



ODE Rules Advisory Committee

September 1, 2022

Welcome and Group Share

→ In the chat, please list your:

- ◆ Name;
- ◆ Pronouns;
- ◆ Organization; and

- ◆ One hope and/or fear that you carry with you into the new school year.

Agenda

9:00 am - 11:00 am

- I. Introductions & Opening Remarks
- II. Rules-at-a-Glance
- III. Draft Rules
 - A. Optional Mental & Behavioral Health Targets
- IV. Early Rule Concept and Considerations
 - A. Every Day Matters OARs
- V. Open Space/Questions
- VI. Closing

Introductions and Opening Remarks

- Student Rule Advisors!
- Circling back on Core Principles and Working Agreements

RAC Core Principles

- Rulemaking driven by engagement and consultation
- Intentionally collaborating with diverse perspectives
- Coordinating engagement opportunities and looping back with partners
- Providing multiple avenues for feedback and response in meetings
- Clearly defining roles and responsibilities within the rulemaking process

RAC Working Agreements

- Assume best intent, attend to impact, and earn trust
- Engage tension and commit to dialogue
- Speak your truth and represent your perspectives
- Respect different communication styles and embrace underrepresented voices
- Practice confidentiality when sharing outside the RAC

Engagement Opportunities for Administrative Rules

Oregon Department of Education

Ensures rules comply with state law.

Staff technical advisory committee

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

ODE Rules Advisory Committee

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

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.

Process and Rhythm

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 Draft Rule or Early Rule 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

HB 4026 - 2020 Wildfire Grant OARs

Subject: Adopt permanent rules to be used in the administration of the 4-year, \$25 million wildfire grant program. Temporary rules have already been approved by the State Board.

Concept: These rules are necessary for grant agreements to define timing of events, such as sources of data used in the calculations, anticipated updates and distribution timelines

Background: In late-summer 2020, wildfires swept across Oregon devastating thousands of acres of land and several communities. Many families lost their homes and have been displaced while critical infrastructure and housing are rebuilt. This displacement of students has impacted funding as school districts work to provide stability and critical education services during unprecedented times. This grant is intended to provide resources for the impacted school districts, which will allow them to prepare and maintain service levels for the time the students are able to return.

HB 4026 - 2020 Wildfire Grant OARs

Summary of Proposed Rule Changes: These rules are to supplement existing statute to provide guidance in the administration of the program

Proposed Rule Impacts:

- **Racial Equity:** These rules will be used for a grant program to support school districts that have disproportionate levels of historically marginalized students
- **Fiscal/Small Business Impact:** These rules will assist with a grant program to provide financial support in communities impacted by the wildfires at a critical time in recovery.

Next Steps: Adopt as permanent rules with September and October State Board, just prior to temporary rules expiring in November

Universal Screening for Risk Factors of Dyslexia OARs

Subject:

581-002-1815 *Universal Screening for Risk Factors of Dyslexia: Definitions* & 581-002-1820 *List of Approved Universal Screeners for Risk Factors of Dyslexia*

Concept:

Seeking permanent rule adoption. Both rules are currently established as temporary rules and are set to expire on 12/31/22.

Background:

In 2018, ODE facilitated a well-informed RAC and rulemaking process to implement universal screening for risk factors of dyslexia in accordance with [ORS 326.726](#). These rules were adopted by the SBE in April 2018, however, two of the rules, [OAR 581-002-1815](#), pertaining to adopting definitions for screening, and [OAR 581-002-1820](#), directing ODE to develop a list of approved tests and providing screener criteria, were not filed with the Secretary of State's office. Unfortunately, due to this inadvertent administrative oversight these rules were not effective or valid. When this error was discovered, ODE immediately sought adoption of temporary rules to prevent any disruptions to the universal screening of students conducted by districts in accordance with Division 22. ODE is now seeking permanent adoption of these rules. There is no substantive changes to these rules since they were first adopted by the State Board in 2018.

Universal Screening for Risk Factors of Dyslexia OARs

Summary of Proposed Rule Changes:

There are no proposed changes to the temporary rules that were adopted by SBE in June 2022.

