

Regular Board Meeting  
Wednesday, October 8, 2025 6:00 PM Pacific

Triangle Lake Charter School--Library  
20264 Blachly Grange Rd.  
Blachly, OR 97412

Bobbie Jo Brewster: Present  
Ciara Clark: Present  
Nicole Deering: Present  
Meleah Drago: Present  
Sara Gamache: Present  
Bev Schiesser: Present  
Tony Wynn: Present

Present: 7.

Attendees: Molly Rust, Katherine Tripp, Kelly Goodwin, Norma Burkert, Ariaah Richardson, Julie Nowacki, Kara Severino, Shane Bencoter, Tosha Spencer

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE**
2. **WELCOME GUESTS AND VISITORS**
3. **CHANGES OR ADDITIONS TO THE AGENDA**
4. **PUBLIC FORUM/COMMUNICATIONS**
5. **CONSENT AGENDA**
  - 5.1. **BOARD MINUTES**
  - 5.2. **FINANCIAL REPORT**
  - 5.3. **SECOND READ POLICY**
  - 5.4. **RESIGNATION**
  - 5.5. **NEW HIRES**
  - 5.6. **MOTION**
6. **REPORTS**
  - 6.1. **ENROLLMENT**
  - 6.2. **STUDENT SERVICES REPORT**
  - 6.3. **SPECIAL EDUCATION SERVICES REPORT**
  - 6.4. **PRINCIPAL'S REPORT**
  - 6.5. **SUPERINTENDENT'S REPORT**
7. **UNFINISHED BUSINESS**
  - 7.1. **SUPERINTENDENT EVALUATION--GOALS**
8. **NEW BUSINESS**
  - 8.1. **BOARD GOALS**
  - 8.2. **LANE ESD TRANSIT DOLLAR REQUEST**
  - 8.3. **DIVISION 22 STANDARDS**
9. **ANNOUNCEMENTS**
  - 9.1. **REMINDER: PUBLIC MEETING LAW TRAINING**
  - 9.2. **UPCOMING BOARD MEETING**
10. **ADJOURN THE REGULAR MEETING**

# Blachly School District #90

Code: BDDH-AR  
Revised/Reviewed: 2/21/18; 11/17/21; 10/09/24

## Public Comment at Board Meetings

The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point.

To provide public comment in person, if the opportunity is available on the Board agenda, please complete and submit the Intent to Speak card to the Board secretary prior to the meeting. Those attending virtually and want to provide public comment should notify the Board secretary by submitting an email to [comments@blachly.k12.or.us](mailto:comments@blachly.k12.or.us) as directed prior to the start of the meeting.

A person speaking during the public comment portion of the meeting may comment on a topic not on the published agenda. A person providing public comment will be allowed three minutes. Signing up to provide public comment does not guarantee time will be available.

Any person, who is allowed to speak to the Board during a meeting, should state their name, whether they are a resident of the district and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.

Comments about a specific employee or group of employees should comply with Board policy BDDH - Public Comment at Board Meetings:

“A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints published complaint procedures for consideration of a legitimate complaint involving a staff member. Any association contract governing the employee’s rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, a supervisor and the Board.”

*SEE FORM ON REVERSE*

**INTENT TO SPEAK**

The Board welcomes input. To provide in-person public comment please submit this completed card to the Board secretary prior the start of the meeting.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of organization (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Email (optional): \_\_\_\_\_

Topic or comment to be presented (brief description): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

A complaint brought before the Board shall be referred to the proper school authorities. A complaint shall be processed in accordance with Board policy KL - Public Complaints and KL-AR - Public Complaints Procedure NX published complaint procedures. A hearing conducted by the Board regarding personnel may take place in an executive session.

**The Board requests that a topic or comment is limited to three minutes or less.**

# Blachly School District #90

Code: BDDH  
Adopted: 12/13/93  
Revised/Readopted: 1/16/08; 11/19/08; 2/21/18;  
1/19/22; 10/09/24

## Public Comment at Board Meetings

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites the district's community members to attend Board meetings to become acquainted with the program and operation of the district. The public has a right to attend public meetings held in open session, and may be invited to share comments, ideas and opinions with the Board during designated times on the agenda. The Board may conduct a meeting without public comment.

Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings and submit written comments to the Board. Individuals requesting assistance, aids or accommodations are encouraged to notify the district at least 48 hours prior to the Board meeting with the request, consistent with Board policy BD/BDA – Board Meetings.

### Procedures for Oral Public Comment

The Board establishes the following procedures for public comment at Board meetings held in open session. The information will be accessible and available to all patrons accessing or attending such a Board meeting.

1. Public comment is limited to its designated place on the agenda and while time allows.
2. A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will complete and submit the Intent to Speak card to the Board secretary prior to the Board meeting.<sup>1</sup> A request to give public comment in-person or electronically does not guarantee time will be available.
3. A person speaking during the public comment portion of the meeting may comment on a topic not on the published agenda.
4. A person speaking during the public comment portion of the meeting should state their name, whether they are a resident of the district, and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.
5. A person giving public comment is limited to an established time limit of three minutes. Statements should be brief and concise. The Board chair has discretion to waive time limits or extend the overall time allotted for public comment. Additional time will be allocated in a fair and equitable manner. If a person has more comments than time allows or is unable to comment due to time constraints, the

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<sup>1</sup> When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded the same opportunity.

person is encouraged to submit additional written comments to the Board through the district office as directed.

6. Inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair, and may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.

The Board will not hear public comment at Board work sessions.

Topics raised during the public comment portion may be considered for inclusion as agenda items at future Board meetings.

### **Procedures for Written Comment**

Members of the public may submit written comments or materials to the Board at any time at the district office, by mail or by email to [comments@blachly90.com](mailto:comments@blachly90.com) . Materials or comments submitted at least 72 hours in advance of a Board meeting will be provided to the Board before the Board meeting. Written materials or comments submitted may not warrant action by the Board.

### **Comments Regarding Staff Members**

A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for consideration of a legitimate complaint involving a staff member. Any association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, a supervisor and the Board.

END OF POLICY

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#### **Legal Reference(s):**

[ORS 165.535](#)  
[ORS 165.540](#)

[ORS 192.610 - 192.690](#)  
[ORS 332.057](#)

[ORS 332.107](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

*Baca v. Moreno Valley Unified Sch. Dist.*, 936 F. Supp. 719 (C.D. Cal. 1996).

*Leventhal v. Vista Unified Sch. Dist.*, 973 F. Supp. 951 (S.D. Cal. 1997).

Oregon House Bill 2560 (2021).

#### **Cross Reference(s):**

BDDC - Board Meeting Agenda

KC - Community Involvement in Decision Making

Regular Board Meeting  
Wednesday, September 10, 2025 6:00 PM

Triangle Lake Charter School--Library, 20264  
Blachly Grange Rd., Blachly, OR 97412

Attendance Taken at 6:01 PM.

Bobbie Jo Brewster: Present  
Ciara Clark: Present  
Nicole Deering: Present  
Meleah Drago: Present  
Sara Gamache: Present  
Bev Schiesser: Present  
Tony Wynn: Present

Present: 7.

Staff Attendees: Shane Benscoter, Dennis Boyd, Molly Rust,

Community Attendees: TLEA President, Veronica Cheek

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Board Chair Drago called the meeting to order at 6:01pm.

2. **WELCOME GUESTS AND VISITORS**

3. **CHANGES OR ADDITIONS TO THE AGENDA**

Superintendent Bottensek added an agenda item under the Consent agenda: Item 6.5-5, the topic being: Resignation.

4. **PUBLIC FORUM/COMMUNICATIONS**

Public comments are accepted until the start of each meeting. To submit a comment, turn it in to the board secretary or email it in advance. A fillable Public Comment form, referred to in the attached AR, can be downloaded by clicking the menu/settings button. Written comments sent to [comments@blachly.k12.or.us](mailto:comments@blachly.k12.or.us) will be read during the meeting and should take less than three minutes. Verbal comments are limited to three minutes per person, with a total maximum of 15 minutes for all comments.

There were no public comments.

5. **THE BOARD MAY RECESS THE REGULAR MEETING AND CONVENE EXECUTIVE SESSION**

The board will convene an Executive session pursuant to ORS 192.660:

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Board Chair Drago recessed the regular meeting at 6:05pm for the board to enter into executive session.

Board Chair Drago reconvened the regular session at 7:20pm.

She announces that the board has appointed Director Clark and Director Wynn to be the new representatives to meet with the Grange. We will reach out to the Grange group to get a meeting scheduled.

6. **CONSENT AGENDA**

6.1. **BOARD MINUTES**

August 13, 2025 Regular Board minutes, August 20th, 2025 Special District Board minutes minutes.

There were no changes or additions to the minutes presented.

## 6.2. FINANCIAL REPORT

Business Manager Molly Rust has provided the June and July check register to the board for review.

Business Manager Molly Rust answers questions in regard to the check register and pro card statements.

Board Chair Drago asks about the two payments to Polly Roger's? Ms. Rust explains these are for the two separate years, they just were in the same month because of how long the last audit took to finish up.

Director Clark asks if Summer School is covered through grants? Ms. Rust answers yes, all covered by grants.

Board Chair Drago asks about the van maintenance. Ms. Rust explains what this was for.

Director Brewster asks about the classroom cubbies. What are these? Superintendent Bottensek and Ms. Rust explain.

Director Gamache asks what the bleacher expense was? Ms. Rust answers: this was a bleacher inspection that we had to do. We did not meet the current code, we are going to have to look at a plan to replace them.

Director Clark asks what a specific pro-card purchase is that sounds like a flower shop? Ms. Rust answers that this purchase is actually for a Tillamook Cross Country race our kids entered into.

Ms. Rust reviews her financial report, giving a new update based on our current enrollment. She gives the new projected ending fund balance. This leaves us at less than half of a percent. Our board policy is that if the ending fund balance stays below 5% for more than 3 months, then cuts have to be made. Superintendent Bottensek shares her and Ms. Rusts discussion and how they are looking at things that will not have a direct impact on students. Examples are: we don't need a 4th bus if our enrollment is down, we have a social studies adoption this year, we can go through the process but not purchase until next year. Ms. Rust explains that we hope that by October's board meeting we will have a better feel of where enrollment will be sitting. The start of the year is always flexible.

## 6.3. SECOND READ POLICY

Superintendent Bottensek will present the policy DM--Cash In District Buildings Superintendent Bottensek reminds the board of this policy and why we do two readings.

Director Wynn asks if this is boilerplate, and if we will come up with the specifics as we move through the daily operations? Superintendent Bottensek answers yes, this is just the basic policy, and we have presented staff with a procedure to follow.

Director Brewster asks if this is a common policy? Ms. Rust answers yes, most districts we have reached out to have this policy in place.

Superintendent Bottensek shares that we have been doing this now since the start of

school and so far it has gone well. Our advisors have figured out ways to make this work.

#### 6.4. **FIRST READ POLICY**

Policies up for first read:

DBEA--Budget Committee

IF--District Curriculum

IGBAB/JO AR--Education Records/Records of Students with Disabilities

IIA--Instructional Materials

IKF--Graduation Requirements

JFCEB AR--Request for Personal Electronic Devices Exception

JFCEB--Personal Electronic Devices

JO/IGBAB AR--Education Records/Records of Students with Disabilities

JOA--Directory information

LBEA--Denial for Virtual Public Charter School Student Enrollment

Deletes for first read:

IF--Curriculum Development (version 2)

JFCEB--Personal Electronic Devices & Social Media (version 2)

JFCEB AR--Personal Electronic Devices & Social Media

Superintendent Bottensek gives the key overview of these policies and what the annotations mean within the policy. She states that all policies brought forward today are required or highly recommended by OSBA. Superintendent Bottensek answers questions from the directors to clarify. She also explains the deletes.

#### 6.5. **NEW HIRES**

Superintendent Bottensek will present the new hire of Holinda Gee for the Physical Education/Health position, Leon Carl for the MS Football Coaching position and Lauren Burnett for the Instructional Assistant position.

Superintendent Bottensek confirms that we are still hiring Mr. Carl for the MS football coach, as they have held some practices, but now the season has been canceled. So we will still hire Mr. Carl and pay him for the time he ran practices, and the remainder of the coaching stipend will go back into the general fund.

Director Clark asks if we have any more positions open. Superintendent Bottensek answers no.

##### 6.5.1. **RESIGNATION**

This item was added at the start of the meeting by Superintendent Bottensek. Superintendent Bottensek shares we have to put in the resignation of Lauren Burnett from her previous job within the district, custodian. She also presents the resignation of Holinda Gee from our school district.

#### 6.6. **MOTION**

Director Schiesser moved to approve the consent agenda as presented. This motion, made by Bev Schiesser and seconded by Ciara Clark, Carried.

Bobbie Jo Brewster: **Yea**

Ciara Clark: **Yea**

Nicole Deering: Abstain (With Conflict)  
 Meleah Drago: Yea  
 Sara Gamache: Yea  
 Bev Schiesser: Yea  
 Tony Wynn: Yea  
 Yea: 6, Nay: 0, Abstain (With Conflict): 1

**7. REPORTS**

**7.1. ENROLLMENT**

Grade	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
On Campus	7	14	14	18	11	20	19	12	18	18	11	16	18	196
TLCS Online	17	21	17	23	21	13	23	16	9	5	7	3	3	178
Out of District Placement														2

**Total Enrollment: 376**

Superintendent Bottensek shares a spreadsheet of enrollment numbers since June of last school year. This detailed report was provided by Ms. Gast and Ms. Simington for both programs. She gives some examples of reasons we have heard from families. Superintendent Bottensek shares that we always want to keep a cushion of about 10 students between the two programs to protect our on-campus charter status. This large student drop is a total loss of \$388,800 in our ADM, this is 6.2% of our general fund. We have pushed out fliers for both programs, and a separate one for our kindergarten enrollment. These have gone out on ParentSquare, Facebook community groups and will be getting hung up in our surrounding areas. We are considering radio advertising, but may wait to do this in January/February.

**7.2. FACILITIES REPORT**

Maintenance Director, Shane Benscoter provided a maintenance update to the board.

Director Wynn gives Mr. Benscoter compliments for being able to get all the work done while we had summer school. The school looks great. The board thanked Shane for the photos. They really liked being able to see some of the projects completed.

Director Clark asks how the turf is holding up? Mr. Benscoter answers, there have been a few places where the seams had split, but they were able to repair them.

**7.3. TRANSPORTATION & TECHNOLOGY REPORT**

Transportation & Technology Director, Dennis Boyd provided an update to the board.

Board Chair Drago asks about the First Student driver? Superintendent Bottensek answers yes, we have one driver, one sub-driver, and one First Student driver. The driver we are currently training will then replace the sub driver. We also think we have another driver that will be moving into the area who will be interested in driving for us.

Board Chair Drago asks if we will have enough drivers for winter activity routes? Mr. Boyd answers yes, but it will take some shuffling, and we have to use a van or

mini-bus for some routes. And if we get a third driver of our own, we will have to discuss what our next steps will be.

He shares where we are at with technology devices for students.

Director Schiesser asks if we are still working on the same WiFi system as we had at the end of last year, and if it is working to keep students off. Mr. Boyd answers yes, we haven't had any students getting on the WiFi that he has noticed.

Director Brewster asks if we have our cell phone policy in place now or not until it is required by the state. Ms. Bottensek answers that we have our own guidelines in place, but the official policy will not be in place until we complete the second read of policies next month.

Board Chair Drago asks if this extends to buses? Ms. Bottensek answers that the way the governor has answered this is that it is at all times during the school day.

#### **7.4. PRINCIPAL'S REPORT**

Principal Brittany Bottensek shares a report with the board.

Ms. Bottensek goes over her principal's report and gives some additional detail about our welcome back night.

She shares that we are also offering a study hall after school this year. We have an IA that is supervising this room until the activity bus leaves. If a HS student is waiting for practice on campus, they are to be in this room, unless they have a note from another teacher that they are working with them. This is for MS/HS students, but nothing is preventing upper elementary students if they feel they need it, they just need to talk with Ms. Bottensek.

#### **7.5. SUPERINTENDENT'S REPORT**

Superintendent Brittany Bottensek will give a report to the board.

Superintendent Bottensek is excited to share that we are now receiving funding for the Fresh Fruits and Vegetable program for our K-8 students. We have accepted this grant, and Ms. Rust, Ms. Bottensek and Ms. Spencer will be participating in a training session at the end of the month. She asks that the district board think about if we will be funding it for our HS students as well. This program starts in October. It will be at least 73% of funding.

We are still waiting to hear back on the physical education grant we applied for. An administrator of the LESD is reaching out to find out what is happening with this grant, because no one has heard back yet. This would cover Ms. Gee's position, salary only, and is a two-year grant. Federal funds have been released, we now have grant awards for title 4 and REAP. These amounts were a little different from expected, but only by \$2,377 less than expected.

She shares additional information about the small district collaborative. She shares that there was a student voice portion that was there to present, and we had two of our own students participate.

