



ODE Rules Advisory Committee

February 1, 2024

Welcome and Group Share

→ In the chat, please list your:

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

- ◆ *What's something that inspires you?*

Agenda - Introductions & Rules-at-a-Glance

9:00 am - 12:30 pm

- Introductions & Opening Remarks
- Rules-at-a-Glance
 - OSCIM & TAP - Rules Revision
 - Native Hawaiian/Pacific Islander Student Success Plan Grants - Temp Rules
 - Instructional Time Recover - Temp Rules

Agenda - Draft Rules

- Draft Rules
 - Early Literacy Grants - New Rules
 - Civil Rights Rulemaking - New Rules
 - Recovery Schools - New Rules
 - Prevention Education in Drugs & Alcohol - Rule Revision
 - Updates for High School Completion & Alternative Certificate
 - Safe School Culture Grants - New Rules
- Open Space/Questions
- Closing

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

OSCIM & TAP Rule Revisions

Subject: Expanding the impact of OSCIM and TAP grants for school districts & ESDs

Concept: Increase state's matching funds for OSCIM grant to \$6 million minimum and \$12 million maximum. ESDs now eligible to apply to TAP grants and increase the statutory limit of these grants to \$40,000.

Background:

- Since 2016, TAP has awarded grants to school districts with a statutory limit of \$20,000 for the Facility Assessment grant and \$25,000 for the Long-Range Facility Planning, Seismic Assessment, and Environmental Hazard Assessment grants. Only school districts have been eligible to apply.
- Since 2016, OSCIM has been awarding matching grants to school districts that pass bonds with a \$4 million minimum and \$8 million maximum. Grant commitments are given to districts in advance to help incentivize voters to vote in favor of these bonds for capital improvement.

Changes in Response to Public Input

Feedback heard: Concern that with increased grant amounts for the OSCIM Program, fewer grants would be awarded.

Language updated (and why)

- The board docket will be revised to make a clear connection to how both programs support equity across the state.

Language retained (and why)

- Rule changes mirror statute or further elaborate on them, are required by state law and in alignment with current administrative rule.

(Larger implementation needs:)

The board docket will be revised to include mention that SB 285 also allows ODE to base the OSCIM Program's Priority List and Funding Formula on factors other than the school district's total assessed property value, the percentage of families in poverty, and the number of students in average daily membership. The OSCIM program is currently looking at ways to improve the priority list and funding formula to increase the amount of available funding for high-need districts. Future revisions to the Priority List and Funding Formula will require future Board approval.

OSCIM & TAP Rule Revisions

Proposed Rule Changes:

OSAR 581-027-0005 – Add definitions for “Education Service District” and “Extended ADMw”. Revised definition for “Rapid Visual Screening” for greater clarity.

OSAR 581-027-0010 – Change the percent of funds available for OSCIM grants based on the priority list to 66%.

OSAR 581-027-0015 – Increase the state’s matching funds for OSCIM grants to a minimum of \$6 million and a maximum of \$12 million per grant. Change the percent of funds available for grants based on the priority list to 66%. Change the percentage of funds available for grants based on the order in which applications are received (first-in-time list) to 34%.

OSAR 581-027-0030 – Add Education Service Districts as eligible to apply for TAP grants and add preference points for each grant type that are specific to ESDs.

OSAR 581-027-0050 – Provide clarity to application requirements based on our experience administering the Assessor Certification Training Program.

Proposed Rule Impacts:

- **Equity Impact:** These changes provide better resources to districts to address deferred maintenance and improve school facilities across the State which will have an impact on all student groups. Both the OSCIM Program and TAP priority giving grants to small districts with high poverty. ESDs that also serve students can now apply for all 4 TAP grants.
- **Fiscal/Economic & Small Business Impact:** Fiscal impact is minimal. No other state agencies are involved. Districts will be able to leverage more state funding in their efforts to encourage voters to pass bonds for improvements to their school facilities. No impact on small businesses

Next Steps:

- SB 285 became law on January 1, 2024. Request to adopt rule changes as part of the Consent Agenda for the 2/15 meeting. This also aligns with TAP’s grant application window which closes on 2/15 and the preference points will need to be applied to the applications received.

Native Hawaiian/Pacific Islander Student Success Plan Grants - Temporary Rules

Subject: Native Hawaiian/Pacific Islander Student Success Plan

Concept: Provides a set of rules that include Definitions, Establishment, Eligibility, Criteria, Funding, and Reporting. These rules will guide the implementation of a grant program that will contribute to the implementation HB 3144.

Background:

- Oregon Legislature passed HB 3144 in July 2023. This bill creates the Native Hawaiian/Pacific Islander Student Success Plan to support students who identify as being NHPI and have experienced disproportionate outcomes due to historical practices.
- One aspect of Student Success Plan implementation includes a grant program. There are currently no rules in place to guide the implementation of the Native Hawaiian/Pacific Islander Student Success Plan grant program.
- The absence of rules may prevent ODE from implementing a Native Hawaiian/Pacific Islander Student Success grant program.

Native Hawaiian/Pacific Islander Student Success Plan Grants - Temporary Rules

Feedback heard:

- Need to ensure community voice is inclusive of students
- Need to ensure definition of “Evidence-Based” and “Partnership” are included
- Need to recognize identities representative of Native Hawaiian/Pacific Islander people to include Asian American Native Hawaiian Pacific Islander (AANHPI), Asian Pacific Islander (API), Pacific Islander(PI)

No Language updates made:

- This is the first request for temporary rules

Implementation Plan:

- Request temporary rules with the intent to begin developing permanent rules upon adoption of temporary rules.
- Temporary rules are needed to establish the grant program with the funding provided for this biennium through an upcoming RFA to implement the Native Hawaiian/Pacific Island Student Success grant program

Native Hawaiian/Pacific Islander Student Success Plan Grants - Temporary Rules

Proposed Rule Impacts:

- **Racial Equity:** Native Hawaiian/Pacific Islander students have experienced a myriad of disproportionate academic results that often are a direct result of racial inequity. HB 3144 seeks to right that wrong through the development and implementation of a student success plan. These rules will guide the grant program that is a part of the Native Hawaiian/Pacific Islander Student Success Plan.
- **Fiscal/Economic & Small Business Impact:** Grant funding for the Native Hawaiian/Pacific Islander Student Success Plan grant program was appropriated during the 2023 legislative session.

