**STATE BOARD OF EDUCATION – ADMINISTRATIVE RULE SUMMARY**

**Title/OAR #:** 581-022-1060 **Date:** May 16, 2013

**Staff/Office:** Doug Kosty/OAIS

**[ ] New Rule [x] Amend Existing Rule**  **[ ] Repeal Rule**

**Hearing Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **[ ]  Hearings Officer Report Attached**

**Prompted by: [ ]  State law changes [ ]  Federal law changes [ ]  Other**

**Action Requested:**

**[x]  First Reading/Second Reading [ ]  Adoption [ ]  Adoption/Consent Agenda**

**PROPOSED/AMENDED RULE SUMMARY:** Changes language related to report card rating system to match new report card developed under Oregon’s ESEA Flexibility Waiver by a diverse group of stakeholders.

**BACKGROUND:**

* Current rule contains language pertaining to the old report card. Proposed changes attached to this document will replace existing rules.
* Oregon’s ESEA Flexibility Waiver specifies that “beginning in 2012-13, following a period of further study, engagement, and piloting, Oregon will significantly improve the Oregon Report Card.”
* A steering committee of diverse stakeholders was assembled to consider input from a variety of surveys and focus groups in redesigning the Oregon Report Card.
* The steering committee delivered its recommendations to the Deputy Superintendent, who is deciding on the final form of the report card. This information was provided to the State Board during it’s April 11 meeting.
* The new rating system, which comprises part of the new report card, is based on the methodology used to identify priority, focus and model schools for 2011-12 as required by ESEA.
* The underserved subgroups referenced in the rule are the following:
	+ American Indian/Alaskan Native
	+ Black (not of Hispanic origin)
	+ Hispanic Pacific Islander
	+ Economically Disadvantaged (ECD)
	+ Students with Disabilities (SWD)
	+ English Language Learners (ELL)

**ISSUES/CONCERNS THAT SURFACED DURING RULE WORK:**

* Some modifications to the report card design may be required due to technical limitations or unavailability of certain data elements. Over time, additional items may be added to or removed from the report card.

**CHANGED SINCE LAST BOARD MEETING?** (so members can focus on what’s different)

[x]  N/A; first read—hasn’t been before board

[ ]  No; same as last month

[ ]  Yes – As follows:

**FISCAL IMPACT:** None.

**STAFF RECOMMENDATION**:

[ ]  Adopt administrative rule as prepared this month

[x]  Adopt administrative rule next month

[ ]  No recommendation at this time (rarely used)

Comments:

**581-022-1060**

**School and District Performance Report Criteria**

(1) The Superintendent of Public Instruction will annually collect data and produce annual school district and school performance reports to provide information to parents and to improve schools.

(2) The Superintendent will notify the public and the media by December 15 of each year that school and district performance reports are available at each school and school district and at the Department of Education website and office.

(3) Each school and school district report shall contain the information required by this rule. By January 15 of each year, school districts shall make a copy of the state provided school and school district performance report available to the parent(s) or guardian(s) of each child enrolled in a public school in the school district by doing one or more of the following:

(a) Mailing a copy;

(b) Electronically sending a copy; or

(c) Providing a link to a state or district web site containing the reports and also making copies available in local schools, libraries, parents centers, community centers, or other public locations easily accessible to parents and others.

(4) School performance reports will include ratings assigned by the Superintendent School ratings shall be reported in terms of five levels.

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(5) The school rating system will be based upon the following indicators:

 (a) Achievement in reading and mathematics.

(b) Growth in reading and mathematics.

(c) Growth for underserved subgroups of students.

(d) Student participation rates in reading and mathematics.

(6) In addition to the indicators listed in subsection (5) of this section, for schools that are high schools or that offer grades 9, 10, 11 or 12 as part of the schools the rating system will also include the following indicators:

(a) Graduation rates for all students.

(b) Graduation rate for underserved subgroups.

 (7) School performance reports may include information other than that listed in ORS 329.105 or sections (4), (5) and (6)of this rule. Such information will not be part of the calculation of the school rating.

(8) School district performance reports will be developed and must include the overall rating of each school in the district. The district performance report may include information other than that listed in ORS 329.105 or section (4) or this rule.

(9) School and school districts may include information in addition to that listed in ORS 329.105 or sections (4) and (5) of this rule in their locally prepared and distributed school and school district performance reports.

(10) School and school district performance reports, in conjunction with electronic supplements of the performance reports, will serve as the means by which the state meets the report card requirements of section 1111 of the Elementary and Secondary Education Act of 1965 (ESEA). (11) The Superintendent shall produce a Policy and Technical Manual to provide school districts and schools with details of the data elements and calculations used the district and school performance reports. The Superintendent shall make the manual available to districts and schools.

Stat. Auth.: ORS 326.051 and 329.075
Stats. Implemented: ORS 329.105
Hist.: ODE 36-1999, f. 12-13-99, cert. ef. 12-14-99; ODE 5-2007, f. & cert. ef. 2-21-07; ODE 25-2008, f. & cert. ef. 9-26-08; ODE 4-2009, f. & cert. ef. 6-29-09; ODE 17-2011, f. 12-15-11, cert. ef. 1-1-12