



ODE Rules Advisory Committee

April 7, 2022

Agenda

9:00 am - 12:30 pm

- I. Introductions & Opening Remarks
- II. ODE Rules-at-a-Glance
- III. ODE Updates
 - A. SB 744 Implementation Update
 - B. Alternate English Language Proficiency Assessment Standards (Alt-ELPA Standards)
 - C. End of 2022 Legislative Session Update
- IV. ODE Draft Rules
 - A. Student Success Act Nutrition Rules
 - B. SB 732 - Equity Advisory Committees
- V. ODE Early Rule Concept and Consideration
 - A. Optional SIA Mental and Behavioral Health Targets
- VI. Open Space/Questions
- VII. Closing

Welcome & Opening Remarks

- Technical and Virtual reminders
- Suggested Protocol and Dialogue
- How to use shared Notespace/Workspace during presentation

Core Principles

- 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

Suggested Protocol

- 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)

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.



ODE Rules-at-a-Glance

Open Educational Resource Fee Waiver - OAR 581-011-0090

Subject: OAR 581-011-0090 Assessment of Submission Fees

Concept: Open Educational Resources (OER) Fee Waiver

Background: In 2017 Chapter 337 of Oregon Revised Statute was revised to allow ODE to waive fees for teaching and learning resources that reside in the public domain and/or are licensed to allow the "free use and repurposing by others", otherwise referred to as open educational resources (OER).

Although ORS 337.065 instructs the Department of Education to waive publisher fees for OER, the current administrative rules do not include language regarding the fee waiver.

Open Educational Resource Fee Waiver - OAR 581-011-0090

Proposed Rule Changes:

- Addition of Section 5
 - ODE may waive the fee for evaluation of instructional materials if the material resides in the public domain or is otherwise openly-licensed
 - Submitters of instructional materials that are OER must use forms provided by ODE when submitting a waiver request.
 - ODE will prioritize waiver requests for OER materials created by Oregon educators and school districts.

Next Steps:

- Adoption by the State Board of Education in May.

581-022-2000 Civics Diploma Requirements

Subject: High School Diploma Requirements

Concept: Adding 0.5 Civics Credit For Graduation Class of 2026

Background: Adopted April 2021, SB 513 recognizes the need to improve civic and government education in Oregon. The law creates a 0.5 credit requirement with the intention to have students focus on government and civics standards in a stand-alone class.

Many school districts currently offer a class that satisfies proposed rule. Other school districts may need to shift from U.S. History and Government to a single course identified as civics/government.

581-022-2000 Civics Diploma Requirement

Proposed Rule Changes: OAR 581-022-2000

(3) Unit of Credit Requirements for students who were first enrolled in grade 9 during the **2022-2023** school year or first enrolled in grade 9 in any subsequent school year:

(a) Each student shall earn a minimum of 24 units of credit **aligned to the Oregon State Board adopted standards** to include:

(D) Social Sciences 3 — (**shall include 0.5 unit of US civics credit in addition to at least 2.5 units of credit aligned to the Oregon State Board adopted standards for U.S. history, world history, geography, economics, and financial literacy**);

Next Steps:

- May 2022: Second read at State Board with adoption
- June 2022: Communication to school districts

Background Check Fees

Subject: OARs 581-021-0511, 581-021-0512, 581-045-0586, and 581-045-0586

Concept: Background Check Fees

Background: Specific numeric costs for background checks related to classified employment or volunteering with public or private schools have been established in OAR; these revisions attempt to remove some specificity to allow for fluctuating costs.

Background Check Fees

Proposed Rule Changes: None

Next Steps:

- April SBE Second Reading and adoption

Continuous Improvement Plans - OAR 581-022-2250

Subject: School district continuous improvement plans (CIP)

Concept: Adjusting submission timelines

Background: In rule, school districts are required to develop or update their continuous improvement plan once every three years and file these plans with ODE. This rule change would move that timeline to once every four years to bring CIP submission in sync with the Aligning for Student Success Integrated Guidance.

Continuous Improvement Plans - OAR 581-022-2250

Proposed Rule Changes:

(2) Each school district shall conduct self-evaluations in order to develop and update their local district continuous improvement plans once every **four** ~~three~~ years. Except as provided in subsection (3) of this rule, the department may not require school districts or schools to conduct self-evaluations or to update their local district continuous improvement plans more frequently than biennially.

(3) Each school district shall:

(a) Submit its local district continuous improvement plan to the Department of Education once every **four** ~~three~~ years unless there are substantial changes.

Next Steps:

- Second Read & Adoption at the April State Board of Education meeting

Amendment to Latinx Student Success Grants

Subject: Amendment to Latino/a/x and Indigenous Student Success Rules
(Indigenous Mexican, Central, South American, and Caribbean)

Concept: Update to eligible entities

Background: Tribes and Educational Service Districts were originally excluded from the SSA statute. In the 2021 Legislative session, an amendment was made to include these entities. We are now making this change to the OARs to match what is in statute.

Amendment to Latinx Student Success Grants

Proposed Rule Changes: Adding to the eligible entities:

Community-Based Organization, early learning hub, provider of early learning services, school district, educational service district, Tribe, or post-secondary institution of education

Next Steps: Present to the State Board of Education in April for first read then in May for final approval. This will take effect immediately for the 2022-2023 Latinx Student Success Grants RFA when it is released.

Charter School Equity Grants ORS 327.362

Subject: ORS 327.362 (formerly 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, now in statute under ORS 327.362. 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 ORS 327.362

Proposed Rule Changes: None

Next Steps:

- April SBE first reading
- May SBE second reading and possible adoption
- April webinar scheduled with eligible charter schools
- Intent to award grants in the 2022-23 school year

Division 51 OAR Amendments

Subject: Contracting with Food Service Management Companies (FSMCs) in Child Nutrition Programs

Concept:
Technical changes to OARs surrounding FSMC contracting for child nutrition programs

Background:

- OARs outline requirements sponsors of child nutrition programs and FSMCs must follow when contracting for the management and service of meals
- Changes in Federal regulation and interpretation of this regulation have occurred
- Revisions to OARS align with current practice and Federal regulation

Division 51 OAR Amendments

Proposed Rule Changes: Updates to the rules are as follows-

- 581-051-0500 - updated the purpose of the rules to reflect the Federal child nutrition programs that ODE CNP administers
- 581-051-0520 - has been updated to remove phrasing that exempts agreements for the provision of food without management from these rules. This is to align with federal guidelines
- 581-051-0555 - includes revisions that align these rules with the renewal and annual fee increases set forth in the federal regulations.