Next Steps:

State Board of Education presentation on February 15, 2024

Waivers and Permissions - Temporary Rule

Subject: Instructional time and inclement weather

Concept: ODE is proposing a temporary rule revision that would allow districts to count up to 14 hours of time lost to inclement weather towards instructional time for the 2023-24 school year.

Background:

On January 18, Governor Kotek [declared a statewide emergency](#) due to the severe ice storm that impacted counties across the state. The storm prohibited some school districts to safely open and operate school facilities. In many districts, students missed a full week of school.

School districts are required to provide a certain amount of instructional time each year. The instructional requirements are set out in [OAR 581-022-2320](#). This is a Division 22 standard.

Under the proposed temporary rule, districts faced with a significant number of lost days due to inclement weather would have two options for the 2023-24 school year. First, districts could request permission to count up to 14 hours of time lost to inclement weather towards instructional time. Second, if 14 hours is not enough, a district may request a one-year waiver of the instructional time requirement using the existing Division 22 waiver process.

There is historical precedent for this proposal. The State Board granted the same permission in 2017 when Governor Kate Brown declared a state of emergency and many schools were unable to open due to severe weather.

Waivers and Permissions - Temporary Rule

Proposed Rule Changes:

“For the 2023-24 school year, a school district or public charter school may request permission to include in its calculation of instructional time required by OAR 581-022-2320 up to 14 hours for missed instructional time due to emergency school closures for adverse weather conditions and facilities failure. The request must be made in writing to the Deputy Superintendent of Public Instruction. The request must include a statement that the request is made with the approval of the school district’s or charter school’s governing school board and must include relevant information explaining why the district or charter school needs the permission. The Deputy Superintendent is authorized to grant permission under this section without obtaining approval from the State Board of Education.”

Proposed Rule Impacts:

- **Racial Equity:** This rule may have an impact on racial equity depending upon which schools and districts take advantage of this permission. Students in those schools will have reduced instructional time. At this point, ODE has only anecdotal evidence regarding which schools and districts will request permission, and which students will be impacted. It is difficult at this point in time to proactively say what the impact to racial equity will be. We welcome comment from our partners on this point.
- **Fiscal/Economic & Small Business Impact:** No fiscal impact to school districts, charter schools or ESDs. The temporary rule does not create any new reporting or implementation requirements. No impact to small businesses in Oregon.

Next Steps:

- ODE will present the temporary rule to the State Board on February 15, 2024.



ODE Draft Rules



Early Literacy Success Initiative

Rachael Moser and Blake Whitson

Office of Education Innovation & Improvement

rachael.moser@ode.oregon.gov / blake.whitson@ode.oregon.gov

Early Literacy Success Initiative

Subject: Early Literacy Success Initiative

Concept: Provides a shared set of definitions across the three types of grants, naming when a specific definition is for only one type of grant. Additionally, provides the full rule sets specific to each of the three types of grants to support implementation starting in the 2023-24 year.

Background:

- The Oregon Legislature passed HB 3198 during the 2023 session. This bill creates the Early Literacy Success Initiative, which includes the Early Literacy Success School Grants, Community Grants, and Tribal Grants. Previously, ODE brought narrowly focused temporary fund administration rules for the school district grants only to the RAC given HB 3198 requires the distribution of grant funds to school districts and public charter schools in the 2023-24 school year. The set we're bringing today is a more robust set of draft permanent rules for all three of the grants outlined in the Early Literacy Success Initiative.

Early Literacy Success Initiative

Timeline:

- Early Literacy Advisory
 - 10/16 - First meeting before pen hit paper
 - 10/23 - Second meeting before pen hit paper
 - 11/6 - Third meeting where input was shared on draft rules
 - 12/4 - Fourth meeting where input was shared on revised draft rules
 - 1/22 - Fifth meeting where additional input share on again revised draft rules
- RAC
 - 11/2 - Rules Concept presented
 - 1/4 - First opportunity for input on draft rules (same version shared with Advisory on 12/4)
 - 2/1 - Second opportunity for input on draft rules (same version shared with Advisory on 1/22)
- Tribal Sovereignty and input on rules during Government-to-Government
- Development of plans for Community and Tribal Grants

Early Literacy Success Initiative

- **Proposed Rule**

- Definitions - shared across all grant programs, unless noted specific to a certain grant
- Rule sets for:
 - Community Grants
 - Tribal Grants
 - School District Grants

Early Literacy Success Initiative

Early Literacy Success Community Grants

Changes Since Last Meeting:

- Libraries included as eligible entities and added definition: “public library”.
- Culturally-specific organizations, schools, districts, public charter schools, and ESDs omitted.
- Revised definition of high-dosage tutoring eliminates redundancy with statutory language and creates alignment to district grants.
- Added specific definition of high-dosage tutoring for Tribal Grants.
- Direct administrative costs removed from funding rule and instead incorporated in the RFA and grant agreement. This will allow for adjustments after review of lessons learned from grant cycles.
- Replaced all language that pointed to guidance in Community-based Framework and Toolkit with language that speaks to the intent of the program.
 - Family engagement to support early literacy success,
 - To provide early literacy high-dosage tutoring,
 - And training for the provision of high-dosage tutoring

Full rule set language can be found in the attached draft rules.

Early Literacy Success Initiative

Early Literacy Success Tribal Grants

Changes Since Last Meeting:

- Share brief Government to Government (Education Cluster) process.
- Met with our tribal partners through the Government to Government process on December 5th.
- Continued partnership with Tribes on the co-creation of Early Literacy Tribal Grants Project Plans.

Full rule set language can be found in the attached draft rules.

Early Literacy Success Initiative

Early Literacy Success School District Grants

Notable Changes Since Last Meeting:

- High-dosage tutoring definition updated, including parameters for occurring during or outside the school day.
- Prioritization now required for eligible applicants with more than one elementary school; requirements revised.
- Basal instructional materials definition updated.
- Timeline requirement revised such that funds can only be used for SBE adopted basal materials beginning January 1, 2025.
- Timeline for development of criteria and approved vendor lists for PD, Coaching, & High Dosage Tutoring added.
- Definitions updated for “Developmentally Appropriate”, “Diagnostic”, “Literacy Coaches, etc.”, “Regular Core Instruction”, and “Student Growth Assessment.”
- Short preamble added before Allowable Use section.
- Criteria for Instructional Materials moved to a new section for clarity.

