



# ODE Rules Advisory Committee

JAN 06, 2022

# Agenda

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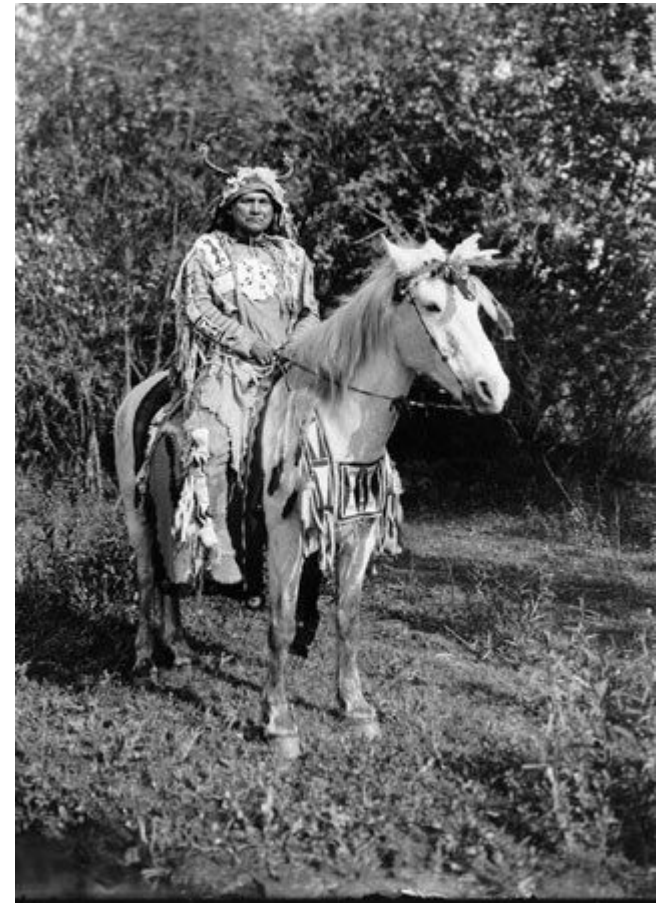
9:00 am - 12:45 pm

- I. Introductions & Opening Remarks
- II. ODE Rules-at-a-Glance
- III. ODE Updates
  - A. SB 744 Implementation Update
- IV. ODE Draft Rules
  - A. SIA rules for Focal Group Students
  - B. Oregon State Seal of Biliteracy or Multiliteracy - OAR 581-021-0580 & OAR 581-021-0584
  - C. Menstrual Dignity for Students - OAR 581-021-0600 to OAR 581-021-0609
  - D. Vision Screening - OAR 581-021-0031
- V. Open Space/Questions
- VI. Closing



# Introductions & Opening Remarks

# Nine Federated Tribes of Oregon: Confederated Tribes of Umatilla Reservation



# Suggested Protocol

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- Trust is earned - *and* let's attempt to move in conversation like we've got several years working together already behind us.
- Engage tension, don't indulge drama.
- Listen to your gut!
- Share space - help collectively balance the insights of verbal and quick processors with the wisdom of those who might appear more reticent.
- Confidentiality - this is not a social-media space. Lessons can be shared but leave the details.
- Dialogue, not selling - let's converse not pitch.
- Assume best intent, attend to impact.
- Pay attention (neighbors, yourself, group process and dynamics).

# Core Principles

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- Collaborative Rulemaking Process
- Engagement/Consultation Before Pen Hits Paper
- Coordinating Engagement Opportunities to Not Overburden Partners
- In-Person Engagement (when possible)
- Different Perspectives in the Same Room (when possible)
- Advisory to ODE Staff (State Board of Education is statutorily responsible for promulgating rules.)
- Not One-Size Fits All
- Engage Community Partners, including those who will be directly affected by the rules
- Loop Back to Partners - to explain how their input shaped (or did not shape) the outcome or administrative rules

# Roles within the Administrative Rules Process

## Oregon Department of Education

Ensures rules comply with state law.  
Prepares and presents to relevant groups.

## ODE Rules Advisory Committee

Ensures rules comprehensively address impact on affected communities. Address fiscal, small business & racial equity impacts.

## Staff technical advisory committee

Ensures rules align with program/grant purpose.  
Discuss how rules will impact affected communities.

## The General Public

Submits oral or written public testimony and/or comments at scheduled OAR Hearings and State Board meetings.

## State Board of Education

Ensures rules align and advance ODE Education Equity Stance.  
Provides staff with direction on administrative rules. Adopts administrative rules and sets educational policy and standards for all public school districts.

# Timeline and Flow

RAC is Advisory to ODE Staff who make final recommendations to SBE for final decision.



## Notification

Agenda will be sent out by RAC Coordinator

## RAC Meetings

Discuss Early Draft Rule or Policy Concepts

## State Board of Education

Staff will take Oregon Administrative Rules to State Board of Education

## RAC Meetings

Staff may bring back draft rules to RAC

## State Board of Education

Final adoption of rules or policies





# ODE Rules-at-a-Glance

# Charter School Equity Grants (HB 2166)

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**Subject:** HB 2166 SSA Public Charter School Equity Grants Temporary Rules

**Concept:** Establish new public charter school equity grants

**Background:** This grant was established by HB 2166 during the 2021 regular session. The grants fund charter schools with student populations composed of 65% or more of students from racial or ethnic groups that have historically experienced academic disparities and students experiencing disabilities. Grant allocations are effectively equivalent to the difference between the ADMw the school generates and what is passed through by the district according to contract.

# Charter School Equity Grants (HB 2166)

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Proposed Rule Changes: New temporary rules

Next Steps: Engagement, SBE

# School Programs in State-Owned and Private Hospitals OAR 581-015-2575 & 581-015-2580

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**Subject:** Temp rule changing definition of “school district”

**Concept:** Alignment of Statute and Rules

**Background:** ORS 343.261 uses a different definition for school district compared to OAR 581-015-2575 & OAR 581-015-2580. The difference was identified during a legal sufficiency review and requires a fix to proceed with 21-23 agreements. Current rule does not address an ESD or adjacent ESD providing services on behalf of a school district.

# School Programs in State-Owned and Private Hospitals OAR 581-015-2575 & 581-015-2580

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**Proposed Rule Changes:** For the purposes of this rule “School District” means:

- a) The school district in which the *private/state* hospital is located;
- b) A school district adjacent to the school district in which the *private/state* hospital is located; or
- c) The education service district in which the program is located or one contiguous thereto.

**Next Steps:** Engagement, SBE

# Rules Pertaining to Type 10 Drivers

## OAR 581-053-0330

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**Subject:** Rules Pertaining to Type 10 Drivers (addition)

**Concept:** Type 10 Vehicle Drivers & towing of trailers

**Background:** The proposed changes to OAR [581-053-0330](#) (Rules Pertaining to Type 10 Drivers) aim to clarify what is permissible when towing a trailer, while maintaining a non-commercial standard and ensuring a vehicle is not overloaded. Previously the rule was silent on this subject.

# Rules Pertaining to Type 10 Drivers

## OAR 581-053-0330

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Proposed Rule Changes: amend rule to add (cc) as seen below:

A Type 10 driver shall:

...

(cc) Not tow a trailer with a gross vehicle weight rating (GVWR) of more than 10,000 pounds, or of a weight greater than recommended by the towing vehicle's manufacturer or by the hitch manufacturer, whichever is less;

**Next Steps:** second read, adoption

# Access to Linguistic Inclusion (HB 2056)

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**Subject:** Access to Linguistic Inclusion, introduced as HB 2056

**Concept:** Multilingual education

**Background:** Sponsored by ODE, passed in 2021 legislative session. Broadens opportunities for multilingual students to earn high school credit. Broadens opportunities for schools to recognize work done in languages other than English, and to offer courses in languages other than English.



# Access to Linguistic Inclusion (HB 2056)

Rule number	Rule title	Change
581-002-0200	Class Size Collection	English Language Arts (Reading or Language Arts) → Language Arts (including Reading, Writing, and Literature); minor grammatical corrections
581-021-0200	Standard Education for Oregon Students	English Language Arts → Language Arts
581-022-0215	Extended Diploma	English → Language Arts; Second language → World language; minor grammatical corrections
581-022-0102	Definitions	Added definition for Language Arts and World Language
581-022-2000	Diploma Requirements	Section 6: English Language Arts → Language Arts
581-022-2010	Modified Diploma	English Language Arts → Language Arts
581-022-2030	District Curriculum	English → Language Arts
581-026-0300	Virtual Public Charter Schools	English language arts → Language Arts
581-021-0580	Definitions	Updated definition of World Language

# Access to Linguistic Inclusion (HB 2056)

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**Proposed Rule Changes:** Summarized in previous slide. Most changes involve editing the label “English language arts” to “Language Arts”

## Next Steps:

- State Board second read March 2022.
- Communication to districts is under development. Outreach will follow upon publication.



# ODE Updates/ Policies



# Senate Bill 744 Implementation Update

Rules Advisory Committee  
January 6, 2022

# Today's Topics



[Image Source](#)

- Brief Review of [Senate Bill 744](#) Requirements and Timeline
- Brief Review Graduation Policy History & Initial Data
- Engagement Update
- Anticipated regulatory change of [OAR 581-022-2115](#)
- Questions, Concerns, and Recommendations

# SB 744 Requirements & Timeline

# Senate Bill 744 Requirements

[Senate Bill 744](#) maintains Oregon's rigorous high school credit requirements for graduation. **Students are required to have knowledge and skill in reading, writing, and math to graduate with a diploma in Oregon.**

Senate Bill 744 directs ODE to use a transparent process that is equitable, accessible and inclusive to:

- **Review existing state requirements for earning each of the diplomas and alternative certificates** as prescribed by state law and rules adopted by the State Board of Education.
- **Review inequities and disparities that may exist** including the causes of disparities that have resulted from the requirements and whether the requirements have been applied inequitably to different student populations.

