall document to the parent that the district stands ready to conduct the evaluation when the parent gives consent or makes the child available.

(D) If a parent does not respond or refuses to meet to consider initiation of special education and related services, the district has no further obligation to initiate the offer of a free appropriate public education as long as the child is exempted from compulsory education as a home schooled child.

(6) If the district permits partial enrollment of home schooled children in its regular education program, the district shall permit children with disabilities to participate to the same extent as non-disabled children, if appropriate, whether or not the child is receiving IEP services from the district.

(a) If the child is receiving IEP services from the district, the IEP team shall determine the appropriateness of participation and the IEP shall include necessary modifications and accommodations related to the participation. Notwithstanding subsection (5)(b)(A), if the IEP calls

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for participation in any part of the district's regular education program, the IEP team shall include a district regular education teacher in accordance with OAR 581-015-~~0066~~[\(3\)2210\(c\)](#).

(b) If the child is not receiving IEP services from the district, the district shall consider the participation, and necessary modifications and accommodations for the child under Section 504 of the Rehabilitation Act.

(7) A child who is exempt from compulsory school attendance as a home schooled child with a disability will continue to be considered an exempt home schooled child even though:

(a) The child receives special education and related services from the district, unless these services are the equivalent of full-time enrollment in the district; or

(b) If the district permits partial enrollment of home schooled children and, pursuant to that policy, the child attends one or more regular education classes.

(8) Parents of home schooled children with disabilities have the same procedural safeguards as children with disabilities enrolled in the district, except for the following:

(a) A parent is not entitled to an independent educational evaluation at public expense under OAR 581-015-~~23050094~~ if the parent disagrees with an IEP team evaluation regarding satisfactory educational progress under this rule.

(b) A parent may not request a due process hearing under OAR 581-015-~~00812345~~ to contest a district's decision not to provide special education and related services in conjunction with home schooling.

(c) Complaints that a school district has failed to meet any of the requirements under OAR 581-021-0029(5) or (8) may be heard under OAR 581-015-~~20300054~~.

Stat. Auth.: ORS 339

Stats. Implemented: ORS 339.035

Hist.: 1 EB 29-1986, f. & ef. 7-23-86; ODE 19-2000, f. & cert. ef. 5-23-00



SALAM NOOR
Deputy Superintendent of Public Instruction

BEFORE THE OREGON DEPARTMENT OF EDUCATION

RULE HEARING: OAR 581-021-0026, 581-021-0029, Compulsory School Age

HEARING OFFICER'S REPORT

The Department held a public hearing on **May 23, 2016**, to receive public comment on the **proposed rule amendments**. Notice of hearing was published in a timely manner in the Secretary of State's bulletin and was sent to interested parties and persons who requested notice pursuant to ORS 183.335 (7). The hearing was held at the Department's offices in Salem, Oregon before Emily Nazarov, Hearing Officer.

Testimony:

Sarah Quinlan

- No comment

Heather Church, OCEANetwork

- Defer to Rodger Williams

Rodger Williams, OCEANetwork

- Agrees with this rule stating a six-year-old may be placed in kindergarten or another grade at the parent's discretion.
- Stated this meets their needs and ties the language to age and instruction rather than grade and assessment.

Written submitted testimony attached.

Respectfully submitted this **23rd day of May, 2016**

Emily Nazarov
Hearing Officer

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-----Original Message-----

From: Rodger Williams [<mailto:williams@teleport.com>]
Sent: Thursday, May 12, 2016 12:09 PM
To: NAZAROV Emily - ODE
Subject: Re: homeschooling concerns

Hi Emily,

We propose the following addition at the end of (1) (b) in your last-proposed rules below: "A six-year-old may be placed in kindergarten or another grade at the parent's discretion."

This meets our needs and ties the language to age and instruction rather than grade and assessment.

Rodger

From: Dorothy Karman [<mailto:family@karmans.net>]
Sent: Thursday, May 12, 2016 12:43 PM
To: emily.nazarov@state.or.us
Subject: Homeschool rules being considered

Ms. Nazarov,

My husband and I are founding members of the Oregon Christian Home Education Association Network and we still serve on the board of directors of OCEANetwork. We have been intimately involved in drafting the homeschool laws and rules since 1985. We have some concerns about the homeschool rules currently under consideration and their impact on homeschool families in Oregon.

When SB 321 was first proposed to lower the compulsory attendance age in Oregon from 7 to 5, the sponsor, Senator Hass, stated that this bill will not impact homeschoolers. At that time, the Oregon Christian Home Education Association Network (OCEANetwork) and several others argued strongly that not every child was ready to start formal education in kindergarten or first grade. It is very important to OCEANetwork that parents have the discretion to wait until their children are ready to start school.

Unfortunately, the way the rules are being written, the new rules DO impact homeschoolers in two ways. We have to notify a year earlier. That in itself is not a huge burden and we are willing to overlook it. However, the flexibility we had in testing our children at appropriate grade levels for their school readiness is disappearing.

In the past, if parents considered that a 6 year-old needed more time to mature before being placed in formal education, they could let their child mature and place their 7 years-old in first grade. That would allow their child to take the 3rd grade test when he or she was 9. The proposed rules lower that by a year.

The new FAQs which have been posted on the Oregon Department of Education website even before the rules have been adopted illustrate what I mean:

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1.7 Who determines what grade a child is in when notifying the ESD of their intent to home school?

The rule presumes that a parent's notification of their intent to home school a child at age 6 will begin with the first grade, unless the parent specifically notifies the ESD that the child started first grade earlier. The testing requirements will be based on that presumption unless otherwise notified by the parent. For example, a student who was 6 on September 1, 1998 will be considered to be in 3rd grade for the school year beginning September 2000. The parent could specify that the child actually began home schooling as a first grader the fall when the child was 6, and would now be in 4th grade. OAR 581-021-0026(6)

That schedule makes the grade 3 test happen when a child is 8. Now, most homeschool students already take the 3rd grade test when they are 8. But parents are not given the opportunity to delay testing for the few who need more time to develop and mature.

That is a big change in the homeschool rules which DOES impact homeschoolers, and we don't believe it was the intent of the bill nor of its sponsor. In fact, Section 1(4) of SB 321 gives some flexibility to place the child in "any grade". This was the amendment we proposed which would allow parents to place their 6 year-olds in kindergarten, not first grade. (After getting word crafted in Legislative Counsel, it didn't come out quite as clear as we hoped, but we thought it would still work to give homeschool parents flexibility.)

In addition, in Section 3, frequent mention is made of providing an education in the "course of study usually taught in kindergarten through grade 12." Both Section 1(4) and Section 3 taken together would imply that a 6 year old could be placed in kindergarten.

There are several ways the Oregon Department of Education could make this flexibility for parents clear in the proposed rules.

1) You could put back subsection 6 and state: "Testing for grades 3, 5, 8, and 10 shall occur in the child's third, fifth, eighth, and tenth year of instruction, ending August 15. The first year is defined as when the child is six or seven on September 1, or earlier at the parent's discretion."

2) If you wanted it to be even clearer, subsection 6 could read: "Testing for grades 3, 5, 8, and 10 shall occur in the child's third, fifth, eighth, and tenth grades, ending August 15. Kindergarten is defined as when the child is six on September 1, or earlier at the parent's discretion."

3) Or since grade placement is currently determined by the parent at the time of sending in their letter of notification, (1)(f)(D) could be added that would state something like, "The parent will notify the Educational Service District of the child's grade placement, kindergarten being defined as when the child is six on September 1, or earlier at the parent's discretion."