She discusses the district equity committee that we are required to put together. We will be having our first meeting on September 15th. This is an advisory to the superintendent. We started last year having a District Leadership Committee of staff who meet and review data. We are going to add to this by adding parents/community members to this group who will meet at least twice a year. We would like to have 3-5 members with a tie to our students to add to this committee.

These meetings are run by a couple of LESD staff who we work with so that all our admin can participate in the meetings.

8. **UNFINISHED BUSINESS**

There was no unfinished business to be discussed.

9. **NEW BUSINESS**

9.1. **INTEGRATED GUIDANCE ANNUAL REPORT 2024-2025**

Superintendent Bottensek will present a report for the Integrated Guidance Annual 2024-2025 school year.

Superintendent Bottensek reminds the board that this is for last year, and it is required that we present it to the board. She explains that both herself and Ms. Rust have reports they do throughout the year for Integrated Guidance. She reviews the presentation with the board and explains the history of why this report came to be.

9.2. **SUPERINTENDENT EVALUATION PROCESS**

Board Chair Drago will present the Evaluation Process that will be used to evaluate Superintendent Bottensek. The timeline will also be presented.

The board has been given the Superintendent Evaluation Process workbook from COSA and OSBA. It is state law that the board evaluates the superintendent. Superintendent Bottensek proposes that the board members take these home, look at the timeline, review Ms. Bottensek's contract and compare. We can move this discussion and the conversation of dates and process to October's meeting in unfinished business, to make a decision on the superintendent evaluation process.

9.3. **AGENDA SETTING MEETINGS**

Board Chair Drago will open the floor for discussion on how the board wishes to proceed with agenda-setting meetings. These meetings happen the week prior to a board meeting being posted and include Superintendent Bottensek and Board Secretary Bri Simington.

Board Chair Drago discusses what is done during an agenda-setting meeting, when we are doing these meetings, and how the review of the agenda works in Boardbook. She would like this position to be a round-robin of board members so that everyone gets the experience of reviewing the agendas. We could have Board Chair Drago at each meeting and then the other board members would be rotated through. The board agrees this sounds good. Director Gamache volunteers to do the October meeting. This will be held on September 30th at 4pm in the district office. If you have anything you would like added or discussed in regard to the agenda, then please reach out to Director Gamache, Board Chair Drago or Superintendent Bottensek.

10. **ANNOUNCEMENTS**

10.1. **UPCOMING BOARD MEETING**

The next Regular Board Meeting will be held on Wednesday, October 8th, 2025 at 6pm.

11. **ADJOURN THE REGULAR MEETING**

Board Chair Drago adjourned the meeting at 9:10pm.

Blachly School District  
September 30, 2025

	Original Budget	Jul Actual	Aug Actual	Sep Actual	Oct Estimate	Nov Estimate	Dec Estimate	Jan Estimate	Feb Estimate	Mar Estimate	Apr Estimate	May Estimate	Jun Estimate	Final Total	Over/ (Under)	
<b>Revenue</b>																
State School Fund	5,384,130	929,989	464,716	464,716	389,249	389,249	389,249	389,249	389,249	389,249	389,249	389,249	389,249	(57,281)	4,916,131	(467,999)
State Timber Sales	100,000	-	540,390	-	-	-	-	-	-	-	-	-	-	-	540,390	440,390
Property Taxes	394,801	-	939	665	650	297,000	65,650	4,650	3,670	8,550	1,550	2,080	9,397	394,801	-	
Federal Forest Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest Earnings	70,000	3,685	6,090	6,726	7,800	7,300	8,800	8,800	5,300	4,300	3,900	3,800	3,500	70,000	-	
Common School Fund	60,967	-	-	-	-	-	-	30,484	-	-	-	-	30,484	60,967	-	
Other County Revenue	800	-	82	-	80	80	80	80	80	80	80	80	78	800	-	
Rentals	-	-	-	150	150	150	150	150	150	150	150	150	150	1,500	1,500	
Other Small Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lane ESD Flex Dollars	-	-	-	-	-	-	-	27,225	-	-	-	-	27,225	54,449	54,449	
Miscellaneous	5,000	-	518	137	483	483	483	483	483	483	483	483	483	5,000	-	
County School Fund	2,000	-	-	-	-	-	-	-	-	-	-	-	2,000	2,000	-	
Indirect	31,342	-	-	-	-	-	-	-	-	-	-	-	31,342	31,342	-	
Interfund Transfers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Sale/Comp fixed asset	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Beginning Fund Balance	200,000	239,054			-	-	-	-	-	-	-	-	-	239,054	39,054	
<b>Total Revenue</b>	<b>6,249,040</b>	<b>1,172,728</b>	<b>1,012,734</b>	<b>472,394</b>	<b>398,412</b>	<b>694,262</b>	<b>464,412</b>	<b>461,120</b>	<b>398,932</b>	<b>402,812</b>	<b>395,412</b>	<b>395,842</b>	<b>47,377</b>	<b>6,316,434</b>	<b>67,394</b>	
<b>Expenditures</b>																
Salaries	2,649,647	66,448	66,953	218,614	240,975	237,765	231,344	231,344	247,396	234,554	237,765	237,765	513,926	2,764,849	115,202	
Benefits	1,677,074	35,710	42,261	131,561	145,838	144,572	142,041	142,041	148,369	143,307	144,572	144,572	326,628	1,691,472	14,398	
Purchased Services	669,621	31,139	30,910	18,787	63,983	57,505	61,405	56,805	59,405	57,805	64,496	55,705	94,358	652,305	(17,316)	
Supplies and Materials	424,385	48,513	45,887	24,585	31,258	26,818	25,418	25,518	25,018	27,718	28,318	26,330	89,004	424,385	-	
Other	154,621	4,274	112,905	5,799	3,000	3,900	5,000	1,500	8,000	1,900	3,500	2,500	1,563	153,842	(779)	
Transfers	333,500	-	-	-	-	-	-	-	-	-	-	-	333,500	333,500	-	
Contingency	340,192	-	-	-	-	-	-	-	-	-	-	-	-	-	(340,192)	
<b>Total Expenditures</b>	<b>6,249,040</b>	<b>186,084</b>	<b>298,917</b>	<b>399,346</b>	<b>485,055</b>	<b>470,560</b>	<b>465,208</b>	<b>457,208</b>	<b>488,188</b>	<b>465,284</b>	<b>478,651</b>	<b>466,872</b>	<b>1,358,979</b>	<b>6,020,353</b>	<b>(228,687)</b>	
<b>Ending Fund Balance</b>	<b>-</b>													<b>296,081</b>	<b>296,081</b>	

# OSBA Model Sample Policy

Code: DBEA

Adopted:

## Budget Committee

(Version 2)

### Organization, Membership and Terms of Office

The district budget committee will consist of the seven members of the Board and seven electors appointed by the Board as required by law. The term of the appointed members of a budget committee in a district that prepares an annual budget, will each be three years, with appointments made so that, as nearly as practicable, the terms of one-third of the members end each year. At least one member of the budget committee must be a member of the district’s educational equity advisory committee.<sup>{1}</sup> The Board will establish appropriate timelines and procedures for the appointment of budget committee members.

A majority of the constituted committee is required for passing an action item. Majority for a 14-member budget committee is 8. Therefore, if only 8 members are present, a unanimous vote is needed for passing an action item.

### Presiding Officer and Orientation of Budget Committee

1. Organization: The budget committee will hold its first regular organizational meeting on a day set by the Board. A presiding officer shall be elected from among its members at this meeting. Such meeting may be prior to or on the date the budget message and document are presented.
2. Background Information: Budget committee members will be provided with data for the ensuing year(s), such as the Board’s educational plan, and other pertinent material bearing on the preparation of the district budget.

### Meetings of the Budget Committee

The district’s budget committee shall hold one or more meetings to receive the budget message, the budget document and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The budget officer shall announce the time and place for all meetings, as provided by law. All meetings of the budget committee are open to the public.

### Function of the Budget Committee

It is the function of the budget committee to approve budget estimates for an educational plan previously determined by the Board. No new program should be considered for the budget estimate that has not previously been submitted to the Board and approved as a part of the educational plan. The budget committee will determine levels of spending, but will not determine programs.

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<sup>1</sup> {Districts with ADM over 10,000 must convene an educational equity advisory committee no later than September 15, 2022. Districts with ADM of 10,000 or under are not required to convene an educational equity advisory committee until September 15, 2025. The budget committee is not required to include a member of the educational equity advisory committee until a vacancy on the budget committee occurs by a member who is not also a member of the school district board. }

## Final Action

The budget committee will approve an estimated district budget document for submission to the Board.

END OF POLICY

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### Legal Reference(s):

[ORS 174.130](#)

[ORS 192.610 - 192.695](#)

[ORS 294.305 - 294.565](#)

[ORS 328.542](#)

[ORS 329.711](#)

[ORS 433.835 - 433.875](#)

[OAR 581-022-2307](#)

# OSBA Model Sample Policy

Code: IF  
Adopted:

## District Curriculum

The Board believes it is necessary to continually develop and modify the district’s curriculum to meet changing needs in technology and fields of knowledge and to assure the full, rounded and continuing development of students. While keeping with the requirements of state law, the Board authorizes the superintendent, in consultation with staff, parents and the community, to review the curriculum and to advise the Board on needed curriculum changes. Decision making within the curriculum review process should also be based on reliable data collected through a comprehensive assessment of needs. The assessment should include, but is not limited to, evaluation of student performance using appropriate measurement tools and procedures, surveys of parent perceptions and professional staff recommendations.

The Board or a committee or administrator responsible for making a decision for regarding the use of textbooks or other instructional materials must not prohibit the use of or refuse to approve the use of textbooks or instructional materials on the basis that the textbooks or instructional materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260.

END OF POLICY

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### Legal Reference(s):

[ORS 243.650](#)

[ORS 332.075\(1\)](#)

[ORS 336.035](#)

[ORS 336.067](#)

[ORS 337.260](#)

[ORS 659.850](#)

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

[OAR 581-022-2000](#)

[OAR 581-022-2030](#)

[OAR 581-022-2250](#)

[OAR 581-022-2300](#)

[OAR 581-022-2305](#)

[OAR 581-022-2310](#)

[OAR 581-022-2315](#)

Senate Bill 1098 (2025)

# OSBA Model Sample Administrative Regulation

Code: IGBAB/JO-AR

Adopted:

## Education Records/Records of Students with Disabilities Management

### 1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, which relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the district who is employed as a result of status as a student, are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
  - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional capacity or assisting in a paraprofessional capacity;
  - (2) Made, maintained or used only in connection with treatment of the student; and
  - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district.
- e. Records that only contain information relating to activities in which an individual engaged after the individual is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student's birth date;
- d. Name of parents/guardians;
- e. Date of entry into the school;
- f. Name of school previously attended;

- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school.

The district may request the social security number of the student. The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

## 2. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. Each district shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. Each district shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

## 3. Rights of Parents and Eligible Students

The district shall annually notify parents and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

#### 4. Parent's or Eligible Student's Right to Inspect and Review

The district shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The district shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing<sup>1</sup>;
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the district is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

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<sup>1</sup> Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

If an eligible student or student's parent(s) so requests, the district shall give the eligible student or student's parent(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student education records will be maintained at the school building at which the student is in attendance except for special education records which may be located at another designated location within the district. The [administrator/principal or designee] shall be the person responsible for maintaining and releasing the education records.

## 5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill their professional responsibilities, as delineated by their job description, contract or conditions of employment. Contractors, consultants, volunteers or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the district would otherwise use employees, is under the direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally identifiable information.

The district shall maintain, for public inspection, a listing of the names and positions of individuals within the district who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district;
- c. The disclosure is to authorized representatives of:

The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state-supported education programs, or the enforcement of or compliance with federal or state-supported education programs, or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
- (1) Determine eligibility for the aid;
  - (2) Determine the amount of the aid;
  - (3) Determine the conditions for the aid; or
  - (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:
- (1) Develop, validate or administer predictive tests;
  - (2) Administer student aid programs; or
  - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:
- (1) Designates the individual or entity as an authorized representative;
  - (2) Specifies the personally identifiable information being disclosed;
  - (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state-supported education programs;
  - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
  - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;

- (6) Identifies the time period in which the personally identifiable information must be destroyed; and
  - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
  - h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
  - i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
  - j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
  - k. The disclosure is in connection with a health or safety emergency. The district shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for the determination for the disclosure of the information from the educational records.

In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;

- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
- m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;
- n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term "receives services" includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061;
- p. The disclosure is to a caseworker or other representative, who has the right to access the student's case plan, of a state or local child welfare agency or tribal organization that are

legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

## 6. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student's personally identifiable information:

- a. The parent(s) or an eligible student;
- b. The school official or assistants who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

## 7. Request for Amendment of Student's Education Record

If an eligible student or student's parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student's rights of privacy or other rights, the student or parent(s) may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

## 8. Hearing Rights of Parents or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a

formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within [10] working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the district; and
- b. Is disclosed by the district to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s) of the amendment in writing.

## 9. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled, and shall request the student's education records.

#### 10. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

## **Disclosure Statement**

Required for use in collecting personally identifiable information related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the district will use your SSN for record-keeping, research, and reporting purposes only. The district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps districts and the state research, plan and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

# OSBA Model Sample Policy

Code: IIA  
Adopted:

## Instructional Materials\*\*

The Board believes proper care and judgment should be exercised in selecting core and supplemental instructional materials and library materials in school and classroom libraries, and that those materials should be inclusive of populations represented in a global society.

Any person responsible for the adoption of textbooks or the approval of instructional materials may not prohibit the use of, or refuse to approve the use of, textbooks or instructional materials on the basis that the textbooks or instructional materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260(1)(a)-(e), i.e., are Native American, European, African, Asian, Pacific Island, Chicano, Latino, Middle Eastern or Jewish descent, have disabilities, are immigrants or refugees, or are lesbian, gay, bisexual or transgender.

Any person responsible for the selection or retention of library materials may not prohibit the selection or retention of, or refuse to select or retain, library materials on the basis that the library materials include a perspective, study or story of, or are created by any individual or group against whom discrimination is prohibited under ORS 659.850, i.e., race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age or disability.

A material involved with a reconsideration request will remain available throughout the reconsideration process. Materials will not be removed for discriminatory reasons. A request for reconsideration of materials may be processed through established procedures found in accompanying administrative regulations. Meetings of reconsideration committees may be subject to Public Meetings Law. Records regarding reconsideration procedures are subject to Public Records Law.

This policy is not intended to cover classroom activities. Complaints regarding classroom activities unrelated to materials can be filed using other established district complaint procedures.

The term “instructional material” includes core instructional materials, supplemental materials, and library materials made available in classroom or school libraries as defined below.

Some materials may fall into more than one of the following categories. If there is a question regarding selection or reconsideration, the district administration may select which procedure to use.

### Definitions

“Core instructional material,”<sup>1</sup> sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks, and print textbooks and are adopted and paid for by the district. Core instructional materials may include such

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<sup>1</sup> This comes from OAR 581-011-0050(1), referring to instructional materials which must be adopted by local school boards.

instructional materials as a hardbound or a softbound book or books or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

“Supplemental instructional materials” means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.

“Library materials” includes educational or literary materials that are nonfiction or fiction and that are available in print or an electronic format. “Library materials” does not include textbooks or instructional materials that are selected under ORS 337.120, 337.141 or 337.260.

“School library” means any collection of library materials made available to students at school, either at a central location of the school, at a common area for one or more grades of the school, or through an online remote education program. The use of these materials may not be required for a particular class, but they may be selected by students to use. These materials are not adopted by the Board.

“Classroom library” means any collection of library materials made available to students in a single classroom or a common area accessible by two or more classrooms in district schools. The use of these materials is not required for the class, but they may be selected by students to use. These materials are not adopted by the Board.

### **Core Instructional Materials**

The Board retains the authority to approve core instructional materials used in district schools and authorizes the superintendent or designee to develop and implement administrative regulations governing selection and adoption of such materials. Procedures will provide for involvement of administrators, staff, parents, and community members; will use established selection criteria to contribute to the attainment of district, program, and course or grade-level goals; and will reflect recent knowledge, trends, and technology in the field.

The district will review core instructional materials in accordance with the State Board of Education adoption cycle. Each core instructional program and its instructional materials will be reviewed on a seven-year cycle, and any resulting recommendations will be issued by district administration to the Board for approval. All recommended core instructional materials shall be approved by the Board prior to use. The adoption of textbooks for American history and government by the Board and any committee shall be done in a manner compliant with ORS 337.260. The district will establish a process and timeline for regularly determining and considering whether core instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

The district may choose to independently adopt core instructional materials which are not on the state-approved list, using state-approved selection criteria. (See administrative regulation IIA-AR(6) – Independent Adoption of Core Instructional Materials)

### **Supplemental Instructional Materials**

All supplemental instructional materials will be selected by teachers, principals, librarians, and/or others, as determined appropriate which may not be through any formal selection procedure. Decisions regarding

the use of, or refusal to approve the use of, supplemental instructional materials shall be made in a manner compliant with ORS 337.260. Such materials will contain suitable readability levels and support the district’s adopted curriculum content. Materials will be used for their intended audience.