Next Steps:

Second Reading of proposed amendments at May Board meeting



ODE Updates/Policies



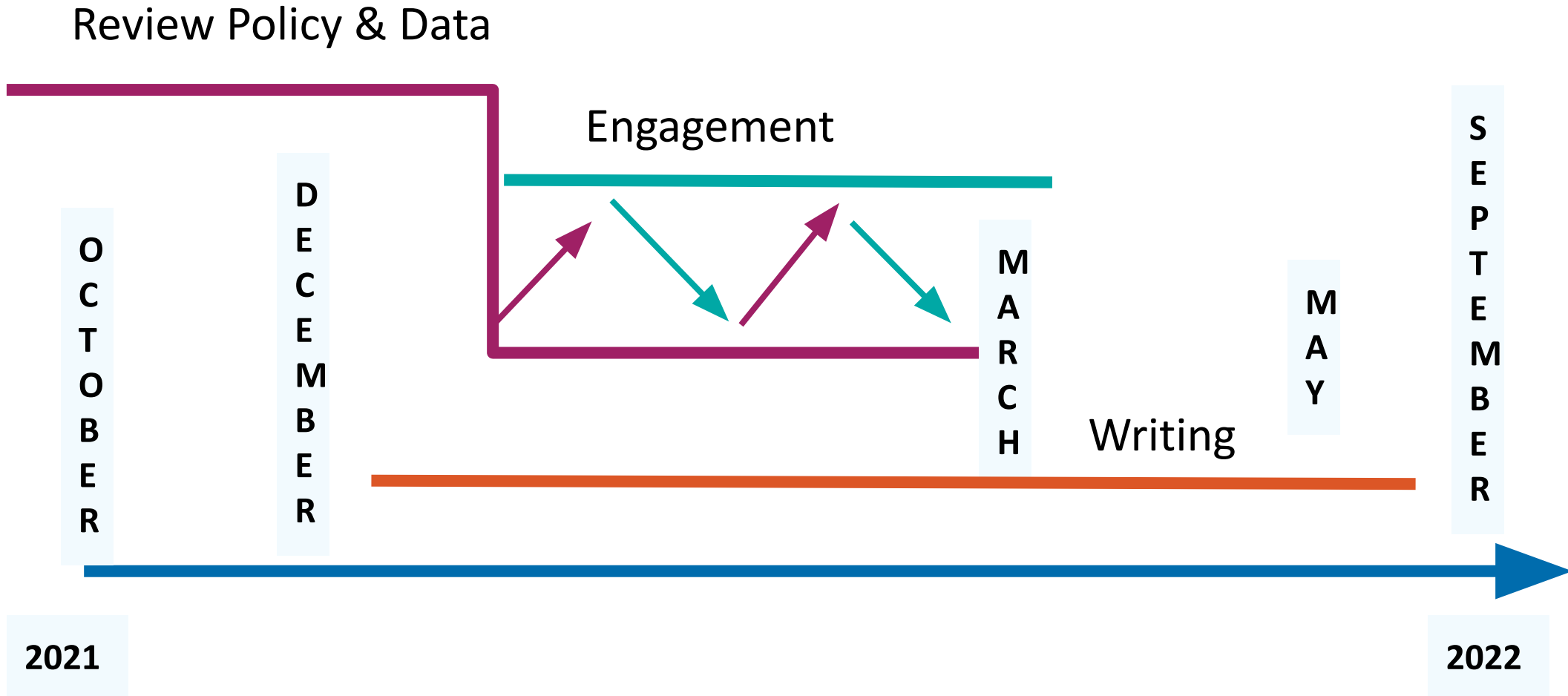
A Shared Vision for Graduation

Rules Advisory Committee
April 7, 2022

SB 744 - Our Time Today

- Timeline Check In
- Review Process - Sharing Information Sources
- Engagement Update
- Planned Writing Process
- Recommendations, Concerns, and Questions

Implementation Timeline



Graduation Review Process Sources

The sources used during the review process for SB 744 are publicly available in the Senate Bill 744 section of the [Rules and Policies webpage](#).

- National Research, Reviews, and Reports
- Oregon Resources
- Other States' Resources

SB 744 Engagement Update

- State Survey - 2,130 total responses as of 4/1/22
 - Every county in Oregon is represented
 - 99 are high school students
 - 1,058 of the respondents identified with one or more of the following:
 - LGBTQ2SIA+
 - English learner
 - Experiencing a disability
 - Experienced houselessness
 - Immigrant or refugee
 - Migrant worker or student
 - Child in foster care
 - Student who has changed high schools
 - Paper surveys also being made available
- 19 Regional Community Conversations Completed
 - 203 total (between 1 and 33 per session)

Community Connector & Paper Survey

- **Community Connectors**
 - 13 held to date
 - 180 participants (Between 2 and 30 per session)
 - 64% participating in languages other than English (Spanish, Chinese, Vietnamese)
- **Initial themes from engagement due from Oregon's Kitchen Table by April 15**

ODE Educator and Administrator Connections

- ODE educator and administrator engagements
 - COSA Administrators of Color hosted on 3/16/22
 - Oregon Association of Latino Administrators on 4/8/22
 - Oregon educators who are equity leaders (Ongoing)

Ongoing Engagement Efforts

- ODE continues to connect with tribes in Oregon, education partners, HECC representatives, and workforce representatives
- Oregon's Kitchen Table continues to connect with education and community partner organizations, as required in SB 744, for example:
 - Oregon Youth Authority Native American Program
 - African Youth and Community Organization (AYCO)
 - FACT Oregon
 - Oregon Student Voice
 - Youth Era
 - Our Children Oregon
 - Asian Pacific American Network of Oregon (APANO)