Full rule set language can be found in the attached draft rules.

Proposed Rule Impacts: Early Literacy

Racial Equity:

- *Oregon's Early Literacy Framework and these grants are built on a foundation of equity that places a students' sense of belonging as well as culturally responsive practice at its core. These grants by an extension of that framework and their interconnectedness with the Integrated Application, place equity and engagement with communities, specifically focal student groups, at the center of the grants.*

Fiscal/Economic & Small Business Impact:

- *ODE anticipates some fiscal impact to school districts, public charter schools, and any organizations that apply for funding given these are new grant programs.*

Early Literacy

Follow-up Actions:

- Early Literacy Advisory - continued to provide input on draft rules through 1/25, input is being reviewed
- RAC
 - 3/7 - Rules at a Glance
- SBE
 - 2/15 - First Read
 - 3/14 - Second Read and Adoption



Civil Rights Coordinator Rulemaking

Taylor Lewis (she/her)

Director's Office

Taylor.Lewis@ode.oregon.gov

Marinda Peters (she/ella)

Director's Office

Marinda.Peters@ode.oregon.gov

Kate Hildebrandt (she/her)

Director's Office

Katherine.Hildebrandt@ode.oregon.gov

Civil Rights Coordinator Rulemaking

Subject: Civil Rights Coordinators

Concept: Requires districts to designate one or more Civil Rights Coordinators to oversee compliance with state and federal nondiscrimination laws. Discrimination means different treatment on the basis of a protected class identity (same meaning as ORS 659.850)

Background:

Districts are already required to follow state and federal nondiscrimination laws. These include:

- Title VI of the Civil Rights Act of 1964 - Race, Color, National Origin
- Title IX of the Education Amendments of 1972 - Sex, Gender Identity, Sexual Orientation
- Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 - Disability
- ORS 659.850 - Age, Color, Disability, Gender Identity, Marital Status, National Origin, Race, Religion, Sex, Sexual Orientation

The Civil Rights Coordinator(s) shall monitor, coordinate, and oversee compliance with these laws and oversee complaints investigations and resolutions as well coordinate prevention of civil rights violations.

Civil Rights Coordinator Rulemaking

Timeline:

- HB 2281 was introduced at the request of ODE in the 2023 legislative session. Prior to proposing the legislative update, ODE:
 - Engaged in a process improvement project with the complaints and appeals team and gleaned stakeholder feedback
 - Reviewed ODE civil rights complaints data
 - Reviewed other state civil rights coordinator laws (ex. Washington)
- This bill was signed by the governor July 13, 2023 and went into effect on January 1, 2024
 - Requires districts to designate Civil Rights Coordinators to oversee compliance with state and federal nondiscrimination law
 - This bill gives the State Board of Education authority to create rules around two specific areas of the law: training & implementation
- Rulemaking
 - Pre-rule engagement -> 1st draft -> engagement on draft rules -> 2nd draft

Proposed OAR 581-XXX-BBBB: Duty to Designate One or More Civil Rights Coordinators

- (1) Each district must designate one or more civil rights coordinators. A civil rights coordinator designated under this rule must
 - (a) Be **knowledgeable** of the requirements of OAR 581-0021-0038, 581-021-0045, 581-021-0046, and 581-022-CCCC; and
 - (b) Have the **independence and authority** necessary to carry out the provisions of OAR 581-022-CCCC.
- (2) Each district must include the name or title, work address, email address, and phone number of each civil rights coordinator designated by the district in the notice of nondiscrimination required by OAR 581-021-0045.

Proposed OAR 581-XXX-BBBB: Duty to Designate One or More Civil Rights Coordinators

(3) Each district must adopt and follow a policy for the purpose of implementing OAR 581-022-AAAA to 581-022-CCCC. At a minimum, the policy must:

(a) List the requirements of OAR 581-022-CCCC and require each civil rights coordinator designated by the district to meet those requirements.

(b) Specify that any **complaint alleging discrimination may be made to any civil rights coordinator** designated by the district.

(c) **Require the tracking and documenting** of:

(A) All reports of discrimination received by the district and all responses to those complaints issued by the district, including any investigations completed and remedies provided; and

(B) The training completed by each civil rights coordinator designated by the district pursuant to OAR 581-022-CCCC.

(4) A civil rights coordinator designated under this rule may be a person employed by a district for purposes other than those set forth in OAR 581-022-CCCC.

Proposed OAR 581-XXX-BBBB: Duty to Designate One or More Civil Rights Coordinators

(5) Pursuant to a contract entered into between a school district and an education service district, **an education service district may designate and provide one or more civil rights coordinators for the school district.** If an education service district designates and provides one or more civil rights coordinators for a school district, the education service district assumes the school district's duties under OAR 581-022-AAAA to OAR 581-022-CCCC. An education service district may designate and provide a single civil rights coordinator for multiple districts.

Proposed OAR 581-XXX-CCCC: Duties of Civil Rights Coordinators

- (1) At a minimum, a civil rights coordinator shall:
- (a) **Monitor, coordinate, and oversee district compliance** with state and federal laws prohibiting discrimination in public education;
 - (b) Oversee and **ensure the resolution of district investigations** of complaints alleging discrimination;
 - (c) Oversee the resolution of district investigations substantiating discrimination, including the **provision of remedies**;
 - (d) Provide **guidance to district staff** on civil rights issues in the district;
 - (e) **Respond to questions and concerns** about civil rights in the district;
 - (f) Coordinate **efforts to prevent civil rights violations** from occurring in the district; and
 - (g) Satisfy the training requirements listed in subsections (2) and (3) of this rule.

Proposed OAR 581-XXX-CCCC: Training Requirements Upon First Being Designated

2) Upon being first designated under OAR 581-022-BBBB, a civil rights coordinator must receive the following training in accordance with a schedule established by the Oregon Department of Education:

(a) The **meaning of discrimination** under state and federal nondiscrimination law, including ORS 659.850, Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990.

(b) The **duties of districts** under state and federal nondiscrimination law, including ORS 342.700 to 342.708, ORS 659.850 and 659.855, Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, those statutes' implementing rules and regulations, and determinations made by the Oregon Department of Education and the United States Department of Education's Office for Civil Rights.