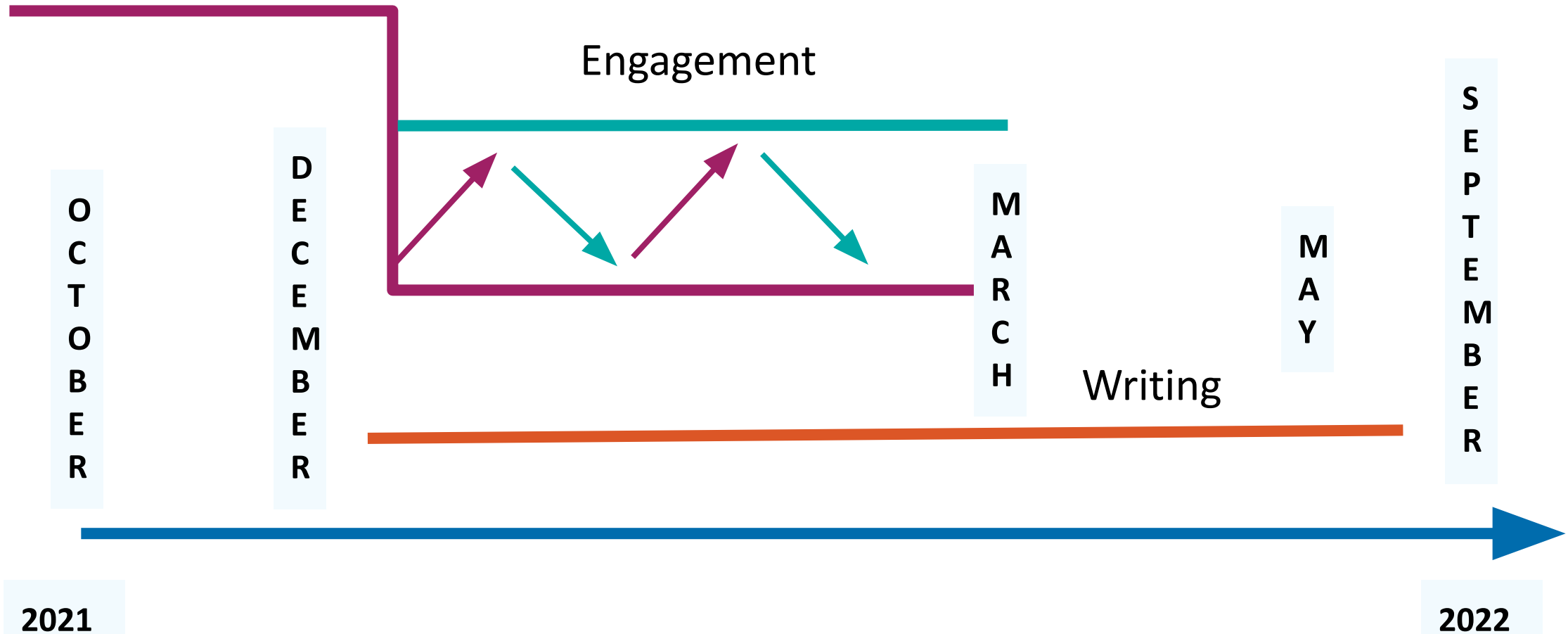
# Senate Bill 744 - Requirements, cont.

- Review other state graduation models
- Examine local implementation
- Canvas expectations of employers and post-secondary institutions
- Engage Oregon's diverse communities
- Temporarily suspend the assessment of Essential Skills requirement
- Produce a report to the Legislature and the State Board of Education by September 1, 2022



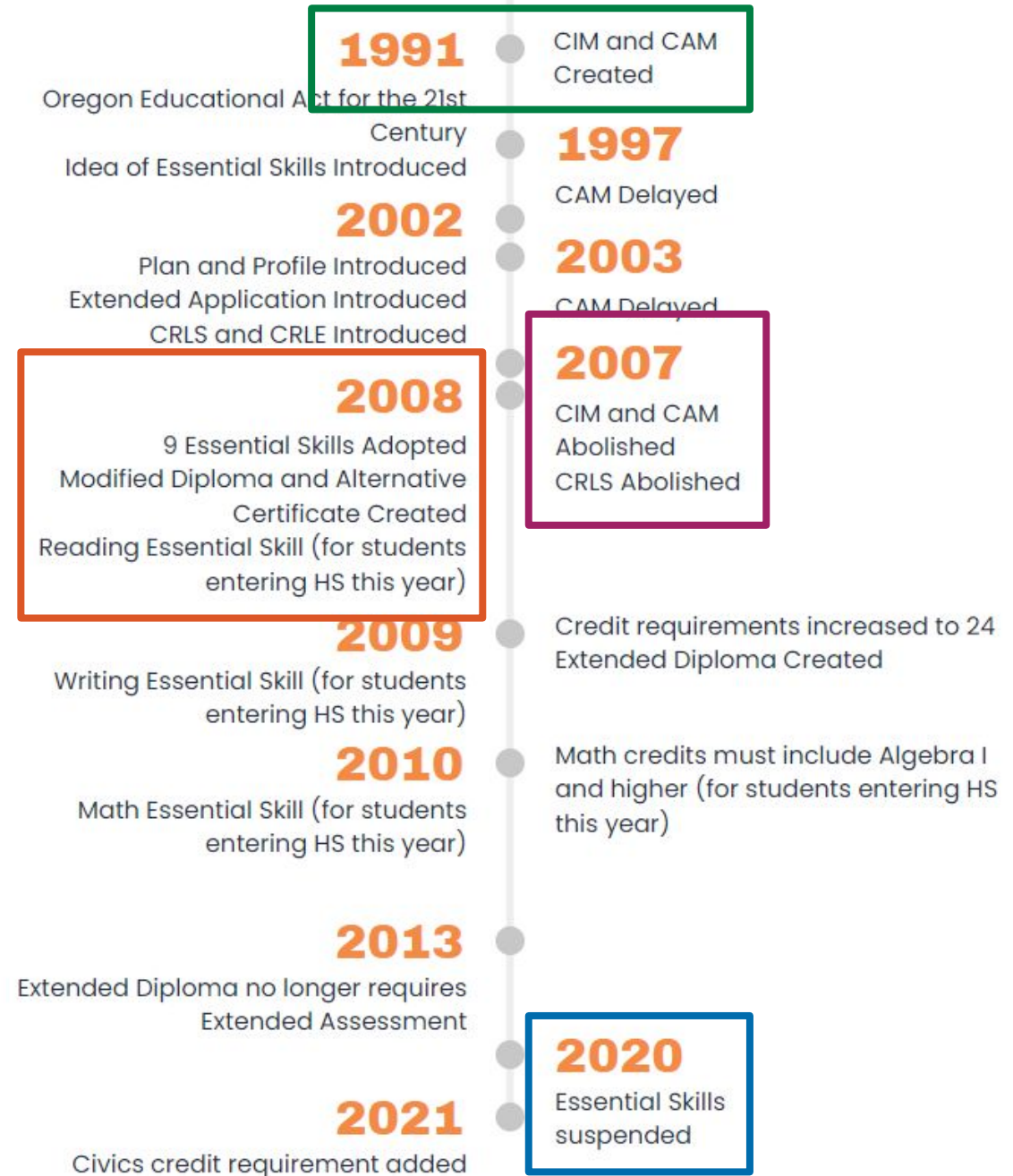
# Senate Bill 744 Implementation Timeline

Review Policy & Data



# SB 744 - Graduation Policy History & Initial Review

# Oregon's Graduation Policy History



# Impact on Students

*SB 744 directs ODE to review the impact on students by:*

- Reviewing existing state requirements for earning each of the diplomas and alternative certificates.
- Reviewing equity and disparities that may exist including identification of the causes of disparities that have resulted from the requirements and whether the requirements have been applied inequitably to different student populations.

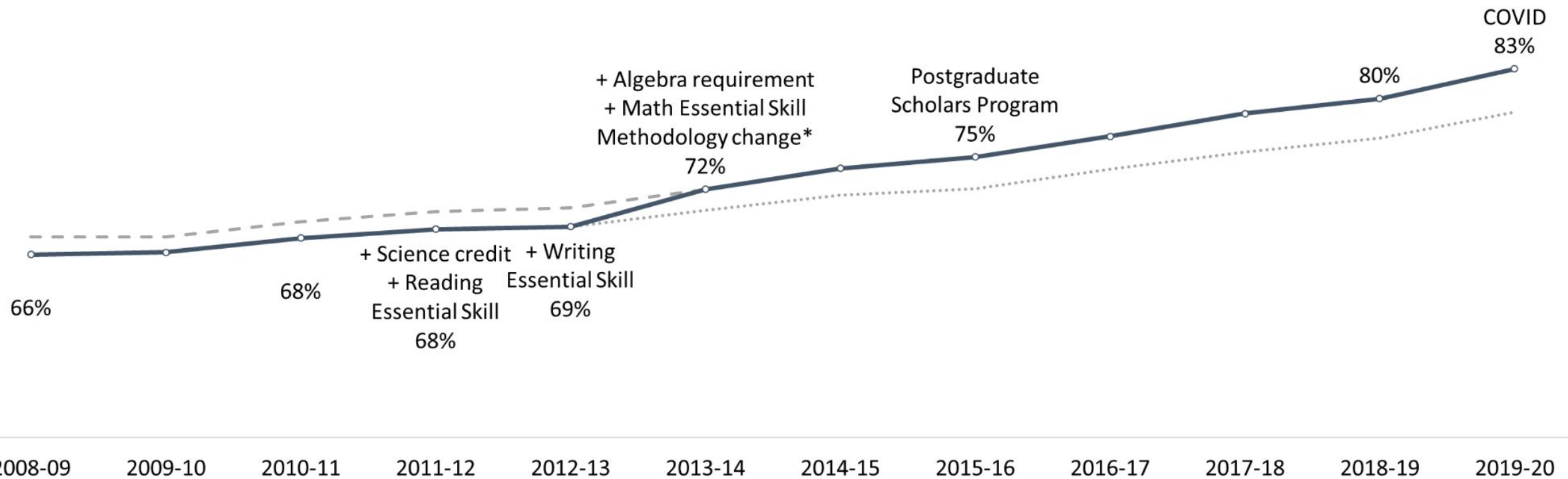
# Other State Graduation Policies

*SB 744 directs ODE to learn from other state graduation policies & practices by:*