### **School Library Materials**

All school library materials will be selected by a librarian using established selection criteria. The selection or retention of library materials in a school library shall be made in a manner compliant with Section 2 of Senate Bill 1098 (2025). Such materials will contain suitable readability levels.

### **Classroom Library Materials**

All classroom library materials will be selected by a classroom teacher and/or others, with no formal selection procedure. The selection or retention of library materials in a classroom library shall be made in a manner compliant with Section 2 of Senate Bill 1098 (2025). Such materials will contain suitable readability levels. Teachers are responsible for knowing the available materials in their classroom library.

END OF POLICY

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#### **Legal Reference(s):**

[ORS 174.100](#)  
[ORS 332.107](#)  
[ORS 336.035](#)  
[ORS 336.082](#)  
[ORS 336.840](#)  
[ORS 337.120](#)  
[ORS 337.141](#)

[ORS 337.150](#)  
[ORS 337.260](#)  
[ORS 337.511](#)  
[ORS 339.155](#)  
[ORS 659.850](#)  
  
[OAR 581-011-0050 - 0117](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2340](#)  
[OAR 581-022-2350](#)  
[OAR 581-022-2355](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2024).  
Title VI of the Civil Rights Act, 42 U.S.C. § 2000d (2024); 28 C.F.R. §§ 42.101-42.106 (2024).  
Title IX of the Education Amendments, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2024); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).  
Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12133 (2024); 29 C.F.R. Part 1630 (2024); 28 C.F.R. Part 35 (2024).  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2024).  
Senate Bill 1098 (2025).

# OSBA Model Sample Administrative Regulation

Code: IIA-AR(1)

Revised/Reviewed:

## Instructional Materials

### Core Instructional Materials<sup>1</sup>

The Board selects core instructional materials. The responsibility to ensure procedures on selection and recommendations for core instructional materials are followed rests with the superintendent. The responsibility for coordinating the distribution of core instructional materials to classes also rests with the superintendent. It is the principal's responsibility to implement and maintain the core instructional materials, and teachers are expected to use selected core instructional materials in the classroom.

Any person responsible for the adoption of textbooks may not prohibit the use of, or refuse to approve the use of, textbooks on the basis that the textbooks include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260(1)(a)-(e), i.e., are Native American, European, African, Asian, Pacific Island, Chicano, Latino, Middle Eastern or Jewish descent, have disabilities, are immigrants or refugees, or are lesbian, gay, bisexual or transgender.

Materials selection committees will be appointed by the administration at the time necessary adoption areas are determined. The committee will review the materials and the general criteria for materials selection and provide a recommendation to the superintendent. The superintendent may make changes to the recommendation and shall submit a recommendation(s) to the Board for adoption prior to use.

If the district chooses to adopt core instructional materials which are not on the state-approved list, the rules outlined in OAR 581-022-2350 will apply and are represented in administrative regulation IIA-AR(6) - Independent Adoption of Core Instructional Materials.

### Supplemental Instructional Materials<sup>2</sup>

The responsibility for evaluating and selecting supplemental instructional materials is delegated to teachers, principals, librarians, and/or others, as determined appropriate, who may collaborate as part of the process. Other authoritative matter experts may be included when practicable, as determined by the district.

Anyone responsible for the approval of supplemental instructional materials may not prohibit the use of, or refuse to approve the use of, textbooks on the basis that the textbooks include a perspective, study or story

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<sup>1</sup> "Core instructional material," sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks and print textbooks and are adopted and paid for by the district. Core instructional materials may include such instructional materials as a hardbound or a softbound book or books, or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

<sup>2</sup> "Supplemental instructional materials" means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.

of, or are created by, any individual or group identified in ORS 337.260(1)(a)-(e), i.e., are Native American, European, African, Asian, Pacific Island, Chicano, Latino, Middle Eastern or Jewish descent, have disabilities, are immigrants or refugees, or are lesbian, gay, bisexual or transgender.

1. Materials will contain suitable readability levels and support the district’s adopted curriculum content.
2. Recommendations for selection may be solicited from staff and may include students.
3. Donated materials will be evaluated using the district’s selection criteria and will be accepted or rejected based on those criteria.
4. Selection is an ongoing process which should include the removal of materials which no longer meet the selection criteria and the replacement of lost and worn materials still of educational value.

### **School Library Materials**

1. When making decisions on selection or retention of materials for the school library<sup>4</sup> or media center, a librarian, under supervision of the principal, will evaluate the existing collection and the curriculum needs. The librarian will consult reputable, professionally prepared selection aids and other professional sources. Materials will contain suitable readability levels. The librarian or other staff may not prohibit the selection or retention of, or refusal to select or retain, library materials on the basis that the library materials include a perspective, study or story of, or are created by, any individual or group against whom discrimination is prohibited under ORS 659.850, i.e., race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age or disability.
2. Recommendations for selection may be solicited from staff and students.
3. Donated materials will be evaluated using the established selection criteria and will be accepted or rejected based on those criteria.
4. Selection is an ongoing process which should include the removal of materials which no longer meet the selection criteria and the replacement of lost and worn materials still of educational value.

### **Classroom Library Materials<sup>5</sup>**

1. When selecting or retaining materials for a classroom library, the teacher may consult staff and/or accept recommendations from staff and students. The teacher or other staff may not prohibit the selection or retention of, or refusal to select or retain, library materials on the basis that the library materials include a perspective, study or story of, or are created by, any individual or group against

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<sup>4</sup> “School library” means any collection of library materials (as defined in policy), made available to students at school, either at a central location of the school, at a common area for one or more grades of school, or through an online remote education program. The use of these materials may not be required for a particular class, but they may be selected by students to use. These materials are not adopted by the Board.

<sup>5</sup> “Classroom library” means any collection of library materials (as defined in policy) made available to students in a single classroom or a common area accessible by two or more classrooms in district schools. The use of these materials is not required for the class, but they may be selected by students to use. These materials are not adopted by the Board.

whom discrimination is prohibited under ORS 659.850, i.e., race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age or disability.

2. Donated materials will be evaluated and may be accepted or rejected by the teacher.
3. Selection is an ongoing process which should include the removal of materials which no longer meet the selection criteria.

# OSBA Model Sample Policy

Code: IKF  
Adopted:

## Graduation Requirements

The Board establishes graduation requirements for awarding of a high school diploma, a modified diploma, an extended diploma and a certificate of attendance which meet or exceed state requirements.

A student may satisfy graduation requirements in less than four years. The district will award a diploma to a student fulfilling graduation requirements in less than four years if consent is given by the student's parent or guardian or by the student if the student is 18 years of age or older or emancipated.

If the district requires diploma requirements beyond the state requirements, the district shall grant a waiver for those requirements to any student who, at any time from grade 9 to 12, was:

1. In foster care<sup>1</sup>;
2. Experiencing houselessness<sup>2</sup>;
3. A runaway;
4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
5. A child of a migrant worker;
6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program; or
7. <sup>3</sup>Enrolled in an approved recovery school under ORS 336.680.

For any student identified above, the district shall accept any credits earned by the student in an educational program<sup>4</sup> in this state, applying those credits toward the state requirements for a diploma if the credits satisfied those requirements in that educational program in this state.

## Diploma

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<sup>1</sup> "Foster child" is defined in ORS 30.297.

<sup>2</sup> {ORS 329.451(2) and OAR 581-022-use the term "homeless."} See OAR 581-022-2000 for additional information.

<sup>3</sup> Applies to high school diplomas awarded on or after January 1, 2026.

<sup>4</sup> "Educational program in this state" means an educational program that is provided by a school district, a public charter school, an approved recovery school (applies to diplomas awarded on or after January 1, 2026), the Youth Corrections Education Program or the Juvenile Detention Program, or funded as provided by ORS 343.243 for students in a long-term care or treatment facility described in ORS 343.961 or a hospital identified in ORS 343.261.

A high school diploma will be awarded to students in grades 9 through 12 who complete a minimum of {<sup>5</sup>}24 credits which include at least:

1. Three credits in mathematics (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);
2. Four credits in language arts<sup>6</sup> (shall include the equivalent of one unit in written composition);
3. Three credits in science;
4. Three credits in social sciences (shall include 0.5 unit of US civics<sup>7</sup> credit in addition to at least 2.5 units of credit aligned to the Oregon State Board adopted standards for US and world history, geography, economics and <sup>8</sup>financial literacy);
5. <sup>9</sup>One-half credit of higher education and career path skills;
6. <sup>10</sup>One-half credit of personal financial education;
7. One credit in health education;
8. One credit in physical education; and
9. Three credits in career and technical education, the arts or world languages<sup>11</sup> (units shall be earned in any one or a combination).

The district shall offer students credit options provided the method for obtaining such credits is described in the student's personal education plan and the credit is earned by meeting requirements described in Oregon Administrative Rule (OAR) 581-022-2025.

To receive a diploma, in addition to credit requirements outlined above, a student must:

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<sup>5</sup> {If the district has additional credit or graduation requirements beyond the state minimum of 24, the district is required to include those additional credits and graduation requirements in the following list. }

<sup>6</sup> "Language arts" includes reading, writing and other communications in any language, including English.

<sup>7</sup> Civics becomes a half-credit requirement beginning on January 1, 2026 (ORS 329.451).

<sup>8</sup> This requirement is replaced with a one-half credit of personal financial education requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year.

<sup>9</sup> Higher education and career path skills becomes a one-half credit graduation requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year (a requirement for a high school diploma awarded on or after January 1, 2027; a district may request a one-year waiver in accordance with law).

<sup>10</sup> Personal finance education becomes a one-half credit graduation requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year (a requirement for a high school diploma awarded on or after January 1, 2027; a district may request a one-year waiver in accordance with law).

<sup>11</sup> "World languages" includes sign language, heritage languages and languages other than a student's primary language.

<sup>12</sup>Demonstrate proficiency in the Essential Skills of reading, writing and apply mathematics in a variety of settings;

1. Develop an education plan and build an education profile;
2. Demonstrate extended application of standards through a collection of evidence (or include evidence in existing collection(s)); and
3. Participate in career-related learning experiences.

### **Modified Diploma**

A modified diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a high school diploma while receiving reasonable modifications and accommodations. A modified diploma may only be awarded to a student who meets the eligibility criteria below and other criteria, if applicable, outlined in OAR 581-022-2010 (3):

1. The student has a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or
2. The student has a documented history of a medical condition that creates a barrier to achievement.

Having met the above eligibility criteria, a modified diploma will be awarded to students who, while in grade nine through completion of high school, complete 24 credits with at least 13 of those credits to include:

1. Three credits in language arts;
2. Two credits in mathematics;
3. Two credits in science;
4. Two credits in social sciences (which may include history, civics, geography and economics (including personal finance));
5. <sup>13</sup>One-half credit in personal financial education;
6. <sup>14</sup>One-half credit in higher education and career path skills;
7. One credit in health education;
8. One credit in physical education; and

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<sup>12</sup> The State Board of Education has waived this requirement in Essential Skills for students graduating through the 2027-2028 school year.

<sup>13</sup> This unit of credit applies to all students who are awarded a modified diploma on or after January 1, 2027.

<sup>14</sup> This unit of credit applies to all students who are awarded a modified diploma on or after January 1, 2027.

9. One credit in career technical education, the arts or world languages (units may be earned in any one or a combination).

Students may earn additional credits to earn a modified diploma pursuant to OAR 581-022-2010.

In addition to credit requirements as outlined in OAR 581-022-2010, a student must:

1. <sup>15</sup>Demonstrate proficiency in the Essential Skills of reading, writing and apply mathematics in a variety of settings;
2. Develop an education plan and build an education profile; and
3. Demonstrate extended application of standards through a collection of evidence (or include evidence in existing collection(s)).

Districts may make modifications to the assessment for students who seek a modified diploma when the following conditions are met:

1. For a student on an individualized education program (IEP) or Section 504 plan, any modifications to work samples must be consistent with the requirements established in the IEP or 504 plan. Modifications include practices and procedures that compromise the intent of the assessment through a change in the achievement level, construct, or measured outcome of the assessment. This means that IEP or 504 school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and/or the assessment's achievement standard. The IEP or 504 team must inform the student's parent that the use of a modification on an assessment will result in an invalid assessment;
2. For a student not on an IEP or 504 plan, any modifications to work samples must have been provided to the student during their instruction in the content area to be assessed and in the year in which the student is being assessed, and modifications must be approved by the school team that is responsible for monitoring the student's progress toward the modified diploma.

Students not on an IEP or a Section 504 Plan may not receive a modified statewide assessment.

A student's school team (which must include an adult student, parent/guardian of the student) shall decide if a student will work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school.

A student's school team may decide to revise a modified diploma decision.

A student's school team may decide that a student who was not previously working toward a modified diploma should work toward one when the student is less than two years from anticipated exit from high school if the documented history has changed.

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<sup>15</sup> The State Board of Education has waived this requirement in Essential Skills for students graduating through the 2027-2028 school year.

For students with a documented history as described above, the district shall annually provide the parents or guardians of students, beginning in grade five or after such documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas, extended diplomas and the requirements for such diplomas; and
2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the State or district and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

### {<sup>16</sup>} **Essential Skills**

The district [will] [will not] allow English Language Learner (ELL) students to demonstrate proficiency in Essential Skills in the student’s language of origin for a high school diploma or a modified diploma.

The district will develop procedures to provide local performance assessment options as described in the *Local Performance Assessment Manual*, in the ELL student’s language of origin, and will develop procedures to ensure that locally scored assessment options administered in an ELL student’s language of origin are scored by a qualified rater.

### **Essential Skills Appeal**

The district will [establish an appeal process] [follow Board policy KL - Public Complaints] in the event of an appeal for the denial of a diploma based on the Essential Skills graduation requirement. The district will retain student work samples and student performance data to ensure that sufficient evidence is available in the event of an appeal.

### **Extended Diploma**

An extended diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a high school diploma while receiving reasonable modifications and accommodations.

To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not include more than 6 credits in a self-contained special education classroom, and will include:
  - a. Two credits in mathematics;
  - b. Two credits in language arts;
  - c. Two credits in science;
  - d. Three credits in history, geography, economics or civics;
  - e. One credit in health;
  - f. One credit in physical education; and

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<sup>16</sup> {[OAR 581-022-2120(2) requires districts to have “policy whether to allow ELL students to demonstrate proficiency in all required Essential Skills in the students’ language of origin.” OAR 581-022-2120(4) waives this requirement through the 2027-28 school year.] Therefore, these two sections, i.e., Essential Skills and Essential Skills Appeal, are not required to be in policy at this time. The district could elect to keep the language and the bracketed portion of this footnote. }

- g. One credit in the arts or a world language; and
2. Have a documented history of:
    - a. An inability to maintain grade level achievement due to significant learning and instructional barriers;
    - b. A medical condition that creates a barrier to achievement; or
    - c. A change in the student’s ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.

For students with a documented history, the district shall annually provide the parents or guardians of such students, beginning in grade five or after such documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas, extended diplomas and the requirements for such diplomas; and
2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the state or district and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

### **Certificate of Attendance**

A {<sup>17</sup>}certificate of attendance<sup>18</sup> will be awarded to students who:

1. Have maintained regular full-time attendance<sup>19</sup> for at least four years beginning in grade nine;
2. Do not satisfy requirements for a high school diploma, modified diploma or extended diploma; and
3. Have a documented history<sup>20</sup>.

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<sup>17</sup> {The Board shall define criteria for a certificate of attendance. OAR 581-022-2200 (3). See the Oregon Department of Education’s [Certificates for School Completion: Questions and Answers Related to the Implementation of SB 992](#). }

<sup>18</sup> A student who began grade 9 before July 1, 2020, may be awarded an alternative certificate if the student satisfies the requirements for an alternative certificate which are in effect on the day before July 1, 2024.

<sup>19</sup> {There is no established definition of “regular full-time attendance. The district should review any existing attendance definitions, consider the needs of students in the district and establish clear criteria. This should include how excused and unexcused absences are counted. A few options are provided. }

[“Regular full-time attendance” means not being absent for more than 10 percent of school days that the student is enrolled in a school year. See OAR 581-020-0631 for definition of chronic absenteeism. Excused absences [are considered absences for this purpose] [will not be counted against a student.]]

[“Regular full-time attendance” means not having eight or more unexcused absences in any four-week period during which school is in session. See ORS 339.065 for definition of irregular attendance. This will be calculated on an annual basis and equates to having unexcused absences for less than 20 percent of the days or class periods during which school is in session.]

<sup>20</sup> “Documented history” means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.

For students with a documented history<sup>21</sup>, the district shall annually provide the parents or guardians of such students, beginning in grade five or after such a documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas, extended diplomas and the requirements for the diplomas; and
2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any required reporting for the State or district and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

### **Other District Responsibilities**

The district will ensure that all students have onsite access to the appropriate resources and courses to achieve high school diplomas, modified diplomas, and extended diplomas at each high school in the district. The district will provide age-appropriate and developmentally appropriate literacy instruction to all students until graduation.