[\(Proposed, and Currently-Adopted, Rule Language\)](#)

Proposed Rule Impacts:

- **Racial Equity:** These rules support ODE in providing districts with a list of approved universal screening tools that are designed to identify students demonstrating risk factors of dyslexia and other reading struggles. Screening students early, with valid and reliable measures, provides educators with critical information needed to address instructional needs and provide early intervention, which is a key factor in reducing disproportionate reading outcomes for historically underserved and marginalized groups, including students experiencing disability.
- **Fiscal/Small Business Impact:** No impact.

Universal Screening for Risk Factors of Dyslexia OARs

Next Steps:

- October 20: State Board of Education: 1st Reading
- October 27: Scheduled Proposed OAR Hearing
- November 3: Rules Advisory Committee: Follow-up
- December 8: State Board of Education: 2nd Read/Adoption

Approved Transportation Costs for Payments from the State School Fund

Subject: 581-023-0040(B) Non reimbursable transportation costs for the 2021-22 and 2022-23 school year. Remove 2018-19 and 2019-2020 school years from Rule.

Concept: These figures will be used to reduce the State School Fund, Annual Transportation Grant.

Background: 581-023-0040 gives guidance on eligible and non eligible transportation expenses as well as reimbursement. As part of the state school fund reconciliation process districts use the amounts in the non reimbursable transportation costs to complete annual Bus and Garage Depreciation Schedule and Mileage Report.

Approved Transportation Costs for Payments from the State School Fund

Summary of Proposed Rule Changes:

(B) Non-reimbursable Transportation Costs:

~~(i) For 2017—18:~~

~~(I) Number of miles at \$2.52 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or~~

~~(II) Number of miles at \$1.27 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.~~

~~(ii) For 2018—19:~~

~~(I) Number of miles at \$2.62 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or~~

~~(II) Number of miles at \$1.31 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.~~

(iii) For 2021 – 22:

(I) Number of miles at \$2.86 Per mile for all school buses and school activity vehicles having a manufacturers designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.43 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(iv) For 2022 – 23:

(I) Number of miles at \$2.96 Per mile for all school buses and school activity vehicles having a manufacturers designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles at \$1.49 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

Approved Transportation Costs for Payments from the State School Fund

Proposed Rule Impacts:

- **Racial Equity:** Transportation impacts all students. This is a long standing update to the mileage rate which utilizes inflation and CPI.
- **Fiscal/Small Business Impact:** Districts use these amounts in their annual financial reporting and Transportation reports for purposes of reconciling the state school fund.

Next Steps: After the first reading in September, to gain permanent status in October.



ODE Draft Rules



Optional SIA Mental & Behavioral Health Targets

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Optional Targets for Mental & Behavioral Health

Subject: Optional SIA Mental & Behavioral Health Targets

Concept: [HB 2060](#) (ORS 327.190) establishes that targets related to students mental and behavioral health needs will be established by the State Board of Education (SBE) by rule. To that end, ODE has begun to engage and seek input to assist in development of this rule set.

Background: Until HB 2060 passed, SIA grantees were able to create optional metrics based only on guidance. With the passage of HB 2060, in addition to calling out the five common required metrics, it is now in law that grantees can create optional metrics and, specifically, optional targets around student mental and behavioral health needs. The intent of the new rule set is to establish rules for optional targets SIA grantees can consider to support students' mental and behavioral health needs, inclusive of all students while also focusing on students from focal student groups.

Optional Targets for Mental & Behavioral Health

Timeline:

- March 2022: Established an Optional Mental & Behavioral Health Targets Advisory Council, which has primarily focused on providing input for the development of this rule set. This Advisory Council has continued to meet on a monthly basis, concluding in June 2022.
- April 2022: Presented an early rules concept at the RAC.
- June 2022: Presented our first draft of the rule set for input and feedback by the RAC.
- **September 2022: Presenting our second draft of the rule set for input and feedback by the RAC.**
- October 2022: Anticipate a first read of the rules to the SBE.
- December 2022: Anticipate a second read and adoption of the rules to the SBE.