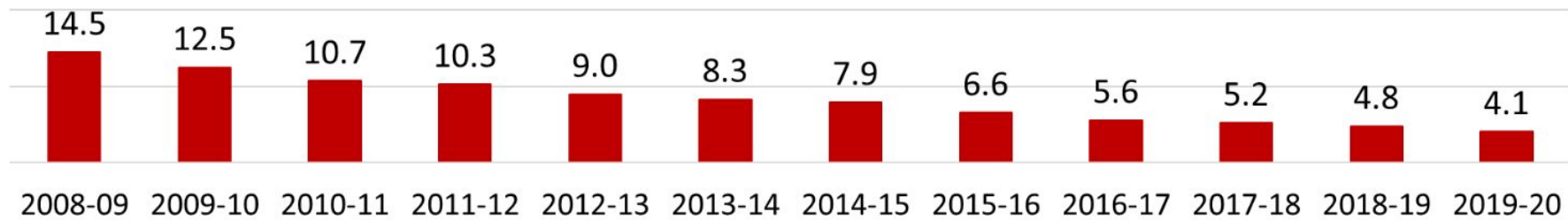
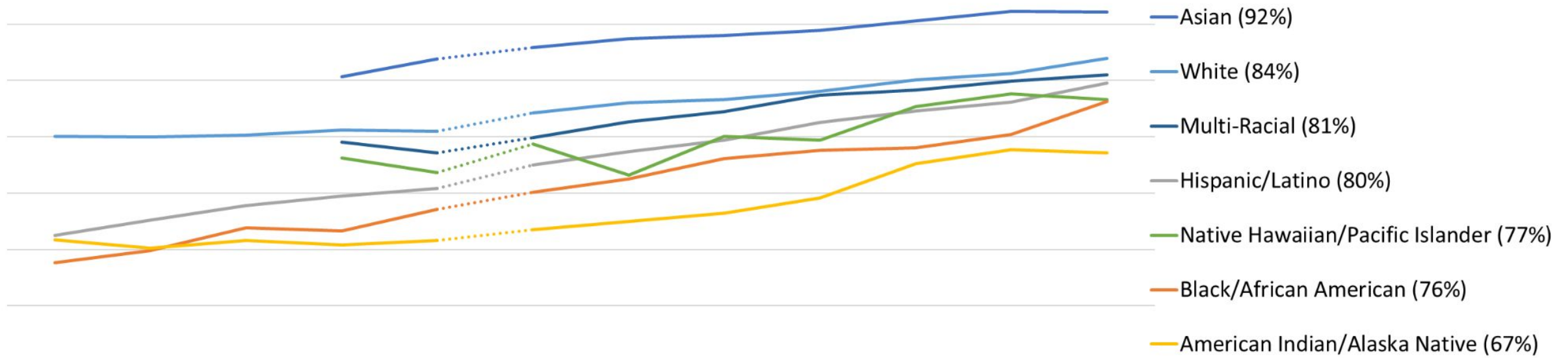
- Researching other state graduation models, to compare requirements
- *Note: An update for this bill requirement will be provided at our next State Board engagement (January 20, 2022)*

# On-Time (4-year) Cohort Graduation Rates

-- Regular + Modified    ..... Regular only    —○— Official Grad Rate

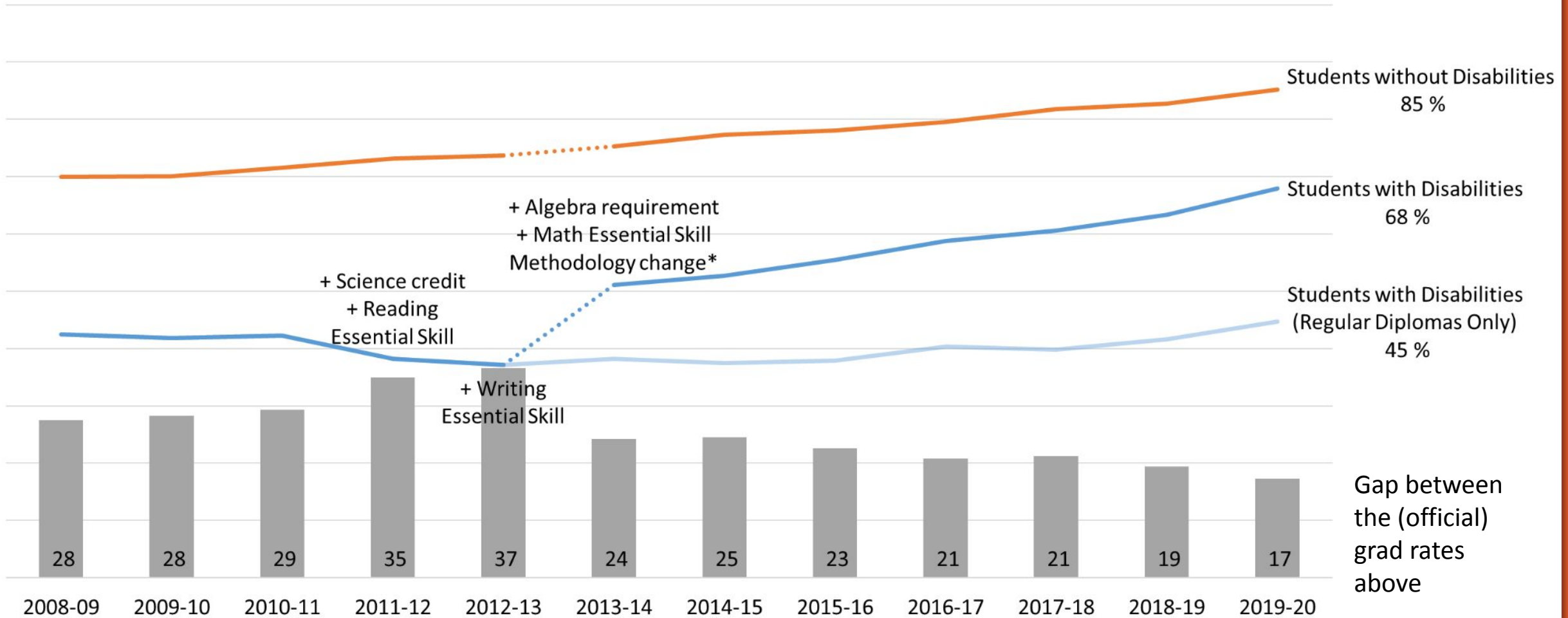


# On-Time (4-year) Graduation Rates Disaggregated by Race



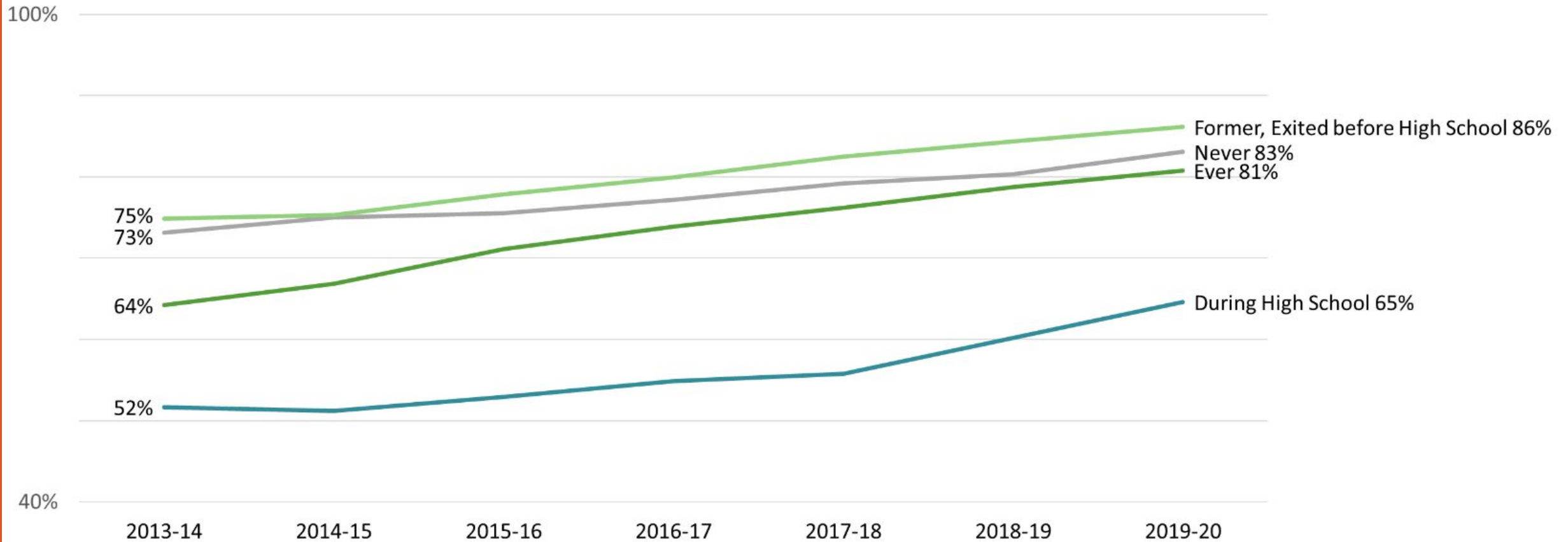
Gap between overall rate and rate for students of historically underserved race/ethnicity

