2017

December

Public comment will be accepted on the following rules until January 18, 2018, 9:00 a.m. Hearing to be held December 21, 2017 at 1:30 p.m. in Room 400A at 255 Capitol St NE, Salem, OR.

[Comprehensive School Counseling](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/Comprehensive%20School%20Counseling.pdf)

581-022-0102, 581-022-1512, 581-022-2000, 581-022-2055, 581-022-2060

The language for Comprehensive School Counseling has changed over the past two decades. These amendments will update language to what is used nationwide and aligns with professional practice in the field of school counseling. These OARs were adopted in 1996 and then reviewed and revised in 2008.

November

Public comment will be accepted on the following rules until December 7, 2017, 9:00 a.m. Hearing to be held November 27, 2017 at 2:00 p.m. in Room 400A at 255 Capitol St NE, Salem, OR.

[Vision Screening Reimbursement Program](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/581-021-0031%20Vision%20Screening%20Certification%2010-26-17%20Draft.pdf)

581-021-0031
Senate Bill 187 (2017) directs the Department to adopt rules regarding vision screening to (1) create a process by which a person or nonprofit entity is designated by the Department of Education to provide vision screening and (2) establish the process for providing reimbursement to education providers to help cover the cost of vision screenings.

[Approved Transportation Costs for Payments from the State School Fund](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/Approved%20Transportation%20Costs%20for%20Payments%20from%20the%20State%20School%20Fund.pdf)

581-023-0040
Updates the non-reimbursable mileage rate.

[Minimum Standard for School Busses & Retrofit Standards for Oregon School Buses](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/Minimum%20Standard%20and%20Retrofit%20Standards%20for%20School%20Buses.pdf)

581-053-0240 and 581-053-0250
Update mileage rate for transportation costs, adopt and enforce rules related to school bus and school activity vehicle standards.

[African American/Black Student Success Plan Grant Funding](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/African%20American%20Black%20Student%20Success%20Plan%20Grant%20Funding%20Process%20%28Annotated%29.pdf)

581-017-0550, 581-017-0553, 581-017-0556, 581-017-0559
To support early learning hubs, providers of early learning services, school districts, and other institutions of education and community based organizations to expand and revise programs and services for African American and Black students.

October

Public comment will be accepted on the following rules until October 26, 2017, 9:00 a.m. Hearing to be held October 20, 2017 at 10:00 a.m. in Room 400A at 255 Capitol St NE, Salem, OR.

[Dyslexia-Related Training Grants](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/State%20Board%20Proposed%20OAR/OAR%20581-002-1807%20Dyslexia-Related%20Training%20Grants.pdf)

581-022-1807
The proposed rule implements a grant program for dyslexia-related teacher training. The purpose ;of the grants is to offset costs incurred by districts in complying with dyslexia-related training requirements. The rule establishes guidelines for how the Department will administer the grant program. The rule establishes which entities are eligible to receive the grants. The rules establish reporting requirements for participating districts and charter schools.

[Compliance and Reporting Standards](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/State%20Board%20Proposed%20OAR/581-022-2305%20draft%208-30-17.pdf)

581-022-2305
Currently all school districts are required to report compliance with standards annually to communities. The rule amendment clarifies what this means by requiring districts to report to their school boards at a public meeting on post report on district web page.

[Public Charter Schools](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/OAR%20581-026-0005%2C%200700%2C%200705%2C%200710%20rev%203.pdf)

581-026-0005, 581-026-0700, 581-026-0705, 581-026-0710
SB 208 requires that districts allow students attending a public charter school to have access to interscholastic actives in their parental resident district. The district may charge fees for students who participate and charter schools must pay the fees. The rules clarify the types of activities, fees, and frequency that the fees may be applied.

[Rules Implementing Ballot Measure 98](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/Measure%2098%20rule%20revisions%20for%20HB%202246.pdf)

581-013-0005, 581-013-0010, 581-013-0015, 581-013-0020, 581-013-0025, 581-013-0030, 581-013-0035
The proposed amendments update the rules governing the program established by Ballot Measure 98 to reflect changes adopted by the Legislature during the 2017 session.

June

Public comment will be accepted on the following rules until August 24, 2017, 9:00 a.m. Hearing to be held July 21, 2017 at 9:30 a.m. in Room 400A at 255 Capitol St NE, Salem, OR.