It is very important to OCEANetwork that parents have the discretion to wait until their children are ready to start school. We need to make sure the rules are clear on this subject. In the past, several ESDs have taken unclear portions of the rules and made unilateral administrative decisions impacting home educators. We do not want that happening with testing decisions. A letter of guidance will not be enough for some ESDs to not make their own interpretations.

Oregon State Board of Education

June 23, 2016

Thank you for your consideration,

Dick and Dorothy Karman
OCEANetwork board members

From: Rodger Williams [<mailto:williams@teleport.com>]
Sent: Monday, May 16, 2016 12:29 AM
To: NAZAROV Emily - ODE
Subject: OCEANetwork opposes homeschooling OAR amendments as written

To the Oregon Department of Education:

Summary: OCEANetwork is opposed to the homeschool OAR amendments as currently proposed by the Department. First, our position is that important decisions require a public process, in this case the OAR process. Executive Numbered Memoranda provide neither the stability nor the stakeholder involvement we need for decisions involving legal mandates on homeschoolers. Second, we want legislative intent -- in this case, the repeated promises to the Senate Committee on Education that homeschoolers would not be impacted by SB 321 -- we want that legislative intent to be honored by the ODE. If the new OARs are truly to have no impact, they need to say that the ESDs should assume that a 6 year-old is in kindergarten, which would then make him or her 7 in first grade.

The Department of Education proposed SB 321 in the 2015 legislative session. The Deputy Superintendent told the Senate Committee on Education that homeschoolers would not be impacted by the bill. The Senate sponsor of the bill, Senator Hass, made the same promise in two separate Senate hearings on the bill. Senator Hass went to the trouble to propose two sets of amendments -- which were adopted -- to carry out that promise of holding homeschoolers harmless. The legislative intent of the Senate Committee on Education on this bill is clear: Homeschoolers are not to be adversely impacted by this bill or by its legal results.

And yet the Department of Education, in spite of the statement of the Deputy Superintendent to the Senators affirming no impact to homeschoolers, is proposing new rules which will allow the Department to unilaterally dictate adverse terms to homeschoolers, either now or in the future when institutional knowledge about the legislative intent has been forgotten.

In the current OAR, first grade is defined as when the child is seven: "The first year is defined as when the child is seven on September 1, or earlier at the parent's discretion." "Defined" means that the parent does not have to do anything for the grade assignment to happen. It happens automatically. The simpler first grade is the default for homeschool seven-year-olds. Not the more advanced second grade.

SB 321 added a new grade at the lower end: Kindergarten. It also added a new age at the lower end: Six years old. In order for homeschoolers' mandated requirements to stay the same, the two new low ends, kindergarten and six years old, need to be aligned -- "defined" to be paired. That way, first grade will be correspondingly defined as when the child is seven -- the current status. Kindergarten needs to be the default for homeschoolers. It needs to be more than just possible. It needs to be the default.

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I understand things are done differently in the public schools. But we are homeschoolers, not public schoolers. If you look at the compulsory attendance exemptions, there is a clear pattern: Homeschoolers are not tied to public school norms, while other exemptions are. So you should not try to treat us like public schoolers.

I also understand that your internal culture is to only put into OARs what is not clear in statute. Statutory language can sometimes fail to plainly state the underlying legislative intent or motivations in so many words. That is the case with "hold homeschoolers harmless." Our position is that such legislative intent should be protected in the wording of the OAR, which would seem to actually fit in with your culture.

Executive Numbered Memoranda have their place. But in as important a matter as this is, only OAR language will satisfy our needs for stability. Such memos can be unilaterally issued to change the mandatory requirements for homeschoolers. No public process involving stakeholders is required. We view this as a bad thing in these situations.

The Legislature (and the Deputy Superintendent) understands there are multiple levels of "law" here in Oregon. I do not believe Senators would say unequivocally to homeschoolers "You will not be impacted by this bill" and simultaneously mean "But of course, the ODE can impose any changes they want on you through OARs or Executive Numbered Memoranda."

We believe our proposed OAR language will satisfy the need for a stable expression of the legislative intent of SB 321. Add at the end of (1) (b) in your proposed rules: "A six-year-old may be placed in kindergarten, or another grade at the parent's discretion." [note the comma]

Please reconsider your position on these issues. We must oppose the OAR amendments as written.

Rodger Williams
The Oregon Christian Home Education Association Network

To: Oregon State Board of Education
Concerning: OAR 581-021-0026
5/16/16

It is understood that OAR 581-021-0026 is being presented this week, on Thursday the 19th, with implications affecting age and grade alignment pertaining to SB 321 being placed in memo form instead of part of the OARs. It is concerning since this would allow the guidelines to be changed too easily and would keep the definitions and guidelines outside of the public input of the OAR.

Please reject the OAR as presented and ensure that the age and grade distinctions are clearly spelled out in the OAR itself as 6 year-old = Kindergarten. Parents need to be allowed this flexibility as not all children are ready for formal education at age 5. This is in the best interest of the children and also follows the intent and promise of SB 321.

Thank you for your consideration.

Adam White
concerned parent and voter

Board members,

Oregon State Board of Education

June 23, 2016

We are asking the Oregon State Board of Education to reject the proposed OAR 581-021-0026 on May 19. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

Thank you for taking the time to do the right thing and correct this matter.

Respectfully,
A Homeschooling family
Amy Akin
5/16/2016

Dear Oregon State Board of Education,

As a home schooling parent, I am asking you to reject the proposed OAR 581-021-0026 on May 19. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. These rules should be listed in the OAR instead of in a memo. Thank you for acting on behalf of home schoolers in our state,

Amy Lyda
Portland
5/16/2016

To the Oregon State Board of Education,

I have experienced education from both public and home schooled perspectives. Regardless of the methods with which students are educated, my husband and I believe strongly that some students are not prepared to tackle a Kindergarten curriculum at the age of 5. My father-in-law was a public elementary school principal. Three of his six children were born in April, May and June and were enrolled in school when they were fully 6. There were never regrets over the delayed starts. Since 1999, when we began home educating our children we have appreciated the option of choosing whether to being Kindergarten at the age of 5 or 6. I am concerned that if OAR 581-021-0026 is accepted as proposed, families that home school will lose that freedom in Oregon. On May 19th, please reject it as it is currently worded.

Thanks you!
Amy McClish
16880 SE Berghammer St.
Milwaukie, OR 97267

Please reject the proposed OAR 581-021-0026. We try very hard to make sure we are complying with homeschool laws in the state of Oregon. Please make it clear in the actual Oregon Administrative Rules and not as a memo or in the fine print that a 6 year-old is defined as a Kindergartener, unless the parent specifies otherwise. This will lead to less confusion for both homeschoolers and ESD when registering for school and making sure the appropriate testing gets completed. In addition, many children are not developmentally ready (especially if they are on the younger end of those required to attend school, i.e. birthdays in the summer months just before the school year starts). I know many parents who have chosen to hold those children back

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a year to give them the best start in public school. This same courtesy should be allowed for homeschoolers and very clear for homeschooling parents and ESD.

Thank you!
Angela Leahy

State Board of Education:

Please reject the proposed OAR [581-021-0026](#) on May 19. I am concerned about the impact on homeschoolers.

The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education.

The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

Thank you,
Angie Boettner

Dear StateBoard of Education,

I am writing today to ask the Oregon State Board of Education to reject the proposed OAR 581-021-0026 on May 19.

I have had two boys in home education in Oregon. They are 15 and 18. They benefited from having their first year be when they were 7 in September. Both boys were quick to Science and Math, and yet slow to Reading. We were able to do quite a bit of work orally, with visual presentations, while reading to them constantly and working on reading ready skills. They benefited from what some might think is an extra year.