# Students Experiencing Disability

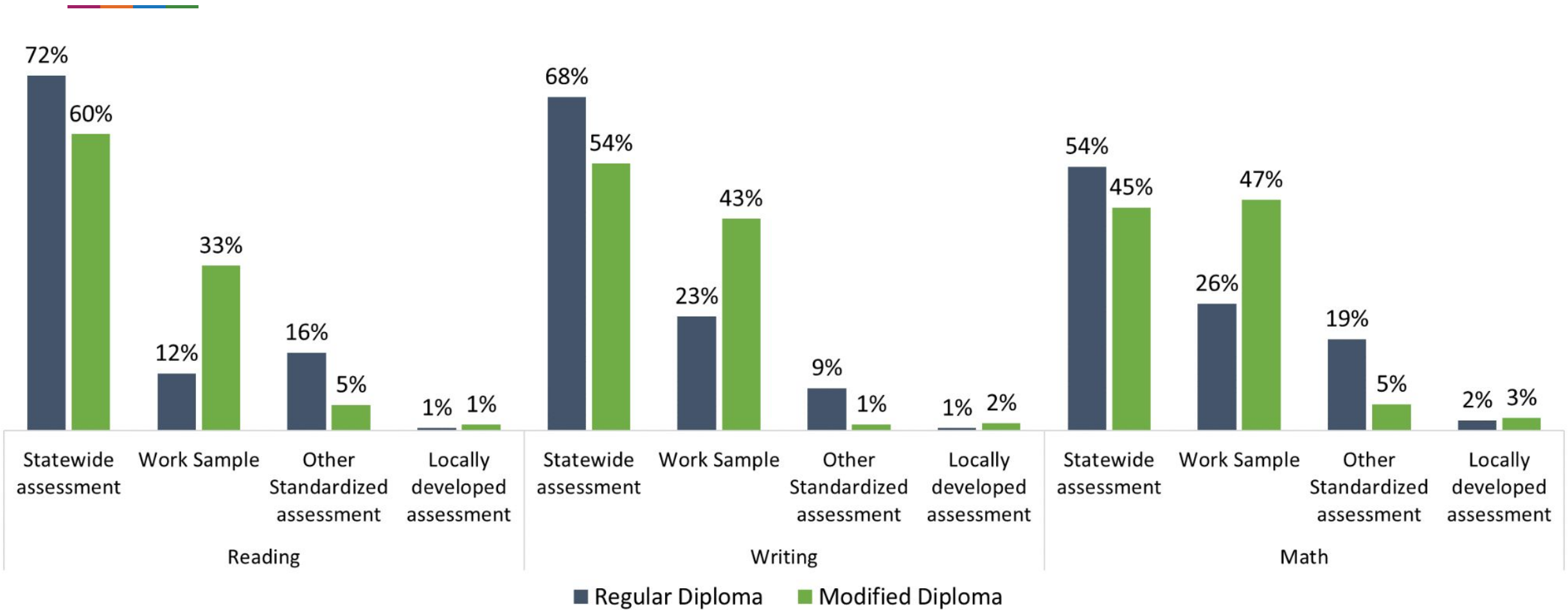




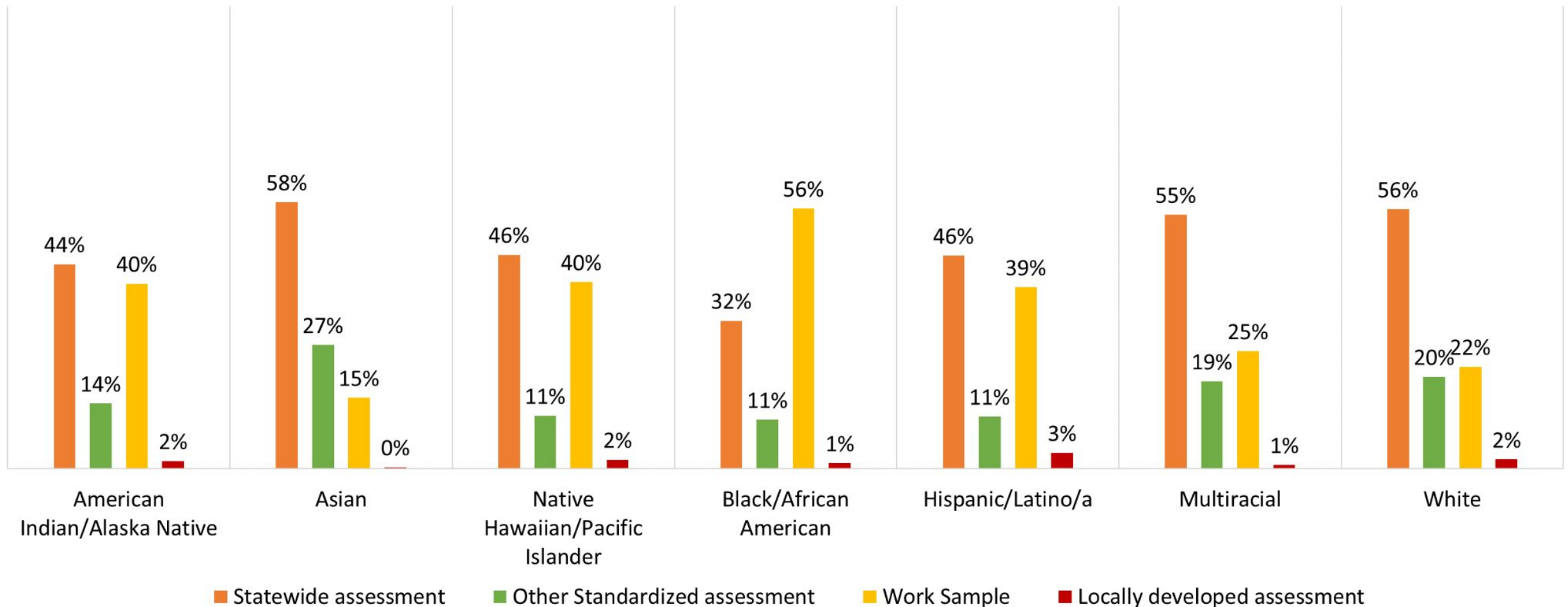
# Students who are Emerging Bilinguals



# How Students Meet Essential Skills

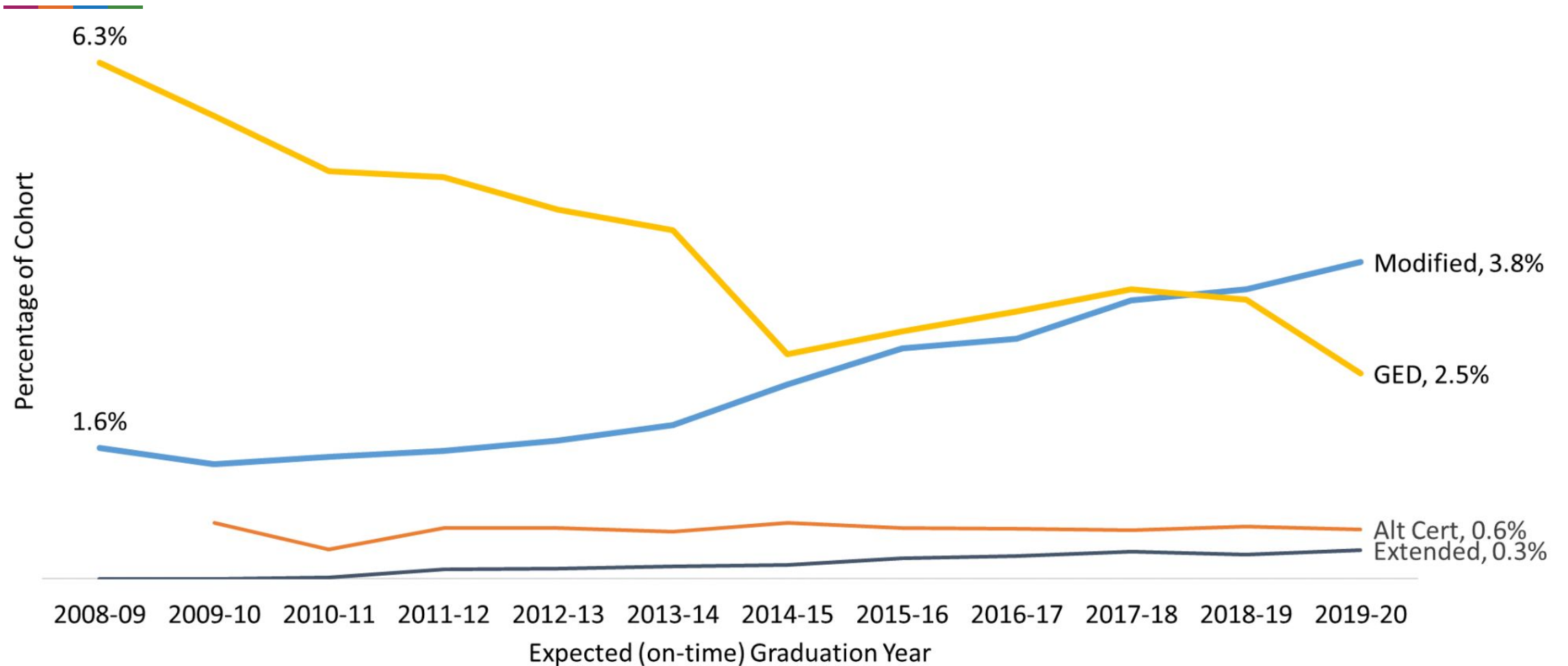


# How Math Essential Skills are Met

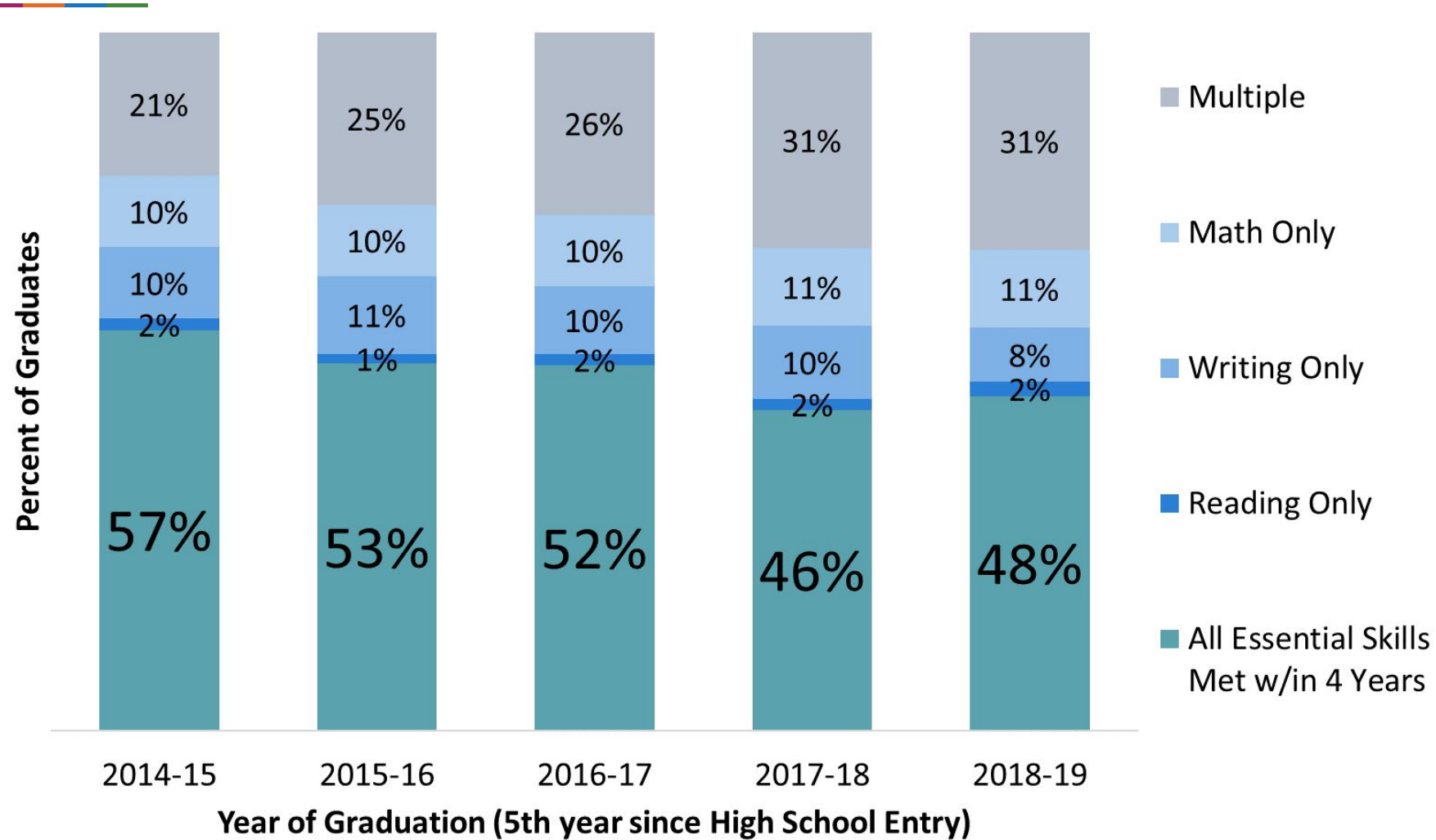


Oregon Department of Education

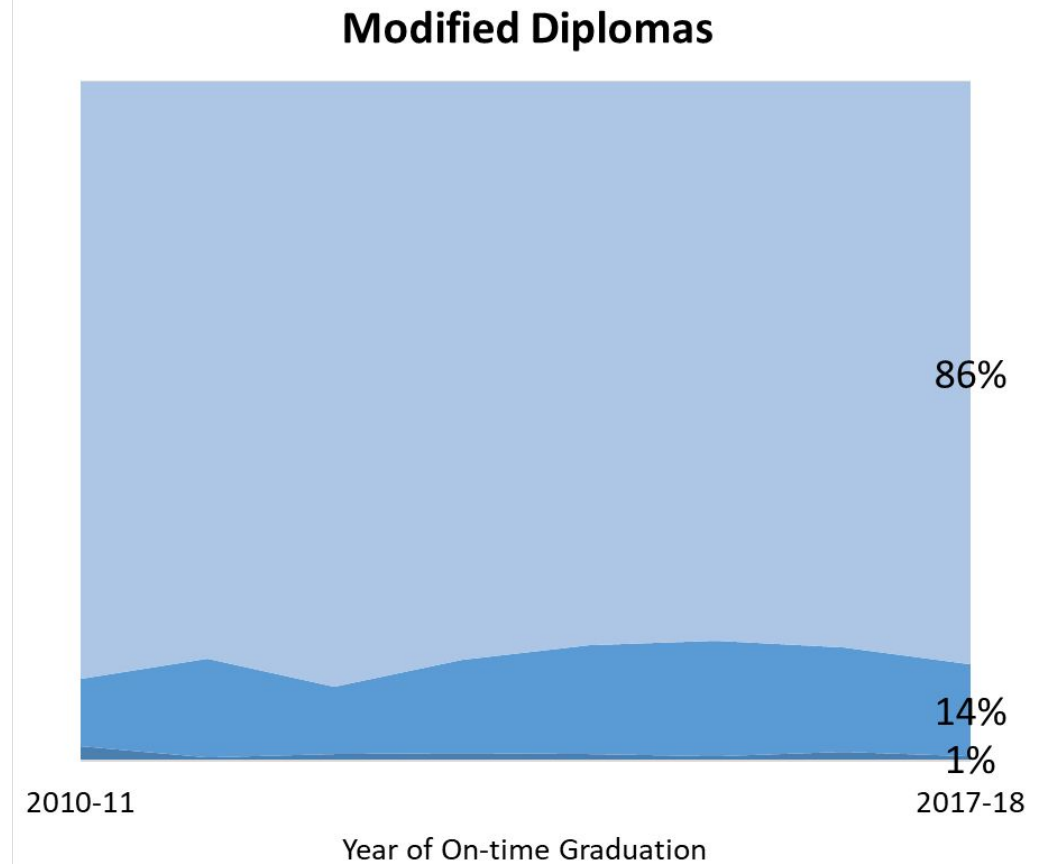
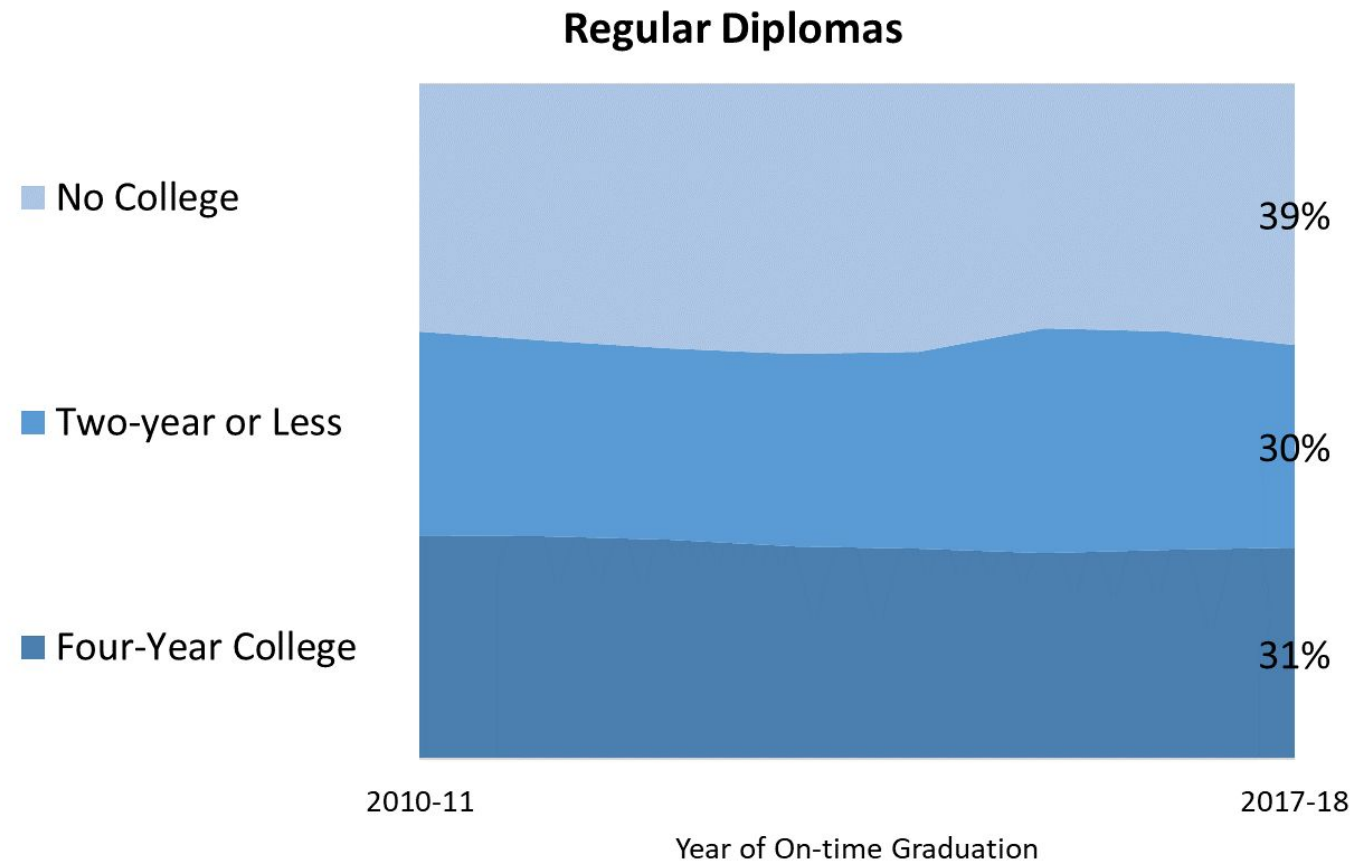
# Modified Diploma Rates



# 5th-Year Graduate Essential Skills



# Postsecondary Education Impact



# Themes From our Learning Thus Far

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- Oregon's graduation rates have been increasing over the past decade; we are still learning more about the relationship of this trend given a correlated increase in modified diplomas and an increase in the number of students demonstrating proficiency in Essential Skills via work samples.
- The type of diploma a student has the opportunity to receive greatly influences post secondary opportunities.
- Assessment of Essential Skills data demonstrate opportunity gaps based on race, English Learner status, and disability status.

# State Policies of Interest

- Rhode Island: In process of recommending a new diploma but have [multiple graduation pathway endorsements](#).
- Ohio: [Class of 2023](#) has 20 credit requirement, a demonstration of competency and a demonstration of readiness as the basis of their diploma.
- Connecticut: [New diploma adopted in 2017](#) allows for more student choice and personalized pathways. Class of 2023 will be required to complete 25 credits, but have flexibility in the types of humanities, STEM, and other courses.



