



# ODE Rules Advisory Committee

May 05, 2022

# Agenda

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9:00 am - 12:30 pm

- I. Introductions & Opening Remarks
- II. ODE Rules-at-a-Glance
- III. ODE Updates
  - A. Oregon Standard IEP Form Policy
  - B. HB 4030 Non-essential Reporting Requirements
  - C. Operational Plans for 2022-23 School Year
- IV. ODE Draft Rules
  - A. SB 732 - Equity Advisory Committees OARs
  - B. OAR 581-015-2015 General Supervision
  - C. LGBTQ2SIA+ Student Success Program Grant OARs
- V. Open Space/Questions
- VI. Closing

# Welcome & Opening Remarks

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

# Core Principles

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- 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

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- 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)

# Process

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 Early Draft Rule or Policy 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

# 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



# SIA Rules for Focal Group Students

**Subject:** Definitions for the Student Investment Account

**Concept:** Adding additional definitions to rule regarding the Student Investment Account.

**Background:** Currently the rules for the Student Investment Account contain some definitions for focal student groups as they pertain to the determination of eligibility for charter schools to apply independently.

After two years of implementation, we have found that in reality we have three structural areas where there needs to be definitions in rule.

# SIA Rules for Focal Group Students

- **Proposed Rule Changes**
  - Draft Rules: Link to the working document is in the chat
- Adding or updating definitions for:
  - Students from Racial or Ethnic groups that have historically experienced academic disparities
  - Foster Students
  - LGBTQ2SIA+ Students
  - Recent Arriver Students
  - Migrant Students
  - Incarcerated and detained youth

# SIA Rules for Focal Group Students

## Timeline/Next Steps:

- In December we presented these ideas as a rule concept
- At the January RAC we presented a first draft of the rules based on initial feedback
- The draft rules were presented for a First Read to State Board in April
- Draft rules will be presented for Second Read to State Board in May

# Amendment to Latinx Student Success Grants

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**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

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**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 May for adoption. This will take effect immediately for the 2022-2023 Latinx Student Success Grants RFA which is currently accepting applications.

# Charter School Equity Grants ORS 327.362

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**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

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Updates to Proposed Rule Changes: None

## Next Steps:

- April engagement with eligible charter schools to review application requirements
- May grant applications due from eligible charter schools
- May SBE second reading and possible adoption
- Development of grant manual for grantees
- Intent to award grants in the 2022-23 school year

# SSA Child Nutrition Initiative Rules

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**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, Breakfast After the Bell
- 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 Child Nutrition Initiative Rules

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## Proposed Rule Changes:

- 581-051-0600 - addition of language allowing the most current applicable available data to determine breakfast after the bell requirement when second preceding year data is unavailable.
- 581-051-0610 & 581-051-0600 - update of reimbursement calculation for CEPI and EIG to match statute language
- 581-051-0615 - creation of rules detailing steps ODE will take to monitor EIG funds and notify schools when funds become insufficient

## Next Steps:

- Second reading and adoption at June State Board of Education Meeting

# School Programs in Private and State-Operated Hospitals - OAR 581-015-2575 & 581-015-2580

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**Subject:** School Programs in Private and State-Operated Hospital

**Concept:** Align rule to statute

**Background:** During a legal sufficiency review of hospital agreements by DOJ, it was discovered ESD's were not included within the definition of a school district in rule. To get approval by DOJ of hospital agreements, rules need to be updated and align with statute.

# School Programs in Private and State-Operated Hospitals - OAR 581-015-2575 & 581-015-2580

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## Updates to Proposed Rules:

- None

## Next Steps:

- May SBE 2nd Read and adoption

# HB 4030 Educator Retention and Recruitment Grant

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**Subject:** HB 4030 (2022) Educator Retention and Recruitment grant temporary rules

**Concept:** Establish new Educator Retention and Recruitment grant

**Background:** In 2022 the legislature provided \$71 million to the state to help retain and recruit a high quality and diverse educator workforce. These funds are to be tied to high leverage strategies that will improve retention and recruitment efforts for districts across the state. Grant allocations are based on ADMw and funds need to be expended by June 30, 2023.

# HB 4030 Educator Retention and Recruitment Grant

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Proposed Rule Changes: Please review rules [hyperlink](#) in agenda.

## Next Steps:

- May 8 reading and adoption
- Continue to reach out to district leadership and personnel organizations regarding the grant
- Conduct application period
- Update issued guidance as more grant information is developed
- Continue to outreach to the state regarding this grant

# Intensive Program & Student Success Teams

**Subject:** Intensive Program & Student Success Teams Funds

**Concept:** Revising rules to clarify funding for the duration of the program and to improve the ability to project funding for additional invitations to districts

**Background:** Previous rule adjustments to allow for “collaboration and coordination” expenses needed to be strengthened; revisions also clarify how the participating district’s total allocation for the program will be developed offering increased clarity for long-term planning.

# Intensive Program & Student Success Teams

## Proposed Rule Changes

### **581-017-0741 Intensive Program & Student Success Teams: Funding**

- (1) The Initial Allocation will be determined as follows:
  - a. Available funds will be distributed at a rate of \$300 / ADMw.
  - b. The maximum allocation a district will receive will not exceed \$5,000,000.
  - c. The minimum allocation a district will receive will not fall below \$500,000.
- (2) The Total Allocation for the four years will be determined using a tapered distribution over the course of four years.
- (3) A portion of the Initial Allocation of at least \$50,000 but not to exceed 5% of the participating district's Initial Allocation may be used to support coordination and collaboration in the Planning Phase between The Department and the participating district.
- (4) All remaining funds will be spent in accordance with recommendations from the Student Success Teams, including whether or not to sustain the expenditures for coordination and collaboration in subsequent years of participation.

# Intensive Program & Student Success Teams

## Proposed Rule Changes:

### Definitions

(5) “Initial Allocation” means the formula allocation developed for a participating school district for the first year of the program.

(8) “Planning Phase” means the period of time dedicated to establish the Student Success Team.

(15) “Total Allocation” means the four-year total grant in aid distributed to a participating district factoring in available funds for the entire program and participating districts.

### Rule Timeline/Next Steps:

- SBE 1st Read in May & SBE 2nd Read/Adoption in June



# HB 4026 Wildfire Grants New Permanent rules

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**Subject:** School districts, students and communities impacted by 2020 wildfires

**Concept:** Provide stable funding to impacted school districts through the State School Fund, by using the 2019-20 Extended ADMw as a basis for school years: 2021-22, 2022-23, 2023-24, 2024-25

**Background:** Wildfires raged through several Oregon communities in fall 2020, causing devastation to the communities and to families and public schools. Many of these wildfire-impacted communities are overrepresented by populations historically marginalized because of poverty, housing insecurity, race or ethnicity. Many families of students who are residents of wildfire-impacted school districts had to relocate to stable housing outside of the school district in the aftermath of this tragedy. School districts severely impacted by the devastation of the 2020 wildfires in the midst of the global COVID-19 pandemic have a uniquely urgent need to have stable funding to enable them to fully recover.

# HB 4026 Wildfire Grants New Permanent rules

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## Proposed Rule Changes:

### Definitions for HB 4026 2020 Wildfire Grant

- (1) “ADMw” means the weighted average daily membership of a school district, as calculated under ORS 327.013 (1)(c)(A), minus any ADMw attributable to a virtual public charter school, as defined in ORS 338.005.
- (2) “District ADM” means the average daily membership, as defined in ORS 327.006, for a school district, minus any ADM attributable to a virtual public charter school, as defined in ORS 338.005.
- (3) “District extended ADMw” means the ADMw or ADMw of the prior year, whichever is greater.
- (4) “2020 wildfires” includes all wildfires that were identified in an executive order issued by the Governor in accordance with the Emergency Conflagration Act under ORS 476.510 to 476.610 between August 1 and September 30, 2020.