Standards for K-12 Public Schools

581-018-0593, 581-018-0596, 581-018-0599, 581-018-0602, 581-018-0605, 581-018-0608

[TeachOregon Grant](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/TeachOregon%20Grant%20OAR%20581-018-0593%20to%200608%206-15-17.pdf)

Sets parameters for the grant program focused on addressing the teacher shortage in Oregon with a focus on targeting bilingual/bicultural candidates.

May

Public comment will be accepted on the following rules until June 22, 2017, 9:00 a.m. Hearing to be held June 20, 2017 at 1:00 p.m. in Room 400A at 255 Capitol St NE, Salem, OR.

Standards for K-12 Public Schools

Repeal rules: 581-022-1362, 581-022-1363, 581-022-1365, 581-022-1366, 581-022-1367, 581-022-1368, 581-022-1370, 581-022-1371, 581-022-1372, 581-022-1364, 581-022-1020, 581-022-1030, 581-022-1215

[Renumber rules PDF](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/Division%2022%20Rules%20Draft.pdf) Including: 581-022-1130 to 581-0225-2000, 581-022-1134 to 581-022-2010, 581-022-1133 to 581-022-2015, 581-022-1135 to 581-022-2020, 581-022-1131 to 581-022-2025, 581-022-1210 to 581-022-2030, 581-022-0413 to 581-022-2045, 581-022-1440 to 581-022-2050, 581-022-0610 to 581-022-2100, 581-022-0612 to 581-022-2110, 581-022-0615 to 581-022-2115, 581-022-0617 to 581-022-2120, 581-022-0711 to 581-022-2205, 581-022-0416 to 581-022-2210, 581-022-0421 to 581-022-2215, 581-022-0705 to 581-022-2220, 581-022-1420 to 581-022-2225, 581-022-1430 to 581-022-2230, 581-022-0606 to 581-022-2250, 581-022-1060 to 581-022-2255, 581-022-1660 to 581-022-2260, 581-022-1661 to 581-022-2265, 581-022-1670 to 581-022-2270, 581-022-0807 to 581-022-2300, 581-022-1610 to 581-022-2305, 581-022-1140 to 581-022-2310, 581-022-1340 to 581-022-2315, 581-022-1620 to 581-022-2320, 581-022-1310 to 581-022-2325, 581-022-1320 to 581-022-2330, 581-022-1630 to 581-022-2335, 581-022-1520 to 581-022-2340, 581-022-1530 to 581-022-2345, 581-022-1622 to 581-022-2350, 581-022-1640 to 581-022-2355, 581-022-1650 to 581-022-2360, 581-022-1941 to 581-022-2370, 581-022-1710 to 581-022-2400, 581-022-1720 to 581-022-2405, 581-022-1723 to 581-022-2410, 581-022-1724 to 581-022-2415, 581-022-1725 to 581-022-2420, 581-022-1730 to 581-022-2430, 581-022-1330 to 581-022-2500, 581-022-1350 to 581-022-2505, 581-022-0405 to 581-022-2510, 581-022-1510 to 581-022-2060

State law requires Oregon public schools to meet state standards as established by the State Board of Education. A school district that operates a school that does not meet standards may be found deficient by the Deputy Superintendent of Public Instruction who may impose sanctions on the school district. The revision of Division 22 began as a part of the ongoing mandate relief effort of the Department of Education.

581-021-0570

[Complaints Procedures (Restraint and Seclusion)](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/OAR%20581-021-0570%20Complaint%20Procedures%206-12-17.pdf)

Revisions update the complaint and appeal process for complaints involving Division 22 Standards, Restraint and Seclusion, Discrimination, and Retaliation. The proposed revisions are not required by legislation. The revisions are suggestions by ODE staff for making the complaint and appeal system more consistent, streamlined and user friendly.

Renumber 581-022-1940 to 581-002-0040

[Complaints and Appeals (Appeal Procedure)](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/OAR%20581-022-1940%20Appeal%20Procedure%206-12-17.pdf)

The rule establishes a timeline for the investigation that is approximately 90 days with a possibility of an extension where the complainant agrees to the extension.

Renumber 581-022-1941 to 581-022-2370

[Complaints and Appeals Relating to School Districts and Public Schools](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/OAR%20581-022-1941%20Complaint%20Procedures%206-12-17.pdf)

Rule clarifies what must be included and what may be included in the complaint procedure. Allows districts to include a time limitation on filing complaints and requires district to post complaint procedure on the website.