# SB 744 Communication

# Communication Plan

- Formal Monthly SB 744 Informational Updates shared with all engagement partners and interested parties
  - Update on project milestones and benchmarks
  - Engagement Information (e.g., region, times, and registration process)
- Communication Toolkit
  - [One-Page Overview of SB 744](#) (posted on [ODE's Rules and Policies webpage](#))
    - [SB 744 Talking Points](#)
    - [Sample District Communication Letter Template](#)
    - SB 744 Implementation [December Monthly Status Report](#)
- Social Media (*Meta/Twitter* Updates)

# SB 744 Engagement

# Senate Bill 744 Engagement

Oregon students who've experienced the most graduation outcome disparity

- Members of Tribes in Oregon
- American Indian/Alaska Native
- Black/African American
- Native Hawaiian/Pacific Islander
- Hispanic/Latino/Latinx
- Immigrants and refugees
- Experiencing disabilities
- Emerging bilinguals
- *Experiencing mobility*
- *Navigating poverty*
- *Identify as LGBTQ2SIA+*
- *Gender (male/female/non-binary)*

# ODE-Facilitated Engagements

ODE is coordinating engagements with multiple internal and external education partners

- Government to Government with Tribes in Oregon
- Student Success Teams ([SACSE](#), [EL Advisory](#), [African-American/Black](#), [Latino/a/x & Indigenous](#), and [LGBTQ2SIA+](#))
- Oregon Educators (migrant education coordinators, special education directors, English language coordinators, high school counselors, high school educators)
- Oregon Administrators (high school principals)

# Oregon's Kitchen Table

ODE is partnering with the [Oregon Kitchen Table](#) (OKT) program within Portland State University



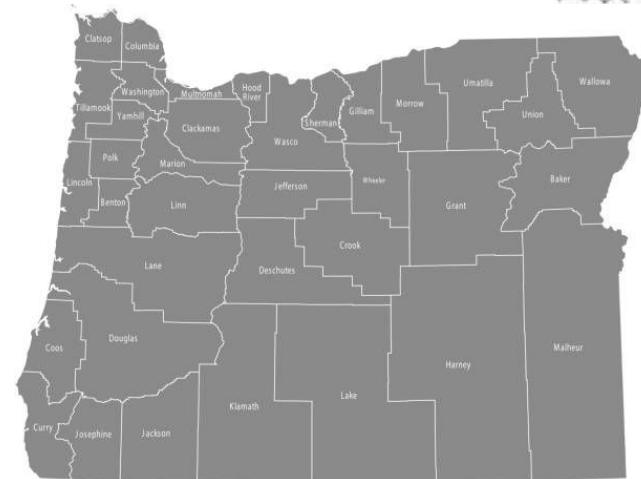
*“Oregon’s Kitchen Table is a space for people in Oregon to contribute feedback, ideas, and resources to decision-makers, public projects, and initiatives. Using culturally specific and targeted outreach, Oregon’s Kitchen Table has a particular focus on hearing from Oregonians who have been left out of traditional engagement processes. Oregon’s Kitchen Table has been used at the state, local and regional levels to gather feedback from a wide variety of Oregonians on a range of topics, including state budgeting priorities, county budgeting, kindergarten readiness, school boundaries, affordable and accessible housing, and equitable education.”*

# Statewide Survey

Made available in seven languages:

- Arabic
- Chinese
- English
- Russian
- Somali
- Spanish, and
- Vietnamese

Expected dissemination date:  
February 15, 2022



# Community Connections

## Personal connections to groups defined by SB 744

- Relationship building
- Identify important connectors and connection points for people
- Co-create engagement efforts and activities
- Work with compensated community organizers from those groups
- Make materials and events available in plain language and in multiple languages





# Community Conversations

- Virtual meetings
- Hosted regionally, with dissemination via Oregon's 19 Education Service Districts
- Begin after State Survey is launched



# Anticipated OAR Change

# Anticipated OAR Change

- Pursuant to SB 744, students are not required to demonstrate proficiency in relation to Essential Skills in order to receive an Oregon Diploma through the 2023-24 school year
- The State Board is asked to extend the suspension of the Assessment of Essential Skills at OAR 581-022-2115
  - (22) The Essential Skills graduation requirements established by Sections 3, 4, and 5 of this rule are waived for students graduating in the 2021-2022, 2022-23, & 2023-24 school years

# Questions



[Image Source](#)

# Thank you!

**Jennifer Patterson**

*Assistant Superintendent of the Office of Teaching,  
Learning, and Assessment*

**Dan Farley**

*Director of Assessment*



# ODE Draft Rules



# Revisiting SIA Rules on Focal Groups: Distinguishing Charter Eligibility, Engagement, and Performance Targets

Blake Whitson and Rachael Moser

Office of Education Innovation and Improvement

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# SIA Rules for Focal Group Students

**Subject:** Definitions for the Student Investment Account

**Concept:** Adding additional definitions to rule regarding the Student Investment Account.

**Background:** Currently the rules for the Student Investment Account contain some definitions for focal student groups as they pertain to the determination of eligibility for charter schools to apply independently.

After two years of implementation, we have found that in reality we have three structural areas where there needs to be definitions in rule.



# SIA Rules for Focal Group Students

## 1. Charter School Eligibility

- The definitions for student groups already in rule support the determination of eligibility for a charter school to apply independently of a district.

## 2. Community Engagement

- The statute lists focal groups that should be engaged by districts and eligible charter schools for the purpose of community engagement.
- The statute also provides that additional groups can be added by the State Board in rule.
- Currently no focal groups, for the purpose of engagement, are identified in rule. ODE is proposing this change to increase clarity within the best understanding of the intent of the law and authority of the State Board.

## 3. Longitudinal Performance Growth Targets

- Again, defined in statute but no definitions currently in rule expressly for the purpose of LPGTs.

# SIA Rules for Focal Group Students

## Timeline:

- December we presented these ideas as rule concepts
- Today, presenting first draft of the rules based on initial feedback
- In February's RAC meeting, we'll bring back any revisions for another round of feedback
- Requesting to present First Read to State Board in April and a Second Read in May

# SIA Rules for Focal Group Students

- **Proposed Rule Changes**
  - Draft Rules: Link to the working document is in the chat
- Adding or updating definitions for:
  - Students from Racial or Ethnic groups that have historically experienced academic disparities
  - Foster Students
  - LGBTQ2SIA+ Students
  - Recent Arriver Students
  - Migrant Students
  - Incarcerated and detained youth

# SIA Rules for Focal Group Students

- **Proposed Rule Additions for Community Engagement**
  - These rules mirror what is in statute for community engagement as part of the strategic planning processes districts must do when applying.
  - Adding the groups previously named to rule for the purpose of community engagement.
  - Establishes that districts or eligible charter schools may, if they choose, establish additional focal groups not otherwise named as long as they have experienced historic or current academic disparities resulting from:
    - Immutable characteristics
    - Socio-economic status
    - Cultural or ethnic background
    - Disability
    - Students experiencing mental or behavioral health barriers.
    - Or any combination thereof

# SIA Rules for Focal Group Students

- **Proposed Rule Additions for Community Engagement**
  - While recognizing that the lack of access to Talented and Gifted (TAG) programs has been recognized by the Joint Committee on Student Success, lack of access to TAG programming for academically gifted and high achieving students on it's own does not fit within the spirit and intent of the SIA to reduce academic disparities for historically underserved students.
  - The proposed rules limit the identification of TAG students as a focal group unless they are otherwise part of an already identified focal group.

# SIA Rules for Focal Group Students

- Proposed Rule Additions for Longitudinal Performance Growth Targets (LPGTs)
  - We do recognize that some of these newly identified focal groups, as well as ones that districts may recognize will not be identifiable in data collections currently captured by ODE.
  - The proposed rules say that groups not in data collected by ODE, such as LGBTQSIA+ students, will not be required to be included in the development of LPGTs.
  - The rules do indicate that as data becomes available that could include other groups, they may become required to be included in the development of LPGTs.

# SIA Rules for Focal Group Students

## Questions for Input:

- Are there other focal groups we should consider adding who are not otherwise captured in the draft rules for community engagement?
  - There is not statutory authority to adjust how charter eligibility is determined except as it relates to the definition of “economically disadvantaged” which is work happening in a parallel effort with wider impacts across a larger set of rules.
  - There is not a feasible change for LPGTs based on current data collections.
- Are there other areas of definitions and structure missing from the proposed rules?

# SIA Rules for Focal Group Students

## Timeline/Next Steps:

- December we presented these ideas as rule concepts
- Today, presenting first draft of the rules based on initial feedback
- In February's RAC meeting, we'll bring back any revisions for another round of feedback
- Final RAC Rules at a Glance in March
- Requesting to present First Read to State Board in April and a Second Read in May



# Proposed Rule Impacts: SIA Rules for Focal Group Students

## *Racial Equity:*

- The proposed rules expand the spirit of the SIA by adding the definitions of both groups named in statute as well as expanding community engagement with the inclusion of additional named focal groups.

## *Fiscal/Small Business Impact:*

- The fiscal impact would be limited to districts and eligible charter schools. However, due to the engagement process required by ESSER III and SIA, this impact should be negligible. Ongoing community engagement is also an allowable use of both ESSER and SIA funds.



# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0580 and 581-021-0584

Taffy Carlisle

Office of Equity, Diversity, and Inclusion

[Taffy.Carlisle@ode.oregon.gov](mailto:Taffy.Carlisle@ode.oregon.gov)



# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0580



Subject: Oregon State Seal of Biliteracy

### Concept:

- The Essential Skills requirement for the Oregon State Seal of Biliteracy needs to be waived for 2021-22; otherwise, it will be impossible for a significant number of students to earn the State Seal of Biliteracy.
- Currently, the Oregon State Seal of Biliteracy can only be awarded to students who are literate in English and another language. This poses equity concerns for students who may be literate in two non-English languages.
- Also, we are proposing the creation of a Seal of Multiliteracy, which would recognize literacy in three or more languages.