However, around the 3rd grade it evened out. Well, not really, the reading evened out and they both still excell at Math and Science. They also excel in Geography, Music, Art and History, topics that we could work on in depth, even while they were learning to read.

Now I have an 18 year old son with what should be a familiar story - he is of the age to graduate High School, and he will be graduating from Oregon Coast Community College with an AAOT. He has accpetence letters from sever four year colleges with scholarships. He holds 2-3 jobs depending on the season and he has tested out of a graduation diploma from Taft High School. The extra year helped us, it did not give us 'one more year of not learning'.

I see my 15 year old being on a similar path. We have kept him at his peer level in school and he plays sports through OSAA for Taft High School in Lincoln City.

I have heard from many homeschoolers that the rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. The rules should not be in a memo, but in the actual OARs. It is already hard for new families to understand now, and I've spent time with many a family explaining how the dates work.

It is imparative, to my family, that the age of 7 be condered the first year, with testing at 3, 5, 8 and 10.

Enrolling at age 6 is fine by me, as long as it is Kindergarten, unless the parents specify differently.

Thank you for your time, and your fight for education in the state of Oregon.

Angie Wright
Lincoln City
541-610-5627
5/16/2016

Oregon State Board of Education

June 23, 2016

To Whom it may concern,

I am writing to encourage the Oregon State Board of Education to reject the proposed OAR 581-021-0026 on May 19.

It was understood that lowering the compulsory age for school attendance from age 7 to age 6 would have no impact on homeschoolers. However there is some concern that if it is not specified in the OAR that the age lowering would mean that homeschooled children would still be able to register as a kindergartener at age 6, this could possibly change current homeschool requirements (first grade being 7 years-old), which were repeatedly assured to be unaffected by this change.

Adding this detail to the OAR would protect homeschooling families from having to register a child who is not ready for first grade at age six and would assure the public can have input into decisions being made concerning their children's education.

Thank you for your time and consideration.

Sincerely,

Anne Brown

5/16/2016

Dear State Board Members,

Please reject proposed OAR 581-021-0026.

In order for the Senate Committee on Education to uphold their promise for SB321 to have no impact on homeschoolers, the rules need to be clear and with no room for conflict or confusion. The rules should be in the actual OARs, not in a memo.

Sincerely,

Becky Walz

7531 Pudding Creek DR SE

Salem OR 97317

5/17/2016

We ask the Oregon State Board of Education to reject the proposed OAR 581-021-0026 on May 19. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

We thank you for your attention.

Berenic Barrera

5/17/2016

Sent from my T-Mobile 4G LTE Device

Dear State Board of Educators,

As a large homeschooling family, we request you would please reject the proposed OAR 581-021-0026. We parents understand that not every child is the same. As such, we need the flexibility to do what is in the best interest of our *individual* children.

Thank you,

~David Rieben

Oregon State Board of Education

June 23, 2016

Salem, Oregon
5/16/2016

To the members of the Oregon State Board of Education:

Please reject the proposed OAR 581-021-0026 which you are updating at your May 19 meeting to reflect the new compulsory attendance age of 6 years old (SB 321). SB 321 was passed **with the promise and intent of having no impact on homeschoolers**. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. The rules should not be in a memo, but in the actual OARs. If the rules go into memo form, there will not be any opportunity for public review!

Sincerely,

Mrs. Deanna Leonard
Hermiston, OR
5/17/2016

I am writing to ask you to please reject the proposed OAR 581-021-0026 on May 19. The definition of grade level for a 6 year-old should be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, which was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. Please make sure that the rules are not in a memo but in the actual OAR.

Thank you very much for your time and consideration on this matter.

Erin Underwood
5/16/2016

Dear Board Members,

Please reject the proposed OAR 581-21-0026. I understand that the age requirement is being moved out of the rule portion, with the intent to include it in memo form instead.

Since SB 321 was originally promised to have no impact on home school families, it is important that this distinction is honored.

Kind Regards,

Jacki

Jacklyn Harris

P O Box 1327

McMinnville, OR 97128

503 435-2296 (Main)

503 857-0316 (Fax)

jacki@detailsanddignity.com

5/16/2016

Dear State Board of Education,

I am writing to ask you to please reject the proposed OAR 581-021-0026 on May 19.

Oregon State Board of Education

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The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. The rules should not be in a memo, but in the actual OARs.

Thank you for your time and consideration,
Jaimie Widmer

Dear Oregon State Board of Education,

I am writing to ask you to reject the proposed OAR 581-021-0026 which is to be decided on May 19th, 2016. The definition of the grade level for a 6 year-old child must be kindergarten to remain the same as before, unless the parent specifies otherwise to their education service district upon registration. This is so that SB 321 will have no impact on home schooled children and families as was promised in the Senate Committee on Education. The rules need to be clear so that parents and and their Education service districts can follow the rules without confusion or conflict. These rules should not be in a memo, but in the actual OARs and require public input for future changes from there forward.

Sincerely,
James Johnson
5/16/2016

Dear Oregon State Board Members,

I am writing you to respectfully request that you reject the proposed OAR 581-021-0026 on May 19th. The definition of grade level for a 6 year-old should be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

Thank you for considering this action and respecting parent's rights and opinions.

Sincerely,
Jamie Oliver
5/17/2016

Sent from Windows Mail

Dear Oregon State Board Of Education members,

As a homeschooling parent of five bright and inquisitive children, I ask you to reject the proposed OAR 581-021-0026 on May 19 unless the definition of grade level for a 6 year-old is explicitly defined as kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs. We don't want important decisions about our homeschools made in memo without an opportunity for public input!**

Thank you,
Jamie Speck

To Whom It May Concern:

Oregon State Board of Education

June 23, 2016

I would like to address the changes to OAR [581-021-0026](#) for SB 321. I am coming from the perspective of both a public school parent and a homeschooling parent. My daughter attended public school in Portland through 2nd grade and we are currently homeschooling 3rd grade.

My son is in public school kindergarten. Due to his July birthday, we waited until he was six to put him into kindergarten. I was and am very active in the classroom. While helping kindergarteners read a few years ago, I could tell you every kid born in July and August that entered school at five years old because they were all in the lowest reading group. One of the teachers commented that today's kindergarten is yesterday's second grade. Deciding to hold our son back was a no-brainer, even though he was academically and socially "ready." We never want him to feel inadequate or ill prepared due to pushing him beyond his maturity level.

Changing the compulsory school age from 7 to 6 is a fine idea, as long as the age of 6 is specified for kindergarten and not first grade. Many many kids that are barely five are simply not ready for kindergarten. In fact, I know of a lot more children with summer birthdays that were held back than those that were pushed ahead. The rule needs to continue to allow the parents to decide the readiness of their children.

Thank you,
Jennifer Vore

Dear State Board of Education,

I am going to start homeschooling my son for second grade starting this summer and I want to stand up for my rights. OARS are required to be available for public comment before they are changed. We need to be able to give our input!

I ask that you reject the OAR 581-021-0026 as submitted to you. Also, the legislature said there would be No impact on homeschoolers, but that is not true when you don't give opportunity for public to give their input when making changes. These things cannot be changed with a memo.

Thank you,
Jessica Joslin
5/16/2016

Hello,

I am contacting you today to strongly request that the Oregon State Board of Education reject the proposed OAR 581-021-0026 this week. We were assured by the Senate Committee on Education that homeschoolers would not be affected by these changes, but unless the OARs explicitly state that 6 year-olds are assumed to be Kindergartners (unless the parents notify their School District otherwise), it will have a serious negative impact on some homeschooled children. When I am told something will or will not happen, I expect that to be true, so I am asking you to follow through on that promise.