# HB 4026 Wildfire Grants New Permanent rules

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## Proposed Rule Changes:

### Fund Administration for HB 4026 2020 Wildfire Grant

(1) For each of the 2021-22, 2022-23, 2023-24 and 2024-25 school years, the Oregon Department of Education will determine the amount of grant funds available in the School Stabilization Subaccount for Wildfire-impacted school districts for the HB 4026 2020 Wildfire grant to be apportioned among eligible applicants for each school year.

(2) For purposes of establishing the amount of grant funds apportioned to eligible applicants in accordance with ORS 327, the Oregon Department of Education will use the most current finalized ADM, ADMw, and Extended ADMw from the State School Fund from the prior year.

(3) Grant payments will be made prior to the end of the fiscal year for which they are intended.

# HB 4026 Wildfire Grants New Permanent rules

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## Proposed Rule Changes:

### Fund Administration for HB 4026 2020 Wildfire Grant

(4) Funds received by a grant recipient under this section must be separately accounted for and must be used in accordance with the recipient's grant agreement for the HB 4026 Wildfire grant per ORS 327, including:

- (a) Using the portion of the grant attributable to distributions from the Student Investment Account in a manner that is consistent with how the school district uses other distributions from the account; and
- (b) Using the portion of the grant attributable to apportionments from the High School Graduation and College and Career Readiness Fund in a manner that is consistent with how the school district uses other apportionments from the fund.

(5) The Deputy Superintendent of Public Instruction shall resolve any issues arising from the administration of the HB 4026 2020 Wildfire grants not specifically addressed by this rule. The Deputy Superintendent of Public Instruction's determination shall be final.

## Rule Timeline/Next Steps:

- SBE 1st Read in May & SBE 2nd Read/Adoption in June



# ODE Updates/ Policies



# Oregon Standard IEP

Tenneal Wetherell and Eric Wells

Office of Enhancing Student Opportunities (OESO)

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# Planned Revisions

- OESO is revising the Gender field on the Oregon Standard IEP form to mirror other ODE forms already in use.
- The revised version will have options of M, F, and X as opposed to solely M and F.
- We are planning the implementation timeline for that change and would like to know any perceived barriers or support needs this group is aware of.

## CURRENT VERSION

### DEMOGRAPHICS

Student _____	Resident District _____	IEP Meeting Date _____
Gender: ___ M ___ F    Grade: ____	Attending District _____	Annual IEP Review Date _____
Date of Birth (mm/dd/yy) _____	Attending School _____	Amendment Date _____
Secure Student Identifier (SSID) _____	Case Manager _____	Most Recent (re)Evaluation Date _____
Primary Disability Code & Category _____	Secondary Disability Code & Category – OPTIONAL _____	Re-Evaluation Due Date _____

## REVISED VERSION

### DEMOGRAPHICS

Student _____	Resident District _____	IEP Meeting Date _____
Gender: ___ M ___ F ___ X    Grade: ____	Attending District _____	Annual IEP Review Date _____
Date of Birth (mm/dd/yy) _____	Attending School _____	Amendment Date _____
Secure Student Identifier (SSID) _____	Case Manager _____	Most Recent (re)Evaluation Date _____
Primary Disability Code & Category _____	Secondary Disability Code & Category – OPTIONAL _____	Re-Evaluation Due Date _____



# HB 4030

## *Suspending Reporting Requirements*

Tenneal Wetherell, [tenneal.wetherell@ode.oregon.gov](mailto:tenneal.wetherell@ode.oregon.gov)  
Office of Enhancing Student Opportunities



# House Bill 4030

**House Bill 4030 (2022) is a broad Bill with 21 sections in it.**

Among other things, HB 4030 addresses:

- Background Checks
- Educator License Reciprocity
- Educator Professional Development
- Statewide Educator Jobs Portal
- Recruitment and Retention Grants
- Reimbursement of Training Costs
- Suspension of Nonessential Reports
- Educator Workforce Data System
- Appropriations

**Given its broad scope, a variety of state agencies are responding to different sections in the legislation.**

**ODE has several sections to bring forward to the State Board, including Suspension of Nonessential Reports.**

# HB 4030 Section 13

HB 4030 contains a provision that ODE **SUSPEND NONESSENTIAL REPORTS**. The bill reads:

Notwithstanding any provision of law<sup>1</sup>, the State Board of Education shall suspend for school districts and education service districts any reporting requirements that:

- (1) Are not required by federal law; and
- (2) Are not essential, as determined by the board.

<sup>1</sup> "Notwithstanding any provision of law" means that this law can take precedence over existing statutes that have reporting requirements. As a result, some **state-required** reporting can be suspended.



## Focus

Reduce educator workforce workload in a time where they are burdened with pandemic response and a staffing shortage.



## Timeline

Section 13 of HB 4030 is repealed on June 30, 2023.

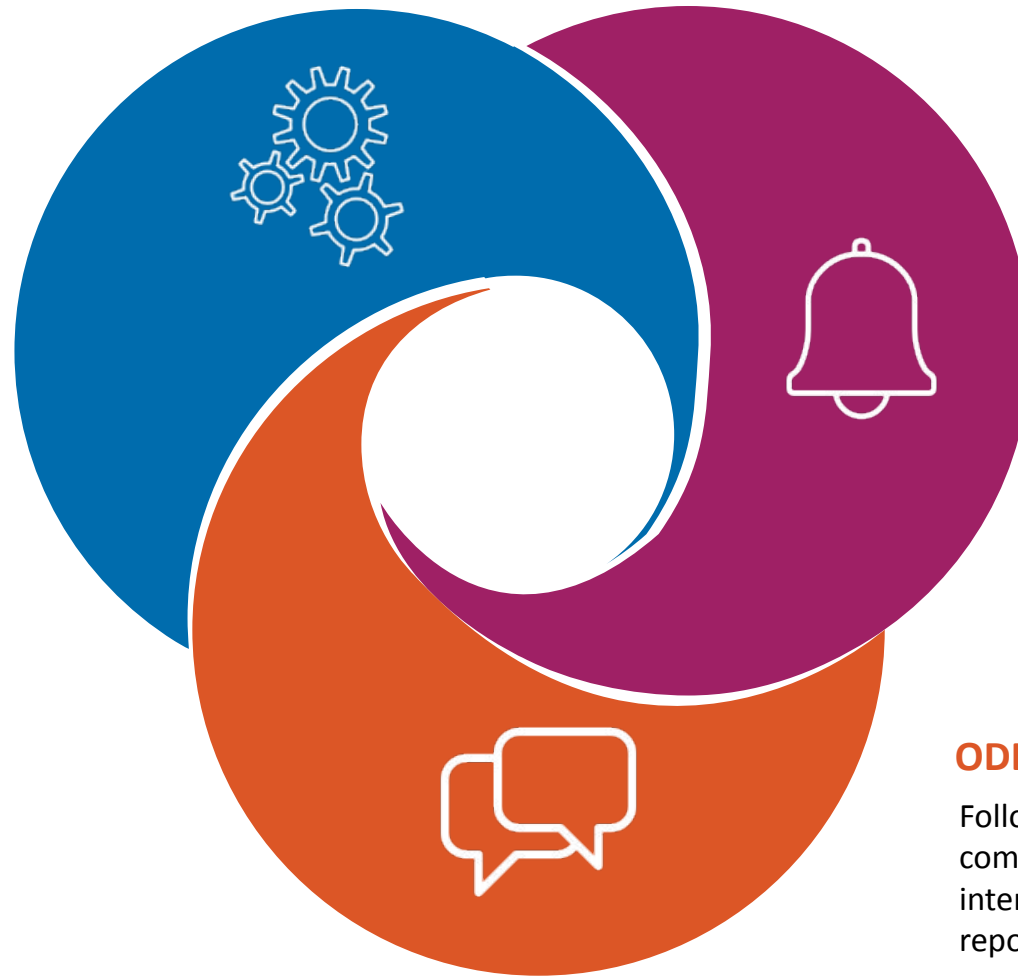
# Proposed Implementation Process

## SBE DETERMINES PROCESS

ODE completed initial implementation efforts to support the SBE's ability to approve a process to ensure implementation.