# Oregon State Seal of Biliteracy or Multiliteracy

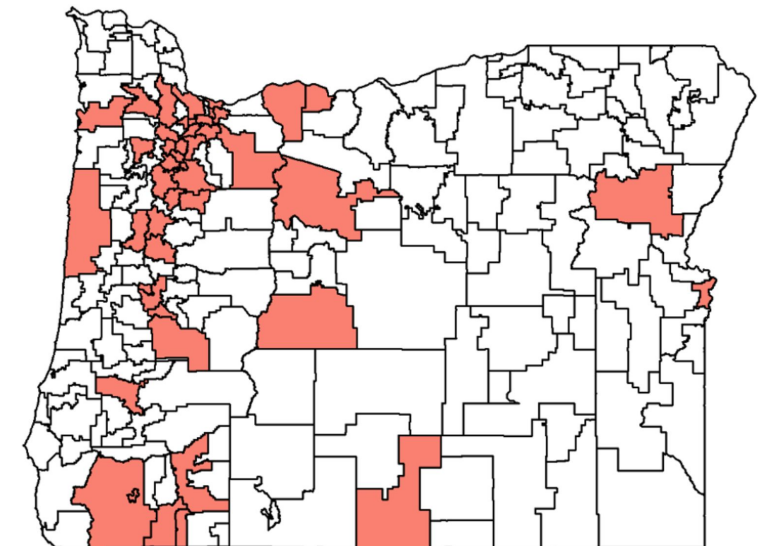
## 581-021-0580



### Background:

The Oregon State Seal of Biliteracy was first approved by the Board in 2016 as an award to recognize the language EL students already speak as they learn English as well as for students who demonstrate a high proficiency in English and another World Language, in the reading, writing, listening, and speaking domains.

- 10,742 recipients
- 4,743 speakers of other languages
- 4,107 Current and Former EL students
- 318 students on IEP/504s
- 127 students proficient in three or more languages.



# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0580



### Timeline:

- September to December 2021:
  - Two external OSSB workgroup meetings
  - Three OSSB internal workgroup meetings
- December 2021 - February 2022
  - Initial RAC meeting
  - First reading by State Board
  - Opportunity for further engagement
  - Second RAC meeting
  - Second reading by State Board

# Rule Changes

- Waives the Essential Skills requirement for 2022 graduating students
- Amends the rules to set all languages on equal footing to earn the Biliteracy Seal
- Removes the word “World” from World Languages
- Creates an Oregon State Seal of Multiliteracy for students who earn the award in three or more languages.
- Clarifies who issues the Oregon State Seal of Biliteracy/Multiliteracy

# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0580



- Proposed Rule Changes

- (1) “Assessment” means any of the measurements identified by the Department of Education and used to determine target language proficiency.
- (2) “Biliteracy” or “**biliterate**” means the ability to demonstrate ~~a high level~~ of proficiency in reading, writing, listening, and speaking in ~~English and one or more world~~ **two** languages.
- (3) “**Multiliteracy**” or “**multiliterate**” means the ability to demonstrate proficiency in reading, writing, listening, and speaking in three or more languages.
- (4) “Oregon State Seal of Biliteracy” means a seal issued by the **Deputy** Superintendent of Public Instruction, **or their representative**, that certifies a student is biliterate, **as defined in this rule** ~~in English and one or more world languages~~.

# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0580



- Proposed Rule Changes

**(5) “Oregon State Seal of Multiliteracy” means a seal issued by the Deputy Superintendent of Public Instruction, or their representative, that certifies a student is multiliterate, as defined in this rule.**

**(6 4) “Portfolio of evidence” means the body of work collected to determine ~~demonstrate a high level of~~ target language Biliteracy proficiency.**

~~(5) “World language” is defined in ORS 329.007 and means sign language, heritage language and languages other than a student's primary language.~~



# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0584



(1) The Department of Education shall develop a process by which school districts shall submit to the Department all data required as proof ~~for~~ **or** each student who is a candidate for a State Seal of Biliteracy **or a State Seal of Multiliteracy.**

(2) The **Deputy** Superintendent of Public Instruction, **or their representative,** shall award a State Seal of Biliteracy **or Multiliteracy** to a student who meets all of the following criteria:

(a) Completed all state and district graduation requirements;

~~(b) Meet the Essential Skills for reading and writing in English;~~

# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0584



**(c~~b~~)** Demonstrated proficiency in two ~~or more world~~ languages **(for the Seal of Biliteracy)**, or three or more languages **(for the Seal of Multiliteracy)** ~~other than English~~, in reading, writing, listening, and speaking through:

(A) One or more examinations and passing scores for each that are identified by the Department of Education; or

(B) Work sample, body of evidence, or portfolio.

# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0584



~~(3) Notwithstanding subsection (2) of this rule, the Superintendent of Public Instruction shall award a State Seal of Biliteracy or Multiliteracy to student who earned a diploma was first enrolled in ninth grade in the 2017-18 or 2016-17 and meets all of the following criteria:~~

~~(a) Completed all state and district graduation requirements; and~~

~~(b) Demonstrated proficiency in two one or more world languages (for the Seal of Biliteracy), or three or more languages (for the Seal of Multiliteracy), other than English in reading, writing listening and speaking through:~~

~~(A) One or more examinations and passing scores for each that are identified by the Department of Education; or~~

~~(B) Work sample, body of evidence, or portfolio.~~

# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0584

(3) The Oregon Seal of Biliteracy is available to students who received a diploma, or will receive a diploma, in 2015-2016 and future years.

(4) The Oregon Seal of Multiliteracy is available to students who received a diploma, or will receive a diploma, in 2021-2022 and future years.



# Oregon State Seal of Biliteracy/Multiliteracy

- Are these rule changes mirroring statute?
  - There is no legislative statute to mirror.
- Does the RAC have any flexibility in proposing additional and/or different rule language?
  - The committee has discretion to approve these changes



# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0580 and 581-021-0584

### Questions for Input:

- Are there any unintended consequences to these changes?
- Is additional engagement needed? If so, does the RAC recommend any specific bodies beyond the OSSB workgroup?
  - Reminder: the 30-member workgroup consists of district, Confederated Tribes of the Umatilla Indian Reservation and Confederated Tribes of Grand Ronde education directors, post-secondary deans, and language department heads.



# Oregon State Seal of Biliteracy or Multiliteracy

## OAR 581-021-0580 and 581-021-0584

### Next Steps: State Board meeting? Further engagement?

- If no further engagement is recommended, we will present to the State Board at the January 20th for a 1st Reading.
- The recommendations from the RAC and the State Board will be taken back to the OSSB/OSSM workgroups for further input.
- Follow up with RAC at the Feb 03 meeting.



# Proposed Rule Impacts: Oregon State Seal of Biliteracy or Multiliteracy OAR 581-021-0580 and 581-021-0584

## *Racial Equity:*

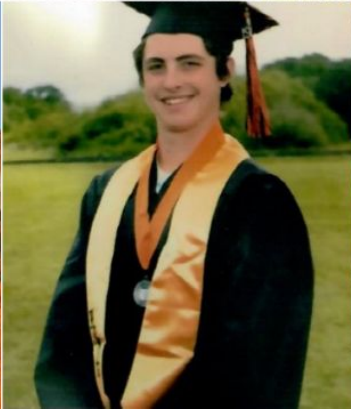
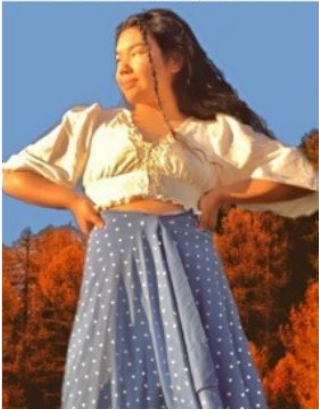
- These proposed changes would positively impact the number of student eligible for the OSSB/OSSM by recognizing that students may be biliterate or multiliterate in additional languages all languages are on equal footing.



## *Fiscal/Small Business Impact:*

- There would be no fiscal impact on school districts and ESDs.




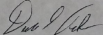




The Oregon Department of Education proudly confers the Oregon State Seal of Biliteracy to:

The recipient of this award has demonstrated high levels of language proficiency in two or more languages, and this document certifies that the recipient has successfully satisfied the criteria for the Oregon State Seal of Biliteracy, approved by the State Board of Education, for 2018.

Colt Gill  
 Deputy Superintendent  
 Oregon Department of Education

Dr. Darryl Tukufu  
 Assistant Superintendent, Office of EDI  
 Oregon Department of Education





# Menstrual Dignity for Students

Sasha Grenier (she/her)

Office of Teaching and Learning

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# Menstrual Dignity for Students

**Subject:** The provision of menstrual products in all school bathrooms

**Concept:** The Menstrual Dignity Act, enacted in July of 2021, requires that educational providers stock menstrual products in all student bathrooms by the end of the 2022-23 school year– and in at least 2 bathrooms by the end of the 2021-22 school year.

**Background:** Lack of access to menstrual products and menstrual health education can have long-lasting and negative effects on young people, including: emotional anxiety, traumatic experiences, as well as education setbacks and medical issues.

# Why Menstrual Dignity?



Oregon Department of Education

## Students need menstrual products in schools

- One in five students have **struggled to afford** menstrual products
- More than four in five students have either **missed class time** or know someone who did because they did not have access to menstrual products
- 80% of teens feel there is a **negative** association with periods, that they are gross or unsanitary
- Disproportionate impacts for **students of color, students experiencing disabilities, and students experiencing poverty**

Lack of access to menstrual products and menstrual health education can have long-lasting and negative effects on young people, including: **emotional anxiety, traumatic experiences, as well as education setbacks and medical issues.**

**Sources:** *The State of the Period*, A joint paper by Thinx and PERIOD  
*Unmet Menstrual Hygiene Needs Among Low-Income Women*, Anne Sebert Kuhlmann, PhD, MPH,  
et. al. American College of Obstetricians and Gynecologists, 2019

# Menstrual Dignity for Students

## Timeline:

- HB 3294 enacted July 1, 2021
- Engagement with dozens of public, private, community-based partners, students, educators, advocates, and many others
- Presented temporary rules at the RAC on September 9, 2021
- Presented and passed temporary rules at the SBE on September 16, 2021
- Worked with 40+ stakeholders to develop [the Menstrual Dignity Toolkit](#) and press release
  - News coverage:
    - [Oregon becomes first state in the US to require all schools provide free menstrual products](#), KGW
    - [Bend Senior HS students reach goal of improving access to menstrual products across state](#), KTVZ
    - [ODE toolkit preps Oregon schools to offer free menstrual products](#), KOIN
    - [Bend Students Lead Changes to Menstrual Product Access in State Schools](#), Central Oregon Daily
    - [Oregon's Menstrual Dignity Act, Free Menstrual Products at All Public Schools](#), Aunt Flo
- Launched public engagement survey to coalesce learnings into permanent rule



## Menstrual Dignity for Students Toolkit

November 2021

# Menstrual Dignity for Students Toolkit Overview

The Menstrual Dignity Act ([HB 3294](#), 2021) created the requirement for education providers to provide free menstrual products for all students in all public school buildings in Oregon.