I also do not think it is appropriate for the Department of Education to create mandates that have profound effects on homeschoolers in Memorandum; they should be included in the OARs, so that parents and School Districts can comply without confusion or unintended conflicts as well as keeping them open to public input. Thank you for your time and your service, as well as for your efforts to do the best thing for the children and families of Oregon.

Sincerely,
Jessica Stucki

Oregon State Board of Education

June 23, 2016

As a homeschool parent I am concerned regarding the current memo in the proposed OARs this May. We had understood that there would be no changes for homeschoolers in the OARS. That would not be the case if in the OARS the removal of the wording that a kindergartner would be 6 years old and a first grader 7 years old is only in a memo. Without this wording in the text of OARS the public would be not allowed input or discussion on this topic. This is too important of a topic to be left to a memo and without public input. We were told several times that SB321 would not impact homeschooling. I ask that you would reject the current wording in OARS 581-021-0026 and change it to reflect the rules in the text and not in a memo. These rules need to be clear for the homeschooling community.

Thank you for your consideration.

Respectfully,

Jill Yoder

36655 SW Southwind Dr.

Hillsboro, Or 97123

I would like to urge you to reject OAR 581-021-0026 on May 19th.

My son is completing his K year and turned 6 in January. Due to my current understanding of the law he will test in 3rd grade and be 9 years old. OARS must be clear that 6 year-olds are assumed to be in kindergarten unless the ESD is otherwise notified by the parent.

Rules for Homeschool students should be clearly outlined in an OAR and not in a memo only. We need to know what standards and practices we must adhere to to ensure we are in compliance while enjoying the freedom of educating our children at home.

Thank you,

Julia Goetz

5/16/2016

Board Members,

I am writing as a concerned homeschool parent in regards to the change in attendance policy. Please make the new compulsory attendance standards not applicable to homeschooled students as previously promised, which would place a 6 year old in kindergarten. The new standards should be within the body of the regulations, as opposed to a 'memo' or attachment to the regulations. This would avoid much confusion for the ESD, and for homeschoolers.

Thank you for your consideration of the matter,

Julie Cappoen

Dear Oregon State Board of Education,

I am respectfully asking you to reject the proposed OAR [581-021-0026](#) on [May 19](#). The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

Thank you for your consideration,

Keslie Smith

5/16/2016

Oregon State Board of Education

June 23, 2016

Dear Board Members,

Please make the definition of grade level for a 6 year-old as kindergarten so that SB 321 has no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict.

The rules should not be in a memo, but in the actual OARs.

Thank you.

Sincerely,

L A Brass

5/16/2016

Dear Oregon State Board of Education.

I am writing to ask that you reject the proposed OAR 581-021-0026 on May 19. We are a family who homeschools because we are deeply involved with our son's education and tuned into his individual needs well beyond what is practical in a classroom. The idea that homeschoolers include parents that will seek to hold their kids back a grade despite it not being in the children's best interest is ridiculous. The families that do not or cannot prioritize their kids' educations are happy to send their kids to school as soon as possible because they can't take personal responsibility for their children's education and want or need the free child care schools provide. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

Thank you for your consideration,

Laura Barnard

Hillsboro

5/16/2016

Dear legislators,

Please leave the compulsory attendance age alone. My almost 7 yr. old boy has been working to learn to read, but I am keeping him in 1st grade again next year. I wish I had given him more time to be little. His learning is coming and for the most part is enjoyable, but forcing him along too much seems to slow the process. I would be very grateful for fewer regulations in this area. Fewer regulations will make teaching much more fun for all involved in our family!

Thank you for your grace,

Janice Carlson

Please reject the proposed OAR 581-021-0026 on May 19. The Senate Committee on Education promised that SB 321 would not have an impact on homeschoolers. However, if the definition of grade level for a 6 year-old is not defined as kindergarten, this will have a significant impact on homeschoolers. The grade level for a 6 year-old needs to be very clearly defined as kindergarten so that parents and ESDs can follow the rules without any confusion. The rules should be in the actual OAR, NOT in a memo.

Oregon State Board of Education

June 23, 2016

Thank you,
Lisa Fuls
5/16/2016

Please reject this as written because the definition of a six-year-old needs to be kindergarten not first grade. This should NOT be in a memo.

The Senate Committee on Education needs its word to homeschoolers. As more people think kids, should be in school earlier and earlier, thinking age could arbitrarily be changed to and even lower age in the future. I have four boys two of which were ready for kindergarten at age 5 one which I would never have put in school before age 7 and one who could have been ready at age four. All children are different. The rules need to be clear. As mother of four it would be difficult to jump through the hoops of the education department trying to figure out what the rules are because they're not in the law itself. It leads to confusion.

This will also put many students at a disadvantage for standardized tests. The difference between an 8 year old and a 9 year old taking the 3rd grade test can be night and day. This is especially true now that the test is completely on the computer requiring keyboarding skills.

Thank you for keeping your word and ensuring rules are not written against the intent of the legislature.
Loretta Savri
5/17/2016

Dear StateBoard Members,
I respectfully ask you to reject the proposed OAR 581-021-0026 on May 19. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.** Please do what is right for the home school community.
Thank you,
Maggie Robertson
5/16/2016

Hello, I would like to make sure that the new version of OAR 581-021-0026, the rules relating to homeschooling and the start of the compulsory school age make mention of the option that parents have to determine the grade of their 6 year old. The current version states: "(6) Testing for grade levels 3, 5, 8, and 10 shall occur in the third, fifth, eighth, and tenth year ending August 15. The first year is defined as when the child is seven on September 1, or earlier at the parent's discretion." I don't see this in the new version. Please include it in the Oregon Administrative Rules (or modify it to say "six" and "kindergarten") so that homeschooling parents know that they have some discretion about where to place their child at age 6. Thank you, -- Mai Lon Ross Parent of two homeschooled children of compulsory school age
5/16/2016

Dear Board Member,
Thank you for your service to all Oregonians, including those who home educate their children. I know you are busy so I will get to my point. I respectfully request that you reject the proposed OAR [581-021-0026](#) on

Oregon State Board of Education

June 23, 2016

[May 19](#). The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. The rules should not be in a memo, but in the actual OARs. In this day of political unrest, please demonstrate faithfulness to the promises made with SB 321.

Sincerely, Marla Kay Trahan

Stayton, OR

5/16/2016

Please **reject** the proposed OAR 581-021-0026 on May 19th.

The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

Thank you!

Marti Hill

5/16/2016

Hello-

As a homeschooling parent, I would like to ask the Oregon State Board of Education to reject the proposed OAR [581-021-0026](#) on May 19. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

Like most Oregon homeschoolers, we support taxation for schools and our children (ages 10, 8, and 3) test far above grade level. Please let us continue on this very successful path to raising fantastic citizens for Oregon's future.

Thank you.

-Miriam English Ward

5/16/2016

I request the Oregon State Board of Education to reject the proposed OAR 581-021-0026

As a parent of young children there have been some not emotionally ready to start school by age 6. I strongly believe this decision should be left with the parents who know the child best.

Those of us who teach our children at home don't need any added pressure on what we are already required to do for the state.

Thank you.