The district may not deny a student who has the documented history listed under the modified diploma or extended diploma requirements outlined above the opportunity to pursue a diploma with more stringent requirements, for the sole reason the student has the document history.

The district may award a modified diploma or an extended diploma to a student only upon the written consent of a student who is an emancipated minor or who has reached the age of 18 (adult student) at the time the modified or extended diploma is awarded, or the student's parent or guardian. The district must receive the written consent during the school year in which the modified diploma or the extended diploma is awarded.

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or a certificate of attendance in the later of 4 years after starting grade 9, or until the student reaches the age of 21 years if the student is entitled to a public education until the age of 21 under state or federal law.

A student may complete the requirements for a modified diploma, an extended diploma or a certificate of attendance in less than four years but not less than three years. To satisfy the requirements for a modified diploma, an extended diploma or a certificate of attendance in less than 4 years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

A student who qualifies to receive or receives a modified diploma, an extended diploma, or a certificate of attendance shall have the option of participating in a high school graduation ceremony with the student's class.

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<sup>21</sup> "Documented history" means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.

A student who receives a modified diploma, an extended diploma, or a certificate of attendance shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student. When added together, the district will provide a total number of hours of instruction and services to the student that equals at least the total number of instructional hours that is required to be provided to students who are attending a public high school. The district may not unilaterally decrease the total number of hours of instruction and services to which the student has access regardless of the age of the student.

The district will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the district will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a free appropriate public education (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, a certificate of attendance or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, extended diploma or certificate of attendance is contingent on the IEP team determining the student’s continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

The district may not deny a diploma to a student who has opted out of statewide assessments if the student is able to satisfy all other requirements for the diploma. Students may opt-out of the Oregon statewide assessments in language arts and/or mathematics by completing the Oregon Department of Education’s Opt-out Form<sup>22</sup> and submitting the form to the district.

The district will issue a high school diploma to a veteran if the veteran resides within the boundaries of the district or is an Oregon resident and attended a high school of the district, or to a deceased veteran, upon request from a representative of the veteran, if the deceased veteran resided within the boundaries of the district at the time of death or was an Oregon resident at the time of death and attended a high school of the district.

The act of student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety will be subject to discipline. “Student-initiated test impropriety” means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

END OF POLICY

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**Legal Reference(s):**

[ORS 329.007](#)  
[ORS 329.045](#)  
[ORS 329.451](#)  
[ORS 329.479](#)  
[ORS 332.107](#)  
[ORS 332.114](#)

[ORS 336.585](#)  
[ORS 336.590](#)  
[ORS 339.115](#)  
[ORS 339.505](#)  
[ORS 343.295](#)

[OAR 581-021-0009](#)  
[OAR 581-022-0102](#)  
[OAR 581-022-2000](#)  
[OAR 581-022-2005](#)  
[OAR 581-022-2010](#)  
[OAR 581-022-2015](#)

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<sup>22</sup> Oregon Department of Education page for: [30-day notice and opt-out form](#)

[OAR 581-022-2020](#)  
[OAR 581-022-2025](#)

[OAR 581-022-2030](#)  
[OAR 581-022-2115](#)

[OAR 581-022-2120](#)  
[OAR 581-022-2505](#)

*Test Administration Manual*, published by the OREGON DEPARTMENT OF EDUCATION.

*Certificates for School Completion: Questions and Answers Related to the Implementation of SB 992*, published by the OREGON DEPARTMENT OF EDUCATION.

# OSBA Model Sample Policy

Code: JFCEB

Adopted:

## Personal Electronic Devices

Student possession or use of a personal electronic device is prohibited from the start of regular instructional hours until the end of regular instructional hours, except as provided below. Personal electronic devices can be used when students are not on school grounds and are not under the supervision of school personnel (other than a school bus driver)<sup>1</sup>.

Except as otherwise provided in this policy, “personal electronic device” means any portable, electrically powered device that is capable of making and receiving calls and text messages and accessing the internet independently from the school’s network infrastructure.<sup>2</sup> This includes headphones and earbuds attached to personal electronic devices. This does not include a laptop computer or other device required to support academic activities.

Personal electronic devices may be used when use complies with the terms of:

1. The student’s medical provider’s order for the care and treatment of a medical condition;<sup>3</sup>
2. The student’s individualized education program, as defined in ORS 343.035 or an education plan developed for the student in accordance with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794);<sup>4</sup>
3. A written exemption provided for the student based on a request received in JFCEB-AR. School administration will respond to such a request within 10 school days.<sup>5</sup>

Personal electronic devices may be kept by students in lockers or backpacks, but personal electronic devices are not to be stored on the student’s person or in the student’s clothing during regular instructional hours.

Students in violation of this policy will be subject to disciplinary action. Discipline for mere possession or use of a personal electronic device may not include loss of instructional time for the student (including suspension or expulsion), but could include detention, Saturday school, a change to storage requirements,

<sup>1</sup> If students are under the supervision of school personnel other than a school bus driver, the use of personal electronic devices is prohibited during regular instructional hours.

<sup>2</sup> ODE’s guidance, *Fostering Student Learning, Well-Being, and Belonging* provides “This includes personal electronic devices that can make calls, send texts, or access the internet via cellular data are restricted. This includes smartphones, web-enabled flip phones, cellular-capable tablets and e-readers, smartwatches, smart glasses, and connected headphones or earbuds. This does not include laptop computers or other devices required to support academic activities.”

<sup>3</sup> JFCEB-AR must be submitted to the building administrator, along with a copy of the order.

<sup>4</sup> If use of the personal electronic device is included in the individualized education program or education plan, JFCEB-AR submission is not required.

<sup>5</sup> JFCEB-AR must be submitted to the building administrator.

etc. {<sup>6</sup>}. However, if the actions taken by a student violate another conduct policy, the student may be subject to discipline up to and including expulsion.<sup>7</sup> Steps may include:

1. First Instance of Noncompliance: staff will give the student a verbal reminder of the policy and expectations to reinforce appropriate use of personal electronic devices;
2. Second Instance of Noncompliance: the device will be temporarily confiscated and held in the front office until the end of the school day. Parents or guardians will be notified, and a meeting with school administration may be scheduled to discuss ways to support the student;
3. Third Instance of Noncompliance: the device will again be temporarily held, and parents or guardians will be informed. A meeting with school administration and family will be arranged to review the policy and plan for improved compliance;
4. Beyond Third Instance of Noncompliance: If noncompliance continues, schools will determine additional appropriate consequences, always prioritizing keeping students in class and engaged in learning.<sup>{<sup>8</sup>}</sup>

Necessary communications during the school day while on school grounds between students and parents or guardians can be made through the school office.

The superintendent or designee shall ensure this policy is posted on the district website and made available to district personnel, students, parents, guardians, partners who are in school buildings during the school day, and the Oregon Department of Education.

In accordance with ORS 336.840, students may be allowed to use personal electronic devices<sup>9</sup> that support academic activities and independent communications<sup>10</sup>, except as prohibited by this policy. In academic activities in which a personal electronic device is required as part of the curriculum, students may be allowed, but not required to use their own personal electronic devices for that portion of the curriculum. Students using their own device must be granted access to any applications or electronic materials that are available to students who do not use their own personal electronic devices. These applications must be free of charge if students who do not use their own devices have access free of charge.

Requests for exemptions to this policy can be processed in accordance with JFCEB-AR – Request for Personal Electronic Devices Exemption. Appeals can be filed with the superintendent.

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<sup>6</sup> {Correction may include requiring a student to store their device in a classroom storage space instead of in the backpack.}

<sup>7</sup> For example: a student could be disciplined with lost instructional time for using a personal electronic device to bully another student or for accessing inappropriate content. Discipline will be in accordance with Board policies.

<sup>8</sup> {From guidance from the Oregon Department of Education. Consider whether these procedures apply at all grade levels and whether this much detail is desired in policy.}

<sup>9</sup> The use of “personal electronic device” in this paragraph comes from ORS 336.840, which does not define the term. However, the definition in EO 25-09 wouldn’t necessarily apply. Consequently, items like laptop computers or other devices required to support academic activities would likely be considered personal electronic devices within this paragraph.

<sup>10</sup> “Independent communication means communication that does not require assistance or interpretation by an individual who is not part of the conversation, but that may require the use or assistance of an electronic device. ORS 336.840(1).

The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 336.840](#)

Oregon Executive Order 25-09

# OSBA Model Administrative Regulation

Code: JFCEB-AR

Revised/Reviewed:

## Request for Personal Electronic Devices Exception

A parent or guardian may request an exception to the personal electronic device prohibition by submitting the following form to the [principal]:

Name of student: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

If the reason for the request is included in the student's individualized education program, as defined in ORS 343.025 or an education plan developed for the student in accordance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, this form is not required.

This request is:

- In compliance with the student's medical provider's order for the care and treatment of a medical condition (attach a copy of the order);
- Accommodate the individual circumstances of the student;
- Further specific educational outcomes for the student.

Exemption requested (describe the requested possession or use of a personal electronic device to be allowed and reason for the requested exemption):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Duration for requested exemption: \_\_\_\_\_<sup>1</sup>

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Parent or guardian name: \_\_\_\_\_

Parent or guardian phone: \_\_\_\_\_ Email: \_\_\_\_\_

### For Completion by School Administration

Request:  Granted      Expiration of exemption: \_\_\_\_\_  
 Denied      Reason for denial: \_\_\_\_\_

- More information needed. Please submit by [date] for reconsideration.

\_\_\_\_\_

<sup>1</sup> The maximum duration of an exemption is the end of the current school year.

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Signed: \_\_\_\_\_ Date: \_\_\_\_\_

School administration will consult with a school nurse when appropriate. School administration decisions will be issued and communicated to the parent or guardian within [10] school days of receipt and can be appealed to the [superintendent] within 10 days of issuance. The [superintendent's] decision will be final. Denied requests may be resubmitted if circumstances change or after 12 months, whichever is earlier.

Guidelines for exemption consideration:

1. Exemptions should only be approved for legitimate needs of students and their families, not mere convenience;
2. Exemptions should be consistently granted in a non-discriminatory manner;
3. Exemptions should be limited to address the specific need, with limitations communicated to the student regarding other possession and use;
4. Exemptions should only be approved when other communication methods and device availability (school phones, laptops, computers, available internet, etc.) are not adequate for the specific need;
5. Exemptions should be communicated to necessary staff in a way that protects student privacy;
6. Exemptions should minimize disruption to other students, staff and the educational environment.

# OSBA Model Sample Administrative Regulation

Code: JO/IGBAB-AR  
Adopted:

## Education Records/Records of Students with Disabilities Management

### 1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, which relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the district who is employed as a result of status as a student, are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
  - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional capacity or assisting in a paraprofessional capacity;
  - (2) Made, maintained or used only in connection with treatment of the student; and
  - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district.
- e. Records that only contain information relating to activities in which an individual engaged after the individual is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student's birth date;
- d. Name of parents/guardians;
- e. Date of entry into the school;
- f. Name of school previously attended;

- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school.

The district may request the social security number of the student. The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

## 2. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. Each district shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. Each district shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

## 3. Rights of Parents and Eligible Students

The district shall annually notify parents and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

#### 4. Parent's or Eligible Student's Right to Inspect and Review

The district shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The district shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing<sup>1</sup>;
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the district is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

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<sup>1</sup> Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

If an eligible student or student's parent(s) so requests, the district shall give the eligible student or student's parent(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student education records will be maintained at the school building at which the student is in attendance except for special education records which may be located at another designated location within the district. The [administrator/principal or designee] shall be the person responsible for maintaining and releasing the education records.

## 5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill their professional responsibilities, as delineated by their job description, contract or conditions of employment. Contractors, consultants, volunteers or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the district would otherwise use employees, is under the direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally identifiable information.

The district shall maintain, for public inspection, a listing of the names and positions of individuals within the district who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district;
- c. The disclosure is to authorized representatives of:

The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state-supported education programs, or the enforcement of or compliance with federal or state-supported education programs, or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
- (1) Determine eligibility for the aid;
  - (2) Determine the amount of the aid;
  - (3) Determine the conditions for the aid; or
  - (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:
- (1) Develop, validate or administer predictive tests;
  - (2) Administer student aid programs; or
  - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:
- (1) Designates the individual or entity as an authorized representative;
  - (2) Specifies the personally identifiable information being disclosed;
  - (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state-supported education programs;
  - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
  - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;

- (6) Identifies the time period in which the personally identifiable information must be destroyed; and
  - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
  - h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
  - i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
  - j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
  - k. The disclosure is in connection with a health or safety emergency. The district shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for the determination for the disclosure of the information from the educational records.

In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;

- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
- m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;
- n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term "receives services" includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061;
- p. The disclosure is to a caseworker or other representative, who has the right to access the student's case plan, of a state or local child welfare agency or tribal organization that are

legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

## 6. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student's personally identifiable information:

- a. The parent(s) or an eligible student;
- b. The school official or assistants who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

## 7. Request for Amendment of Student's Education Record

If an eligible student or student's parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student's rights of privacy or other rights, the student or parent(s) may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

## 8. Hearing Rights of Parents or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a

formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within 10 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the district; and
- b. Is disclosed by the district to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s) of the amendment in writing.

## 9. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled, and shall request the student's education records.

#### 10. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

## **Disclosure Statement**

Required for use in collecting personally identifiable information related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the district will use your SSN for record-keeping, research, and reporting purposes only. The district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps districts and the state research, plan and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

# OSBA Model Sample Policy

Code: JOA  
Adopted:

## Directory Information

“Directory information” means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. Directory information may be released through appropriate procedures and includes:

1. Student’s name;
2. Student’s photograph;
3. Major field of study;
4. Participation in officially recognized activities and sports;
5. Weight and height of members of athletic teams;
6. Dates of attendance; and
7. Degrees and awards received.

## Public Notice

The district will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the district’s option to release such information and the requirement that the district must, by law upon request, release secondary students’ names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the district withhold this information. Such notice will be given prior to release of directory information.

## Exclusions

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or an emancipated student may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their names[, identifier, institutional email address in a class in which the student is enrolled] or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the district to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.864](#)  
[ORS 107.154](#)  
[ORS 180.805](#)

[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 336.187](#)

[OAR 581-021-0220 - 021-0430](#)  
[OAR 581-022-2060](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2024).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2024); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2025).

Every Student Succeeds Act, 20 U.S.C. § 7908 (2024).

# OSBA Model Sample Policy

Code: LBEA

Adopted:

## Denial for Virtual Public Charter School Student Enrollment

The district is not required to approve a transfer of a resident student, when more than three percent of the students residing in the district are attending a virtual public charter school not sponsored by the district. The district will semiannually, by October 1 and April 1, calculate the percentage of students residing in the district, who are attending a virtual public charter school not sponsored by the district. When the calculated percentage is more than three percent, the district will not approve a student's enrollment to such a virtual public charter school.

A parent<sup>1</sup> must give notice to the district in which the parent resides of their intent to enroll their student in a virtual public charter school. If the calculated percentage is three percent or less, or the district sponsors the desired virtual public charter school, the district will issue a notice of approval or choose not to respond.

If the calculated percentage is more than three percent and the desired virtual public charter school is not sponsored by the district, the district will issue a denial notice<sup>2</sup> within 10 calendar days of receiving notice from a parent and must include:

1. The notice the student is denied for enrollment to the virtual public charter school;
2. The percentage of students in the district that attend virtual public charter schools that are not sponsored by the district, based on the most recent calculation at the time the intent to enroll was received by the district;
3. A list of two or more other online options available to the student; and
4. A copy of OAR 581-026-0305 and OAR 581-026-0310.

When calculating the percentage, the district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in virtual and non-virtual public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools not sponsored by the district;

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<sup>1</sup> "Parent" means parent, legal guardian or person in parental relationship as defined in ORS 339.133.

<sup>2</sup> If a parent does not receive a notice of approval or disapproval from the district within 10 days of sending the notice of intent to enroll to the district, the student shall be deemed approved for enrollment by the district. (OAR 581-026-0305 (4))

4. The number of home-schooled students residing in the district and who have registered with an educational service district; and
5. The number of students residing in the district enrolled in private schools located within the district.

A parent may appeal the district's denial for student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

If the student was enrolled in a virtual public charter school while living in another district and has maintained continuous enrollment in such school since moving into, and residing in this district, approval is not required.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)  
[ORS 338.125](#)

[OAR 581-026-0305](#)  
[OAR 581-026-0310](#)

# OSBA Model Sample Policy

Code: IF  
Adopted:

D

## Curriculum Development (Version 2)

OSBA is removing this sample policy to keep only one version.

The Board recognizes that to improve the quality of instructional programs and to respond to changing societal and community needs, it cannot permit the curriculum to remain static. The Board deems it essential that the district develop and implement an instructional management system which will modify curricula to meet changing needs, ensuring quality educational programs serving each individual student's interests.