### What's included in the Toolkit?

- I. Introduction: Menstrual Dignity**
- II. Temporary Oregon Administrative Rules**
- III. Program Requirements**
  - A. Dispensers
  - B. Menstrual Products
  - C. Trash Receptacles
  - D. District Spotlight: Falls City School District
- IV. Education**
  - A. Menstrual Product Instructions
  - B. Menstrual Health Education in the Classroom
- V. Staff Engagement & Training**
  - A. Key Messages for Staff
  - B. Resources for Staff Training
- VI. Student & Youth Engagement**
  - A. Student-Facing Resources
- VII. Family & Community Engagement**
  - A. Sample Family & Community Letter
  - B. Tips for Menstruation-Positive Language for Families
- VIII. Funding & Reimbursement**
  - A. Processes, Documents, and Forms
- IX. Frequently Asked Questions (FAQ)**

# Temporary Oregon Administrative Rules (OARs)

The Oregon State Board of Education passed the below temporary Oregon Administrative Rules (OARs) at the September 2021 meeting.

I. [OAR 581-021-0600](#) **Menstrual Dignity for Students: Definitions**

- This temporary rule provides for key definitions of the rule, including “bathroom”, “dispenser”, “products”, “public school building”, and “student bathroom.”

II. [OAR 581-021-0603](#) **Menstrual Dignity for Students: Requirements**

- This temporary rule describes dispenser and product requirements, including technical implementation components necessary for privacy, accessibility, and gender inclusivity.

III. [OAR 581-021-0606](#) **Menstrual Dignity for Students: Education**

- This temporary rule explains the education requirements that accompany product access and center positive attitudes towards menstruation and health.

IV. [OAR 581-021-0609](#) **Menstrual Dignity for Students: Reimbursement Program**

- This temporary rule clarifies the statutory requirements for how districts, ESDs, and charter schools may receive funding from the Department for program implementation, describing eligible expenses and the process for reimbursement.

# 581-021-0600

## Menstrual Dignity for Students: Definitions

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The following definitions apply to OAR 581-021-0600 to 581-021-0609:

- (1) “Bathroom” means a space with a toilet, a sink, and a trash receptacle that is privately accessible to students. Bathrooms may be single stalled or an aggregation of individual toilet compartments, including in locker rooms.
- (2) “Dispenser” means a container sufficient to hold menstrual products and can include something installed on a wall or placed on a shelf.
- (3) “Products” means tampons and menstrual pads.
- (4) “Public school building” means a building used by a public education provider to provide educational services to students.
- (5) “Student bathroom” means a bathroom that is accessible by students, including a gender-neutral bathroom, a bathroom designated for females and a bathroom designated for males.



# 581-021-0603

## Menstrual Dignity for Students: Requirements

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- (1) All education providers shall install in every student bathroom:
  - (a) At least one dispenser that:
    - (A) Does not require inserting coins or money;
    - (B) Is clearly marked as free in at least two languages;
    - (C) Is ADA compliant;
    - (D) Is located in a place where all students can access products privately; and
    - (E) Provides a variety of products with consideration of absorbency and size options.
- (2) Notwithstanding subsection (1), for the 2021-22 school year, all education providers shall stock and maintain menstrual product dispensers in at least two student bathrooms in each public school building. Education providers shall determine where to prioritize dispenser installation considering all-gender access to menstrual products and student privacy.

# 581-021-0606

## Menstrual Dignity for Students: Education

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(1) All education providers shall provide health and sexuality education that covers menstrual health. The education must:

- (a) Be affirming of transgender, non-binary, and intersex students;
- (b) Not be fear- or shame-based;
- (c) Be age-appropriate;
- (d) Be medically-accurate;
- (e) Be culturally responsive; and
- (f) Be accessible for students with disabilities.

(2) All education providers shall provide and display menstrual product instructions within the bathroom. The instructions must:

- (a) Be affirming of transgender, non-binary, and intersex students;
- (b) Not be fear- or shame-based;
- (c) Be age-appropriate;
- (d) Be medically-accurate.
- (e) Be culturally responsive; and
- (f) Be accessible for students with disabilities.

# 581-021-0609

## Menstrual Dignity for Students: Reimbursement Program

(1) The Department shall determine how much funding is available each year for eligible entities based on annual ADM and a 49/51 split of available funding. The Department shall use the most current finalized ADM from the State School Fund from the prior year.

(2) The following education providers are eligible to receive the menstrual product reimbursement:

- (a) School districts;
- (b) Public charter schools; and
- (c) Education service districts.

(3) Education providers shall electronically submit applications to the Department within the required timelines and on forms developed by the Department.

(4) Education providers shall be reimbursed for actual costs incurred. Actual costs incurred may include the following:

- (a) Products;
- (b) Dispensers;
- (c) Installation costs; and
- (d) Trash receptacles.

(5) Any unspent funds for the first year of the biennium shall be rolled forward and used in the distribution of funds for the second year of the biennium. If the total amount to be distributed does not exceed the amount of available funding for the biennium, any remaining amount shall be redistributed to the State School Fund and reconciled in the payment process per ORS 327.095.

# Menstrual Dignity for Students

- Proposed Rule Changes
  - OAR 581-021-0606 Menstrual Dignity for Students: Education
    - Change (1) “All education providers shall provide health and sexuality education that covers menstrual health. The education must:
      - (a) Be inclusive and affirming of transgender, non-binary, intersex, and two spirit/indigiqueer students;
      - (b) Be positive and not fear- or shame-based
    - (2) All education providers shall provide and display menstrual product instructions ~~on how to use menstrual products~~ within the bathroom. The instructions must:

# Menstrual Dignity for Students

- Proposed Rule Changes

- OAR 581-021-0609, Menstrual Dignity for Students: Reimbursement Program
  - (5) Any unspent funds for the first year of the biennium shall be rolled into ~~forward and used in~~ the distribution of funds for the second year of the biennium.”
  - (4) Education providers shall be reimbursed for actual costs incurred. Actual costs incurred may include the following:
    - (a) Products;
    - (b) Dispensers; and
    - (c) Installation costs.
    - ~~(d) Trash receptacles.~~

# Menstrual Dignity for Students

## Questions for Input:

- How do we engage more students and youth, when there isn't compensation offered for their time?
- What other areas should we strengthen the rules? What gaps can you identify?
  - See [Menstrual Dignity for Students Permanent Rules Input Form](#)

# Menstrual Dignity for Students

Next Steps: State Board meeting? Further engagement?

- Continuing to engage stakeholders.
- 1st reading with the State Board on January 20th.
- 2nd reading in March.

# Proposed Rule Impacts: Menstrual Dignity for Students

## *Racial Equity:*

- These rules promote equity for all students who menstruate, especially those who lack access to menstrual products for many reasons. This program will help all students access their education without shame and with their basic needs met.

## *Fiscal/Small Business Impact:*

- These rules will not impact small businesses.
- We have heard from school districts that the funds allocated by the statute will not cover their actual costs to cover menstrual product provision.





# Vision Screening

Sasha Grenier

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# Vision Screening

**Subject:** Vision Screening Reimbursement Programs

**Concept:** External vision screening providers can now be reimbursed directly by ODE

**Background:** SB 222 expanded the parties eligible for reimbursement under the Vision Screening Reimbursement grant, from “educational institutions” to “persons”. OAR 581-021-0031 currently stipulates a process for reimbursing school districts for expenses incurred for providing vision screenings, which are usually provided by external vision screeners. This amended OAR will allow external vision screening providers to be reimbursed directly by ODE, rather than through a school district.

# Vision Screening

## Timeline:

- SB 222 enacted July 1, 2021
- Engagement with educational partners and external vision screening provider partners.
- Presented temporary rules at the RAC on September 9, 2021.
- Presented and passed temporary rules at the SBE on September 16, 2021.
- Continued engagement with stakeholders to create new reimbursement form and process.
- Continued engagement as part of permanent rulemaking.

# Vision Screening

- **Proposed Rule Changes**

- No changes to the temporary rule passed in September.
- Adds “(7) For each biennium that the Legislature appropriates money to the Department for the purpose of reimbursing education providers or an organization that has been approved to provide vision screenings by the Department as provided in subsection (6) of this rule for vision screening, the Department will administer reimbursements to education providers or an organization that has been approved to provide vision screenings by the Department as provided in subsection (6) of this rule.

# Vision Screening

## Questions for Input:

- Is there anything else we could consider to strengthen this rule?

# Vision Screening

Next Steps: State Board meeting? Further engagement?

- State Board meeting on January 20th.

# Proposed Rule Impacts: Vision Screening

## *Racial Equity:*

- This program will expand the availability for vision screenings to all students. This especially serves students who face challenges in accessing regular medical care.

## *Fiscal/Small Business Impact:*

- These rules will benefit ODE-approved vision screening providers.

# Preview of February 03 Agenda

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- Rules-at-a-Glance:
  -
- Updates/Policies:
  - SB 744 Implementation Update
- Draft Rules:
  - OER Fee Waiver OAR 581-011-0090
  - SIA Rules for Focal Group Students
  - SB 513 - Civics requirement for graduation
- Early Rule Concept and Considerations
  - Optional SIA Mental and Behavioral Health Targets



# Thank you



The background is a dark space filled with numerous small white stars. On the right side, there is a large, detailed blue planet with visible atmospheric bands. On the left side, there are two smaller planets: a bright white one and a smaller yellow one.

# **OPEN SPACE**

**Any further questions or comments  
on any agenda item or any topic not  
on our agenda...**