Sincerely,

Nola Train

5/17/2016

Oregon State Board of Education

June 23, 2016

We are asking the Oregon State Board of Education to reject the proposed Oar 581 - 021-0026 on May 19th. The definition of grade level for six-year-olds must be kindergarten unless the parents specifies otherwise so that SB 321 will have no impact on homeschoolers this was promised in the senate committee on education these rules need to be clear so that parents and esds can follow the rules without confusion and conflict. Also the rule should not be in a memo but in the actual oar's. Thank you very much for your attention on this matter sincerely Joshua and Karen rounsville

Dear Oregon State Board of Education,

I am writing to you in regard to the proposed OAR 581-021-0026 on May 19. I am a licensed teacher and dedicated homeschooling mom of two -- a 2nd grader and a preschooler. Please remember that homeschoolers were promised that this new ruling would not effect us. However, the presumed grade of a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules should not be in a memo, but in the actual OARs. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict.

I take my job as both a teacher and a homeschooler seriously, and I teach my children the importance of laws and integrity in a civilized society. Please ensure that the OAR states the presumed grade of a 6 year old as kindergarten so the Senate Committe on Education maintains its integrity as I teach my children to maintain theirs.

Thank you very much.

Sincerely,

Patricia A. Arbor, Beaverton, OR

5/16/2016

Dear Oregon State Board of Education:

We are writing to ask you to please reject proposed OAR 581-021-0026. In the Senate Committe on Education it was promised that SB 321 would have no impact on homeschoolers. In order for that to remain true, the definition of grade level for a 6 year old must be kindergarten (unless the parent specifies otherwise). This is a very important distinction in order for current rules to remain the same and to honor the legislative intent of SB 321. The rules need to be clear so that parents and ESDs can follow the rules without confusion or conflict. Finally, we value and appreciate the ability to have public input regarding important legal mandates on homeschoolers, therefore, **the rules should not be in a memo, but in the actual OARs.**

Thank you for reading and considering our concern.

Scott & Heather Shetler

Good afternoon,

Please reject the proposed OAR 581-021-0026 on May 19.

The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

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June 23, 2016

As a home educator of four college graduates, it is very important for parents to have the choice to decide when a student is ready for first grade, especially if they have a birthday that is close to the September 1 cutoff. Our oldest son, Paul, learned to read at five years old and excelled at writing. He was ready for kindergarten at five. He became a successful **Contract Attorney** (GPA 3.6). Our daughter, Marilee, learned to read also at five years old and has a degree in **Biology Education** (GPA 3.6) and is now teaching special needs children and tutoring in all subjects. Our third son, Andrew had a birthday very close to the Sept. 1 cutoff and was not ready to start kindergarten at six. He did not learn to read until he was eight years old!! He graduated from college with a degree in **Electrical Engineering in 2014 with a 4.0GPA**, and will graduate from Caltech in Electrical Engineering with a specialty in **Radio Astronomy and Electromagnetics** June 10, 2016 with a 3.99GPA. Our youngest daughter, Bethany, also was a late bloomer and struggled with reading until 7 years old. She graduated April 30, 2016 with a degree in **Political Entrepreneurship** (Non-Profits) with a 4.0GPA.

Please continue to give home educated parents the choice and ability to delay their children when necessary for REAL social and academic success. Delaying a child in their education is often the best thing a parent can choose for the long term benefit of an individual child.

Respectfully,
Rachel Janzen RN, BSN
Home Educator
5/16/2016

Dear Members of the State Board of Education:

My wife and I are homeschooling parents of four young children in Enterprise, Oregon. From what I understand, Oregon legislators gave their assurances during last year's legislative session that Oregon's law lowering the mandatory attendance age for public school students from age 7 to age 6 would have no impact on Oregon's homeschoolers.

Lowering the mandatory attendance age for public school students from seven to six was a bad idea, because children (and parents) need to have the option to delay enrollment in school to give their young children an opportunity for another year of maturation, growth, and development. Oregon public school parents had with the prior law, and now Oregonians are stuck with six-year old mandatory enrollment for the foreseeable future. However, the legislature did not intend for Oregon's homeschoolers to be stuck with the same bad law.

I have had the chance to review ODE's recently proposed OARs and those rules do not reflect the legislative intent and assurances that the change in law for public school students would not have an impact on homeschool students.

The OARs for homeschoolers must contain specific language that Oregon homeschoolers have the freedom to determine what grade level their children are placed in when starting homeschooling. This decision is for the parents, not for the ESDs to make based on the age of the child in question. If the ESDs are left free to make this decision based on the age of the child, then some ESDs will likely record a child's grade level based on their first year of homeschooling, rather than on the parent's designation of grade level.

If ESDs designate the child at a different grade level than the parent/teachers and the child are actually engaged in, then the ESDs may require parents to submit standardized assessment scores a year before the parents should be required to submit scores (if asked to by the ESD). The fact that parents would not then be able to produce test scores could lead to ESDs accusing parents of not homeschooling in compliance with ORS 339.035 and the relevant OARs, when in fact the parents would be in compliance if the ESDs had not assigned specific grade levels to homeschooling children at variance from the parent's decision. This would result in unnecessary administrative burdens on local ESDs, but more importantly, could result in ESDs

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initiating groundless adverse actions against homeschooling families that actually are in compliance with the law.

This is to ask that ODE adopt specific OARs that reflect the legislative intent that Oregon's lowering of the mandatory attendance age for public school students would not have any effect on homeschoolers. The OARs need to be specific and give specific protection to Oregon's families and children who are homeschooling.

Sincerely,

Ben Boyd (for Sheri, Gloriana, Zion, Jamin, and Calvin Boyd).

Good afternoon, I am writing today to beg you to reject this proposal. As a mom of 4 children, 3 of whom have special needs/adopted from foster care, I know what this proposal could mean to so many children. While I understand that this law is in relation to the new age 6 requirements that is already taken effect, it is extremely important that the parent be given the choice of what grade their 6 year old is ready for.

As parents, we know our children best. Whether we choose to homeschool or have our kids attend public school, the requirement of 6 year olds in school full time should NOT determine them to be a first grader. Please don't set up more children for failure than we already see. We have so many young ones with diagnosis and others have yet to be addressed, getting them into a class earlier will be such a help. Expecting more from them than was necessary for past years (1st grade when 7) would be a tragedy and continue the trending of students who feel they will never measure up to expectation.

Lets set children up for success! Early academic structure, access to support and diagnosis, and an extra year to thrive in Kindergarten before being a 1st grader at age 7. These things are important.

As a homeschooling mother (after years of public school interactions), I want to follow the laws to my utmost ability. For me to do so, I need it to be clearly laid out that my 6 year old son can be in full time kindergarten this Fall. This should be addressed in the OAR itself and not just in a memo.

Thank you for your time and service.

Ellie Reimer

I am contacting the members of the State Board of Education to ask for the rejection of the proposed OAR 581-021-0026.

The definition of grade level for a 6 year-old must be kindergarten (unless otherwise specified by the parent) in order for SB 321 to have zero impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. The rules should not be in a memo, but in the actual OARs.

Thank you for your support.

Danyella McAlister

Hello there,

I would like to ask that you consider rejecting the proposed OAR 581-021-0026 on May 19. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to

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have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

Thank you for your consideration on this matter.

Sincerely,

Robert and Angela Emerson

robertangela@q.com

5/16/2016

Oregon State Board of Education,

I would like to please request that you reject OAR 581-021-0026 in May 19, because as a parent and former classroom educator, parents need to be able to do what is best for their children. The definition for grade level for a 6 year old needs to be defined as Kindergarten so the parent can decide what is best for their child. It was promised that SB 321 would have no impact on homeschoolers as was promised in the Senate Committee on Education.