While the Board retains its full rights and responsibilities under the laws and regulations of the state of Oregon with regard to determining curriculum, it authorizes the superintendent to organize committees and other structures which would be responsive and representative in planning curriculum improvements and be effective at implementing approved changes.

Decision making within the curriculum improvement process should be based on reliable data collected through a comprehensive assessment of needs. The assessment should include, but is not limited to, evaluation of student performance using appropriate measurement tools and procedures, surveys of parent perceptions and professional staff recommendations.

END OF POLICY

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### Legal Reference(s):

[ORS 329.025](#)  
[ORS 332.075](#)  
[ORS 336.067](#)  
[OAR 581-021-0045](#)

[OAR 581-021-0046](#)  
[OAR 581-022-2000](#)  
[OAR 581-022-2030](#)  
[OAR 581-022-2250](#)

[OAR 581-022-2300](#)  
[OAR 581-022-2305](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2315](#)

T

E

# OSBA Model Sample Policy

Code: JFCEB  
Adopted:



## **Personal Electronic Devices and Social Media\*\***

(Student may possess a personal electronic device with certain restrictions)

(Version 2)

Student possession or use of personal electronic devices on district property, in district facilities during the school day and while the student is in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the principal and approved by the superintendent.

[A “personal electronic device” is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.]

[“Independent communication” means communication that does not require assistance or interpretation by an individual who is not part of the communication but that may require the use or assistance of an electronic device.]

Personal electronic devices shall be turned off during instructional or class time[, during passing times between classes] or at any other time where such use of the device would cause a disruption of school activities. Devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on district property or while a student is engaged in district-sponsored activities, unless as expressly authorized in advance by the principal or designee. Computers, tablets, iPads or similar devices brought to school will be restricted to academic activities and independent communications.

If the district implements a curriculum that uses technology, students may be allowed to use their own personal electronic devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not use their own devices, or provided free of charge to students who do not use their own devices, for curriculum.

A process for responding to a student’s request to use a personal electronic device, including an appeal process if the request is denied, will be provided.

The district will not be liable for personal electronic devices brought to district property and district-sponsored activities.

Students may not use district equipment to access social media websites, while on district property or at district-sponsored activities unless the access is approved by a district representative. The district will not be liable for information or comments posted by students on social media websites.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior principal or designee approval or when use is provided for in a student’s individualized education program (IEP).

Students are subject to disciplinary action up to and including expulsion for using a personal electronic device in any manner that is academically dishonest, illegal or violates the terms of this policy<sup>1</sup>. A referral to law enforcement officials may also be made. Personal electronic devices brought to district property or used in violation of this policy are subject to confiscation and will be released to the student's parent or property owner, as appropriate.

The superintendent shall ensure that the Board's policy and any subsequent school rules developed by building administrators are reviewed and approved in advance to ensure consistency with this policy and that pertinent provisions of policy and school rules are communicated to staff, students and parents through building handbooks and other means.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 336.840](#)

Copyrights, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2017).

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<sup>1</sup> The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

## **Personal Electronic Devices and Social Media**

Students may use and possess personal electronic devices on district grounds subject to the following:

1. Personal electronic devices shall not be used in a manner that disrupts the educational process, school programs or activities, or in a manner that violates law, Board policy, administrative regulation or school rules;<sup>1</sup>
2. Unless as authorized in advance by the principal or designee for health or safety reasons, or in the event of an emergency situation that involves imminent physical danger, devices shall be turned on and operated only before and after the regular school day. Personal electronic devices may be used during the student's lunch break. They may not be used at any time in the proximity of any class, school activity or event that may be in session or in progress during those times;
3. Personal electronic devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on district property or at district-sponsored events unless as expressly authorized in advance by the principal or designee;
4. The district shall not be responsible for loss, theft or damage to personal electronic devices brought to district property or district-sponsored events;
5. Personal electronic devices may be used as electronic study aids during the school day if provided as a part of a student's individualized education plan (IEP) or if permission is received from the student's teacher;
6. The use of personal electronic devices in any way to send or receive messages, data or information that would pose a threat to academic integrity, contribute to or constitute academic dishonesty is strictly prohibited;
7. The use of personal electronic devices in any manner that would violate the confidentiality or privacy rights of another individual is strictly prohibited;
8. Students shall comply with any additional school rules as established by the principal and classroom rules as approved by the principal concerning the appropriate use of personal electronic devices;

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<sup>1</sup>The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

9. Personal electronic devices used in violation of law, Board policy, administrative regulation or approved school rules will be confiscated, turned in to the school office and returned to the student or parent following parent notification, conference, detention, suspension, expulsion and/or referral to law enforcement officials as appropriate;
10. Students may not access social media websites using district equipment, while on district property or at district-sponsored activities unless the access is approved by a district representative.

**Triangle Lake Charter School  
Student Services Board Report  
October 2025**

**Attendance Update**

On September 22nd, we launched two new attendance reward programs, and we are already seeing strong engagement and improved attendance rates. Below are the daily overall K–12 attendance percentages since the launch:

- 83%, 90%, 91%, 93%, 91%, 99%, 90%, 94%

We are very encouraged by these numbers. On one particular day, only three students were absent across the entire school, and all high school students were present.

**Attendance Reward Programs**

**1. Mr. Potato Head Attendance**

- Each time the school achieves a daily attendance goal, students get to add a new piece to a large “Mr. Potato Head.” Once all 12 pieces are collected, students can choose from a number of prizes. This program has been a fun and visual way for students of all ages to see their progress and celebrate together.

**2. Secondary Attendance Competition**

- For grades 7–12, the first period class with the highest attendance percentage for the day earns a letter. Once the letters “L-A-K-E-R-S” are spelled out, that class wins donuts.
- One grade level has already completed their “LAKERS” and enjoyed their donuts—competition has now restarted for them. At the quarter, we will rotate to a new class period to keep the program fresh and engaging.

**Behavior & Climate Supports**

- This month we began implementing a **Reflection Form** for students sent to the office. The purpose of this form is to give students an opportunity to share their perspective of what happened, reflect on who was affected, and identify positive next steps for moving forward. We have found these forms to be very helpful in promoting accountability and restorative practices.

- We also held our **first Principal Round Table** this month, providing students with a voice in shaping school climate. The questions guiding this year's round tables are:
  1. What is something that makes you feel happy or welcome at our school?
  2. What is one thing your teacher does that really helps you learn?
  3. Who is a grown-up at school you feel comfortable going to if you need help? What makes that person easy to talk to?
  4. If you could make school even better for kids, what is one change you would make?
  5. What is something you are proud of doing or learning at school this year?

### **Events & Celebrations**

- **Homecoming Week** recently wrapped up with lots of fun dress-up days, **daily assemblies**, and several exciting events:
  - **Bonfire & Float Competition** – a highlight for students and staff.
  - **Bonfire Treats** – special thanks to Nicole and the Booster Club for providing hotdogs and s'mores.
  - **“Find Mrs. Bottensek” Challenge** – over 100 pictures of Mrs. Bottensek were hidden around the school for students K–12 to find, with each submission earning a Starburst.

Students had a fun and engaging week, celebrating school spirit and community together.

- We are also excited to announce our upcoming **Fall Festival** and would love to extend an invitation to the board to join us in this celebration.

### **School Climate**

Our students are adapting well to the new **cell phone and bag rules**, and we are seeing a positive impact on classroom focus and school culture.

### **Overall Outlook**

September has been an exciting and encouraging month. Student attendance is strong, students are engaging in reflection and restorative practices, and school spirit is thriving. We are looking forward to building on this momentum with upcoming events and continued positive student engagement.



October 2025 Board Report  
Ronda Gardner (Special Education Director TOSA)  
Special Education  
Blachly School District

1. Students identified and served in Special Education District wide (52)
  - a. Brick and mortar (44 students)
  - b. Online K-12 (8 students)
  
2. Staff support for SPED services
  - a. 1.65 full time certified SPED teachers
  - b. .75 Speech Pathology Services
  - c. 5 IA's
  
3. PASS program (Positive Approach to Student Success)
  - a. Started a positive behavior intervention program this school year for primary support.
  
  - b. Utilizing the fishbowl as a mock or mini classroom so that students can practice pro-social classroom behaviors and review their behavior goals and how they did each day.

# English Learners in Oregon

Annual Report 2023-24

June 2025



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## Executive Summary

ORS 327.016 directs the Oregon Department of Education (ODE) to prepare an annual report on English learner program funding and student outcomes. The report's intention is to describe the population of English learners in Oregon and provide a summary of district and state progress towards meeting English learners' needs and state's objectives to meet those needs. Pursuant to this Statute, ODE has also developed the [Multilingual Learner Strategic Plan](#), with priority areas emphasizing community engagement, transformative educators, culturally responsive practices to ensure equity and success for all multilingual learners in Oregon's public schools. This report is also available on [ODE's legislative reports webpage](#).

## Definitions

ORS 327.016 describes students who receive English language instruction, supports, and services as part of an English language development (ELD) program as English learners. While these students are learning English in an ELD program, the English learner designation only focuses on a singular dimension (i.e., learning English) and does not reflect the linguistic and cultural assets of the students (García, 2009). Thus, although this report will use the term "English learner" in order to comply with ORS 327.016, it is important to recognize that these students are multilingual learners who bring valuable linguistic and cultural assets.

The ODE annually reports on four groups of English learners: current, former, ever, and never English learners. Current English learners are multilingual students who were learning English in an ELD program during the 2023-24 school year<sup>1</sup>. Former English learners are multilingual students who demonstrated English proficiency and exited an ELD program prior to the 2023-24 school year. Monitored English learners are a subset of former English learners who are monitored for four years after exiting the EL services. Ever English learners are the combination of current, monitored, and former English learners. Finally, never English learners are monolingual English or multilingual students who were not eligible to receive English language instruction, supports, and services in an ELD program before or during the 2023-24 school year.

## Nearly 102,000 students in Oregon are Ever English learners.

As of May 1, 2024, 542,735 students were enrolled in Oregon public schools and districts. Among those students, 11.5 percent were current English learners (62,522 students), 4.3 percent were former English learners (23,310 students), 3 percent were monitored English learners (16,034 students), and 81.2 percent were never English learners (440,869 students). Both current, monitored, and former English learners (i.e., Ever English learners, constituting 18.8 percent of students) represent an incredibly diverse student population in 2023–24.

The distribution of current English learners varied across grade levels and districts in Oregon during the 2023–24 school year. Woodburn School District served the highest percentage of current English learners, with 45.8 percent of students learning English in an ELD program as of May 1, 2024. On the other hand, about

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<sup>1</sup> Note that current English learners also include students who are eligible to receive English language instruction, supports, and services in an ELD program but do not participate because their parents or guardians waive English language instruction, supports, and services.

## English Learners in Oregon

65 percent of Oregon districts either had no current English learners or very few (i.e., fewer than 5 percent of all students).

Other key features of the English learner student population in the 2023-24 school year include the following:

- The majority of current English learners were in elementary grades (59.2 percent), while the majority of former English learners were in high school grades (55.6 percent).
- The population of English learners has been increasing while the overall student population has shown a decreasing trend.
- The number of recently arrived current English learners (i.e., new immigrant students) increased from 4,851 in 2022-23 to 6,647 students in 2023–24.
- Spanish was the predominant home language of current English learners (76 percent), but overall, there were 247 documented unique home languages (an increase of 25 languages from the previous year) spoken by current English learners. Other prevalent languages include Russian, Chinese, Vietnamese, Arabic, Chuukese, and Ukrainian.
- Approximately 77.2 percent of current English learners were Latino/a/x, and 34 percent of Latino/a/x students were current English learners. A similar percentage of Native Hawaiian/Pacific Islander students (32.4 percent) were current English learners.

### **English learners are overrepresented in special education and underrepresented in TAG programs.**

The report also examines the involvement of English learners in targeted federal and state programs: Students experiencing poverty (SEP), special education, migrant education, and the talented and gifted (TAG) program.

Key findings include the following:

- A higher percentage of current, former, and monitored English learners experienced poverty compared to never English learners (52.8, 38.4, and 39.9 percent respectively vs. 30.1 percent).
- A higher percentage of current English learners received special education services and supports compared to never English learners (18.8 vs. 16.5 percent); however, former and monitored English learners had lower rates (5.3 and 7.3 percent, respectively).
- About 9.9 percent of current English learners (6,206 students) received services in migrant education programs. Additionally, 60.4 percent of the students in migrant education programs were current English learners, 16.8 percent were former English learners, and 12.2 percent were monitored English learners. In total, 89.4 percent of students in migrant education programs were Ever English learners.
- While across Oregon, 7.1 percent of Never English learners participated in TAG programs, this figure was 6.8 percent for former English learners, 5.2 percent for monitored English learners, and just 0.5 percent for current English learners.

## **Younger English learners are more likely to be on track to English Language Proficiency than their older peers.**

Oregon monitors whether current English learners are on track to attain English language proficiency. In the 2023–24 school year, approximately 60 percent of ELs in elementary grades were on track to meet this goal. In contrast, only 26.1 percent of ELs in high school were on track, reflecting a significant decline as students progress through the grade levels. Among high school ELs with disabilities, the percentage was substantially lower—9.1 percent were on track.

## **Current English learners are meeting state standards in English Language Arts and Mathematics at substantially lower rates.**

A substantially smaller percentage of current English learners in elementary schools (6.6 percent) met or exceeded state standards in English Language Arts in 2023–24, compared to 82.9 percent of former English learners, 55.7 percent of monitored English learners, and 47.3 percent of never English learners. A similar trend is observed at middle and high schools: in grades 6–8, 3.7 percent of current ELs, 47.3 percent of former ELs, 31.8 percent of monitored ELs, and 46.3 percent of never ELs met or exceeded standards; in grade 11, these rates were 4.1, 40.5, 24.1, and 49.9 percent, respectively.

Similarly, a substantially smaller percentage of current English learners in elementary schools (7.6 percent) met or exceeded state standards in mathematics in 2023–24, compared to 65.6 percent of former English learners, 45.3 percent of monitored English learners, and 40.1 percent of never English learners. In grades 6–8, 2.3 percent of current ELs, 28.8 percent of former ELs, 17.7 percent of monitored ELs, and 32.1 percent of never ELs met standards. In grade 11, the figures were 1.4, 12.6, 7.6, and 23.1 percent, respectively.

## **Attendance rates are higher for former and monitored ELs, but lower among current ELs, particularly in high school.**

Monitored and former English learners had the highest levels of regular attendance in elementary school grades (80.1 and 77.9 percent, respectively), compared to 71.6 percent for never ELs. Current English learners had lower rates of regular attendance across all grade levels: 65.4 percent in elementary, 59.6 percent in middle, and 44.8 percent in high school. For middle school, monitored ELs had a regular attendance rate of 70.6 percent and 69.4 percent for former ELs, while never ELs were at 67.8 percent. In high school, monitored and former ELs had rates of 57.4 and 54.2 percent, respectively, compared to 58.9 percent among never ELs.

## **Current English learners are more likely to graduate with a modified diploma.**

Former English learners graduated at rates better than never English learners (87.8 vs. 82.2 percent) in 2023–24; however, substantially fewer current English learners graduated in four years (68.0 percent). Moreover, current English learners who graduated in four years were over 2.5 times more likely to receive a modified rather than a regular diploma compared to never English learners.

**Students designated as English learners in high school are less likely to go to college than their peers.**

Post-secondary enrollment rates for former English learners were comparable to those of never English learners (52.8 vs. 54.5 percent). On the other hand, current English learners were less likely to enroll in post-secondary education institutions. About 34.5 percent of current English learners went on to college within 16 months of high school graduation.

**The average expenditures-to-revenues ratio decreased in 2023-24.**

As in reports from previous years, this report summarizes the ratio of total current English learner expenditures to revenues districts receive for these students. In 2023-24, this ratio is 0.83, which is lower than 0.87 for 2022-23.

## Introduction

In the 2023–24 school year, students who received English language instruction, supports, and services through an English Language Development (ELD) program—as well as those who exited such programs in prior years—represented 18.8 percent of all students enrolled in Oregon public schools and districts (as of the first school day in May 2024). These multilingual learners are an essential part of our school communities, contributing rich cultural and linguistic assets that enhance learning environments across the state. Their diverse lived experiences, languages, and heritage knowledge are invaluable to both current and future generations of Oregonians.

Guided by our statewide vision as reflected in [Oregon Multilingual Learner Strategic Plan](#), this report is rooted in the belief that all adults share the responsibility of building educational systems where multilingual learners are recognized and celebrated. It highlights key data about this student population, tracks academic progress and achievement, and provides insight into the educational experiences and opportunities they encounter. Our mission calls us to transform Oregon’s education system to ensure that all multilingual learners receive culturally and linguistically responsive instruction, access to rigorous academic programming, and clear pathways to reach their college, career, and life goals—including graduation with the Oregon Seal of Biliteracy or Multiliteracy.