Engagement Themes

- Transparency and communication with families and students regarding graduation requirements and equitable access to district resources is needed
- Broad support for applied skills training, as typically supported by Career and Technical Education programs
- Strong interest in credit requirements for financial literacy and computer science
- Assessment of Essential Skills as a graduation requirement is generally not supported
- Want consistency, flexibility, and reasonable/relevant expectations

Planned Writing Process

- **Early May**
 - The Embargoed DRAFT report will include:
 - Review process
 - Engagement process
 - Recommendations
- **May-July**
 - Embargoed DRAFT review by Oregon education equity leaders, ODE/SBE Rules Advisory Committee, and other key partners

Feedback & Questions

- *Recommendations*
- *Concerns*
- *Wonderings*
- *Questions*





Oregon's Alt-ELP Standards

RAC April 7, 2022

Agenda

1. Introduce the students that would benefit from these standards
2. How will these standards address equity needs
3. Provide a brief history of the standards
4. Share ODE's outreach & feedback plan on the standards

Goals

Through the information in this presentation, you will:

- Learn about Oregon's Alt-ELP Standards including their creation
- Learn about Oregon's Alt-ELPA summative assessment and how it meets the strengths and needs of our Emerging Bilingual Students With Significant Cognitive Disabilities (ELWSCDs).

Foundational Information: Statute

Under ESEA section 1111(b)(2)(G), all English learners (ELs) must participate in an annual ELP assessment that is aligned with the State's ELP standards. The ESEA requires those ELP standards be derived from the domains of speaking, listening, reading, and writing; address the different proficiency levels of ELs; and be aligned with the challenging State academic standards (ESEA 1111(b)(1)(F))

The annual ELP assessment requirement applies to all grades K-12 in which there are ELs in schools served by the State (34 CFR § 200.5(a)(2)).

34 CFR § 200.6(h)(5) requires that a State administers an alternate ELP assessment for ELs with the most significant cognitive disabilities who cannot participate in the ELP assessment even with appropriate accommodations. A State may develop alternate ELP achievement standards for the alternate ELP assessment.

Legal Background

CFR-Title 34 Subtitle B Chapter II Part 200 Subpart A

§ 200.6 Inclusion of all students

(5) A State must provide for an alternate English language proficiency assessment for each English learner covered under paragraph (a)(1)(ii) of this section who cannot participate in the assessment under paragraph (h)(1) of this section even with appropriate accommodations.

Letter to SEAs from Patrick Rooney, Deputy Director (OSS), June 28, 2017

- A State may develop alternate ELP achievement standards for the alternate ELP assessment.

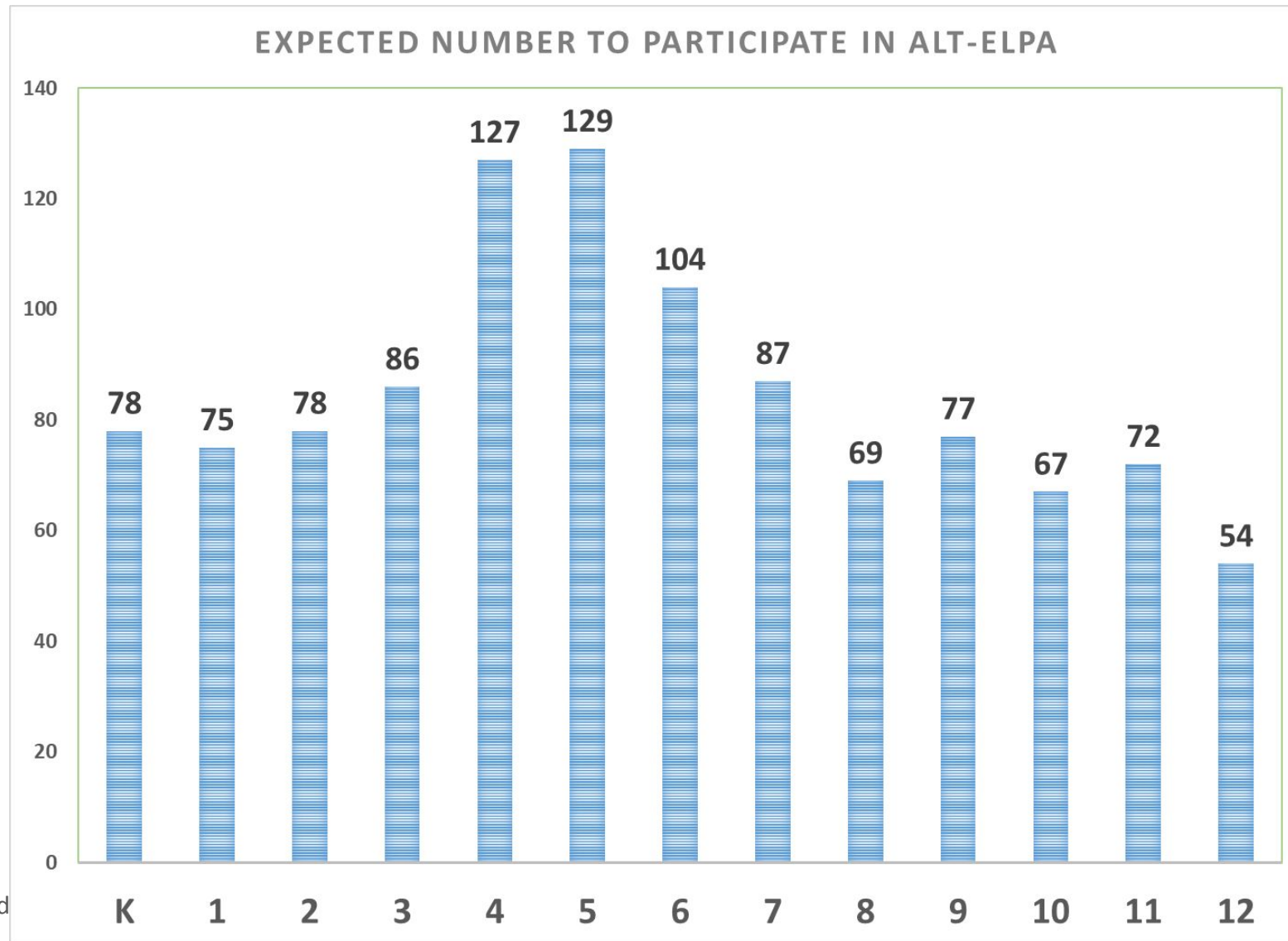
The ELP assessments that are subject to peer review requirements are those required in section 1111 (b)(2)(G) and 34 CFR § 200.6 (h), which are used to establish the annual ELP for ELs. In other words, this would include the annual ELP assessment and the State's alternate ELP assessment