### This work included:

- Proposing a definition and selection criteria for essential reports.
- Making recommendations for the Board to consider about how ODE will determine which reports to suspend.
- Developing a process for ongoing identification of suspended reports.



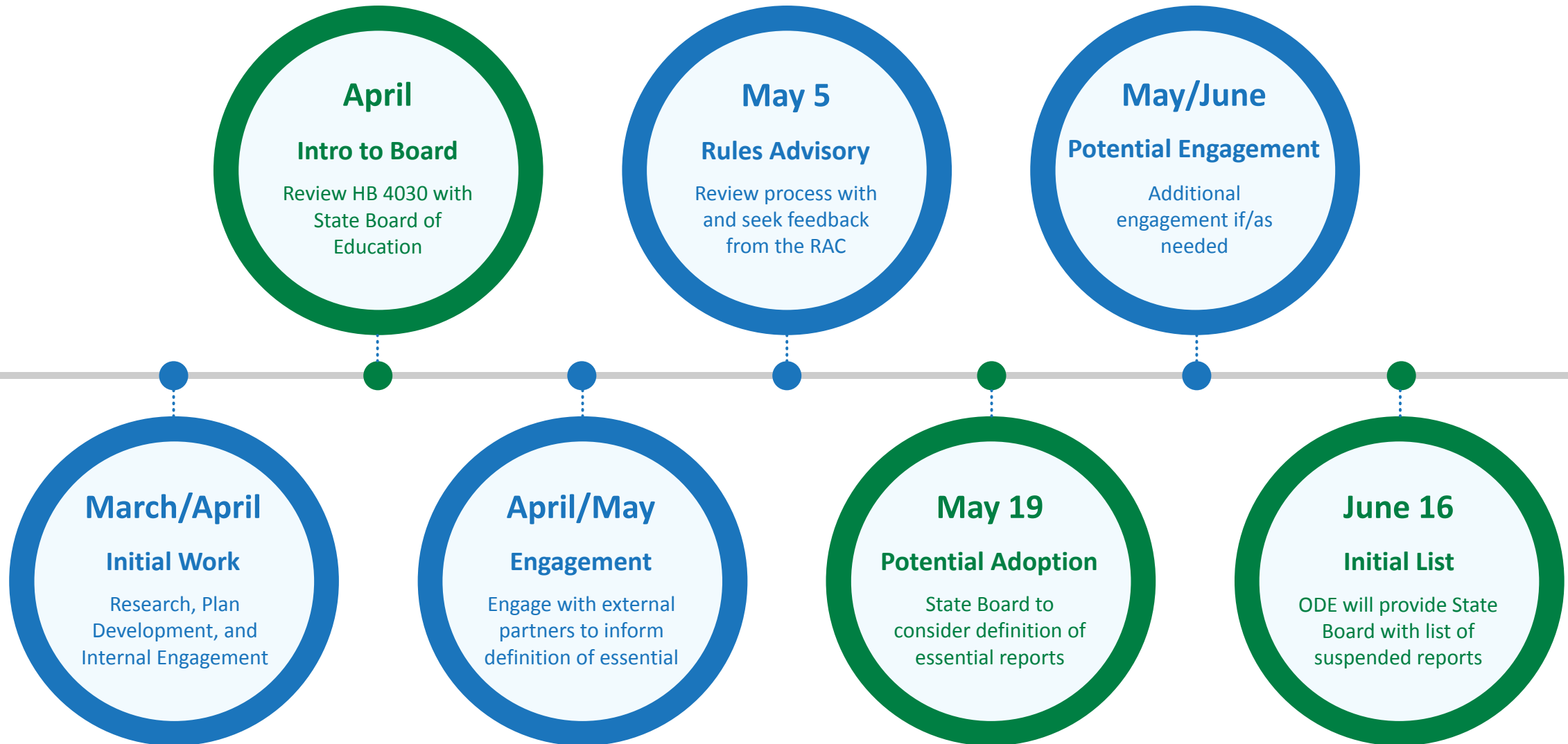
## ODE UPDATES THE SBE QUARTERLY

Under this process, ODE staff would provide quarterly updates to the SBE regarding current status of implementation, any updates to reports that have been identified as non-essential and can be suspended, and any other information relevant to the SBE to ensure effective implementation.

## ODE COMMUNICATES WITH FIELD

Following each report to the SBE, ODE will communicate updates to the field to ensure internal and external partners understand what reports are suspended and when the suspended report will be reinstated.

# Draft Timeline



# What constitutes a report?

REPORTS ARE INFORMATION THAT IS SUBMITTED . . .



## FUNDING

That is mandatory in order for a school district to receive funding



## EXPENDITURES

That confirms a school district has provided services or expenditures



## STATE COMPLIANCE

To comply with state rule or statute



## FEDERAL REQUIREMENT

As a critical element for a mandatory federal submission

# What constitutes a report?



Any request to collect or report information



Includes voluntary submission of information requiring significant district/ESD staff time (more than 30 minutes)



Could be collected through survey, Smartsheet, or other data collection tool/method



Clarification and follow-up for data submitted as part of required data collections and reporting



Regular contact with districts/ESDs in the course of work duties



Follow-up correspondence from a district/ESD based on regular work duties

# Draft Definition of Essential

Essential reports are those reports that meet any of the following criteria:

Criteria	Description
Federal Requirements	Items that are explicitly stated in statute or regulation
Funding / Accountability	Items that meet state or federal requirements leading to school or program funding or accountability
Equity	Items that provide critical information that allow ODE to implement equity initiatives
Audits	Reports that provide information used by the Secretary of State's Audits Division
Legal	Items that provide information used in legal cases



# Standards for the 2022-2023 Academic Year

Kati Moseley

Ready Schools, Safe Learners

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# Standards for the 2022-2023 Academic Year

Subject: Succeeding [OAR 581-022-0106](#); State Standards for the 2021-2022 Academic Year

Concept: Continuing requirement for Operational Plans from school districts and public charter schools with a timeline and form determined by the ODE

Background: [OAR 581-022-0106](#) was used to enforce State Standards of OAR Chapter 581, Division 22 for the 2021-2022 academic year, as well as have public schools provide safety information on how they will operate in-person learning during the COVID-19 pandemic.

Proposed rule for the 2022-2023 Academic Year will continue those state standards as well as have schools create COVID-19 Management Plans to manage COVID-19 during the 2022-2023 academic year.

# North Star for the 2022-23 School Year



Provide equitable and inclusive access to full time, in-person learning for every student, every school day.

# Meeting districts, schools, students and families in this moment

- The pandemic, and the state's response to the pandemic, have exposed and exacerbated existing equity issues.
  - Communities of color, Tribal communities, and those navigating poverty and homelessness are carrying a greater burden of COVID across their lives, not just in education.
  - Students who experience disability and their families are carrying a greater burden of COVID across their lives and are less likely to be well-served by education systems.
  - People living in rural parts of Oregon are experiencing COVID in ways that more urban areas of the state may not be.
- School, healthcare, wellbeing, employment, housing – the pandemic has brought challenges to every area of life for many families – including educators and their families.

# What we know about preventing COVID-19 hasn't changed

April 2022

## Layered Health and Safety Measures

Layered health and safety measures help us maximize full-time, in-person learning and reduce disruptions for students, staff and families. Every layer makes it harder for the virus to pass through and infect individuals. That's why every layer matters and every layer helps keep students in class.