### Why this report?

ORS 327.016 directs the Oregon Department of Education (ODE) to prepare an annual report on English learner program funding and student outcomes. The report’s intention is to describe the population of English learners in Oregon and provides a summary of district and state progress towards meeting English learners’ needs and objectives through ELD programs. ORS 327.016 requires ODE to include the following information in the annual report:

- English learner student demographics;
- Length of participation in ELD programs;
- Participation in special education and related services; and
- Other information identified by the ODE.

In addition, this annual report includes the following financial information:

- Allocations to each school district from the State School Fund for students enrolled in ELD programs;
- The extent to which districts expend these allocations for students enrolled in ELD programs; and
- The categories of expenditures for ELD program funding.

This annual report looks back at the prior school year, which for this year is the 2023-24 school year. This report will be available on the ODE website. State law requires the report to be available to the public at each district’s main office and on district websites. In addition to the annual reporting requirement to the public, ORS 327.016 also requires ODE to “submit to the interim legislative committees on education a summary of the two most recent reports prepared” prior to “January 1 of each odd-numbered year.”

## Definitions

ORS 327.016 describes students who receive English language instruction, supports, and services as part of an ELD program as English learners. While these students are learning English in an ELD program, the English learner designation only focuses on a singular dimension (i.e., learning English) and does not reflect the linguistic and cultural assets of the students (García, 2009). Thus, although this report will use the term “English learner” in order to comply with ORS 327.016, it is important to recognize that these students are multilingual and value their linguistic and cultural assets.

The ODE annually reports four groups of English learners: current, former, monitored, ever, and never English learners. Current English learners are multilingual students who were learning English in an ELD program during the 2023-24 school year<sup>2</sup>. Former English learners are multilingual students who demonstrated English proficiency and exited an ELD program over four years prior to the 2023-24 school year. Monitored English learners are a subset of former English learners who are monitored for four years after exiting the EL services. Ever English learners are the combination of current, monitored, and former English learners. Finally, never English learners are monolingual or multilingual students who were not eligible to receive English language instruction, supports, and services in an ELD program before or during the 2023-24 school year.

## Structure of this report

This report consists of five sections:

Section 1: Demographics of English Learners

Section 2: Participation in Targeted Programs

Section 3: Language Development and Academic Achievement

Section 4: Attendance, Progress toward Graduation, Graduation, and Beyond

Section 5: State Revenues and Expenditures for English Learners

Several aspects of this year’s report differ from the reports the ODE issued in previous years. These changes are informed by the latest [Multilingual Learner Strategic Plan](#). The plan provides a clear roadmap for addressing various challenges faced by English learners, with priority areas emphasizing community engagement, transformative educators, culturally responsive practices that lead to various pathways multilingualism. To that end, where appropriate, this report provides comparisons to never English learners (i.e., students not eligible to receive services from an ELD program). Also, monitored English learners are now distinguished from former English learners. Additionally, new sections on Dual Language Bilingual Education (DLBE) programs, access to core content, and students’ sense of belonging are added to the report. Furthermore, in addition to describing statewide patterns, in some cases the report indicates which districts serve large numbers of certain types of students (e.g., students graduating with a state seal of biliteracy).

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<sup>2</sup> Note that current English learners also include students who are eligible to receive English language instruction, supports, and services in an ELD program but do not participate because their parents or guardians waive English language instruction, supports, and services.

## English Learners in Oregon

Similar to last year, this year's report provides data insights into Student Academic Outcomes in English Language Arts and Mathematics as well. Finally, districts can access their district-level information for the 2023-24 school year via [District Data Profiles](#).

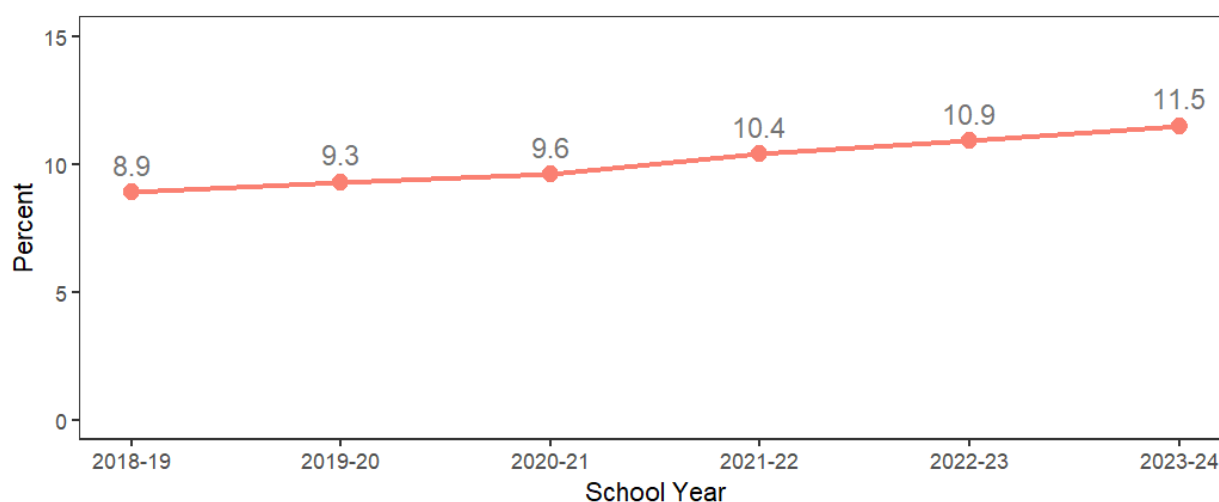
## Section 1: Demographics of English Learners in Oregon in 2023-24

Almost one in five Oregon students has been designated as an English learner. As of the first school day in May 2024, 542,735 students enrolled in Oregon public schools and districts. Among those students, 11.5 percent were current English learners (62,522 students), 4.3 percent were former English learners (23,310 students), 3 percent were monitored English learners (16,034 students), and 81.2 percent were never English learners (440,869 students). Current, monitored, and former English learners were an incredibly diverse student population in 2023-24 (representing 18.8 percent of all students). These students brought a rich linguistic and cultural heritage to their classrooms, schools, and communities. This section summarizes the demographics of Oregon’s English learner population, considering grade levels, interruptions in formal education among newcomer immigrant students, and racial, ethnic, and linguistic diversity.

### Current and Former English Learners

Current English learners are multilingual students for whom English is not their native language, or who come from an environment where a language other than English has had a significant impact on their English proficiency, who are learning English in an ELD program during the school year<sup>3</sup>. They receive English language instruction, supports, and services to help them become proficient in English. Identification of English learners is done using a Language Use Survey (LUS) as well as an English Language Proficiency Assessment (ELPA) screener. Figure 1 shows the increasing percentage of current English learners from 2018-19 to 2023-24 school years<sup>4</sup>.

**Figure 1. Percentage of all Oregon students who were current English Learners (2018-19 to 2023-24)**



A smaller number of students in 2023-24 (23,310 or 4.3 percent) were former or monitored (16,034 or 3 percent) English learners. Former English learners are multilingual students who demonstrated English proficiency and exited an ELD program prior to the 2023-24 school year. Monitored English learners are a

<sup>3</sup> Note that current English learners also include students who are eligible to receive English language instruction, supports, and services in an ELD program but do not participate because their parents or guardians waive English language instruction, supports, and services.

<sup>4</sup> The data for this portion of the report relies on student enrollments as of the first school day in May 2024.

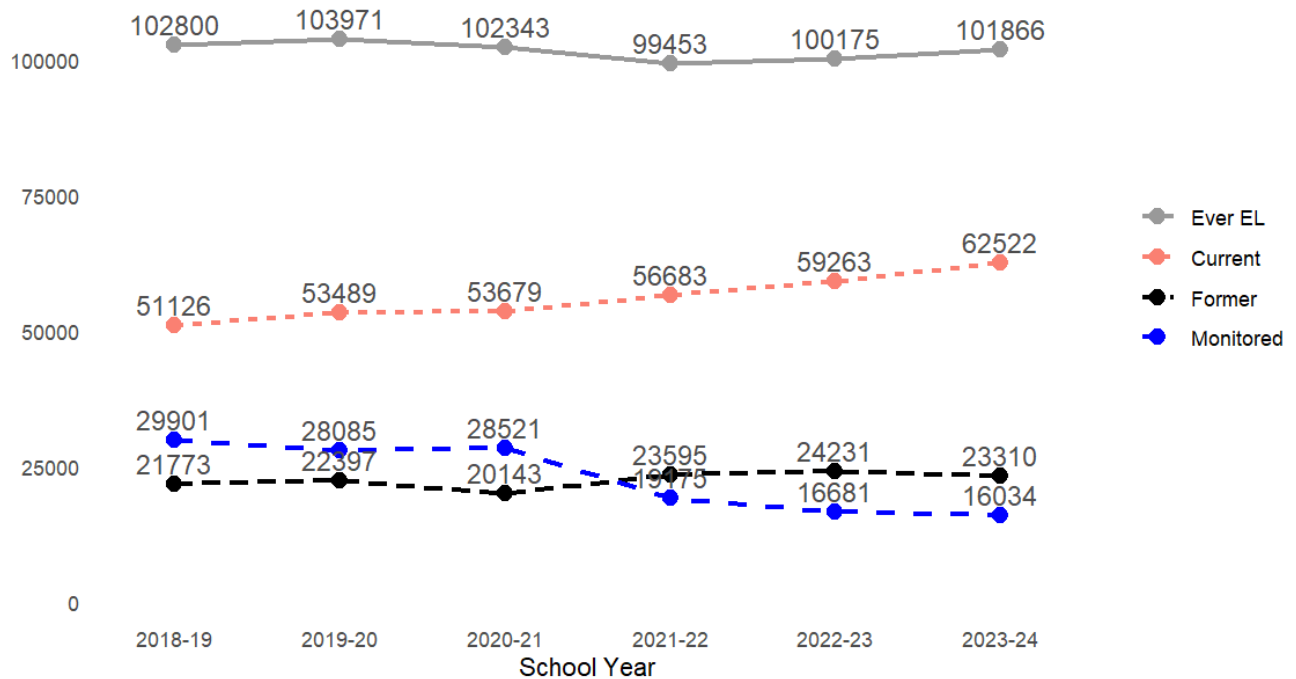
## English Learners in Oregon

subset of former English learners who are monitored for four years after exiting the EL services. Research does suggest, however, that these English learners may still need support to develop high levels of proficiency in academic English (i.e., the language students need in order to be successful in school; see de Jong 2004; Flores, Batalova & Fix, 2012). Given its importance, during its Title III monitoring process, ODE reviews the ways in which the districts monitor the progress of former English learners and provides them with feedback to enhance the districts' ability to support former English learners' continued progress.

Comparisons between current, monitored, former, and ever English learners are useful to understand the experiences and outcomes of English learners over time, and to counter misperceptions about English learner achievement. Current English Learners tend to perform at lower levels while still developing English, particularly on assessments of content knowledge that are administered in English, which can negatively impact their performance. However, once current English learners attain English language proficiency, they often perform academically at significantly higher levels than their peers, including monolingual English speakers, indicating the value of bilingualism (Thompson, Umansky, & Rew, 2022; Hopkins, Thompson, Linquanti, Hakuta, & August, 2013).

Oregon has had a largely stable population of about 100,000 English learners (former, monitored, and current) over the past several years. Figure 2 shows the change in the count of current, former, and ever English learners in Oregon over the last six school years. In general, it displays a slightly fluctuating population of ever English learners in Oregon, starting at 102,800 in 2018-19 and, after increasing and declining for a couple years, reaching 101,866 students in 2023-24.

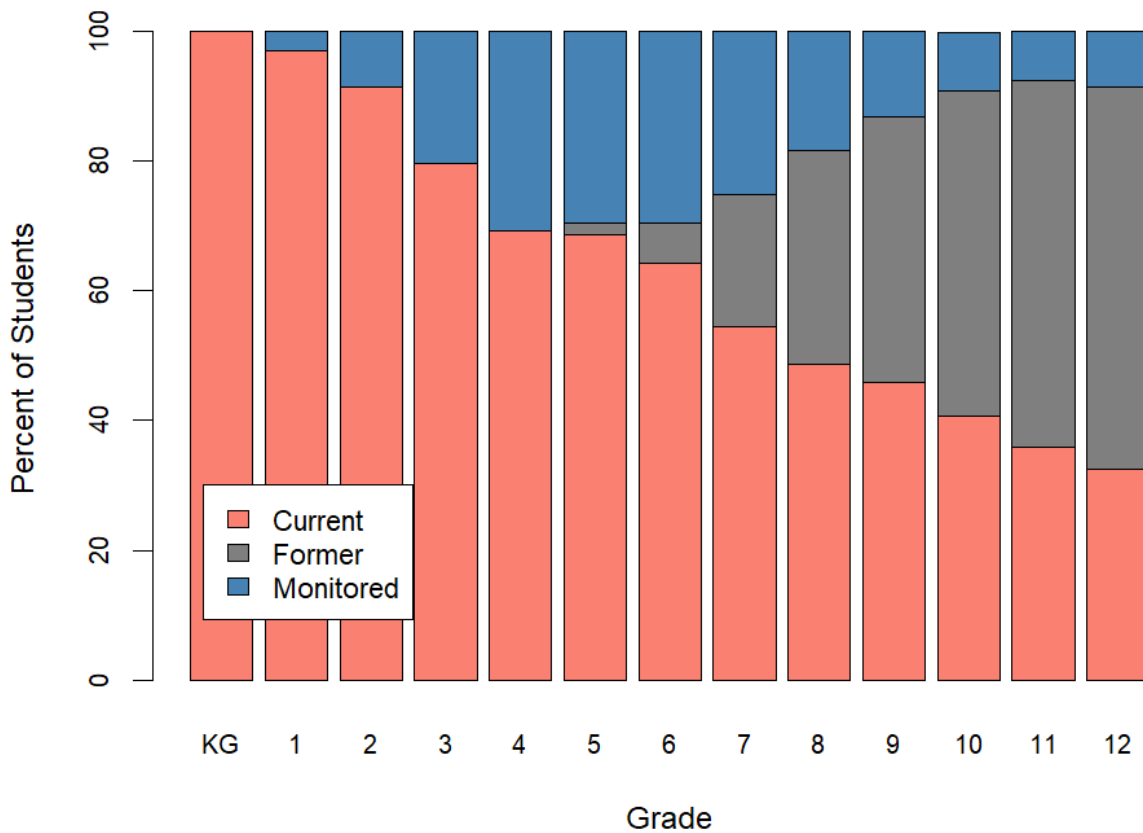
**Figure 2. Number of current, monitored, former, and ever English Learners in Oregon (2018-19 to 2023-24)**



### The majority of current English Learners were in the elementary grades.

Figure 3 illustrates the distribution of Current English Learners (CEL), Former English Learners (FEL), and Monitored English Learners (MEL) across different grade levels. In early grades, such as Kindergarten (KG) and Grade 2, the majority of students (over 90%) are classified as Current English Learners (CEL), indicating that they are still in the process of acquiring English proficiency. This population is not static, and each grade also includes newcomers who may have schooling experiences from outside of the U.S. As students progress to upper elementary and middle school grades (Grades 4-7), the proportion of CELs decreases (54.4%), while the percentage of Former English Learners (20.4%) and Monitored English Learners (25.2%) gradually increases, reflecting the transition of students who have met proficiency criteria. By Grade 8 and beyond, the percentage of CELs drops below 50%, with a significant rise in FELs and MELs (combined nearly 70%), suggesting that most students have exited EL services. This pattern indicates that while younger students require more language support, a substantial number of students reach English proficiency as they move through middle and high school, transitioning into monitored or former EL status.

**Figure 3. Comparison of the percentage of current, monitored, and former English learners by grade in 2023-24**



### English Learner enrollment varied across Oregon districts.

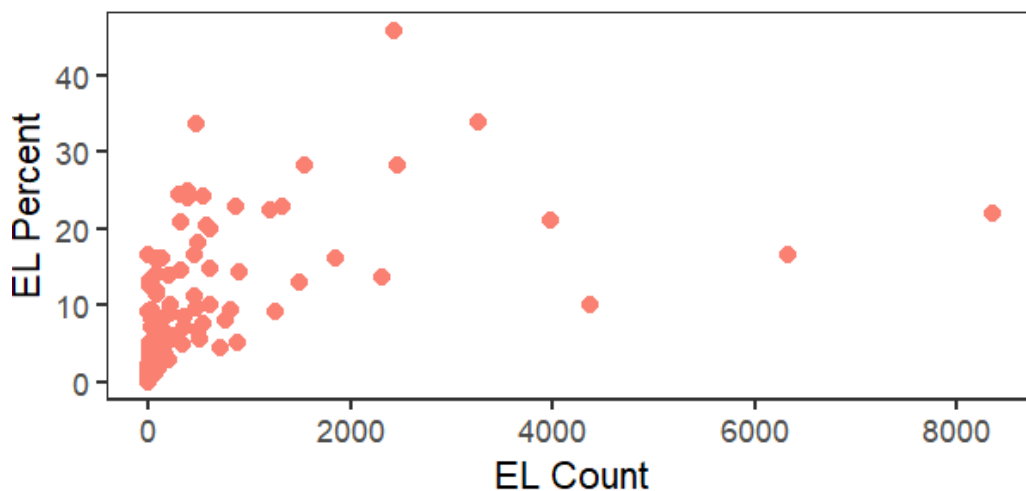
Oregon has 197 school districts, and 80 percent of them are serving students designated as English learners. In 2023-24, 157 districts provided English language instruction, supports, and services to current English learners. Of these districts, 69 districts received Title III funds as part of a consortium as these districts had fewer than 80 identified English learners and therefore did not generate the federally required \$10,000 minimum Title III sub-grant. These districts with small EL populations may experience challenges with the students being distributed across several grade levels and having different English language proficiency levels, as well as having limited access to ELD teachers. The remaining districts in Oregon (n = 40) did not have any enrolled English learners.