Proposed OAR 581-XXX-CCCC: Training Requirements Upon First Being Designated

- (c) The coordinators required by Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and those **coordinators' duties**.
- (d) **Identifying discrimination and reports** of discrimination.
- (e) **Responding to reports** of discrimination.
- (f) **Conducting civil rights investigations**, including identifying conflicts of interest, and using strategies to mitigate conflicts of interest.
- (g) **Preventing discrimination** in public school programs and activities.
- (h) Identifying **retaliation** taken in response to reports of discrimination, responding to reports of such retaliation, and preventing such retaliation in public school programs and activities.
- (i) **Tracking and documenting** reports of discrimination.

Proposed OAR 581-XXX-CCCC: Training Requirements in Subsequent Years

(3) In years subsequent to being designated a civil rights coordinator, a civil rights coordinator must annually receive the following training in accordance with a schedule established by the Oregon Department of Education:

- (a) The **meaning of discrimination** under state and federal nondiscrimination law...
- (b) The **duties of districts** under state and federal nondiscrimination law...
- (c) The coordinators required by Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, and those **coordinators' duties**.
- (d) **Reporting discrimination, and responding to reports of discrimination**, including through complaint processes and investigations.

Proposed OAR 581-XXX-CCCC & OAR 581-XXX-DDDD : Training Provided by ODE

(4) The Oregon Department of Education **annually will provide training** for civil rights coordinators. Civil rights coordinators may take the department's training or may take any other training that fulfills the requirements of this rule.

OAR 581-XXX-DDDD

Applicability Clause

A civil rights coordinator designated under OAR 581-XXX-BBBB before July 1, 2024, must complete the training required by OAR 581-XXX-CCCC (2) **by December 1, 2024.**

Proposed Rule Impacts: Civil Rights Coordinator Rulemaking

Racial Equity:

- Discrimination based on race, color, and national origin is prohibited by state and federal law, but no Coordinators have previously been required.
- Adoption of these rules is intended to ensure fidelity of existing nondiscrimination law, including ensuring districts have a point person for responding to discrimination based on race, color, national origin, and other protected classes.

Fiscal/Economic & Small Business Impact:

- Districts are already required to adhere to state and federal nondiscrimination law. Additional staff time may be required for districts and charter schools to meet training requirements; ODE will be offering free annual trainings to meet requirements.
- Community engagement: districts and charter schools are concerned about capacity and lack of funding.

Civil Rights Coordinator Rulemaking

Engagement:

- **Pre-rule engagement (September-November 2023)**
 - Targeted Emails: community partners, ODE civil rights listservs
 - Survey
 - Virtual Engagement Sessions
 - Governor's Racial Justice Council
- **Draft-rules engagement (December 2023-Present)**
 - Targeted Emails: community partners, ODE civil rights listservs
 - Survey
 - Virtual Engagement Sessions: communities and families, school districts and ed partners
 - Targeted Engagement Sessions
 - Student Success Advisory Groups (ongoing)
 - Governor's Racial Justice Council

Civil Rights Coordinator Rulemaking

Awareness and Technical Assistance

- Civil Rights Coordinator Govdelivery Listserv
- COSA School Law Conference Session in December 2023
- 2023-24 Webinar Series
- Ongoing technical assistance
- Received suggestion for access to best-practice forms, documentation, etc
 - ODE plans to build a webpage to publish helpful resources and documents

What other engagement, awareness, or technical assistance activities should ODE consider for this rule update?

Any additional feedback on the draft rules?

Civil Rights Rulemaking

Next Steps:

- Continue engagement with advisory groups
- Continue school district/ESD training through webinar series through May
- Present to State Board at next meeting (March 2024)

Contacts:

Taylor Lewis, taylor.lewis@ode.oregon.gov

Marinda Peters, marinda.peters@ode.oregon.gov

Kate Hildebrandt, katherine.hildebrandt@ode.oregon.gov



5 Minute Break



Recovery Schools

Kate Pattison (she/her)

Director's Office

kate.pattison@ode.oregon.gov

Recovery Schools Rulemaking

Subject: Establishment of Recovery Schools

Concept: New division of standards for approved recovery schools

Background:

HB 2767 established the new Recovery Schools to be funded as part of the Statewide Education Initiatives Account in the Student Success Act and the State School Fund (SSF). This bill was passed in the 2023 regular legislative session and is incorporated into ORS 336. These new types of public schools will provide comprehensive education programs leading to an Oregon diploma and therapeutic services to support youth in recovery from substance use disorder. The schools will be established by contract between ODE and an ESD, SD, or public charter school. ODE will be responsible for special education.

Recovery Schools Rulemaking

Timeline:

February 1, 2024	RAC First Review
March 14, 2024	SBE First Read
April 4, 2024	RAC Second Review
April 18, 2024	SBE Adoption

Recovery Schools Rulemaking

These rules will establish a new division of rules relating to approved recovery schools.

We are still in the conceptualization phase of the rules so you will see rules in two sections:

1. Draft language that is likely to be in the rules
2. Draft language that could be in the rules or may end up in the procurement process documents like the RFA or contracts.

Recovery Schools - Definitions

1. Definitions

- a. "Applicant" means an ESD, school district, or public charter school.
- b. "Approved Recovery School" means a publicly funded school established by agreement with the Oregon Department of Education and operated by an ESD, school district, or public charter school to provide students enrolled in the school with:
 - i. Educational services leading up to a diploma for grades 9 through 12; and
 - ii. Behavioral health services related to recovery and relapse prevention from substance use disorders.
- c. "Behavioral Health Services" means recovery support services for substance use disorders and mental health. For the purpose of operating an approved recovery school, this does not include medical, psychiatric, or substance use disorders treatment services.
 - i. Examples of behavioral health services may include providing Certified Recovery Mentors, Peer Support Specialists, and Certified Alcohol and Drug Counselors.
- d. "ESD" means an education service district as defined in ORS 334.003.
- e. "Primary Campus" means the school facility located within the geographical boundary of the ESD, school district, or public charter school operating an approved recovery school.
- f. "Public Charter School" means a public school as defined in ORS 338.005.
- g. "Recovery" has the meaning described by the Association of Recovery Schools in the Accreditation Manual document. *(for reference, will not be in OAR: "recovery is a process of change focused on substance use abstinence, through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.")*
- h. "Satellite Campus" means the school facility located outside the geographical boundary of the ESD, school district, or public charter school operating an approved recovery school.
 - i. "School District" means a common or union high school district (ORS 332.002).
- j. "Substance Use Disorder" as defined in DSM-5-TR, means disorders related to the taking of a drug of abuse including alcohol, the side effects of a medication, or a toxin exposure. The disorders include substance use disorders and substance-induced disorders, which include substance intoxication and withdrawal, and substance-related disorders such as delirium, neuro-cognitive disorders, and substance-induced psychotic disorder.
- k. "Substance Use Disorders Treatment Services" means outpatient, intensive outpatient, and residential services and supports for individuals with substance use disorders.
- l. "Urinalysis Test" means a sensitive, rapid, and inexpensive immunoassay screen that identifies the presence of a specific drug or metabolite in a urine specimen to eliminate "true negative" specimens from further consideration.