Informing some misperceptions about ELSWCDs

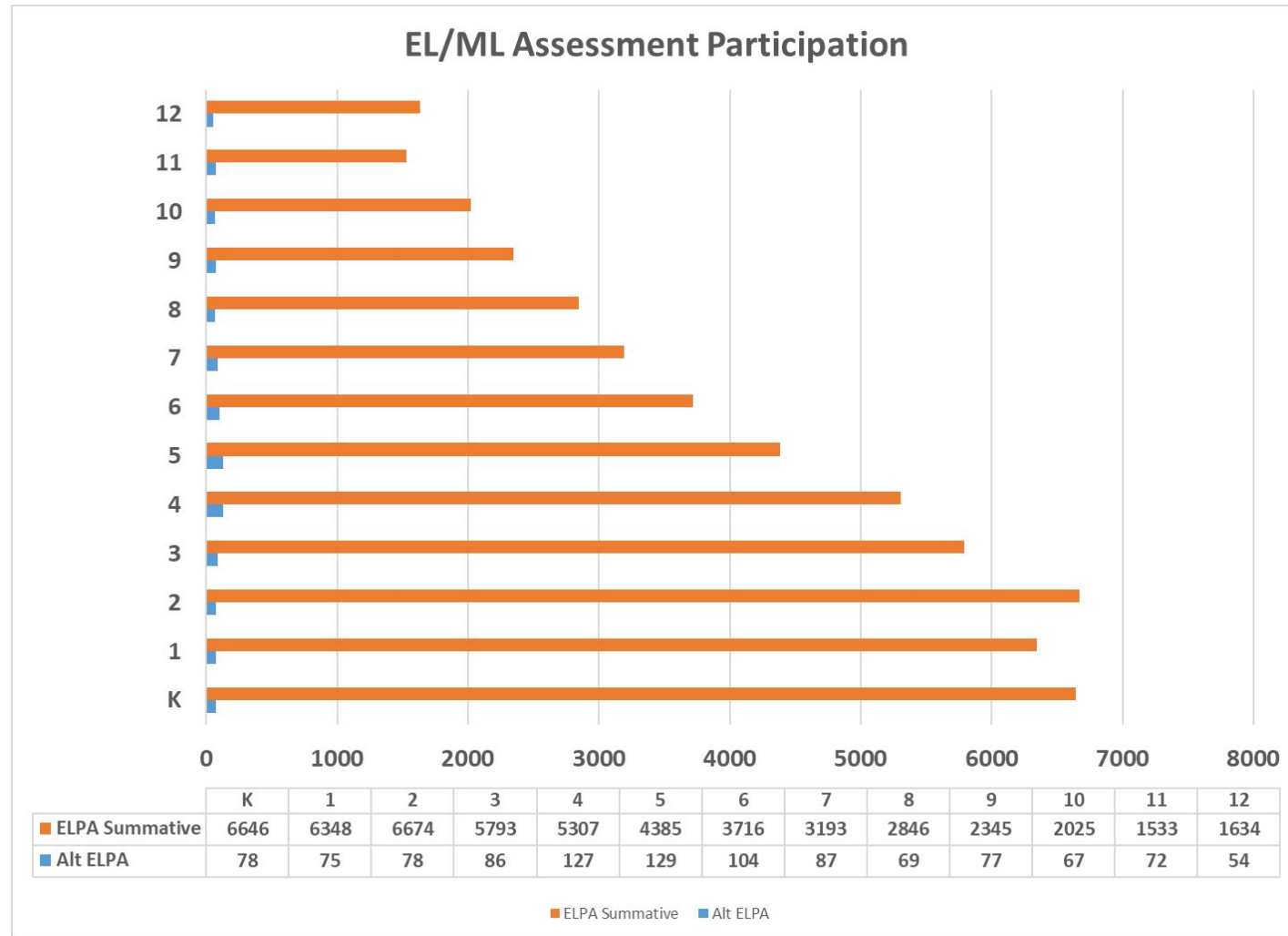
Students with significant cognitive disabilities...

- May belong to more than one or two specific IDEA disability categories (e.g., intellectual disability, autism).
- May be verbal. They may respond to multiple languages.
- Are able to learn English or a new language.
- Can communicate about concepts.
- May read or write, perform mathematical computations, and understand scientific concepts.
- Can make progress in their acquisition of knowledge and skills.

Estimated Number of Alt-ELPA Participants



Alt-ELPA participants compared to ELPA Summative Participants by Grade



History of Oregon's Alt-ELP Standards

- National collaboration led by CCSSO beginning in 2018
 - Three virtual meetings in Winter of 2018
 - Four and half-day In-Person Meeting in May 2018
 - 19 states/territories and D.C.
 - EL specialist
 - SWD specialist
 - Assessment specialists and psychometricians
 - Teachers with relevant instructional and assessment experience
 - Representatives from DLM, MSAA, ELPA21, WIDA, ALTELLA
 - Other national experts
- [Published by CCSSO in February 2019](#)
- Included in the CAAELP (Alt-ELP Assessment consortia)
 - Oregon membership began in April 2020
- Shared with Oregon educators
 - SPED Conference 2019
 - EL Coordinators 2018, 2019

Overview of ELP Standards

Organized by Language Modalities

Receptive

Listening

Reading

Productive

Speaking

Writing

Interactive: The interaction between receptive and productive language

ELP Standards comparison



Current ELP Standards

Same:

- Levels are what the student demonstrates when they have acquired this proficiency level.
- 10 standards

Different:

- 5 proficiency levels

Alt-ELP Standards

Same:

- Levels are what the student demonstrates when they have acquired this proficiency level.
- 10 standards

Different:

- 3 proficiency levels
- Include examples of how a student may demonstrate the skills in each standard by proficiency level

ELP Standard K.7: An English learner with significant cognitive disabilities can adapt language choices to purpose, task, and audience when speaking and writing.