Figure 4 shows the distribution of current English learners across Oregon districts in 2023-24. There were eight districts with more than 2,000 current English learners. Thus, in 2023-24, districts differed in terms of both the number of current English learners and/or the percentage of their student population who received English language instruction, supports, and services.

A sizable proportion of Oregon districts did not have any current English learner enrollments in 2023-24. The 40 districts not currently serving English learners tended to be small in overall population (median 124 students).

The variation in English learner’s population across districts is also evident in table 1, which shows the ten districts with the highest numbers of current English learners.

**Figure 4. Comparison of the number and percentage of current English learners by district in 2023-24**



**Table 1. Districts with the highest number of current English learners in 2023-24.**

District Name	Percentage of Current English Learners	Number of Current English Learners
Salem-Keizer SD 24J	22.0	8,349
Beaverton SD 48J	16.6	6,320
Portland SD 1J	10.0	4,369
Hillsboro SD 1J	21.2	3,969
Reynolds SD 7	33.7	3,260
David Douglas SD 40	28.3	2,467
Woodburn SD 103	45.8	2,427
North Clackamas SD 12	13.7	2,307
Gresham-Barlow SD 10J	16.1	1,841
Centennial SD 28J	28.2	1,539

In addition, table 2 shows the ten districts with the highest percentage of current English learners. Note that some districts (Woodburn SD, Reynolds SD, David Douglas SD, Centennial SD) appear on both lists. This means that not only do these districts rank high on the number of current English learners in the state, but their current English learners also make up a notable portion of their overall student population.

**Table 2. Districts with the highest percentage of current English learners in 2023-24.**

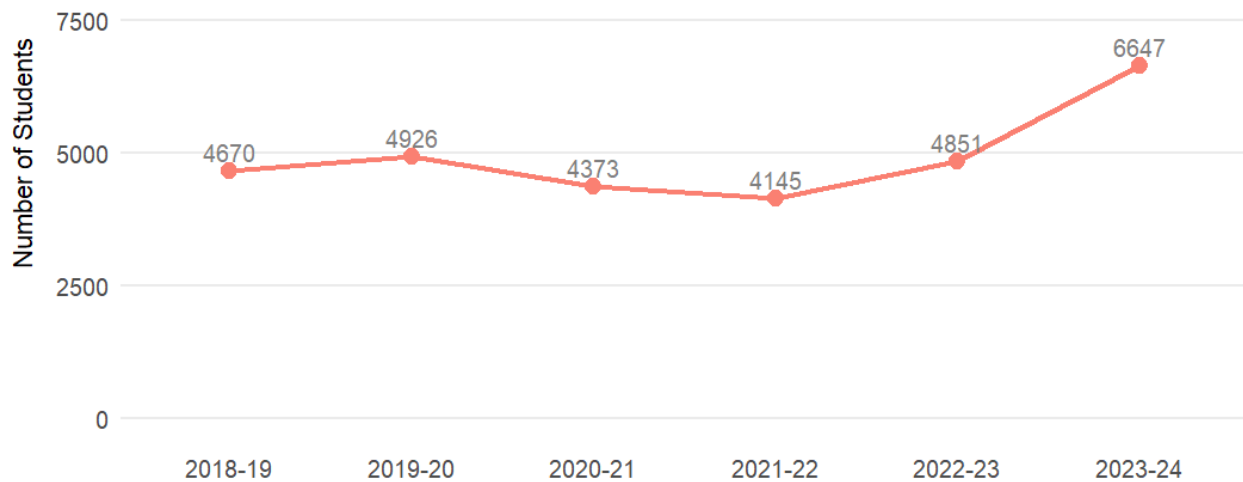
District Name	Number of Current English Learners	Percentage of Current English Learners
Woodburn SD 103	2,427	45.8
Reynolds SD 7	3,260	33.7
Umatilla SD 6R	473	33.6
David Douglas SD 40	2,467	28.3
Centennial SD 28J	1,539	28.2
Milton-Freewater Unified SD 7	386	24.9
Gervais SD 1	306	24.4
Morrow SD 1	538	24.3
North Marion SD 15	388	24.0
Forest Grove SD 15	1,318	23.0

## The number of recently arrived English learners significantly increased by 37 percent in 2023-24.

The term “recent arrivers” refers to students who were born outside of the U.S. and Puerto Rico, and who have been educated in the U.S. for fewer than three cumulative years (i.e., these students are recent immigrants). They can be current, former, or never English learners; however, the majority are current English learners.

In 2023-24, 6,647 current English learners were recent arrivers. This number represents the largest count of recent arrivers over the last six years (see figure 5).

**Figure 5. Number of current English learners who were recent arrivers in Oregon (2018-19 to 2023-24).**



Most recently arrived English Learners (57.2 percent) were in the elementary grades, while 19.6 percent were in grades 6-8 and 23.2 percent were in high school. Current English learners who are recent arrivers in middle and high school contend with significant challenges, since they must learn the language while also using English-language textbooks and lectures to learn the content of their courses in a variety of subject areas (Short & Fitzsimmons, 2007). Recent arrivers in the secondary grades are known as adolescent newcomers, and districts sometimes design specialized programs to serve their unique language and cultural needs.

Statewide, the total number of current English learners who were adolescent newcomers in 2023-24 was 2,846. Five Oregon districts with the largest population of adolescent newcomers in 2023-24 are shown in Table 3.

**Table 3. Districts with the largest population of adolescent newcomers in 2023-24.**

District	Number of Adolescent Newcomers (Recently Arrived Current English Learners in Middle or High School)
Beaverton SD 48J	414
Salem-Keizer SD 24J	362
David Douglas SD 40	227
Portland SD 1J	186
Reynolds SD 7	138

**In 2023-24, districts reported 934 current English learners had experienced interruptions in their education.**

Some current and former English learners had their education interrupted or received limited formal education before arriving in the U.S. school system. Often, these were immigrant or refugee students who had spent time in refugee camps or whose process of immigration to the U.S. prevented them from attending school for a time. These students are known as students with limited or interrupted formal education (often abbreviated as SIFE or SLIFE). Students are SLIFE if they are immigrant students or English learners who enter school in the U.S. after grade two and experience all of the following:

- a. Have at least two fewer years of schooling than their peers of the same age,
- b. Function at least two years below grade level expectations in reading and mathematics, and
- c. Are preliterate in their native language.<sup>5</sup>

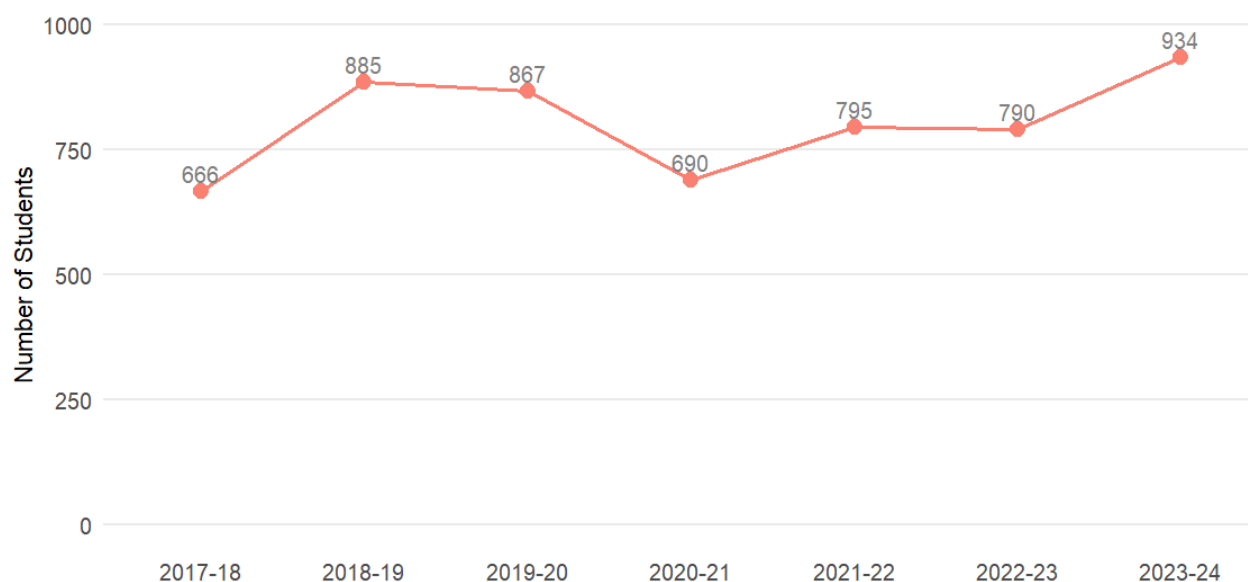
SLIFE students face unique circumstances. In addition to having missed at least two years of schooling, some arrive having experienced significant trauma. Schools need to find ways to serve SLIFE students without placing them in classes with younger students, since forming relationships with peers, including never English learner peers, is a factor that appears to improve academic outcomes (Browder, 2014).

The ODE began collecting data on the number of students with limited or interrupted formal education in 2015-16. For the 2023-24 school year, districts reported 934 current English learners with limited or interrupted formal education (about 1.5 percent of all current English learners). As figure 6 illustrates, the number of students with limited or interrupted formal education increased from 2017-18 to 2019-20 but decreased in 2020-21 and once again increased in 2021-22 and 2023-24.

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<sup>5</sup> See [ESEA Title III English Learner Definitions](#) for more details.

**Figure 6. Number of current English learners with an interrupted formal education (2017-18 to 2023-24).**



Most students with limited or interrupted formal education were in high school (56.2 percent). Another 24.4 percent were in the middle school grades (grades 6-8), and only 19.4 percent were in the elementary grades.

In 2023-24, the distribution of current English learners with limited or interrupted formal education was not uniform across Oregon districts. Instead, current English learners with limited or interrupted formal education were, for the most part, concentrated in a few districts. Nine districts in Oregon, identified in table 4, provided English language instruction, supports, and services to at least 20 current English learners with limited or interrupted formal education in 2023-24. These nine districts alone enrolled 83.3 percent of all SLIFE students in Oregon. Note that three of the eight districts serving many adolescent newcomers (see table 3) also enroll a significant number of current English learners with interrupted formal education (i.e., Portland, Beaverton, and Reynolds).

**Table 4. Districts serving at least 20 current English learners with interrupted formal education in 2023-24**

District	Number of Current English Learners with Limited or Interrupted Formal Education
Hillsboro SD 1J	404
Beaverton SD 48J	121
Hermiston SD 8	84
Portland SD 1J	77
Woodburn SD 103	54
South Lane SD 45J3	26
Reynolds SD 7	26

## Current English learners across the state spoke 247 unique home languages.

Statewide, current English learners spoke about 247 different languages at home. By far the most prevalent home language among Oregon current English learners was Spanish, spoken at home by 76.0 percent of all current English learners. The four next most common languages were Russian, Chinese, Vietnamese, and Arabic. Taken together, these top five languages represent 84.0 percent of home languages among current English learners (see Table 5). In recent years, the number of current English learners speaking Somali, Mesoamerican languages, and other languages has been increasing.

In 2020, ODE expanded the language of origin reporting options to include an additional 384 languages; many of which were Mesoamerican languages such as Mam, Q’anjobal, and K’iche. This was intended to reduce the prevalence of districts reporting an unknown home language. However, in 2023-24, districts<sup>6</sup> reported an unidentified home language (listed as ‘*other languages*’ in Table 5) for 908 English learners, suggesting a need for continued training and support in this area.

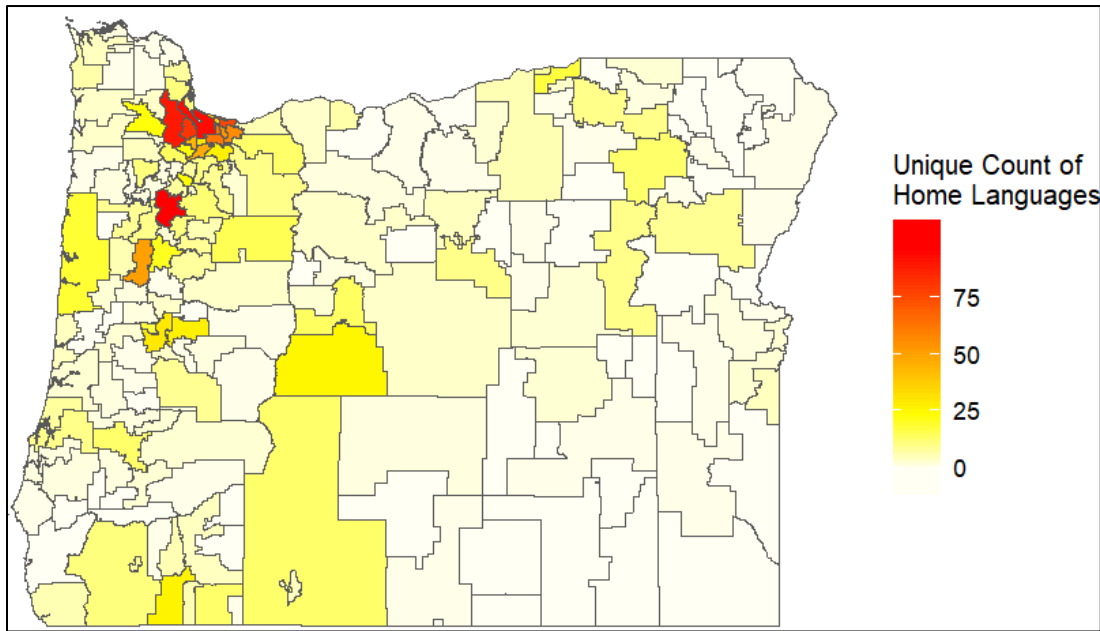
**Table 5. Most prevalent home languages among current English learners in 2023-24.**

Language	Number of Current English Learners with this Language	Percentage of Current English Learners with this Language
Spanish	47,529	76.00%
Russian	1,657	2.70%
Chinese	1,213	1.90%
Vietnamese	1,170	1.90%
Other languages	908	1.50%
Arabic	829	1.30%
Ukrainian	820	1.30%
Chuukese	811	1.30%
Somali	542	0.90%

Figure 7 provides a map illustrating the number of different home languages in different Oregon districts. A few districts, mostly in the Portland metropolitan area and Salem, provide English language instruction, supports, and services to students with over 60 unique home languages.

<sup>6</sup> These districts in alphabetical order included: Beaverton SD 48J, Bend-LaPine Administrative SD 1, Bethel SD 52, Canby SD 86, Cascade SD 5, Centennial SD 28J, Coos Bay SD 9, Corvallis SD 509J, David Douglas SD 40, Estacada SD 108, Eugene SD 4J, Forest Grove SD 15, Fossil SD 21J, Greater Albany Public SD 8J, Gresham-Barlow SD 10J, Hillsboro SD 1J, Hood River County SD, Klamath County SD, McMinnville SD 40, Morrow SD 1, North Clackamas SD 12, North Santiam SD 29J, Oregon City SD 62, Oregon Trail SD 46, Parkrose SD 3, Philomath SD 17J, Portland SD 1J, Prairie City SD 4, Redmond SD 2J, Reynolds SD 7, Salem-Keizer SD 24J, Scio SD 95, Siuslaw SD 97J, Tigard-Tualatin SD 23J, Warrenton-Hammond SD 30, West Linn-Wilsonville SD 3J, Woodburn SD 103.