581-015-2000

[Definitions for Special Education](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/OAR%20581-015-2000%20%28definitions%29%205-12-17.pdf)

Autism definition revised to align with Individuals with Disabilities Act(IDEA).

581-015-2130

[Autism Spectrum Disorder Evaluation Criteria](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/OAR%20581-015-2130%20%28autism%29%20Draft%205-12-17.pdf)

Criteria used to establish autism spectrum disorder special education criteria.
Comment period on this rule has been extended to October 26, 2017 9:00 AM

581-015-2150

[Hearing Impairment Special Education Criteria](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/OAR%20581-015-2150%20%28Hearing%20Impairment%29%20Draft%205-12-17.pdf)

Infants diagnosed with minimal hearing losses would be able to access early intervention special education supports early in the child’s life likely preventing delays in language and communication development.

581-022-1723

[Teacher and Administrator Evaluation and Support](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/OAR%20581-022-1723%20Draft.pdf)

The requirements for district educator evaluation systems outlined in the rule are currently aligned with Oregon’s No Child Left Behind (NCLB) waiver which expired in August 2016. Revision of the OAR is necessary to align the rule with the vision of educator evaluation described in Oregon’s Every Student Succeeds Act (ESSA) state plan.

581-002-0090

[Accountability Reporting Advisory Committee](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/581-002-0090%20ARAC%20Draft%205-15-17.pdf)

Broadens a school district’s ability to appeal accountability data for unusual or extraordinary circumstance, increasing accuracy of reported data.

April

Public comment will be accepted on the following rule until May 25, 2017, 9:00 a.m. Hearing to be held May 23, 2017 at 9:30 a.m. in Room 400A at 255 Capitol St NE, Salem, OR.

[Oregon School Capital Improvement Matching Program](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/581-027-0010%2C0015%2C0020%2C0023%2C%200025%2C%200030%2C%200035%2C%200040%2C%200045%2C%200050%20Draft%204-13-17.pdf)

581-027-0010, 581-027-0015, 581-027-0020, 581-027-0025, 581-027-0030, 581-027-0035, 581-027-0040, 581-027-0045, 581-027-0050

Implement statutory requirements to add long-range facility plans and facility assessments to the Oregon School Capital Improvement Matching Program applications.

Public comment will be accepted on the following rule until May 25, 2017, 9:00 a.m. Hearing to be held May 23, 2017 at 9:30 a.m. in Room 400A at 255 Capitol St NE, Salem, OR.

[Child and Adult Care Food Program Appeals Decisions](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/581-021-0120%200125%20draft%204-9-17.pdf)

581-051-0120 and 581-051-0125

Federal law prescribes appeal procedures for Department decisions regarding child and adult care food program appeals. This rule authorizes the Department to follow these procedures and the State's Administrative Procedures Act.

Public comment will be accepted on the following rule until May 25, 2017, 9:00 a.m. Hearing to be held May 23, 2017 at 9:30 a.m. in Room 400A at 255 Capitol St NE, Salem, OR.

[Administration of Prescription and Nonprescription Medication to Students](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/Revisions%20to%20OAR%20581-021-0037%20Administration%20of%20Prescription%20and%20Nonprescription%20Medication%204-13-17.pdf)

581-021-0037

Addresses internal inconsistencies, makes the rule more user friendly and clarifies requirements to address common questions and concerns from the field.

March

Public comment will be accepted on the following rule until April 27, 2017, 10:00 a.m. Hearing to be held April 21, 2017 at 9:30 a.m. in Room 400A at 255 Capitol St NE, Salem, OR.

[District Curriculum](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/State%20Board%20Proposed%20OAR/District%20Curriculum%20581-022-1210%20Draft.pdf)

581-022-1210

Oregon's Comprehensive Guidance and Counseling Framework was originally adopted in 2003, and the school counseling student standards were embedded. This amendment adds the school counseling student standards for Comprehensive School Counseling to the Common Curriculum Goals and academic content standards for the planned K-12 instructional program, and aligns with the work currently underway to adopt standards in all other content areas.

Public comment will be accepted on the following rule until April 27, 2017, 10:00 a.m. Hearing to be held April 21, 2017 at 9:30 a.m. in Room 400A at 255 Capitol St NE, Salem, OR.