ELP Level	Proficiency Descriptors	Example(s)
Beginning	An English learner with significant cognitive disabilities can: Not appropriate at this proficiency level	N/A
Intermediate	with prompting and support: <ul style="list-style-type: none"> • Indicate the appropriate audience or task from a field of options when presented with familiar phrases and simple sentences. • Indicate awareness of the appropriate language for the playground and for the classroom. 	A student may: <ul style="list-style-type: none"> ▪ Choose an answer appropriate for the task when presented with choices (2 or 3 choices) (e.g., Time for lunch. Student chooses picture of food, not picture of swing). ▪ Indicate awareness of appropriate language use based on context (e.g., school versus playground). ▪ identify how to appropriately address a teacher versus a friend, etc.
Advanced	with prompting and support: <ul style="list-style-type: none"> • Show a developing awareness of the difference between appropriate language for the playground and language for the classroom. 	A student may: <ul style="list-style-type: none"> ▪ Use words and phrases such as: please, I like, Can I, It is... ▪ Use pictures to indicate awareness of appropriate language use based on context (school versus playground). ▪ Use learned words appropriate for social and academic contexts (e.g., playground and classroom language).

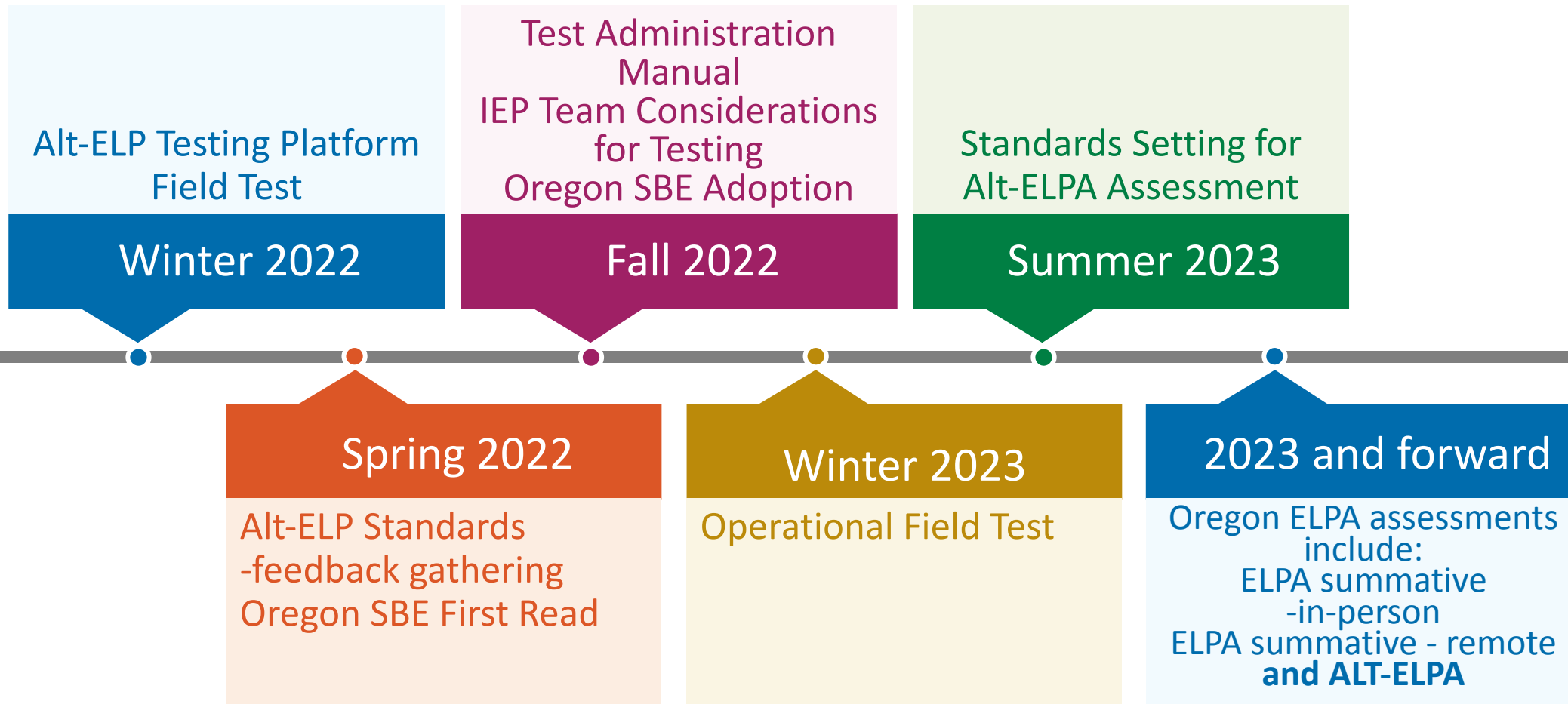
ELP Standard 4-5.3: An English learner with significant cognitive disabilities can speak and write about grade-appropriate complex literary and informational texts and topics.

ELP Level	Proficiency Descriptors	Example(s)
Beginning	<p>An English learner with significant cognitive disabilities can:</p> <p>with prompting and support:</p> <ul style="list-style-type: none"> Communicate simple information about familiar texts, topics, events, or objects in the environment. 	<p>A student may:</p> <ul style="list-style-type: none"> Indicate if they liked or disliked a text or topic. Identify the correct feeling or emotion of a character. Identify the topic of presented text (Was this about bicycles or trains?). Upon request, indicate information the author shared in the text.
Intermediate	<p>with prompting and support:</p> <ul style="list-style-type: none"> Communicate simple information. Compose simple written text about familiar texts, topics, and experiences. 	<p>A student may:</p> <ul style="list-style-type: none"> Identify the topic of the text. For example, "This story was about ____." With prompting, share responses about written or oral text. This could be answering simple questions about the text or topic. Illustrate AND label, dictate, or compose a narrative or expository text. Narrative should include clear beginning, middle, and end. Expository should include topic and 1-2 supporting details. Communicate using their preferred communication mode to share details from the story (i.e., "What is the character doing on this page?" "The girl is...")
Advanced	<p>with prompting and support:</p> <ul style="list-style-type: none"> Deliver short presentations or information. Compose written text about familiar texts, topics, and experiences. 	<p>A student may:</p> <ul style="list-style-type: none"> Compose written texts about a text or topic using multiple simple sentences. Communicate information about texts with verbal prompting or by use of visual aids as prompts.