Recovery Schools - Establishment

2. Approved Recovery School Establishment

- a. Established as a:
 - i. A new public school;
 - ii. From an existing public school; or
 - iii. From a public alternative education program as defined in ORS 336.615
- b. To operate as an approved recovery school, it must:
 - i. Be approved by the Oregon Department of Education; and
 - ii. Not charge tuition for Oregon residents;
 - iii. Not be affiliated with a sectarian school or religious institution.
- c. An applicant seeking to establish an approved recovery school shall submit an application to the Oregon Department of Education. The form and timelines will be determined by the Oregon Department of Education.

Recovery Schools - Multiple Campuses

3. Approved recovery school campus location and multiple campuses

- a. An approved recovery school may operate multiple facilities under a single agreement to operate an approved recovery school in order to serve students in remote geographic areas.
- b. An approved recovery school shall maintain a primary campus in:
 - i. The boundary of an ESD for a school operated by an ESD;
 - ii. The school district boundary for a school operated by a school district; or
 - iii. The school district boundary in which the public charter school is located for a recovery school operated by a charter school.
- c. If an approved recovery school operated by an ESD operates a satellite campus outside of the service district boundary, the ESD must obtain written permission from the school district in which the satellite campus is located prior to the first day students will be served at the campus.
- d. If an approved recovery school operates a satellite campus, the following is required:
 - i. An approved recovery school shall offer a comparable level of educational and behavioral health services to students at the satellite campus as offered to students at the primary campus;
 - ii. Students shall have access to in-person behavioral health services; and
 - iii. Student records shall be sent to the primary campus when a student withdraws;
- e. The option to operate a satellite campus must be described in the application and allowed in the agreement with the Oregon Department of Education.

Recovery Schools - Requirements for Enrollment

4. Requirements for Student Enrollment in a Recovery School

- a. Student enrollment in an approved recovery school is voluntary.
- b. All students who are residents in Oregon are eligible for enrollment in an approved recovery school if space is available and if the student:
 - i. Has a diagnosis for substance use disorder;
 - ii. Has completed or participated in a substance use disorder treatment services or program; or
 - iii. Has completed a screening process with the recovery school that considers history of substance use, educational records, behavioral health history, and the student's willingness to participate in recovery services offered by the school.
- c. Students must demonstrate their readiness to change through a standard screening process established by the approved recovery school.
- d. Students who enroll in an approved recovery school shall participate in random urinalysis testing or other non-invasive drug testing provided by the school.
 - i. Fees and costs associated with testing shall be paid for by the approved recovery school.
- e. An approved recovery school may have a policy to enroll students who are not residents of Oregon if space is available and by a contract with the student's resident school district or tuition fee.
 - i. If an approved recovery school enrolls out-of-state students and charges tuition, the school must have a policy that sets the annual tuition rate.
 - ii. Out-of-State students shall not be included in any funding calculations for state funding including additional weights for special education.
- f. An approved recovery school may require students to tour the campus and participate in an enrollment meeting and participate in a substance use disorder screening process with staff or students prior to enrolling in the approved recovery school.
- g. An approved recovery school may not limit student enrollment based on race, religion, sex, sexual orientation, gender identity, ethnicity, national origin, disability, the terms of an individualized education program, income level, or proficiency in the English language.
- h. If the number of students enrolling in an approved recovery school exceeds the capacity of the program, class, grade level, or building, an approved recovery school may give priority for admission to student groups identified in ORS 327.180(2)(b) and OAR 581-014-0001(4).

Recovery Schools - Teacher Qualifications

5. Teacher Qualifications

- a. Employee assignment to an approved recovery school shall be voluntary.
- b. For teacher licensing, employment experience at an approved recovery school shall be considered equivalent to experience in public schools.
- c. Any person employed as an administrator or teacher in an approved recovery school shall be licensed by the Teacher Standards and Practices Commission.
- d. Any preliminary teaching license, professional teaching license or distinguished teacher leader license issued by the Teacher Standards and Practices Commission is valid for teaching all subjects and grade levels in an approved recovery school.

Recovery Schools - Funding SSF (SEIA OARs in Development)

6. Funding SSF

- a. The following definitions shall apply for purposes of calculating the State School Fund distribution to the Recovery Schools Program:
 - i. "Statewide Average General Purpose Grant per ADMw" means the aggregate general-purpose grants for all school districts divided by total ADMw for all school districts;
 - ii. "ADM" means average daily membership as calculated based on the procedures and definitions in OAR 581-023-0006.
- b. If in any fiscal year the General Purpose Grant cannot be calculated as a result of temporary changes to the State School Fund distribution formula, the General Purpose Grant per ADMw shall be the same amount as in the last fiscal year that this factor was calculated.
- c. The amount of the distribution from the State School Fund shall be equal to the product of the Recovery School Program ADM times 2.0 times Statewide Average General Purpose Grant per ADMw.
- d. Based on estimates of the distribution calculated in section (3) of this rule, funds shall be transferred to the Recovery School Program approximately 35 percent on the 15th day of each of the months of July and October, 15 percent on the 15th day of January, and the balance on April 15.
- e. Adjustments to reflect actual Recovery School Program ADM and the actual Statewide Average General Purpose Grant per ADMw shall be made on May 15 of the subsequent fiscal year.