Training and Public Health Education

Cleaning and Disinfection

Hand Washing

Physical Distancing

Cohorting

Airflow and Circulation

COVID-19 Testing

Symptom Screening

Isolation

Face Coverings

COVID-19 Vaccinations

**Oregon Health Authority**

**Document accessibility:** For individuals with disabilities or individuals who speak a language other than English, OHA can provide information in alternate formats such as translations, large print, or braille. Contact the Health Information Center at 1-971-673-2411, 711 TTY or [COVID19.LanguageAccess@dhsosha.state.or.us](mailto:COVID19.LanguageAccess@dhsosha.state.or.us)

**OREGON DEPARTMENT OF EDUCATION**  
*Oregon achieves . . . together!*

# Shifting to understand and respond to the implications of COVID

We are turning our future focus to:

- Identifying and quantifying the impacts of COVID on students, educators and education systems - with an emphasis on understanding disparity and disproportionality;
- Intervening meaningfully through inclusion, engagement and antiracist policy and practices in these areas of impact while centering on equitable metrics and goals;
- Maintaining a focus on whole person wellbeing in schools; and
- Utilizing antiracist and strengths-based approaches that acknowledge strengths of individuals, families, and communities and build on existing success.

**In the now**, we are making communicable disease management part of the operational muscle of districts. And, carrying forward the antiracist and equity focus.

# Rationale for the 2022-23 school year

- The last 2 years have set districts and schools up to be **ready for a more robust locally held response to communicable disease outbreaks**, including COVID-19
- The last 2 years clarified the systems and structures needed to **operate through a sustained communicable disease threat**
- The coming year will mark changed expectations for **how districts and schools operate during a communicable disease event**
- COVID remains a concern for the coming year; schools **need to be ready to respond to cases and outbreaks**
- Other respiratory illnesses will again be a concern, as student and staff gather indoors without the protection of face coverings

## Design for the 2022-23 school year

- Shift schools from Ready Schools, Safe Learners Resiliency Framework guidance and documents to **locally developed, held, and practiced communicable disease management.**
- **Integrate requirements** for a communicable disease management plan, clear school-level operational plans, and the ESSER-required safe return plan **into one set of assurances and a set of tools and a template for school-level operations.**

Three requirements in one submission:

- Operational Plan (State Standards Rule before you today)
- Communicable Disease Management Plan ([OAR 581-022-2220](#))
- The Safe Return Plan ([Section 2001\(i\)\(1\)](#) & [Interim Final Requirements](#))

# Submission of Assurances to ODE

Districts, ESDs, and public charter schools will submit to ODE assurances that:

1. A COVID-19 Management Plan is in place for every public school or program (including a link to where these plans are available to the public).
2. Schools engaged an intentional process to center equity and mental health supports in the COVID-19 Management Plan.
3. Commitment to regularly train school staff in the COVID-19 Management Plan.
4. A link to the district's or charter school's communicable disease management plan.
5. District or charter school has an up-to-date emergency operations plan.
6. Certifications required for ESSSER III funding via the Safe Return plan.



# Standards for the 2022-2023 Academic Year

## Timeline:

- Prior engagements:
  - Oregon Health Authority, February 2022
  - ESSER Team, April 2022
  - Colt Gill, ODE Director April 2022
  - Jeremy Wartz, Rules Coordinator, April 2022
  - Corey Rosenberg, State Board of Education Administrator, April 2022
  - Assistant Superintendents, ODE, April 2022
- Where we are in the process of rulemaking?
  - Taking proposed rule to ODE RAC in May
  - 1st reading for the State Board of Education, May 19th
  - 2nd reading for the State Board of Education, June 16th
  - Distributed 1st form for 2022-2023 on April 28th

# Standards for the 2022-2023 Academic Year

## Follow-up Actions: State Board of Education

- Listed for a 1st reading for the State Board of Education, May 19th
- Listed for a 2nd reading for the State Board of Education, June 16th
- Require first form; School-Level COVID-19 Management Plans for submission on August 26, 2022
  - Fulfills 6-month ESSER III Safe Return & Continuity of Services Plan Update Requirement in addition to Operations Plan

# Proposed Rule Impacts: Standards for the 2022-2023 Academic Year

## *Racial Equity:*

- Names the ongoing responsibility for public schools to support those disproportionately impacted by COVID-19

## *Fiscal/Small Business Impact:*

- Fulfills requirements under ESSER III for schools to continue to use ESSER III funds



# ODE Draft Rules



# 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 15, 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 15, 2025. Additional engagement specific to smaller districts will occur.\**

# SB 732 Questions from April

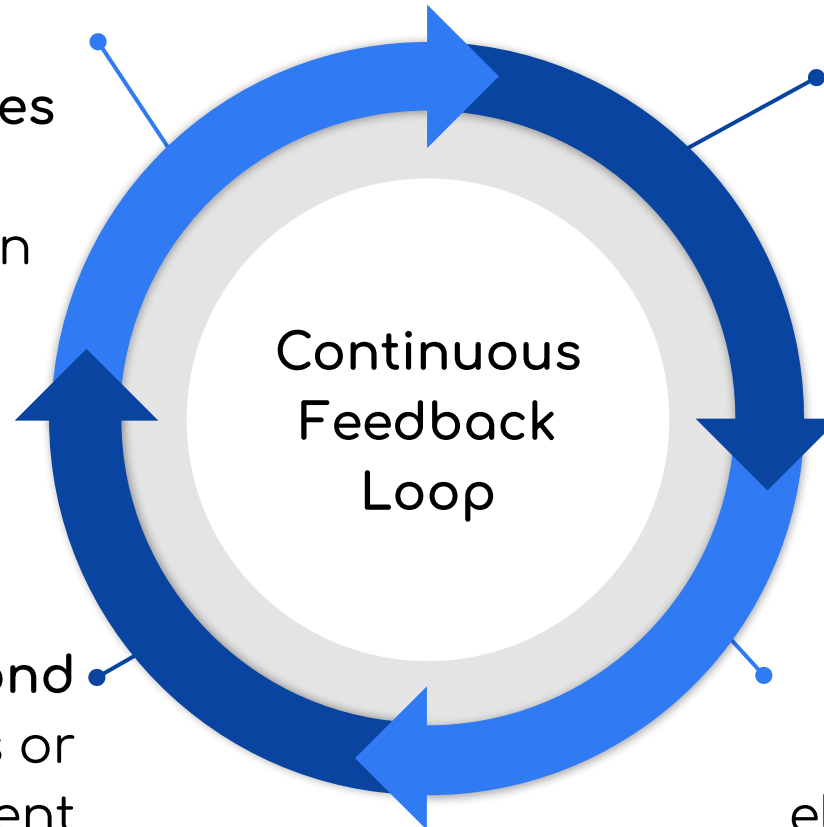
Circling back on some topics from our April 7th meeting:

- [Public meeting law](#) and transparency
- Status as [public officials](#)
- Question around role in budgetary discussions
- Relationship with SIA



# A Long-term Initiative

Districts convene their Equity Advisory Committees applying rules to local context, and building upon local relationships



Equity Advisory Committees submit annual reports sharing successes, challenges, and recommendations

State Leaders respond pursuing Rules or Legislation to ensure intent is fulfilled

State Board of Education reviews annual reports elevating best practices and structural hurdles

# SB 732 Rule Language - Definitions

- **“Community Member”** means a resident of the district or representative of an organization that primarily serves the local community or partners with the school district
- **“Underrepresented”** refers to communities, groups, families and students that due to systemic barriers and intersectional oppression have been excluded and limited proportionate access to the dominant or mainstream educational system despite efforts to participate. This includes students of color, tribal students, English language learners, LGBTQ2SIA+ students, students experiencing and surviving poverty and houselessness, students with disabilities, women/girls, and students from rural communities.
- **“Underserved”** refers to communities, groups, families and students that the dominant or mainstream educational system has historically and currently excluded, impacted, marginalized, underserved and/or refused service due to institutionalized and intersectional racism and systemic oppression. This includes students of color, tribal students, English language learners, LGBTQ2SIA+ students, students experiencing and surviving poverty and houselessness, students with disabilities, women/girls, and students from rural 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~~ **proposing** finalists to the school district board.