[Physical Exams](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/State%20Board%20Proposed%20OAR/581-021-0041%20draft%203-11-17.pdf)

581-021-0041

In 2001, ORS 336.479 was passed regulating the process and content for physical examination prior to participation in extracurricular sports by student in grades 7 through 12. Each school district is directed to require student who participate in extracurricular sports to have physical examination prior to participation. The physical examination must be conducted by a physician, naturopathic physician, physician assistant, nurse practitioner or chiropractic physician who has clinical training and experience in detecting cardiopulmonary diseases and defects. Recently, the OSAA SMAC conducted a process to review and revise [the form and protocol](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/State%20Board%20Proposed%20OAR/PPE%20Form%20-%20022317.pdf) to reflect current best practices.

Public comment will be accepted on the following rule until March 23, 2017, 9:00 AM. Hearing will be held on March 21, 2017, at 9:00 AM in Room 400A at 255 Capitol St NE, Salem, OR.

[Essential Skills for English Language Learners](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/Essential%20Skills%20Assessments%20for%20English%20Language%20Learners%20581-021-0617.pdf)

581-021-0617

During the 2016-2017 school year, Oregon’s English Language Proficiency Assessment was replaced with the ELPA21. This new assessment produces results in a different form than the previously administered English language proficiency assessment, therefore at this time no students can be eligible for this support under current OAR criteria. In order to ensure that students who are pursuing graduation in the 2016-2017 and 2017-2018 school years are not negatively impacted during this test transition, ODE is submitting a revision of OAR 581-022-0617. The revision removes the English proficiency assessment score requirement for students pursuing graduation in the 2016-2017 and 2017-2018 school years, thus allowing a student to demonstrate proficiency in reading and writing Essential Skills in the student’s language of origin if the student meets all the other criteria:

1. Is on track
2. Is unable to demonstrate proficiency in the Essential Skills in English; and
3. Has been enrolled in C. U.S. school for five years or less.

February

Public comment will be accepted on the following rule until February 23, 2017, 9:00 AM. Hearing will be held on February 21, 2017, at 1:00 PM in Room 400A at 255 Capitol St NE, Salem, OR.

[School Capitol Matching Program](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/School%20Construction%20Matching%20Program%20581-027-0005-0050.pdf)

581-027-0005; 581-027-0010; 581-027-0015; 581-027-0020; 581-027-0025; 581-027-0030; 581-027-0035; 581-027-0040; 581-027-0045; 581-027-0050

Modifies rules relating to School Capital Matching Program and Technical Assistance Grant Program. Modifications include definitions, school district eligibility for programs and prioritization.

January

Public comment will be accepted on the following rule until February 23, 2017, 9:00 AM. Hearing will be held on January 30, 2017, at 9:30 AM in Room 400A at 255 Capitol St NE, Salem, OR.

[Implements Ballot Measure 98: The High School Graduation and College and Career Readiness Act](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/State%20Board%20Proposed%20OAR/MEASURE%2098%20RULES%2012-21-16.docx)

581-013-0005;581-013-0010; 581-013-0015; 581-013-0020; 581-013-0025; 581-013-0030; 581-013-0035

The rules implement Ballot Measure 98 (2016) which established the High School Graduation and College and Career Readiness Act. The rules establish guidelines for how the Department of Education will administer the High School Graduation and College and Career Readiness Fund. The rules establish eligibility requirements for school districts and public charter schools to receive money from the High School Graduation and College and Career Readiness Fund. The rules also establish the reporting, monitoring, and technical assistance process.

Public comment will be accepted on the following rule until January 26, 2017,9:00 AM. Hearing will be held on January 23, 2017, at 1:30 PM in Room 400A, Public Service Building, 255 Capitol Street NE, Salem, OR.

[Dyslexia Related Teacher Training](https://www.oregon.gov/ode/rules-and-policies/StateRules/Documents/State%20Board%20Proposed%20OAR/581-002-1800-1805-1810-11-18-16.docx)

Adopt 581-002-1800; 581-002-1805; 581-002-1810; 581-022-2440

These rules establish requirements for dyslexia related training for teachers. The rules provide details for the list of approved training opportunities. The rules also provide requirements for school districts regarding teacher training. They also provide for a waiver of the training requirements for districts.