ELP Standard 9-12.3: An English learner with significant cognitive disabilities can speak and write about grade-appropriate complex literary and informational texts and topics.

ELP Level	Proficiency Descriptors	Example(s)
Beginning	<p>An English learner with significant cognitive disabilities can:</p> <p>with prompting and support:</p> <ul style="list-style-type: none"> Communicate information about familiar texts, topics, and experiences. 	<p>A student may:</p> <ul style="list-style-type: none"> Identify a story when presented a literary and informational text. Choose a response option or provide a one-word response to a text-prompted question. Respond to a question about an informational text with one or more choices, pictures, or words or a combination of them. Select words to complete sentence frames about a selected topic.
Intermediate	<p>with prompting and support:</p> <ul style="list-style-type: none"> Communicate information about familiar texts, topics, experiences, or events. Compose written text about familiar texts, topics, experiences, or events. 	<p>A student may:</p> <ul style="list-style-type: none"> Sequence pictured events in a news story and identify words or phrases for each picture. Speak or write one to two sentences using sentence starters. Write a summary about a graph of the daily local temperatures. Find three to five words (using word cards, online tool, etc.) that represent key points from a text.
Advanced	<p>with prompting and support:</p> <ul style="list-style-type: none"> Deliver presentations or information. Compose written text about familiar texts, topics, experiences, or events. 	<p>A student may:</p> <ul style="list-style-type: none"> write (summarize or sequence) about an informational text Speak or write one or two sentences to summarize a literary or informational text. Present information about a schedule (e.g., school day) to peers. State how to solve an area of a rectangle problem using a text for reference. Describe characters in a familiar story.

Timeline



Outreach Plan

- CAAELP Community of Practice (CoP) - March 7, 2022
- EL Alliance Presentation - March 11, 2022
- Title III Office Hours - April 18, 2022
- EL Advisory Group - April 21, 2022
- Optional Survey shared at EL Alliance COSA Conference and CAAELP CoP

Reaching out to Special Education groups for time to meet with coordinators

Sending communication via listservs: EL coordinator, SPED Coordinators, Federal programs, DTCs

Questions and Recommendations

???



Contacts

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[Linda Brown](#) (Special Education Specialist)

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2022 Legislative Update

Zoe Larmer

Government Relations

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2022 Legislative Session- Policy Bills ODE Supported

- ✔ **HB 4026** - *provided grants to wildfire impacted school districts*
- ✔ **HB 4031** - *Added ODE to the Educator Equity Act, gives ODE the goal of having it's hiring match the demographics of the students we serve*
- **HB 4091** - *Pacific Islander/ Native Hawaiian Student Success Plan*
(Moved to budget bill HB 5202)
- ✗ **HB 4099** - *Racial Justice Youth Collaborative*

2022 Legislative Session- Budget Bill

HB 5202

- Procurement Positions
- EAC Positions
- REN Grants
- Summer Learning
- Pacific Islander/ Native Hawaiian Student Success Plan (moved from HB 4091)
- Technical Adjustments

Spotlight on other Education Policy Bills

- ✔ **HB 4005** - Extends date for transitions of ELD to DELC
- ✔ **HB 4030** - Educator Workforce Bill
- ✔ **HB 4124** - Survey of Assessments
- ✔ **SB 1521** - Superintendents Protection Bill
- ✔ **SB 1522**- Education Omnibus Bill
- ✔ **SB 1583** - Minimizing Assessments

Implementation

Bill Passes Out of the Legislature

Once bills have been signed by the Governor ODE begins working on an implementation plan.

Bill is Assigned to Staff

The Government Relations Team hands off the bill (or bill section) to staff experts

Bill is implemented

- Rulemaking
- Engagement
- Hiring
- Grants
- Contracting

Legislative Concepts for 2023

- Due to DAS in April 2022
- ODE internal process began in September 2021
- ODE initiatives, programs, policy ideas and needed fixes
- Engagement & presentations to RJC, RAC, and other groups
- Requires Governor's permission to support



ODE Draft Rules



SSA Child Nutrition OARs

Dustin Melton & Jessica Visinsky
Child Nutrition Programs
jessica.visinsky@ode.oregon.gov

SSA Nutrition Initiative OARs

Subject: Student Success Act Nutrition Initiatives

Concept: Amending current rules to allow for smooth implementation of SSA Nutrition Initiatives

Background:

- Three main initiatives passed with SSA legislation in 2019 – CEPI, EIG, BatB
- Clean up legislation and additional legislation surrounding SSA Nutrition Initiatives passed in 2021
- Waivers provided by USDA Food and Nutrition Services over the last two years have affected requirements surrounding eligibility for SSA Nutrition Initiatives
- Amended language is being submitted to ensure that SSA initiatives can move forward smoothly

SSA Nutrition Initiative OARs

Timeline:

- Meeting held in March with Technical Advisory Committee to review amended language
- First reading of amendments will be presented at April State Board of Education Meeting
- Second reading for adoption of amendments at June State Board of Education Meeting

SSA Nutrition Initiative OARs

- Proposed Rule Changes:
 - 581-051-0600 Breakfast After the Bell Requirement and Exemption
 - (2)(a) If, in the second preceding school year, 70 percent or more of the students at a school site were eligible students, then a school district must make breakfast accessible at that school site after the beginning of the school day. If eligibility data from the second preceding school year is unavailable, the most current applicable available data will be used.
- Lack of eligibility data from proposed source for this statute – adding language to use other available data