(c) The school district board is responsible for appointing members ~~recommended for appointment~~ **proposed** by the superintendent, and ensuring that membership is primarily representative of underserved student groups.

# SB 732 Rule Language - Membership

(d) 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 - Membership

(e) Vacancies on the committee shall be filled in the same manner as original appointments.

(f) The school district board, in consultation with the educational equity advisory committee, must select at least one member of the educational equity advisory committee to serve on the school district budget committee. A budget committee is not required to include a member of the educational equity advisory committee of the school district until a vacancy on the budget committee occurs by a member who is not also a member of the school district board.

(g) Each school district, in consultation with the educational equity advisory committee, 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 - 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.
- (c) An educational equity advisory committee may select a single member to serve as an advisor to the school district board, for the purpose of providing updates and acting as a liaison between the educational equity advisory committee and the school district board and school district superintendent.



# SB 732 Rule Language - Direction

(d) 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; and

(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.

(e) 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 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.

# 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?



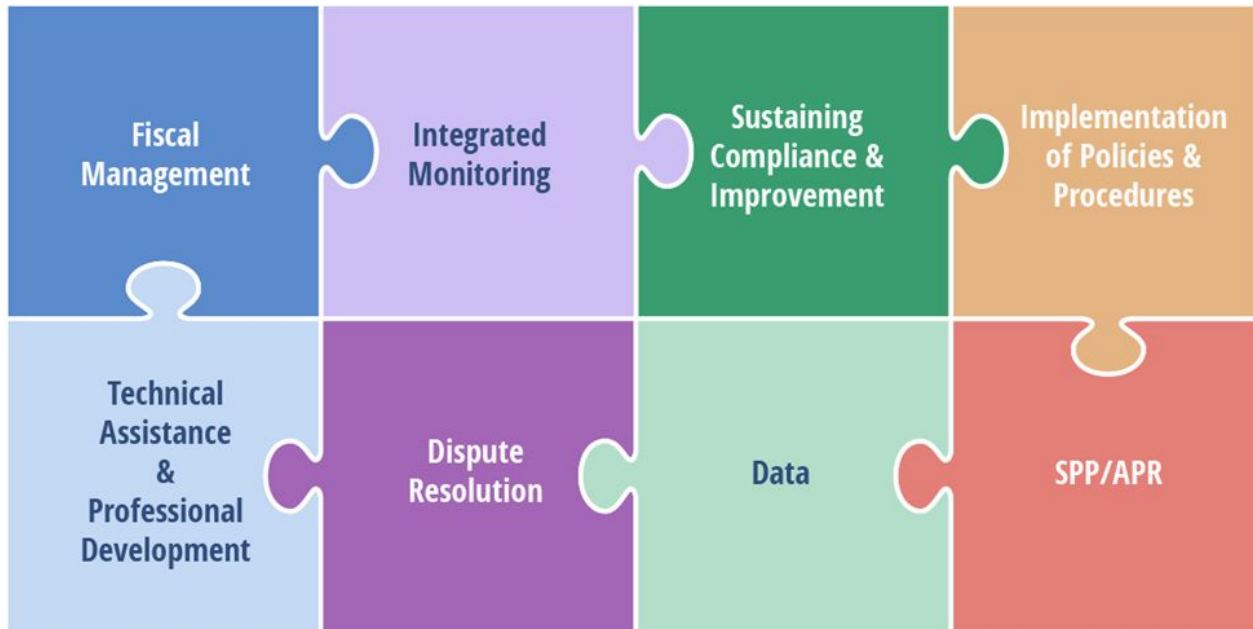
# General Supervision

Tenneal Wetherell and Eric Wells

Office of Enhancing Student Opportunities

[tenneal.wetherell@ode.oregon.gov](mailto:tenneal.wetherell@ode.oregon.gov) or [eric.wells@ode.oregon.gov](mailto:eric.wells@ode.oregon.gov)

# Overview of General Supervision



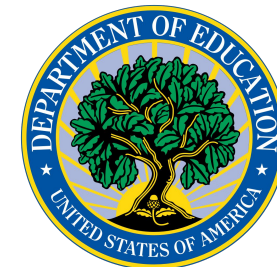
## **Federal Rule Requirement**

**34 CFR § 300.600** State monitoring and enforcement

(a) The State must—

(1) Monitor the implementation of this part;

(2) Make determinations annually about the performance of each LEA using the categories in §300.603(b)(1);



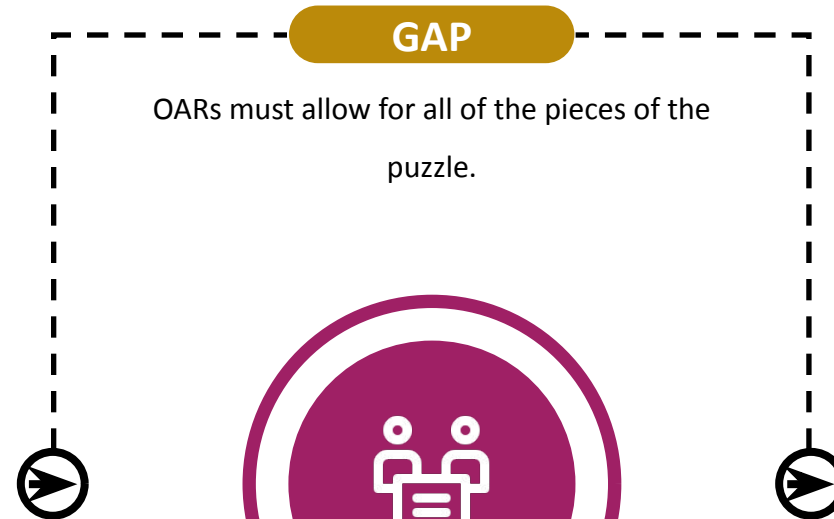
# Current Rule: Compliance Monitoring

## **OAR 581-015-2015**

School districts involved in the education of children with disabilities will be monitored by the Department on a regular basis to ensure compliance with the requirements of the Individuals with Disabilities Education Act, Oregon Revised Statutes, and Oregon Administrative Rules. Monitoring procedures may include district self-assessment, data collection, analysis and reporting, on-site visits, review of policies and procedures, review of the development and implementation of IEPs, improvement planning, and auditing federal fund use.

# GENERAL SUPERVISION OAR

Moving beyond compliance monitoring



## COMPLIANCE MONITORING

Current OARs allow for “regular” monitoring by the Department. Ensuring FAPE may require more than “monitoring on a regular basis”.



## ENGAGEMENT AND SBE ACTION

Engagement plans are being finalized to support revision of OAR 581-015-2015 Compliance Monitoring.



## GENERAL SUPERVISION

Revised OAR will provide clear authority consistent with [ORS 343.041](#), [IDEA Regulations](#), and [OSEP Memo 09-02](#).

# Why revise the OAR?

Revising this OAR will increase ODE's ability to support school districts by setting a structure to:

- Increase understanding of what's required as part of general supervision;
- Make data-based decisions;
- Provide consistent interaction and support;
- Focus on results for students who experience disability, and;
- Support the continuous improvement process statewide.