Recovery Schools - Financial Management

1. Approved Recovery School Financial Management System and Audit

- a. The financial management system of an approved recovery school must include a budget and accounting system that:
 - i. Complies with the requirements of the uniform budget and accounting system adopted by rule of the State Board of Education under ORS 327.511; and
 - ii. Complies with the Oregon Program budgeting and Accounting Manual published by the Oregon Department of Education.
- b. An approved recovery school shall maintain financial records that include all funding sources, expenditures, assets, and liabilities related to the operation of the recovery school minimally including:
 - i. Public funds received from the Oregon Department of Education;
 - ii. Grants received from public or private grantors;
 - iii. Donations;
 - iv. In kind services or donations;
 - v. Loans or other financial debts;
 - vi. Student accounts; and
 - vii. Any other records necessary for complete and transparent accounting for the approved recovery school.
- c. An approved recovery school's financials shall be audited annually in accordance with Municipal Audit Law. The audit may be included as a special report within the audit of the ESD, school district, or public charter school. The audit must minimally include:
 - i. Expenditures of the approved recovery school for administration, instruction, attendance, health services, operation of plant, maintenance of plant, fixed charges, transportation, food service, and student body activities; and
 - ii. Revenue from public and private sources including fees.
- d. Audited financial statements shall be submitted to the Oregon Department of Education.
- e. An approved recovery school may be required to provide the Oregon Department of Education with regular financial reports described in the agreement to operate an approved recovery school.

Recovery Schools - Additional Section

1. Recovery School Approval requirements and timelines
2. Evaluation process for applications to operate an approved recovery school, criteria, and appeals
3. Term and renewal of Approved Recovery School agreements
4. Termination or Closure of an Approved Recovery School
5. Transportation
6. Assets of Approved Recovery Schools
7. Approved Recovery School Performance Evaluation

Proposed Rule Impacts: Recovery Schools Rulemaking

Racial Equity:

- *The schools are designed to serve students in recovery from substance use disorder.*
- *Schools will be geographically accessible.*
- *Schools can prioritize student enrollment for those groups identified by the Student Success Act in the Student Investment Account if more students apply than there is capacity to serve.*
- *Enrollment criteria is a key area of policy where we are trying to respond to anticipated issues with access.*
- *Advisory Committee is having robust discussions on how to ensure equitable and inclusive access, services, and policies. This is also feeding ODE's plans for guidance and technical support services.*

Fiscal/Economic & Small Business Impact:

- *We anticipate up to 3 approved recovery schools each biennium until 2029 with no more than 9 schools.*
- *Each school will enroll between 20-50 students, average will likely be 30 students*
- *Minimal SSF funding at 2.0 weight for each student to be paid outside of the SSF formula*

Recovery Schools Rulemaking

Engagement:

ODE established the Recovery Schools Advisory Committee in November. The committee is directed to advise ODE on the establishment of standards for approved recovery schools. They have been involved in the draft rules and will continue to play a critical role in the development of and feedback on rules relating to approved recovery schools.

Advisory Committee Includes:

- (a) Three members with experience in establishing or operating recovery schools.
- (b) One member from the Department of Education.
- (c) One member from the Youth Development Division.
- (d) One member from the Alcohol and Drug Policy Commission.
- (e) One member from the Oregon Health Authority.
- (f) One member from local public health or mental health authorities or providers.
- (g) One member who is a family member or caregiver of a student recovering from a substance use disorder and who has experience with recovery schools or assisting others with overcoming substance use disorders.
- (h) One youth who has experience with a recovery school or who has overcome a substance use disorder.
- (i) One member who is an administrator of a school district or an education service district, with a preference for an administrator who has experience collaborating with a recovery school.

Recovery Schools Rulemaking

Follow-up Actions:

- Following the February RAC meeting, feedback will be incorporated into the draft
- The advisory committee will continue working on the draft
- A proposal will be shared with the Recovery Schools email list and with key partners



Drug and Alcohol Prevention Education

Suzanne Hidde, Health and Physical Education Specialist(she/her) and
Susan Payne, Division 22 Standards Specialist (she/her)

Office of Teaching, Learning and Assessment

suzanne.hidde@ode.oregon.gov

Susan.payne@ode.oregon.gov

Drug and Alcohol Prevention Education

Subject: Amending OAR 581-022-2045

Concept: Rule needs to be updated to align with statute (SB 238)

Background:

- OAR 581-022-2045 covers requirements for districts regarding a comprehensive plan for Prevention Education in Drugs and Alcohol. The rule covers a number of items that districts must have in place in order to be in compliance with Division 22 Standards, including instruction in the classroom.
- The statute requires ODE to collaborate with the Oregon Health Authority, and Alcohol and Drug Policy Commission to develop curricula supplements to be implemented by school districts related to: (1) Dangers of synthetic opioids, including fentanyl or any substituted derivative of fentanyl, and counterfeit and fake drugs. (2) Laws that provide immunity or other protections for persons who report drug or alcohol use or who seek medical treatment for drug or alcohol overdoses for themselves or others.

Drug and Alcohol Prevention Education

Timeline:

- June 2023: Senate Bill 238 passed June 2023
- December 2023 and January 2024: Engagement specific to curricula supplements
- February 1, 2024: Present Draft Rule to ODE's Rules Advisory Committee
- March 14, 2024 - Presentation to the State Board of Education (First Read)
- April 4, 2024: RAC Rules at a Glance Presentation
- May 16, 2024: Possible Adoption by the State Board of Education (Second Read)

Drug and Alcohol Prevention Education

Proposed Rule Changes - Alignment to Statute

(1) Each school district shall develop a comprehensive plan for alcohol and drug abuse prevention ~~and intervention program~~ which shall include, but not be limited to:

(a) Instruction in the effects of tobacco, alcohol, and other drugs, ~~including anabolic steroids, performance-enhancing and controlled substances~~ as an integral part of the district's K–12 comprehensive health education program. In addition, at least annually, all high school students, grades 9–12 shall receive age-appropriate instruction about drug and alcohol prevention.

(A) The age-appropriate curriculum for this instruction shall:

(iy) Include ~~the~~ the effects of alcohol, tobacco and other drug use, including the dangers of synthetic opioids, including fentanyl or any substituted derivative of fentanyl, counterfeit and fake drugs, anabolic steroids, and performance-enhancing and controlled substances;

(vii) Include ~~All~~ all laws relating to the use, especially by minors, of alcohol and other illegal drugs, including laws that provide immunity or other protections for persons who report drug or alcohol use or who seek medical treatment for drug or alcohol overdoses for themselves or others; ~~and~~

(vii) Include ~~the~~ the availability of school and community resources; and

(vii) Incorporate curricula supplements provided by the Oregon Department of Education that focus on the dangers of synthetic opioids, including fentanyl, and on laws that provide immunity and other protections. The supplements shall be utilized annually in grades 6-8, and at least once in grades 9-12.