Optional Targets for Mental & Behavioral Health

- **Proposed Rule Set**

- Components of the Rule Set

- Definitions - Aim to define key components of SIA and areas of mental and behavioral health
- Purpose - Name the aim behind creating this rule set
- Criteria - Define the requirements that grantees must meet in order to set optional targets
- Administration & Reporting - Share how optional targets will be administered and reported on

Optional Targets for Mental & Behavioral Health

Racial Equity: Mental & Behavioral Health Targets

- The proposed rule set aims to provide clarity on the types of optional targets that can be developed by grantees. The proposed optional targets rules are to support historically marginalized all students and support students from identified focal groups to improve mental and behavioral health.

Fiscal/Small Business Impact:

- Impacts are limited to none.

Optional Targets for Mental & Behavioral Health

- **Changes Made Based on Input**

- Updated reference to focal student groups to be in line with SIA definitions passed last spring
- Removed separate definitions for social emotional learning and trauma-informed principles and practices, and replaced with ODE Integrated Model of Mental Health which is inclusive of these two components
- Added a reference in purpose section to reference optional targets definition
- Updated the intention of optional targets to be aligned with updates to the definition sections
- Incorporated staff into the criteria section
- Added a piece on the upcoming requirement to share progress on optional targets with community in the optional targets administration and reporting section

- **What Hasn't Changed to Date**

- Definitions for “evidence-based” and “disaggregated data”

Questions for Input

- We are still exploring definitions for “belonging” and “whole child.” Are there any specific definitions you’d recommend - or work to explore to create these definitions?
- Are there additional criteria you think applicants should meet when setting optional targets?
- Is there anything else we should consider including in the administration and reporting section? What?
- What are we missing?

Optional Targets for Mental & Behavioral Health

Next Steps:

- June 2022: Final Mental & Behavioral Health Advisory Council meeting
- **September 2022: Second draft of rules for input and feedback by RAC**
- October 2022: First reading of rules at SBE
- December 2022: Second reading and adoption of rules at SBE



ODE Early Rule Concept and Considerations



Every Day Matters

A Community-Centered Plan to Increase Attendance,
Belonging, and Engagement

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Office of Education Innovation and Improvement

Every Day Matters Rule Changes

Subject: Every Day Matters Proposed Rule Changes

Concept: Every Day Matters supports districts and communities in addressing the root causes of chronic absenteeism. Every Day Matters is deepening this work with the specific focus of elevating family and community engagement who address the root causes of chronic absenteeism. To reflect this focus, we are requesting to update the EDM rule set.

Background: HB 4002 (2016) directed ODE and the former Chief Education Office to develop a statewide plan that would address chronic absenteeism. From 2018 - August 2020, Every Day Matters provided tiered support to districts in Oregon. Due to the global pandemic, funding was cut for the 2020-21 school year. Every Day Matters, which addresses chronic absenteeism through attention to student engagement, school culture, climate and safety, culturally sustaining pedagogy, and family and community involvement is the foundation for the other 5 initiatives in the *Aligning for Student Success: Integrated Guidance for Six ODE Initiatives*. The intent of the proposed rule changes and proposed new rule is to further center students, particularly focal student groups, align operational practice with rule, and establish community-centered approaches to addressing the root causes of chronic absenteeism.

Lever 1 - Align Attendance Learning and Coaching in Integrated Programs and ODE

- Bolster and utilize ODE's regionalized coaching and technical support systems.
- Build alignment and collaboration across ODE of approach to reducing chronic absenteeism.



Lever 2 - Partnership with ESDs for School District Coaching and Support

- Fund and support Education Service Districts to weave in and operationalize EDM Foundational Principles of chronic absenteeism and work more deeply in service to and solidarity with communities and CBOs.



Lever 3 - Fund CBOs to Engage and Support Families, Elevate Voice

- Fund and support Community-based Organizations to deepen the direct involvement of communities in addressing chronic absenteeism directly with students and in collaboration with districts, ESDs and other partners.