# Structure of the Rule

## **Sections 1 and 2**

Define general supervision and require it of districts

## **Sections 3 and 4**

Describes activities required of districts and how ODE will support districts

## **Sections 5 and 6**

Describes when ODE must notify districts of noncompliance

## **Sections 7, 8, and 9**

Requires correction of noncompliance, establishes timeline for correction, and describes factors ODE can use in deciding on corrective action

## **Sections 10, 11, and 12**

Describes what districts must do to correct noncompliance, how ODE will verify that they have done so, and what ODE can do to enforce compliance

**Section 13** requires LEA Determinations

# Previewing our Discussion

- This rule represents a significant expansion of the compliance monitoring rule. In what ways does the new rule help districts?
- How does it increase reliability, predictability, and/or transparency into the system?
- What mechanisms in this system help districts and the state better meet the needs of students experiencing disability?
- How will it help the state provide more effective support to ensure that districts are complying with the IDEA?

# Sections 1 and 2

**Goal of section:** Define general supervision and requires it of districts

**Overview:** General Supervision is the system that enables the Department to ensure that the requirements of the Individuals with Disabilities Education Act, Oregon Revised Statutes, and Oregon Administrative Rules are being implemented. Districts must participate in general supervision activities.



***Did we hit the mark?***

Exact wording is available in [this document](#).  
You can also add specific feedback there.

# Sections 3 and 4

**Goal of section:** Describe activities required of districts and how ODE will support districts

**Overview:** School districts must “do” general supervision as required by ODE. This could include: policies and procedures, data submissions, integrated monitoring, dispute resolution, technical assistance/PD, and corrective action.



***Did we hit the mark?***

Exact wording is available in [this document](#).  
You can also add specific feedback there.



# Pause for Discussion, Thoughts, and Clarifying Questions

# Sections 5 and 6

**Goal of section:** Describe when ODE must notify districts of noncompliance

**Overview:** ODE must notify districts of noncompliance within three months of it being identified, unless the noncompliance could result in a significant denial of instruction. In those cases, ODE must notify districts within 30 days.



***Did we hit the mark?***

Exact wording is available in [this document](#).  
You can also add specific feedback there.

# Sections 7, 8, and 9

**Goal of section:** Requires correction of noncompliance, establishes timeline for correction, and describes factors ODE can use in deciding on corrective action

**Overview:** Districts must correct noncompliance as soon as possible, but in no case later than a year, unless the noncompliance could result in a significant denial of instruction. That noncompliance must be corrected as soon as possible, but no later than 60 days. The extent of corrective action will vary based on the extent and severity of the noncompliance.



## *Did we hit the mark?*

Exact wording is available in [this document](#).  
You can also add specific feedback there.



# Pause for Discussion, Thoughts, and Clarifying Questions



# Sections 10, 11, and 12

**Goal of section:** Describes what districts must do to correct noncompliance, how ODE will verify that they have done so, and what ODE can do to enforce compliance

**Overview:** School districts and programs must correct individual instances of noncompliance, fix policies that resulted in noncompliance, and submit additional data showing subsequent compliance. ODE has enforcement actions it can take to compel correction.



## *Did we hit the mark?*

Exact wording is available in [this document](#).  
You can also add specific feedback there.

# Section 13

**Goal of section:** requires LEA Determinations

**Overview:** ODE must make an annual determination regarding each district's implementation of the IDEA.



*Did we hit the mark?*

Exact wording is available in [this document](#).  
You can also add specific feedback there.



# Pause for Discussion, Thoughts, and Clarifying Questions

# Timelines for Identification and Correction of Noncompliance

## General timeline for noncompliance

Sections 5 and 8 establish a general timeline for identification and correction of any noncompliance identified through the general supervision system.

This timeline is:

- Three months for notification
- As soon as possible, but no more than one year after it was identified for correction

## What could noncompliance be?

Examples of potential noncompliance include:

- Evaluations that take too long
- IEPs not reviewed on time
- IEPs that don't have all needed information
- Failure to invite parents to IEP meetings

## Timeline for noncompliance that results in significant denial of instruction

Sections 6 and 9 establish a **shorter** timeline specific to noncompliance that “could cause a student to be denied 10 or more instructional days . . . compared to the majority of general education students who are in the same grade within the attending school district or program.”

This timeline is:

- 30 days for notification
- As soon as possible, but no more than 60 days after it was identified for correction

This does not include a placement on an abbreviated school day by an IEP team following appropriate procedures.

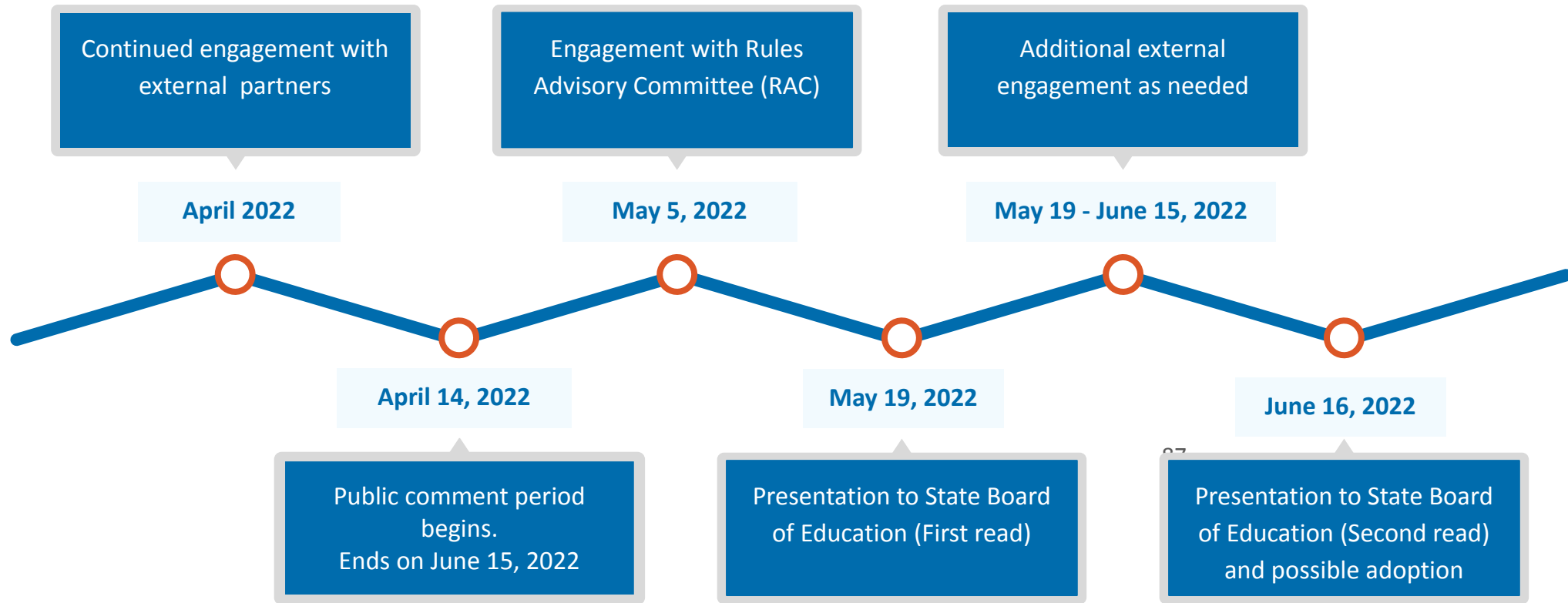


# Pause for Discussion, Thoughts, and Clarifying Questions

# Discussion

- This rule represents a significant expansion of the compliance monitoring rule. In what ways does the new rule help districts?
- How does it increase reliability, predictability, and/or transparency into the system?
- What mechanisms in this system help districts and the state better meet the needs of students experiencing disability?
- How will it help the state provide more effective support to ensure that districts are complying with the IDEA?