Drug and Alcohol Prevention Education

- **Proposed Rule Changes - Title**

- Current: “Prevention Education in Drugs and Alcohol”
- Proposed: “Drug and Alcohol Prevention Education”

- **Proposed Rule Changes - Organization & Clarity**

- Shift the order of the 3 programmatic pieces of the plan:
 - Instructional program; policies, rules, procedures; public information program
- Prioritize requirement to align instruction with the Health Education academic content standards
- Change wording to remove unnecessary subsections
- Update language for clarity

A) The age-appropriate curriculum for this instruction shall:

(i) Align with State Board adopted Health Education Academic Content Standards;

(ii) Emphasize prevention strategies;

(iii) Be reviewed and updated annually to reflect current research; ~~and~~

~~(iii) Be consistent with State Board adopted Health Education Academic Content Standards.~~

Proposed Rule Impacts: Drug and Alcohol Prevention Education

Racial Equity:

- *The proposed rule will ensure all students across the state receive drug and alcohol prevention education that includes the dangers of synthetic opioids, fentanyl and other derivatives as well as information on the Good Samaritan Laws that protect individuals assisting with a drug overdose or those seeking help for themselves.*

Fiscal/Economic & Small Business Impact:

- *ODE anticipates minimal fiscal impact on state or local government.*

Drug and Alcohol Prevention Education

Engagement Sessions:

- December 2023 and January 2024: 4 total feedback sessions held
 - 1 survey from the OHA Youth Advisory Committee
 - 3 engagement sessions:
 - 2 with health educators and public health field
 - 1 with small, rural districts

Feedback: Engagement sessions included questions related to the hopes and concerns about incorporation of the lessons.

- **Hopes:** lessons are culturally relevant and connect students to resources and trusted adults; skills based; includes youth input
- **Concerns:** lessons need to be part of a comprehensive approach; teacher preparedness; updated and not repetitive; time to implement

Drug and Alcohol Prevention Education

Next Steps:

- Continued engagement and collection of feedback from teachers on lessons
- Present to State Board in March

Contacts:

Suzanne Hidde suzanne.hidde@ode.oregon.gov

Susan Payne susan.payne@ode.oregon.gov



SB 992 Rulemaking

Shava Feinstein (she/hers), Sally Simich (she/hers) and Don Dorman (he/his)

Office of Enhancing Student Opportunities

Shava.Feinstein@ode.oregon.gov/Sally.Simich@ode.oregon.gov/Don.Dorman@ode.oregon.gov

SB 992 Rulemaking

Subject: Amending OARs relating to high school completion.

Concept: Changes to existing rules is necessary to align with statute (SB 992)

Background:

In Oregon schools, students may earn an Oregon Diploma, a modified Oregon Diploma, or an Extended Diploma. Schools may provide other high school completion documents to a student who does not satisfy the requirements for any diploma, consistent with the requirements of Oregon Revised Statute (ORS). SB 992 amends several ORS provisions related to high school completion.

SB 992 Rulemaking

Timeline:

- 1/1/24 - 2/29/24: Engagement with parents, school personnel and community partners.
- 2/1/24: Engagement with ODE's Rules Advisory Committee
- 3/14/2024 - Presentation to the State Board of Education (First Read)
- 3/22/24 - 5/15/24: Potential Additional External Engagement (if needed)
- 5/16/24: Possible Adoption by the State Board of Education (Second Read)

Feedback:

School personnel want to understand more about how these changes will impact attendance reporting procedures and data related to attendance and enrollment.

Proposed Rule Impacts: SB 992 Rulemaking

Racial Equity:

- *Ensuring that each and every school district offers on-site access to all resources and courses required for a high school diploma, modified diploma or extended diploma, as well as better definition and required information for guardians about the various diploma requirements will support a more equal menu of options for all students and families across the state.*
- *Additional reporting requirements will allow for ODE to more closely monitor student access to post-secondary opportunities.*

Fiscal/Economic & Small Business Impact:

- *ODE anticipates minimal fiscal impact on state or local government.*

Replaces alternative certificate with certificate of attendance

Removes an alternative certificate as option for completing high school and allows district and charter schools to grant a certificate of attendance if the student has maintained regular full time attendance for at least four years beginning in grade nine.

OAR 581-022-2010 Modified Diploma

OAR 581-022-2020 Alternative Certificate/Certificate of Attendance

OAR 581-022-2000 Diploma Requirements

OAR 581-022-2015 Extended Diploma

OAR 581-016-0710 Oregon School for the Deaf - High School Requirements for Graduation

OAR 581-023-0008 Accountable Activities for Alternative Education Programs

Proposed language change for OAR 581-022-2020 - Alternative Certificate included below:

(2) A School district or public charter school shall award an ~~alternative~~ certificate of attendance to a student who does not satisfy the requirements for a high school diploma, a modified diploma or an extended diploma if the student has maintained regular full time attendance for at least four years beginning in grade nine.

Updates to exception to hours of instruction and services

Removes an exception to a requirement that a student who qualifies for modified diploma, extended diploma, or certificate of attendance have access to instructional hours, hours of transition services, and hours of other services that is equal to at least the total number of instructional hours available to students attending public high school.

OAR 581-022-2010 Modified Diploma

OAR 581-022-2020 Alternative Certificate/Certificate of Attendance

OAR 581-022-2015 Extended Diploma

Updates to exception to hours of instruction and services

Proposed changes for OAR 581-022-2010 Modified Diploma.

~~(c) The total number of hours that are appropriate for a student shall be determined by the individualized education program (IEP) team if the student is eligible for special education.~~

~~(d) Based on the student's needs and performance level, the student's IEP team may decide that the student will not access the total number of hours of instruction and services required to be provided to students who are attending a public high school.~~

~~(e)(c) The school district or public charter school may not unilaterally decrease the total number of hours of instruction and services to which the student has access regardless of the age of the student.~~

~~(f) If a student's IEP team or school team decides that the student will not access the total number of hours of instruction and services to which the student has access the school district or public charter school shall annually:~~

~~(A) Provide the following information in writing to the adult student, parent or guardian of the student:~~

~~(i) The school district's or public charter school's duty to comply with the requirements to provide the total number of hours of instruction and services to the student; and~~

~~(ii) The prohibition against a school district's or public charter school's unilaterally decreasing the total number of hours of instruction and services to which the student has access.~~

~~(B) Obtain a signed acknowledgment from the adult student, parent or guardian of the student that the adult student, parent or guardian received the information.~~

~~(C) Include in the IEP for the student a written statement that explains the reasons the student is not accessing the total number of hours of instruction and services to which the student has access.~~

Updates to student on-site access to resources to achieve a diploma.