The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict.

Please do not put these rules in a memo but in the actual OARs.

Thank you for taking the time to consider my request.

Ruth Rogers

5/17/2016

We don't think important decisions for homeschoolers should be made by fiat by the Department of Education without public input. Secondly, when the Legislature says there will be no impact on homeschoolers, we expect that there will be no impact.

The compulsory age limit should be considerate of late bloomers when the parents are cognitive of their own child's development. Also, this should be part of the main document and not the memo so that the public can have a say in it.

Please be considerate of those diligently homeschooling and pouring into their kids lives by voting no on May 19th with the current way that it is written. Please respect the parents that do want the best for their own kids and are being diligent to do so.

Respectfully,

Sarah Blankenship

Certified Teacher and currently stay-at-home mom

5/17/2016

Dear Committee Members,

Please reject the proposed OAR 581-021-0026 at your meeting on May 19. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion. The rules should not be in a memo, but in the actual OARs.

Thank you for considering, and thank you for all you do -

Sarah Hohbach

5/16/2016

Oregon State Board of Education

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I want to politely ask you (the Oregon State Board of Education) to reject the proposed OAR 581-021-0026 on May 19. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. **The rules should not be in a memo, but in the actual OARs.**

Thank you for your time!

Mrs. Selthon

State Board Members,

Please reject the proposed OAR [581-021-0026](#). The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education.

If the new OARs are truly to have no impact, they need to say that the ESDs should assume that a 6 year-old is in kindergarten which would then make him or her 7 in first grade.

The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict.

Please put them in an actual OAR and not a memo.

We don't want important decisions about our homeschoolers made in a memo without an opportunity for public input!

Thank you,

Terese Lampa, home

5/16/2016

Dear State Board Members:

I am writing to urge you to reject OAR 581-021-0026 on May 19, 2016.

In order that SB 321 really have no impact on homeschoolers, as promised, we need the definition of grade level for a six-year-old to be clearly defined as kindergarten in the actual Oregon Administrative Rules -- not in a memorandum.

Please help to ensure the integrity of the stated intent of those who drafted and passed SB 321. Do not allow OAR 581-021-0026 to pass without clearly defining the grade level of Oregon's six-year-olds as kindergarten.

Sincerely,

Troy and Tyann Batson

Dear Oregon State Board of Education,

I am aware of some changes that are being made to the compulsory schooling age for children. I am a homeschooling mother of three children. I believe that children develop at individual rates and forcing structured education on them too early is damaging.

Please reject the proposed OAR 581-021-0026 on May 19th as it does not define the grade level for a 6 year old as a kindergartener. Unless these words are written into the actual policy, there will be undue impact on homeschoolers. We were promised by the Senate Committee on Education that this would be the case.

Please protect our freedoms!

Vicki Pope

Office Manager

Oregon State Board of Education

June 23, 2016

Lance Pope Trucking, Inc.

503-623-6880

lptinc@juno.com

5/16/2016

To Whom It May Concern:

I am a parent of 6 children who asks you to please consider that children all are ready for school at different ages. I am asking that you reject the proposed OAR 581-021-0026 on May 19th, 2016. Having 6 kids who are all totally different has made me realize that children are not cookie cutter shapes - there are some children who learn easily and others who struggles. There are some kids who just don't get a concept at a certain age because they are not mentally able to understand it but the following year they understand it easily. Having a child whom struggles due to dyslexia I have seen how pushing her above her limit makes her want to quit. I believe this is why children get depressed or drop out of school. There is no reason for this. Everyone can learn - some just take more time to develop before the new concepts make sense to them. Children also need enough time to master a concept before moving ahead.

This last year we decided to start working on kindergarten level with our 5 year old and our 4 year old. Amazingly our 4 year old excels in it but our 5 year old is struggling. We will go back over kindergarten next year if this is rejected and if not I can see her falling apart mentally because she gets frustrated as she is just not mentally there. There is nothing wrong with her - she is an individual who learns at a different pace. I want to be able to go back over kindergarten with her which by doing it another year at age 6 would allow her to hopefully master those concepts she did not get last year to set a solid foundation for the future. She is one of the children who were born just right before the cut off in late August so she would be one of the youngest children entering school while other children had that extra year to mature and she is the one struggling.

It is critical during these young years that children do not start off frustrated but instead that they learn that it is FUN to learn new things! This will benefit them long into the future. Please reject the proposed OAR 581-021-0026 as it needs to clearly state that parents (especially those who homeschool) are allowed by law to choose whether their kids are ready for kindergarten at age 6 or should be moved ahead to 1st grade. Parents are the ones who understand their own children more than anyone else out there.

Thank you so much!

Victoria D.

5/16/2016

Dear Oregon State Board of Education,

Please reject the proposed OAR 581-021-0026 on May 19. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. The rules should not be in a memo, but in the actual OARs.

Respectfully,

Zach Boettner

Bend, Oregon

541-516-0070 mobile

Dear Oregon State Board of Education,

Oregon State Board of Education

June 23, 2016

I am writing you concerning OAR 581-021-0026. I ask that the rules listed be clear and that these rules be stated in the OARs instead of a memo which could lead to confusion, conflict, and misinterpretation in later years. Another concern is that the definition of grade level for a 6 year-old be kindergarten which would then follow the rules of SB 321 and not have an impact on homeschoolers, as promised in the Senate Committee on Education.

Sincerely,
Jayne Domes, Oregon Voter

To Whom It May Concern:

I would like to address the changes to OAR [581-021-0026](#) for SB 321. I am coming from the perspective of both a public school parent and a homeschooling parent. My daughter attended public school in Portland through 2nd grade and we are currently homeschooling 3rd grade.

My son is in public school kindergarten. Due to his July birthday, we waited until he was six to put him into kindergarten. I was and am very active in the classroom. While helping kindergarteners read a few years ago, I could tell you every kid born in July and August that entered school at five years old because they were all in the lowest reading group. One of the teachers commented that today's kindergarten is yesterday's second grade. Deciding to hold our son back was a no-brainer, even though he was academically and socially "ready." We never want him to feel inadequate or ill prepared due to pushing him beyond his maturity level.

Changing the compulsory school age from 7 to 6 is a fine idea, as long as the age of 6 is specified for kindergarten and not first grade. Many many kids that are barely five are simply not ready for kindergarten.

In fact, I know of a lot more children with summer birthdays that were held back than those that were pushed ahead. The rule needs to continue to allow the parents to decide the readiness of their children.

Thank you,
Jennifer Vore

Dear Members,

Thank you for postponement of the administrative ruling on the minimum compulsory attendance law. I am hopeful that you will follow the promise of the Senate Committee on Education to not have SB 321 impact homeschoolers. OAR 581-021-0026 should be clear so that local officials (ESD's) and home schooling parents will not be in conflict with one another. I personally am in favor of the definition of grade level for kindergarten as seven years old instead of six. However, the law should state that a parent can make the decision for seven even if the law says it is six.

Thanks for your consideration.

Frode Jensen
Grants Pass, OR 97526

Oregon State Board of Education

June 23, 2016

Oregon State Board of Education,

I'm writing as a concerned homeschool parent/teacher. Please make OAR 581-021-0026 clear so parents and ESDs can follow the rules without it being confusing. The definition of grade level for a 6 year-old has to be kindergarten unless the parent specifies otherwise in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education. The rules should not be in a memo, but in the actual OARs. Thank you.