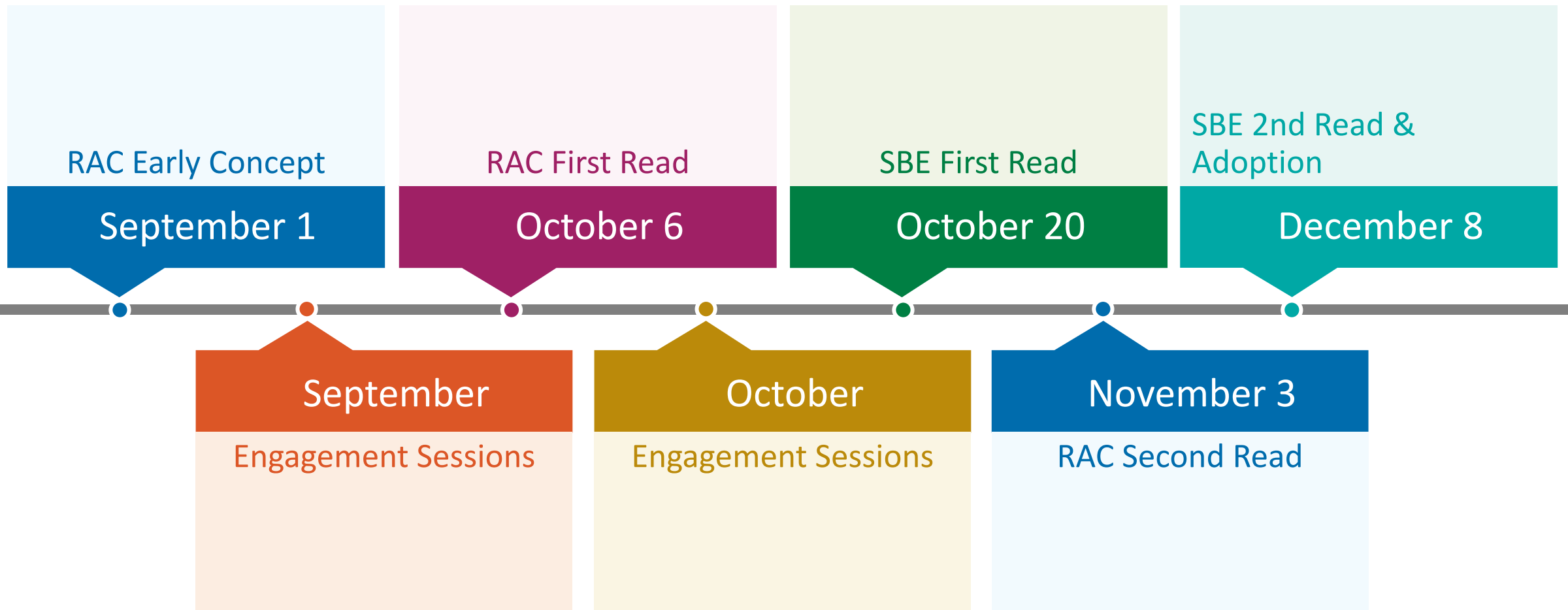


Lever 4 - ODE Research – Elevating Patterns, Best Policies and Practices

- Build and expand partnerships.
- Create and conduct research to deepen knowledge and resources around chronic absenteeism that can support multiple partners and actors.
- Monitor and evaluate impacts from policies (or lack of policies).



OARs Engagement Timeline



Every Day Matters Rule Changes

Through September and October, we will be engaging education partners within ODE, ESDs and school districts and community partners directly affected by these changes.

All Call Engagement Session

- Open to school district staff, community-based organization staff and community members
 - [September 29 - 4-5:30pm](#)
 - [October 11 - 2-3:30pm](#)

Every Day Matters Rule Changes

Questions for Input:

- What recommendations do you have for the engagement process as we move to create rules that establish a community-based organizations grant program and update rules to strengthen equity and reflect student-centered language?
- What would you like to see included in the rules?
- What else should ODE be considering as we draft the rules?

Preview of Oct 6 Agenda

- Draft Rules:
 - Every Day Matters OARs
 - Economically Disadvantaged Definition rule
- Early Rule Concept and Considerations:
 - Student Investment Account: Fund Administration
 - Student Investment Account: Definitions

Thank you



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

OPEN SPACE

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