# Timeline and Next Steps





# LGBTQ2SIA+ Student Success Grant Program

Angie Foster-Lawson (they/she)

Office of Equity, Diversity, and Inclusion

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# LGBTQ2SIA+ Student Success Grant Program

Subject: LGBTQ2SIA+ Student Success

Concept: Permanent Rules for LGBTQ2SIA+ Student Success Grant Program

Background: The LGBTQ2SIA+ Student Success Plan provides strategies and goals to work toward addressing the educational and social-emotional needs of LGBTQ2SIA+ students. The plan addresses:

- the need for professional development among Oregon educators,
- equitable access to appropriate educational curriculum, facilities and activities, as well as,
- necessary data collection through an annual climate survey and student advisory group to inform future decision making regarding this student population.

One of the ways the plan will be implemented is through grants for programming to local entities. \$2 Million per biennium, per SB 52 (2021).

# LGBTQ2SIA+ Student Success Grant Program

## Timeline:

- Fall 2021: Four engagement sessions - Temporary Rulemaking
- Dec 31, 2021: Temporary Rules adopted by SBE (expire June 30, 2022)
- Spring 2022: Two engagement sessions - Permanent Rulemaking
- May 5, 2022: Present changes at May RAC Meeting
- May 19, 2022: Permanent Rules first read at May SBE meeting
- June 2, 2022: Rules-at-a-glance at June RAC Meeting
- June 16, 2022: Permanent Rules second read and adoption at June SBE meeting

# Community Feedback Overview

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- Definitions: 16 terms flagged for revision, 19 terms flagged to add
- Replicability
- Continuation of existing programs
- Inclusion of youth and community voice
- Concerns about measuring population served and both impact and intent
- Accountability for staff and systems
- Would like to see the possibility of a direct route for students to get funding
- How grantees spend their funds (assuring living wages, compensating students)
- Concerns about identifying/outing students by asking for information on number served
- Prioritize student feedback (e.g. stories, qualitative, anonymous, etc.)
  - Reporting needs to be safe: “safety of the participants is essential”

## LGBTQ2SIA+ Student Success Grant Program

# Proposed Changes to Eligibility OAR

### Proposed language:

#### **LGBTQ2SIA Student Success Plan Grant Program: Eligibility**

(1) The Department will establish a process for eligible entities to apply for a LGBTQ2SIA+ Student Success Grant.

(2) To be eligible to receive a Grant, an applicant must:

(a) Be a Community-Based Organization, Culturally Specific Organization, early learning hub, provider of early learning services, school district, education service district, **public charter school**, **Tribal government**, or post-secondary institution of education, **or a consortium of these entities**; and

(b) Demonstrate the **outcomes** ~~objectives~~ of the grant activities are to benefit and serve LGBTQ2SIA+ students and their families.

### Why these changes?

- Offers visible inclusion to public charter schools by referring to existing ORS
- “Tribal governments” replaces tribes to be more consistent and capitalized as sovereign Tribal nations
- Aligns with ORS that a consortium of these entities are allowed to apply together
- Use **outcomes** to better align with RFA and application

# LGBTQ2SIA+ Student Success Grant Program

## Proposed Changes to Establishment OAR

### LGBTQ2SIA Student Success Plan Grant Program: Establishment

(1) There is established the LGBTQ2SIA+ Success Plan Grant Program to support **Community-Based Organizations, Culturally Specific Organizations**, early learning hubs, providers of early learning services, school districts, education service districts, **public charter schools, Tribal governments**, post-secondary institutions of education, **or a consortium of these entities** who are working to design, implement, improve, expand, or otherwise revise programs and services for LGBTQ2SIA+ students.

(2) The programs and services to be provided under the Grant must implement one or more of the **strategies** ~~or address one or more of the objectives~~ included in the LGBTQ2SIA+ Student Success Plan.

(3) Subject to available funds, the Department of Education shall award Grants based on a detailed description of proposed programming or services. The programs or services may include:

- (a) The scale-up of an existing program or project; and/or
- (b) The implementation of a new program or project.

(4) The purpose of the Grant program is to provide funds to applicants that document an understanding of the unique needs of LGBTQ2SIA+ students, have the potential to become exemplar programs, and who create collaborative practices relating to strategies outlined in the LGBTQ2SIA+ Student Success Plan.

### Why this change?

Simplify references to Student Success plan **strategies** to better align with ORS

## LGBTQ2SIA+ Student Success Grant Program

# Proposed Changes to Definitions OAR (Overview)

### LGBTQ2SIA Student Success Plan Grant Program: Definitions

The following definitions apply to OAR 581-017-0XXX to 581-017-0XXX:

- (1) “LGBTQ2SIA+ Student Success Grant” means the grant established by **ORS 329.847**.
- (2) “LGBTQ2SIA+” means a term that encompasses multiple gender identities and sexual orientations including lesbian, gay, bisexual, **pansexual**, transgender, **nonbinary**, queer, questioning, two-spirit, intersex, and asexual. The plus sign (“+”) recognizes **and includes that** there are the myriad ways to describe **marginalized** gender identities and sexual orientations. ~~It is also important to recognize that the challenges and barriers for students who identify as lesbian, gay, bisexual, queer can be different from the challenges and barriers faced by students with diverse and/or expansive gender identities and expressions. This definition recognizes every individual who identifies as a member of the LGBTQ2SIA+ community has a unique lived experience, and the LGBTQ2SIA+ community is not a homogeneous group with a single identity.~~
- (3) “Community-Based Organization” means a nonprofit organization that is reflective of a community or significant segments of a community it seeks to serve.
- (4) “Community Voice” means that members representing the community served by the project, including students, will be involved in co-constructing the project design, implementation, and/or providing strategic guidance in final decision-making.

## LGBTQ2SIA+ Student Success Grant Program

# Proposed Changes to Definitions OAR (Overview)

(5) “Culturally Specific Organization” means an organization that serves a particular cultural community and is primarily staffed and led by members of that community; these organizations demonstrate: intimate knowledge of lived experience of the community, including but not limited to the impact of structural and individual ~~racism or~~ discrimination **based on gender identity and/or sexual orientation as well as other intersecting oppressions** on the community; knowledge of specific disparities, barriers or challenges documented in the community and how that influences the structure of their program or service; commitment to the community’s strength-based and self-driven thriving and resilience; ability to describe and adapt their services to the community’s cultural practices, health and safety beliefs/practices, positive cultural identity/pride, religious beliefs, etc.

(6) “Department” means the Oregon Department of Education.

(7) “Partnership” means a group of organizations, **Tribal governments** ~~Tribes~~, districts or individuals who agree to work together with a common interest and shared vision. In a partnership, there is a high level of trust and 2-way communication, and differences in power and privilege are addressed. Roles and responsibilities on all sides are well-defined and developed with shared authority in decision making. There might be shared space and staff, with expectations and agreements in writing.

(8) “Student” means a **school-aged individual**. ~~student enrolled in early childhood through post-secondary education who:~~

~~(a) Identifies as LGBTQ2SIA+; and~~

~~(b) Has experienced disproportionate results in education due to current and historical practices and policies, as identified by the State Board of Education by rule.~~

## Proposed Changes to Definitions OAR: Removed terms

- **Remove** from rule, revise and update in LGBTQ2SIA+ Student Success Plan:

*gender identity, gender expression, sexual orientation and*

*asexual, agender, bisexual, cisgender, gay, gender nonconforming, intersex, lesbian, non-binary/genderqueer, pronouns, queer, questioning, transgender, two-spirit*

- **Remove** and move to RFA:  
*disproportionate*

### Why these changes?

- Most of the community engagement feedback was related to nuanced language within these definitions
- None of these definitions are referenced in other parts of the OAR
- Easier to change if they only live in the Student Success Plan document/ODE's website (with Advisory Group input)
- The more you define in OAR, the less flexibility you have in the future, when language changes



## Proposed Changes to Definitions OAR: LGBTQ2SIA+

(2) “LGBTQ2SIA+” means a term that encompasses multiple gender identities and sexual orientations including lesbian, gay, bisexual, **pansexual**, transgender, **nonbinary**, queer, questioning, two-spirit, intersex, and asexual. The plus sign (“+”) **recognizes and includes the** myriad ways to describe **marginalized** gender identities and sexual orientations.