SSA Nutrition Initiative OARs

- Proposed Rule Changes:
 - 581-051-0610 Nutrition Initiatives Reimbursement calculation for CEPI
 - 7(a) The Oregon Department of Education will develop an annual supplemental meal reimbursement rate for the Community Eligibility Provision Incentive Reimbursement Program.
 - (b) The supplemental meal reimbursement rate will be based on:
 - (A) The free reimbursement rate established by the United States Department of Agriculture for reimbursable meals; and
 - (B) Any amounts otherwise reimbursed or paid by state, federal or other sources.
- These rules are being written to mirror current statute

SSA Nutrition Initiative OARs

- Proposed Rule Changes:
- 581-051-0615 Nutrition Initiatives Reimbursement calculation for EIG
 - (4)(a) The Oregon Department of Education will develop and publish meal reimbursement rates for the Expanded Income Eligibility Group Reimbursement Program each year.
 - (b) The department will base its meal reimbursement rates on:
 - (A) The free reimbursement rate established by the United States Department of Agriculture for reimbursable meals; and
 - (B) Any amounts otherwise reimbursed or paid by state, federal or other sources.
- These rules are being written to mirror current statute

SSA Nutrition Initiative OARs

- Proposed Rule Changes:
- 581-051-0615
 - (3)(a) An eligible school or district must notify the Oregon Department of Education of its intent to participate in the Expanded Income Eligibility Group Reimbursement Program in the form and manner prescribed by the department before the eligible school or district will begin providing **eligible** breakfasts and lunches to all eligible students at no charge.
 - (5) As a condition of participating in the Expanded Income Eligibility Group Reimbursement Program, eligible schools and districts must serve available breakfast and lunch to all eligible students at no charge.
- Minor changes to indicate requirement only if the site is providing breakfast

SSA Nutrition Initiative OARs

- Proposed Rule Changes:
- 581-051-0615 Monitoring and notification of available/insufficient funds
 - (13) On an ongoing basis, the department will track the reimbursements made under this section and the balance of funds available for the biennium. In the event that funds fall to a level that is insufficient to reimburse schools or districts participating in the Expanded Income Eligibility Group Reimbursement Program:
 - (a) The department will notify participating schools and districts 12 weeks in advance of cessation of the State Eligibility Group Reimbursement due to insufficient funds;
 - (b) Until sufficient funds again become available, reimbursement of eligible meals claimed will revert to:
 - (A) The applicable reimbursement rate established by the United States Department of Agriculture for reimbursable meals; and
 - (B) Any amounts, other than the Expanded Income Eligibility Group reimbursement, reimbursed or paid by state, federal or other sources.
 - (c) Schools or districts affected will follow guidance provided by the department

SSA Nutrition Initiative OARs

Questions for Input:

- What impacts does the committee see as a result of these changes?
- What questions does the committee believe the community will have, if any?

Proposed Rule Impacts: SSA Nutrition Initiative OARs

Racial Equity:

- Improved access to school meals at no cost improves overall learning, reduces behavioral issues and absence
- SSA Nutrition Initiatives are being adopted by all sites sponsoring school nutrition programs
- More involvement is required for those with higher need populations

Fiscal/Small Business Impact:

- None



SB 732 Implementation

Corey Rosenberg

State Board of Education Administrator

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SB 732 Summary

Subject: School District Educational Equity Advisory Committees

Concept: Adopting rules to properly implement Senate Bill 732 (SB 732) and support the educational equity advisory committees it creates.

Background:

- In 2021, the Oregon Legislature passed SB 732.
- SB 732 requires each school district to convene an educational equity advisory committee, and specifies certain committee responsibilities, membership selection requirements, and an optional annual report that committees are allowed to produce.
- The bill allows the State Board of Education to adopt rules in a number of places.

SB 732 Current Timeline

- January, February, and March of 2022: Initial district engagement.
- April and May 2022: Further engagement with RAC and partners.
- May and June 2022: Presentation and potential adoption by State Board of Education
- September 25, 2022: Districts with an average daily membership of over 10,000 are required by the bill to first convene their committees.

Districts with an average daily membership of 10,000 or less are not required to convene their committees until September 25, 2025. Additional engagement and rules specific to smaller districts will occur.

SB 732 Learnings (some so far)

Hopes:

- Student, parent, staff, and community voices are elevated and engaged in policy development and decisions.
- School district leadership gains a clear and consistent line of communication with communities served.
- District-wide trends are identified and elevated for district-wide responses.
- Consistent rule application insulates and protects district staff from personal vilification.

Fears:

- Hyper visibility and focus on underrepresented community members places them in danger.
- Flexibility allows local politics to subvert bill intent and cause harm to communities served.
- Discussion at the district level undermines or compromises school-specific incident response.
- School districts are ill prepared to implement, driving a further wedge between districts and communities.

SB 732 Rule Language - Timelines

(2) There shall be established at each school district an educational equity advisory committee.

(a) For school districts with an average daily membership of 10,000 or more, the school district is required to first convene an educational equity advisory committee by September 15, 2022.

(b) For school districts with an average daily membership of 10,000 or less, the school district is required to first convene an educational equity advisory committee by September 15, 2025.

SB 732 Rule Language - Membership

- (a) An educational equity advisory committee shall be selected by the school district board and school district superintendent and must be composed of parents, employees, students and community members from the school district.
- (b) The school district superintendent is responsible for coordinating the member nomination process and approving proposed finalists to the school district board.
- (c) The school district board is responsible for appointing members recommended for appointment by the superintendent, and ensuring that membership is primarily representative of underserved student groups.
- (d) Vacancies on the committee shall be filled in the same manner as original appointments.
- (e) Each school district is required to provide sufficient support to educational equity advisory committee members to participate in meetings, including but not limited to access to district-managed emails, translation and interpretation services, and relevant public meeting and security trainings.

SB 732 Rule Language - Membership

(f) For the purpose of selecting members, the school district board and school district superintendent:

(A) May not exclude members based on primary language;

(B) May not exclude members based on immigration status;

(C) May not exclude members based on protected class, including age, disability, national origin, race, color, marital status, religion, sex, sexual orientation, or gender identity;

(D) May not allow a voting member of the school board or the school district superintendent to be members of an educational equity advisory committee; and

(E) Must ensure that the composition of an educational equity advisory committee elevates underrepresented parent, employee, student, and community member voices.