Sincerely,
Jackie Whitesell
Coordinator for the Eastern Oregon Christian Home Educators
Pendleton, OR

Dear State Board Members;

I truly appreciate being a homeschool parent. Having the right to homeschool our daughter, and provide her the best education I can provide is important to us. Our daughter loves being a homeschool student. She does well in her studies, and is glad to have her education accomplished in this way.

In regard to the subject article; We would greatly appreciate your attention to making the wording very clear for parents, teachers, homeschool families, and all concerned. So; that there is no guessing or changing the meaning that is intended in this article.

Also; children need to be 6yrs. in Kindergarten, and 7rs. in first grade needs clarification. For public schooled children as well.

It has been our experience that when our daughter was in Kindergarten in public school those in her grade who were older got bored with the curriculum. Those who were not old enough had separation anxiety, and thus had a hard time following the course of their school day. Being in the right educational setting at the right age is so very important.

For us, and the many who have paved the way to a good education. We very much appreciate your kind attention to these matters.

Thank you most Sincerely;
Deborah Bowersox

From: PETER KING [<mailto:the7thkings@gmail.com>]
Sent: Thursday, May 19, 2016 9:07 AM
To: stateboard.members@state.or.us
Subject:

Greetings. In the upcoming bills, please do not change our homeschooling rights, as we were promised. Please do not slip changes into memos. That is unacceptable. Thank you.
Peter king

From: gedies1990@yahoo.com [<mailto:gedies1990@yahoo.com>]
Sent: Thursday, May 19, 2016 10:04 AM

Oregon State Board of Education

June 23, 2016

To: stateboard.members@state.or.us
Subject: SB 321

To the Senate Committee on Education:

Currently SB 321 is going through the system and I am writing to express my concern over this bill. Homeschoolers strive to educate their children and bring them up according to their families' convictions. We desire that this bill have no impact whatsoever on the decision to homeschool our children when it comes to kindergarten and pre-school. Please make sure this does not impact them by placing this stipulation in the actual OARs so that parents and ESDs can follow the rules without confusion or conflict when it comes to lowering the age for instruction.

Sincerely,
Kandy Wilhelm-Gedies

From: Don Walden [<mailto:waldenhaus@gmail.com>]
Sent: Thursday, May 19, 2016 12:27 PM
To: stateboard.members@state.or.us
Subject: OAR 581-021-0026

Dear Oregon State Board of Education,

It is my understanding that a review of OAR 581-021-0026 is scheduled today. I appreciate my liberties to choose my families education and have done thus far with great success. For this reason I believe that this would do harm to us;

please **REJECT** this bill.

Statistics indicate that our home schooled children do extremely well academically and are an asset to society.

Thank-you for your consideration and help in improving our freedoms to educate our children.

Sincerely,

Mrs. Elene Walden

From: Alisha Merrill [<mailto:amerrill325@gmail.com>]
Sent: Thursday, May 19, 2016 1:13 PM
To: stateboard.members@state.or.us
Subject: OAR 581-021-0026

To whom it may concern:

I am an homeschooling mother in Oregon writing in regards to OAR 581-021-0026. I appreciate the desire that the State Board of Education has to improve public education in Oregon. I respectfully request that OAR 581-021-0026 be written in an unambiguous manner so that parents and Educational Service Districts can easily follow the regulations without misunderstanding. I feel that the classification of grade level for a 6

Oregon State Board of Education

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year-old should be kindergarten, unless the parent specifies otherwise. I respectfully request the regulations to be stated in the OAR, rather than in a memo. Thank you for your time and consideration.

Best Regards,

Alisha Merrill

Stateboard members,

I am writing to ask you to reject the proposed OAR 581-021-0026 at your meeting on May 19.

Please retain the definition of grade level for a 6 year-old at kindergarten.

Please make this rule clear and put it in Oregon Administrative Rules.

My husband and I homeschooled our five children from kindergarten through graduation from high school in the 1980's, 1990's, and 2000's.

Some were ready for 1st grade at 6 years old and some at 7 years old. They are now successful adults working as college graduates, project managers, registered nurses, and parents.

Parents are able to best determine the readiness of their children.

Thank you,

Bill and Jeannie Schierling
Dallas, Oregon

To Whom It May Concern:

I would like to know why you are considering dropping the age considered 1st grade to 6? That makes no sense. My 6 year old is doing kindergarten level work. And will continue at a pace appropriate for his level. By changing the age you are setting him up to fail and forcing him to test a year earlier. If he was in public school he would only be in kindergarten so why make the change for homeschooling unless your plan is in the hopes that homeschooled children will all fail. Why on earth would you ever set a child up for failure intentionally? Not all children learn the same, there is not a "one size fits all" for education. Alternative education choices should be promoted and encouraged.

Sincerely,

Nicole Young

Oregon State Board of Education

June 23, 2016

Sent from my iPhone

Oregon State Board of Education Board Members

Please be clear as you work on OAR 581-021-0026 and put the definition of grade level in the rules.

It must be clear so that parents and ESDs can follow the rules without confusion and conflict.

The definition of grade level for a 6 year-old must be kindergarten, unless the parent specifies otherwise, in order for SB 321 to have no impact on homeschoolers.

That is what was promised in the Senate Committee on Education.

Please be true to your word.

The rules should not be in a memo, but in the actual OARs, otherwise there will be confusion, conflict and differing opinions about what was intended in regard to homeschoolers.

Please put it in the rules!

Sincerely

Geri Ann Horton

McMinnville Oregon

“Please reject the current proposed amendments to OAR 581-021-0026 unless “a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added. I believe this is necessary to ensure that the OAR clearly indicates that a home education parent can determine the appropriate grade level for my 6-year-old child is placed in and will be in keeping with the intent of the legislature in the discussion over Senate Bill 321.”

I would like to thank you for taking the time to consider my request and also for representing the wishes of the People of this great state.

Larry M. Case

Dear Friends,

I vigorously opposed Senate Bill 321. As a parent of three children, I see the value in keeping children home in their early years. Interestingly, so does Finland, the country that consistently beats the US in standardized test scores.

As a result of Oregon's participation in Common Core, I now home school my children. Your current proposed amendments to OAR 581-021-0026 again infringes on my rights as a parent to make decisions about my children's education.

Please reject the current proposed amendments to OAR 581-021-0026 unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added.

I believe this is necessary to ensure that the OAR clearly indicates that a home education parent can determine the appropriate grade level a 6-year-old child is placed in and will be in keeping with the intent of the legislature in the discussion over Senate Bill 321.

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If any of you have boys, you will understand.

Thank you for your time and service.

Sincerely,
Suzanne Kennedy
Pendleton, Oregon

RE: OAR 581-021-0026

It is critical that the phrase "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added to the proposed amendments to OAR 581-021-0026. This additional clause is essential to ensure that a home education parent is able to determine the appropriate grade level within which a 6-year-old child is placed, while maintaining the intent of the legislature in the creation of Senate Bill 321. Please do not accept amendments to OAR 581-021-0026 unless this phrase is included.

Respectfully,
Peggy Erland
1505 Rock Ledge Drive NE
Keizer, OR 97303

Dear Oregon State Board of Education Members:

Please reject the proposed OAR 581-021-0026. The definition of grade level for a 6 year-old must continue to be kindergarten if SB 321 is to have no effect on homeschoolers as was promised by the Senate Committee on Education. The rules should be clearly written in the OARs (not in a memo) so that parents and ESDs can avoid confusion.

Homeschooling laws and rules should always be designed with transparency so that parents may be involved in the discussion, giving much-needed feedback as to how these laws will affect their children. Children are the most likely to succeed when their parents are involved in their education.

Thank you for your service!