*It is also important to recognize that the challenges and barriers for students who identify as lesbian, gay, bisexual, queer can be different from the challenges and barriers faced by students with diverse and/or expansive gender identities and expressions. This definition recognizes every individual who identifies as a member of the LGBTQ2SIA+ community has a unique lived experience, and the LGBTQ2SIA+ community is not a homogeneous group with a single identity.*

### Why these changes?

- **Nonbinary** is already included in the ORS and SS plan
- Adding **pansexual** due to overwhelming requests from community engagement
- Clarified language so that all additional **marginalized** gender identities and sexual orientations are strongly included by the +, as terms evolve
- Move last two sentences of context to RFA & Student Success Plan as guidance. Not needed for OARs.

## Proposed Changes to Definitions OAR: CSO

(5) “Culturally Specific Organization” means an organization that serves a particular cultural community and is primarily staffed and led by members of that community; these organizations demonstrate: intimate knowledge of lived experience of the community, including but not limited to the impact of structural and individual ~~racism or~~ discrimination **based on gender identity and/or sexual orientation as well as other intersecting oppressions** on the community; knowledge of specific disparities, barriers or challenges documented in the community and how that influences the structure of their program or service; commitment to the community’s strength-based and self-driven thriving and resilience; ability to describe and adapt their services to the community’s cultural practices, health and safety beliefs/practices, positive cultural identity/pride, religious beliefs, etc.

### Why these changes?

- Language was specific to AA/BSS & Latinx plans
- Anti-racism & equity expectations are embedded in RFA
- Make more specific to civil rights language around anti-discrimination based on gender identity and sexual orientation

## Proposed Changes to Definitions OAR: Student

### (8) “Student” means a school-aged individual.

*student enrolled in early childhood through post-secondary education who:*

*(a) Identifies as LGBTQ2SIA+; and*

*(b) Has experienced disproportionate results in education due to current and historical practices and policies, as identified by the State Board of Education by rule.*

### Why these changes?

- LGBTQ2SIA+ students are often pushed out based on discrimination. Broader definition clarifies grantees can serve students outside traditional school settings or enrollment status
- Eligibility and Criteria OARs & plan strategies clearly outline requirements to “serve LGBTQ2SIA+ student and families”, without needing it here
- Requiring LGBTQ2SIA+ identification presents a student safety concern
- **Note:** If DOJ requires (a)(b), we can shift (a) to “**May identify** as LGBTQ2SIA+”, which aligns with ORS

# LGBTQ2SIA+ Student Success Grant Program

## Proposed Changes to Criteria OAR

### LGBTQ2SIA Student Success Plan Grant Program: Criteria

(1) The Department will award Grants to eligible entities based on the following criteria:

- (a) Whether the proposed project successfully implements the strategies provided in the LGBTQ2SIA+ Student Success Plan;
- (b) Whether the applicant authentically and consistently engages Community Voice in the proposed project; and
- (c) Whether the applicant demonstrates equitable distribution of Grant funds and resources in Partnership.

(2) The Department may give priority to applications that:

- (a) Are led by Culturally Specific or Community-Based Organizations that represent LGBTQ2SIA+ communities;

(b) Demonstrate authentic and on-going Partnerships with Community-Based Organizations, Culturally Specific Organizations, early learning hubs, **providers of early learning services, school districts**, educational service districts, **public charter schools, Tribal governments**, post-secondary institutions of education, **or a consortium of these entities that serve LGBTQ2SIA+ communities**;

(c) Will help ensure geographic diversity of the Grant program by including rural communities or other underserved communities with LGBTQ2SIA+ student populations;

(d) Address a strategy ~~or an objective~~ of the LGBTQ2SIA+ Student Success Plan that requires additional support, as determined by the Department; ~~or~~

(e) Address strategies ~~or objectives~~ that are common across the African American/Black Student Success Plan, Latino/a/x and Indigenous Student Success Plan, and/or the American Indian/Alaska Native Student Success Plan and communities;

(f) Address the intersectionality of the student populations served by the LGBTQ2SIA+ student success plan with the other student success plans within ODE; **or**

(g) Provide a plan for the authentic and meaningful voice and choice of plan youth are engaged in program development, evaluation and implementation.

# LGBTQ2SIA+ Student Success Grant Program

## Proposed Changes to Funding OAR

### Proposed language:

#### **LGBTQ2SIA Student Success Plan Grant Program: Funding**

(1) Applicants must submit a detailed budget that explains how Grant funds will be used.

(2) Administrative costs, which include indirect costs, will be allowed as a percentage of the Grant funds disbursed as follows:

(a) Up to five percent for school districts, education service districts, **public charter schools**, early learning hubs, or post-secondary institutions of education; or

(b) Up to fifteen percent for ~~tribal governments~~, **Community-Based Organizations**, **Culturally Specific Organizations**, or providers of early learning services;

**(c) For Tribal governments, up to fifteen percent or the Tribal government's federally recognized indirect rate, as provided in the grant agreement; or**

**(d) Administrative costs for partnerships or consortiums will be allowed based on the lead entity's organization type.**

### Why these changes?

- Encourages Tribal government grantees who may have federally recognized indirect cost rate being higher than 15%
- Clarifies admin costs for partnerships or consortiums

# LGBTQ2SIA+ Student Success Grant Program

## Discussion Questions for RAC Input:

- Are there any concerns that certain youth/student identities would not be included or served within the LGBTQ2SIA+ or student definitions?
- Any questions or concerns regarding any of the other proposed changes?

# LGBTQ2SIA+ Student Success Grant Program

## Next Steps:

- May: Department of Justice Review
- May 19: First read, State Board of Education Meeting
- June 16: Second read and adoption, State Board of Education Meeting
- Request for Applications (RFA) for Grant Program
- Continued engagement through LGBTQ2SIA+ Advisory Group on Student Success Plan Implementation

# LGBTQ2SIA+ Student Success Grant Program

## Racial Equity:

- ODE has identified an urgency to bolster existing equity initiatives while also recognizing how race and ethnicity intersect for many of Oregon's LGBTQ2SIA+ students. The LGBTQ2SIA+ Student Success Plan and grant program addresses instances of individual acts of bias that are often institutionalized in policies and in systems that create compounded impacts both across race and ethnicity and across sexual orientation and gender identity.
- As is detailed in the Plan, Oregon's LGBTQ2SIA+ students are at significantly high risk for bullying and harassment, suffering violence while at school, sexual assault, chronic absenteeism, and suicidal ideation. LGBTQ2SIA+ students of color and experiencing disabilities are at even higher risk of violence and harassment. LGBTQ2SIA+ students of color, especially Black and Latino/a/x students, are also at even greater risk of being pushed out of school by education and criminal justice institutions.

## Fiscal/Small Business Impact:

- Equitable distribution of funds for Community-Based Organizations and Culturally Specific Organizations is woven throughout the RFA and grant program application in order to ensure small businesses who are eligible are supported in applying to the program.



# Preview of June 2022 Agenda

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- Rules-at-a-Glance
- Updates/Policies:
  - SB 744 Implementation Update
  - HB 4030 Non-essential Reporting Requirements
- Draft Rules:
  - Optional SIA Mental and Behavioral Health Targets

# Thank you



The background is a dark space filled with numerous small white stars. On the left side, there are two larger stars: a bright white one and a smaller yellow one. On the right side, there is a large, detailed blue planet with visible atmospheric bands and a horizon line. The text is overlaid on this scene.

# **OPEN SPACE**

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