SB 732 Rule Language - Duties

(4) The duties of an educational equity advisory committee shall include:

(a) Advising the school district board and the school district superintendent about the educational equity impacts of policy decisions; and

(b) Reporting to the school district board and school district superintendent on the experiences of underserved student groups within the school district, and advising the board and superintendent on how best to support underserved student groups and the larger district-wide climate:

(A) Informing the school district board and school district superintendent when a situation arises in a school of the school district that negatively impacts underrepresented students and advising the board and superintendent on how best to handle that situation.

(B) Informing the school district board and school district superintendent when a situation arises in a school of the school district that positively impacts underrepresented students and advising the board and superintendent on how best to replicate within the district.

(C) Determining whether such situations are unique to the school or indicative of a district-wide trend, and advising on how best to handle that trend.

SB 732 Rule Language - Direction

- (a) An educational equity advisory committee may consider topics that the educational equity advisory committee deems critical to its ability to represent and elevate educational equity impacts to student experience in the district

- (b) An educational equity advisory committee may consider topics submitted by the school district board and school district superintendent.

SB 732 Rule Language - Direction

- (c) An educational equity advisory committee may prepare an annual report that:
 - (A) Includes, but is not limited to the following information:
 - (i) The successes and challenges the school district has experienced in meeting the educational equity needs of students in the school district;
 - (ii) Recommendations the committee made to the school district board and school district superintendent, and the actions that were taken in response to those recommendations;
 - (B) Is made available by being:
 - (i) Distributed to the parents of the students of the school district;
 - (ii) Posted on the school district's website;
 - (iii) Presented to the school district board in an open meeting with adequate opportunity for public comment; and
 - (iv) Sent to the State Board of Education.
- (d) The State Board of Education and Oregon Department of Education shall review submitted annual reports, present findings in a meeting of the full board, and determine whether subsequent rule revisions are required.

SB 732 Small Group Questions

Small Group Questions for Input:

- Do these rules strike the right balance between state-wide consistency and local flexibility?
 - Are there sections that feel overly prescriptive?
 - Is there additional language that feels necessary, or concerns that need be addressed?
- Do these rules provide enough structure to ensure successful implementation and fulfillment of legislative intent?
 - Are there ways we can provide additional safeguards to ensure member safety?
- Is there need or benefit to adopting temporary rules in May?

SB 732 Proposed Rule Impacts

Racial Equity:

- Educational equity advisory committees are explicitly tasked with addressing consequences felt by underrepresented student populations.
- Educational equity advisory committees must be primarily representative of underserved communities, and elevate the voices of students, parents, staff, and communities.
- School district leadership gain a clear and consistent line of communication with communities served.

Fiscal/Small Business Impact:

- Based off legislative comment, presumed to be absorbable by districts. However, providing sufficient support to educational equity advisory committees will require thought and planning.



ODE Early Rule Concept and Considerations



Optional SIA Mental & Behavioral Health Targets

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Optional SIA Mental & Behavioral Health Targets

Subject: Optional SIA Mental & Behavioral Health Targets

Concept: [HB 2060](#) 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 on guidance. Now with the passage of HB 2060, in addition to calling out the five common 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 targets SIA grantees can consider to support student' mental and behavioral health needs, inclusive of all students while also focusing on students from focal student groups.

Optional SIA Mental & Behavioral Health Targets

Timeline:

- The Mental and Behavioral Health Advisory Council engagement process began in March and will be completed in June 2022, with engagements happening:
 - March 2
 - March 17
 - April 21
 - May 19
 - June 16
- Concurrently, we'll be engaging with the RAC, with engagements happening:
 - May 5 - first draft rules for feedback
 - June 2 - second draft rules for feedback
- ODE anticipates presenting to the SBE
 - September 2022 - first read
 - October 2022 - second read and adoption

Optional SIA Mental & Behavioral Health Targets

Community Engagement to Inform Proposed New Rule Set

- The Mental and Behavioral Health Advisory Council will provide recommendations only. The Advisory Council is comprised of internal ODE staff and leaders from external community organizations.
 - In designing the Advisory Council, we tried to be intentional about having our focal student groups represented by Council members, both internal and external to ODE.
 - Our external members bring experience from state associations, rural/urban counseling, trauma-informed/social emotional learning (SEL)/health/mental health agencies, state level community organizations, and research and evaluation.
- The RAC will continue to be engaged to share feedback and additional input to inform the rule language.

Optional SIA Mental & Behavioral Health Targets

Questions for Input:

- What recommendations do you have for the engagement process as we move to create rules to support SIA grantees with co-developing optional mental and behavioral health targets?
- What would you like to see included in the rules?
- Are there specific targets ODE should consider when drafting this rule set?
- What should else should ODE be considering as we draft the rules?

Proposed Rule Impacts: Optional SIA Mental & Behavioral Health Targets

Optional SIA Mental & Behavioral Health Targets

- The proposed rule set seeks to establish targets SIA grantees can consider to support student mental and behavioral health needs.
- The proposed optional targets are to support all students and center students from identified focal groups to address mental and behavioral health needs.

Fiscal/Small Business Impact:

- Limited to none as these are optional targets. Targets will be established as part of the co-development process for grantees that opt to establish these optional targets.

Optional SIA Mental & Behavioral Health Targets

Follow up Actions: Additional engagement? State Board?

- ODE will continue to work through the community engagement process with the members of the Mental and Behavioral Health Advisory Council until our last meeting on June 16, 2022.
- ODE will continue to engage with the RAC through June 2022.
- ODE will be ready to finalize present the drafted rules to the SBE at in Fall 2022.



Reflection of the ODE Rules Advisory Committee & Looking to 2022-23

Survey Link: <https://forms.gle/dUfq9ny4Y8Wc8Uye6>

Preview of May 05 Agenda

- Rules-at-a-Glance
- Updates/Policies:
 - SB 744 Implementation Update
 - Oregon Standard IEP Form Policy
- Draft Rules:
 - Optional SIA Mental and Behavioral Health Targets
 - 581-015-2015 Compliance Monitoring
 - HB 4030 Non Essential Reporting Requirements
 - HB 4026 Wildfire Grant rules

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...**