Updates ensuring that all students have on-site access to the appropriate resources and courses to achieve a diploma at each high school in the school district or at the public charter school.

OAR 581-022-2010 Modified Diploma

OAR 581-022-2020 Alternative Certificate/Certificate of Attendance

OAR 581-022-2000 Diploma Requirements

OAR 581-022-2015 Extended Diploma

Proposed language change for OAR 581-022-2010 Modified Diploma OAR included below:

(i) School districts and public charter schools shall ensure that all students have on-site access to the appropriate resources and courses to achieve a modified diploma at each high school in the school district or at the public charter school.

Updates annual disclosure and information provided to parents/guardians.

Updates the requirements related to annual disclosure and information provided to parents/guardians of students with a documented history with a documented history of:

- an inability to maintain grade level achievement due to significant learning and instructional barriers, or
- a medical condition that creates a barrier to achievement.

OAR 581-022-2010 Modified Diploma

OAR 581-022-2020 Alternative Certificate/Certificate of Attendance

OAR 581-022-2015 Extended Diploma

Updates annual disclosure and information provided to parents/guardians.

Proposed annual notification disclosure and information language changes for OAR 581-022-2010 Modified Diploma.

~~(d) Beginning in grade five, school district and public charter schools shall annually provide information to the parents or guardians of a student taking an alternate assessment of the availability of a modified diploma and the requirements for the modified diploma. For students with a documented history described in subsection 3a of this section, the following information must be provided annually, beginning in grade five or after such a documented history has been established:~~

~~i. Information about the availability of high school diplomas, modified diplomas and the requirements for the diplomas; and~~

~~ii. a disclosure that a student awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the state or school district and that the student awarded a certificate of attendance may not indicate that the student received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.~~

SB 992 Rulemaking

Engagement

We are inviting parents, school personnel and community partners/agencies to review proposed rule changes and provide comments and seek clarification on those changes through a survey.

Types of engagement questions.

- Do you find the language used in the draft rule clear and easy to understand? Or, are there any terms or phrases that need further clarification? Do you have any alternative suggestions or changes you would like to propose for consideration?
- What questions do you have about how these rule changes will impact your child's high school completion?
- What resources or tools will school districts or charter schools need to implement these rule changes?
- What resources would help you better understand high school completion options and requirements for all students, and individualized diploma option pathways for students with disabilities?



Safe School Culture Grants

Michael Elliott, Director of School Facilities, Office of Finance & Information Technology

Tamara Dykeman, Senior Policy Analyst, Office of the Director

ode.safeschoolculturegrant@ode.oregon.gov

Safe School Culture Grants

Subject: Adopt new rule for Safe School Culture Grants (SB 283)

Concept: SB 283, Sections 8-12 (2023), established a new grant program, the Safe School Culture Grant. The legislation requires the State Board of Education to adopt rules for the distribution of the grant. The purpose of this grant is to encourage school districts and ESDs to develop a cohort of certified instructors in nationally-recognized, nonviolent, crisis intervention methods.

Background: SB 283 establishes the Safe School Culture Grant, along with other programs to support the educator workforce. This grant provides funding to train a cohort of certified instructors within school districts and ESDs through the CPI (Crisis Prevention Institute) or by another nationally recognized organization that provides training to certify individuals in nonviolent crisis intervention methods. The measure requires each certified instructor funded by this grant to train a minimum number of staff each year. Districts and ESDs that receive reimbursement from this grant must report to ODE about the number of staff trained by the certified instructors.

Safe School Culture Grants

Timeline:

- 10/5/23 - RAC - Temporary Rule
- **10/19/23** State Board of Education adopted temporary rule.
- 2/1/24: RAC - 1st Review (Perm Rule)
- **3/14/24** - State Board of Education - 1st Reading (Perm Rule)
- 4/4/24: RAC - 2nd Review (Perm Rule)
- **4/18/24** - State Board of Education - Adoption (Perm Rule)

Feedback:

- The legislation is very detailed on the grant program, not much discretion.
- We sent the rule out to the eligible grantees for comment.

Safe School Culture Grant: Fund Distribution Rule

SB 283 requires the State Board of Education to adopt rules for grant distribution with the following *minimum* requirements:

- Limit reimbursements to completed certifications for new instructors
- Establish method to reimburse wages or stipends for the time spent attending the certification course
- Permit any unexpended grant funds to be used for costs of training staff at the school district, ESD or charter school

Safe School Culture Grant: Fund Distribution Rule

To address these minimum requirements, the proposed rule:

- Defines: Cost per Instructor; Initial Instructors; State Match Instructors; Stipend; & Student
- Establishes the allocation method for the Instructor Training Costs, including estimated cost of course, stipends and other related costs
- Establishes the allocation method for Remaining Grant Funds for costs associated with in-house training of staff by school districts, charter schools and ESDs
- Permits the use of 3% of the grant funds for ODE administrative costs, as provided in SB 283

Safe School Culture Grant: Fund Dist Temp Rule

In addition to the minimum requirements, the proposed rule:

- Adds a small school floor
- Adds public charter schools as an eligible recipient
- Requires the training programs to be approved pursuant to OAR 581-021-0563 to qualify for reimbursement.

Proposed Rule Impacts: Safe School Culture Grants

Racial Equity:

To determine if a course is “nationally recognized” as directed by SB 283 , the Department is requiring that the courses be approved under OAR 581-021-0563. While this rule does not explicitly require inclusive practices, the Department already requires currently approved programs to include components that take into account different communication styles within various communities, such as implicit bias awareness, trauma-informed approaches, and inclusive language and communication. In addition, the Department intends to include a provision in the grant agreements that require recipients to use training organizations that meet equity practices.

Fiscal/Economic & Small Business Impact:

- School districts, charter schools and ESDs that accept the grant will have reporting requirements.
- No impact to small businesses in Oregon.

Thank you