Sincerely,

Melodie Adams

To Whom This Message Concerns,

My name is Kerry Fitzgerald and I am a citizen of the State of Oregon. I am a homeschooling mother of four children and support my husband who is in law enforcement. Our freedoms and liberties as provided by our Constitution and Bill of Rights is of paramount importance to us as a family. We are greatly concerned over the proposed changes to the law requiring children to attend school before the age of 7.

We as a family, sincerely request that you please reject the current proposed amendments to OAR 581-021-0026 unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is

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added. We believe this is necessary to ensure that the OAR clearly indicates that a home education parent can determine the appropriate grade level a 6-year-old child is placed in and will be in keeping with the intent of the legislature in the discussion over Senate Bill 321.

Thank you for your service to our state and for your consideration in this matter.

Sincerely,

Kerry Fitzgerald

Dear members of the Oregon State of Education, I am concerned about the wording of OAR [581-021-0026](#) and that it may not honor the intent of Senate Bill 321. Please reject the current proposed amendments to OAR [581-021-0026](#) unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added. It is important that we give parents the authority to make this decision.

Thank you,

Laura White

Dear Oregon State Board of Education,

As a homeschooling parent, I request that you reject the proposed OAR 581-021-0026 that assigns the grade level of a 6 year-old to be first grade. Not every child is ready for first grade at the age of 6, and home school parents were assured during the hearings on SB 321 that this law would not impact homeschooling in this way.

The current OARs assume that 7 year-olds are in first grade unless the child's parents notify the ESD differently, and the new OARs should assume that a 6 year-old is in kindergarten.

I would like to add that I truly appreciate the freedom we have had in Oregon during the past 23 years that our family has homeschooled our 5 children (our youngest two are still finishing high school). Thank you for continuing to provide for the families that desire to take this approach to education.

Kristin Shipman

North Plains, Oregon

Dear Members of the Board,

As a second generation homeschool mother of 4, I urge you to very clearly define OAR 581-021-0026 so that the law is simple for parents and local ESDs to follow, and not to be interpreted by rules or arbitrary administrators. The promise during passage of SB 321 was that the new law would not affect homeschoolers, and it is imperative that that promise be honored. Grade level for a 6 year old should be kindergarten unless the parent chooses otherwise so that testing can continue on the established time frame and that children are not forced into testing situations too early. Thank you for your consideration in this matter.

Beth Koza

Cove, OR

Oregon State Board of Education

June 23, 2016

Dear Board Member,

Thank you for your service and willingness to work for all Oregonians. While the state has a compelling interest to ensure it's citizens are educated, mandating that a six year old tackle first grade work is not the least restrictive means to accomplish that goal, and may even hinder their overall academic success if they are pushed to soon. We respectfully request that you please reject the current proposed amendments to OAR [581-021-0026](#) unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added. We believe this is necessary to ensure that the OAR clearly indicates that a home education parent can determine the appropriate grade level a 6-year-old child is placed in and will be in keeping with the intent of the legislature in the discussion over Senate Bill 321. Please honor the original intent of the bill.

Gratefully,
Shawn & Marla Kay Trahan
Sublimity, Oregon

To the Oregon State Board of Education,

I am asking that you please reject the current proposed amendment for OAR 581-021-0026, unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added. I believe this is necessary to ensure that the OAR clearly indicates that a home education parent can determine the appropriate grade level a 6-year-old child is placed in and will be in keeping with the intent of the legislature in the discussion over Senate Bill 321.

Thank you for your consideration.

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Jamie

Please reject the current proposed amendments to OAR 581-021-0026 unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added. I believe that it is important that this is made explicitly clear. We need to have the freedom to choose kindergarten instead of first grade for our 6-year-olds - many six year-olds simply are not ready for 1st grade.

Thanks, Isaac

Dear Sirs and Madams,

I am a former classroom teacher and professor of education and science. I have taught in Oregon schools and have been doing research on homeschooling for over 30 years.

I urge you to please reject the current proposed amendments to OAR 581-021-0026 unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added. This is necessary to ensure that the OAR clearly indicates that a home education parent can determine the appropriate grade level

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that a 6-year-old child is placed in and will be in keeping with the intent of the legislature in the discussion over Senate Bill 321.

Please call on me if I might be of help.

--Brian

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Dear board members,

Please reject the current proposed amendments to OAR 581-021-0026 unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added.

Thank you,
Kristy Manley

Please reject the current proposed amendments to OAR 581-021-0026 unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added.

We believe this is necessary to ensure that the OAR clearly indicates that a home education parent can determine the appropriate grade level a 6-year-old child is placed in and will be in keeping with the intent of the legislature in the discussion over Senate Bill 321.

I also wish to remind the members of this board that the cognitive science indicates that lowering of the compulsory education limit to 6 years will cause damage to a significant number of students in our Oregon education system. As a technology and innovation leader I am gravely concerned about the ramification of this change on the competitiveness of our students in STEM. I respectfully request that you each make an effort to learn about the relevant cognitive science findings and work with the legislature to reverse this damaging law.

I am sure that each of you would agree that every child is important and must be given the best chance at leading a highly productive and rewarding life. Please protect children by opposing mandatory education in their younger years.

Very Respectfully,
James E. Abbott, Jr., Ph.D.

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Master Training Specialist

Please reject the current proposed amendments to OAR 581-021-0026.

The phrase, "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" needs to be added because the Senate clearly stated that lowering the compulsory education age would NOT affect home education students. I ask that you comply with their intentions.

Pushing children into grades they are not ready for has been found to damage students and lead to long-term negative effects, including a negativity toward school that is difficult or impossible to reverse in later years. I ask that each and every one of you become an advocate for real education and work diligently to get the compulsory education law raised to 8 years of age, in accordance with real research (as opposed to the opinion poll of those who make their living off of early childhood education programs we heard present in favor of lowering the compulsory education age at the Senate committee hearing).

We only ask that you do what is right, and allow each child to be treated as the individual he or she is.

Inflexible, blanket laws applying to all children of a certain age treats children as though they were nothing more than objects on an assembly line. It's time to embrace the diversity of every individual in order to thrive as a society. It's time to recognize that each and every child is so different that each one needs his or her own expert to evaluate and decide what is best for that child. It's time to recognize that these experts exist; their names are Mom and Dad. Parents must be empowered to do what they know is best for their individual child, not silenced.

Thank you,
Corina Abbott, H.B.S.
Albany, Oregon

Dear Board of Education,

Please reject the current proposed amendments to OAR 581-021-0026 unless "a six-year-old may be placed in kindergarten or another grade at the parent's discretion" is added. The language ought to be clarified in order to ensure that the OAR continue to allow young 6 year olds to be given appropriate levels of instruction at the home educating parent's discretion. This is merely a request to maintain the intent of the legislature in the discussion over Senate Bill 321.

Thank you so much for fighting for our young children in your attention to this matter.

Sincerely,

Lynn O'Brien, MA Teaching
Dyslexia/Language Specialist
Homeschool Parent

Oregon State Board of Education

June 23, 2016

State board member,

I am writing to request that you reject proposal OAR 581-021-0026.

Thank you for considering my request.

Sincerely,

Jeanice Funk

Dear Oregon State Board of Education:

I urge you to reject the proposed OAR 581-021-0026. The definition of grade level for a 6 year-old must be kindergarten (unless the parent specifies otherwise) in order for SB 321 to have no impact on homeschoolers, as was promised in the Senate Committee on Education.

The rules need to be clear so that parents and ESDs can follow the rules without confusion and conflict. The rules should not be in a memo, but in the actual OARs.

*Respectfully,
Katherine and Greg Christensen*