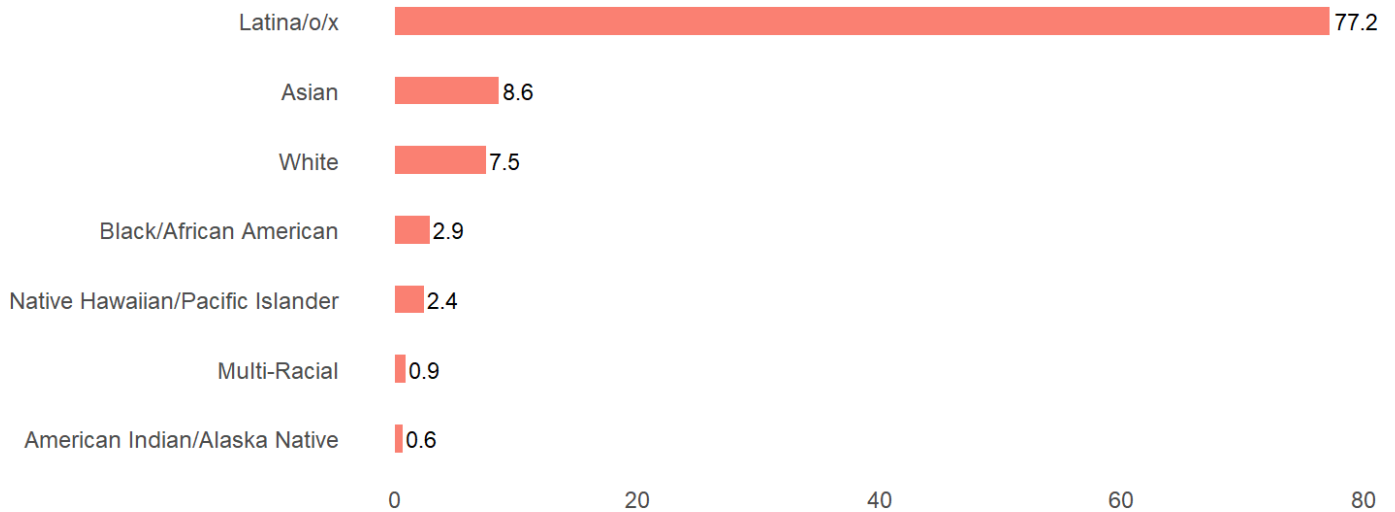
**Figure 7. Geographic distribution current English learner home languages across Oregon districts during 2023-24**



### **The vast majority of current English learners were Latina/o/x.**

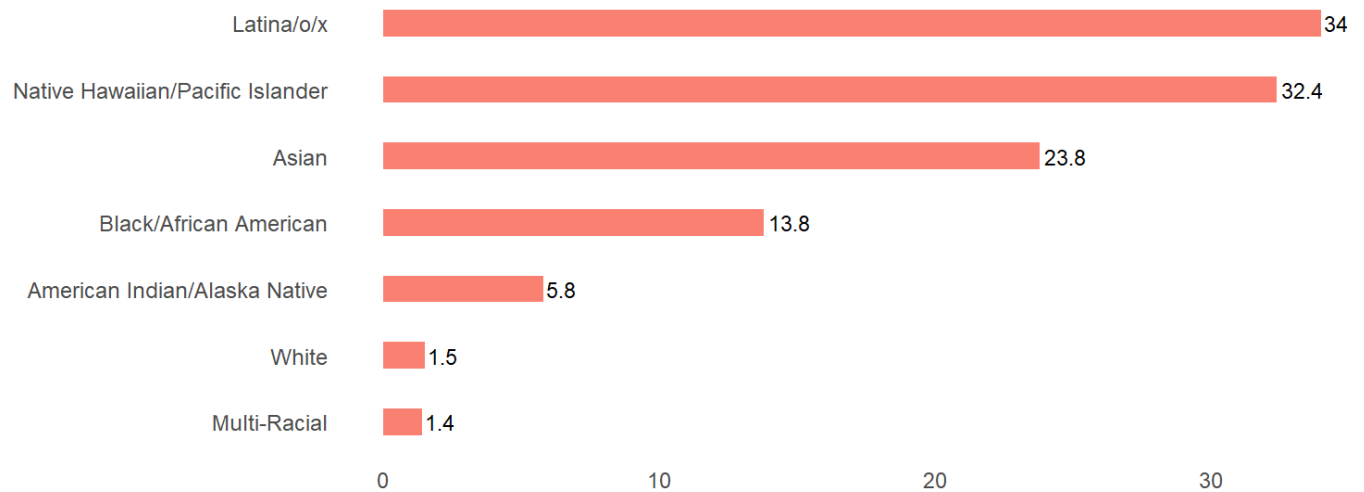
In the 2023–24 school year, Oregon served 62,522 current English learners (ELs), the vast majority of whom—48,243 students, or 77.2 percent—identified as Latina/o/x. This reflects the continuing trend in Oregon and nationally, where Latina/o/x students make up the largest share of the EL population. Asian students comprised the second-largest racial/ethnic group among ELs at 8.6 percent, followed by White students at 7.5 percent. Other racial and ethnic groups were represented in smaller proportions: Black/African American students accounted for 2.9 percent of current ELs, while Native Hawaiian/Pacific Islander students made up 2.4 percent. Students who identified as Multi-Racial represented 0.9 percent, and American Indian/Alaska Native students accounted for just 0.6 percent of the EL population. These data highlight the linguistic and cultural diversity of Oregon’s EL community, while also emphasizing the disproportionate representation of Latina/o/x students in EL programs. Understanding this demographic breakdown is important for tailoring supports, instructional models, and family engagement strategies that are responsive to students’ backgrounds and needs. It also underscores the importance of culturally and linguistically responsive practices, especially for the groups that make up smaller shares of the EL population and may face different access or inclusion challenges in school systems.

**Figure 8. Percentage of current English learners by race/ethnicity in 2023-24.**



It is also important to note that most Latina/o/x students in Oregon were not current English learners. In fact, according to figure 9, only 34 percent of Latina/o/x students were current English learners in 2023-24. Moreover, 32.4 percent of Native Hawaiian/Pacific Islander students were current English learners.

**Figure 9. Percentage of each racial/ethnic group who were current English learners in 2023-24.**



## Section 2: Participation in Targeted Programs

Schools and districts deliver a range of programs that aim to address the needs of particular groups of students. These include students experiencing economic disadvantages (previously measured via free and reduced-price meals), special education, migrant education, and TAG programs. Most of these programs receive some federal funding; however, TAG programs receive only state funding. This section of the report describes the participation of English learners in each of these programs during the 2023-24 school year.

## Students Experiencing Poverty

Prior to the 2023-24 school year, the identification of economically disadvantaged students relied on their eligibility for Free and Reduced Price (FRP) school meals. FRP, however, provides an imprecise measure, since some eligible students and families never apply to the program. In addition, following the COVID-19 pandemic, some schools have continued to allow meals to be served at no cost to all students, further invalidating FRP as a reliable measure for determining students experiencing economic disadvantages (English Learners in Oregon Report, 2024).

In the 2023-24 school year, the ODE began adopting a new composite indicator, replacing FRP, called “Students Experiencing Poverty” (SEP, Oregon Statewide Report Card, 2024). SEP includes those students that experienced one or more disadvantages including receiving Supplemental Nutrition Assistance (SNAP) or Temporary Assistance for Needy Families (TANF) benefits, being in foster care, experiencing homelessness, or receiving migrant education services.

Figure 10 illustrates the percentage of students identified as experiencing poverty (SEP) within four English Learner groups for the 2023–24 school year. The data reveals that Current English Learners are the most affected, with 52.8% identified as experiencing poverty, followed by Monitored English Learners (39.9%) and Former English Learners (38.4%). The group with the lowest SEP rate is Never English Learners, at 30.1%.

**Figure 10. Percentage of current, former, monitored, and never English learners experiencing poverty in 2023-24.**



## Special Education

Students who are current English learners and receive special education services and supports are known as dual-identified students, since they receive instruction, supports, and services from two programs (i.e., English language and special education).

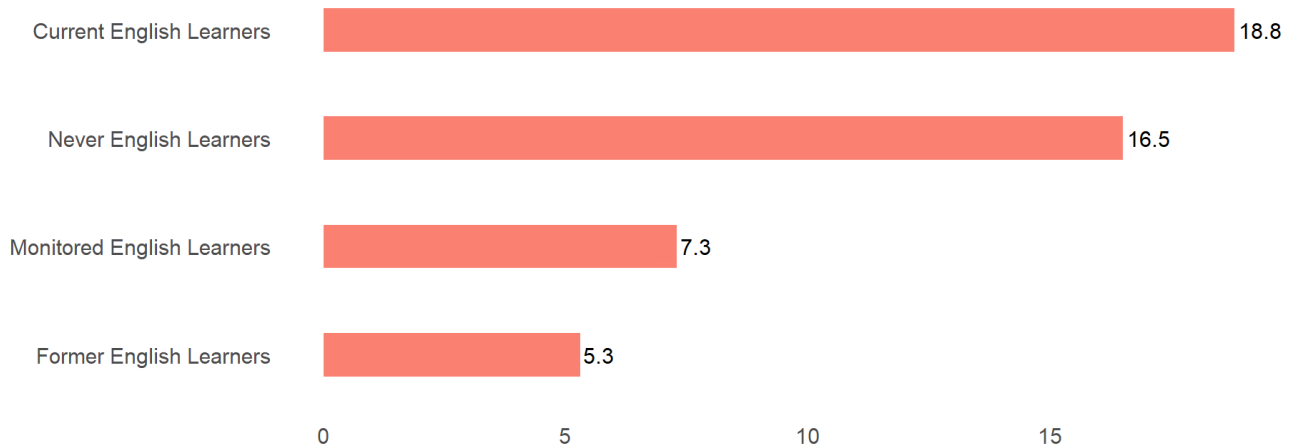
There is concern in the field about the difficulty of accurately identifying current English learners who need special education services and supports. Schools may incorrectly identify current English learners as having a learning disability when, in fact, it is their developing English proficiency that adversely influences their educational progress. On the other hand, some schools may overlook genuine disabilities, assuming that current English learners just need more time to learn English. Both identification challenges are present not

only in Oregon but across the United States (Artiles & Ortiz, 2002; Hamayan, Marler, Sanchez Lopez & Damico, 2007; Umansky, Thompson, & Díaz, 2017).

### **Current English learners received special education services and supports at a higher rate.**

Figure 11 shows the percentage of English learner (EL) subgroups receiving special education services in Oregon during the 2023–24 school year. Current ELs had the highest rate at 18.8%, followed by never ELs at 16.5%. Monitored ELs and Former ELs had lower rates, at 7.3% and 5.3% respectively. These patterns suggest a higher identification of special education needs among students currently classified as English learners, highlighting the importance of careful evaluation practices to differentiate language needs from learning disabilities.

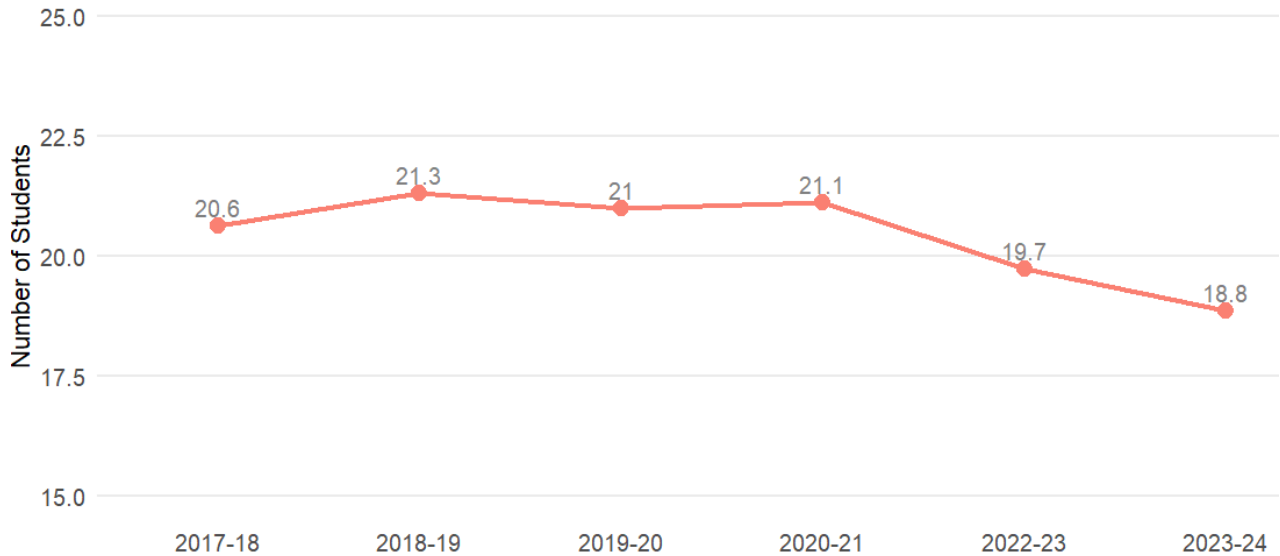
**Figure 11. Percentage of current, former, monitored, and never English learners receiving special education services and supports in 2023-24.**



### **The percentage of current English learners receiving special education decreased in 2023-24.**

In 2023-24, 11,785 current English learners (18.8 percent) were receiving special education supports and services. Despite their higher rate of identification for special education services, the number of current English learners receiving special education services and supports in 2023-24 represents a slight decrease from the year before, when 19.7 percent of current English learners received special education services and supports (see figure 12).

**Figure 12. Percentage of current English learners receiving special education services and supports (2017-18 to 2023-24).**



Most current English learners with a disability in 2023-24 had a specific learning disability (3,643 students) or a speech or Language Impairment (2,683 students) as their primary disability.<sup>7</sup> Other primary disabilities, with 100 or more current English learners in 2023-24, included autism spectrum disorder, other health impairments, developmental delay, intellectual disability, emotional behavior disability, and deaf or hard of hearing (see Table 6). It is also worth noting that 4.3 percent (2,682 students) of dually identified current ELs reported a Speech/Language Impairment which is over 1 percentage point higher than that for never ELs (3.1 percent).

**Table 6. Primary disabilities involving 100 or more current English learners in 2023-24.**

Disability Type	Number of Current English Learners	Percent of Current English Learners
Specific Learning Disability	3,643	5.8
Speech/Language Impairment	2,683	4.3
Autism Spectrum Disorder	1,260	2.0
Other Health Impairments	1,101	1.8
Developmental Delay 3-9yr	892	1.4
Intellectual Disability	703	1.1
Emotional Behavior Disability	242	0.4
Deaf or Hard of Hearing	161	0.3

<sup>7</sup> A specific learning disability refers to a disorder in one or more of the basic psychological processes involved in understanding or using language that may manifest itself in difficulties in listening, thinking, speaking, reading, writing, spelling, or doing math calculations. A speech or language impairment refers to a communication disorder such as stuttering, impaired articulation, or a language or voice impairment that adversely affects a students’ learning or educational performance.

## Migrant Education

Some English learners also participate in migrant education programs. Students ages 3-21 can qualify for Title I-C migrant education programs (MEP) if they or their parents are engaging in qualifying agricultural or fishing work, and they have moved within the past 36 months to obtain or seek this type of work. Many migrant children experienced poverty, and when they move, they confront the challenges of having to adjust to different teachers with different instructional approaches and materials, as well as building new social connections. The intent of migrant education programs is to ensure that migrant children receive the support that addresses their unique situations and are able to receive supports necessary to succeed academically.

### **9.9 percent of current English learners received services from Migrant Education Programs in 2023-24.**

Oregon has one of the largest migratory student populations nationally. As of first school day in May 2024, 6,206 current English learners participated in migrant education programs. That number translates to 9.9 percent of all current English learners. It also means that more than half (60.4 percent) of the 10,274 students in migrant education programs were current English Learners in 2023-24. Moreover, 16.8 percent of students in migrant education programs were former English learners, and 12.2 percent were monitored English learners. Overall, 89.4 percent of the 10,274 students who received services from migrant education programs were ever English learners.

During the 2023-24 school year, Oregon's Migrant Education Program was administered by 19 local subgrantees, known as MEP Regions. This program is federally funded through Title I, Part C for migrant education, and Regions receive federal funds based on federal and state allocation formulas for the local identification of migratory students and provision of MEP services in approximately 102 districts across the state. In 2023-24, Salem-Keizer SD had the largest number of migratory English Learners in the state, with 944 students, followed by Southern Oregon ESD, which had 898 migratory English Learners. (see table 7).

**Table 7. Regions that participated as subgrantees of migrant education programs as of the first school day in May 2024.**

MEP Regions	Current English Learners identified for MEP
Salem-Keizer SD	944
Southern Oregon ESD	898
Intermountain ESD	637
Willamette ESDL/Linn/Benton/Lincoln/Polk/Yamhill Counties	494
Woodburn	368
Lane ESD/Douglas County	348
Forest Grove SD	314
Hillsboro SD	312
Hood River County	277
High Desert ESD/ Wheeler Counties	255
Columbia George ESD	253
Beaverton SD	209
East Multnomah County	189
Clackamas ESD	173
Ontario/Annex SDs	155
Northwest Regional ESD/Carlton SD	140
Nyssa/Adrian/Vale SDs	131
Portland SD	84
Adrian/Vale	16

## Talented and Gifted

The state requires that all school districts establish policies and procedures to identify students to participate in Talented and Gifted (TAG) services<sup>8</sup>. These students may have high general intelligence and/or demonstrate unusual academic ability in one or more particular areas (Gubbins et al., 2020). State law requires districts to develop a plan to provide programs and services beyond regular school programs in order to ensure that eligible students can develop and realize their potential (OAR 581-022-2500).

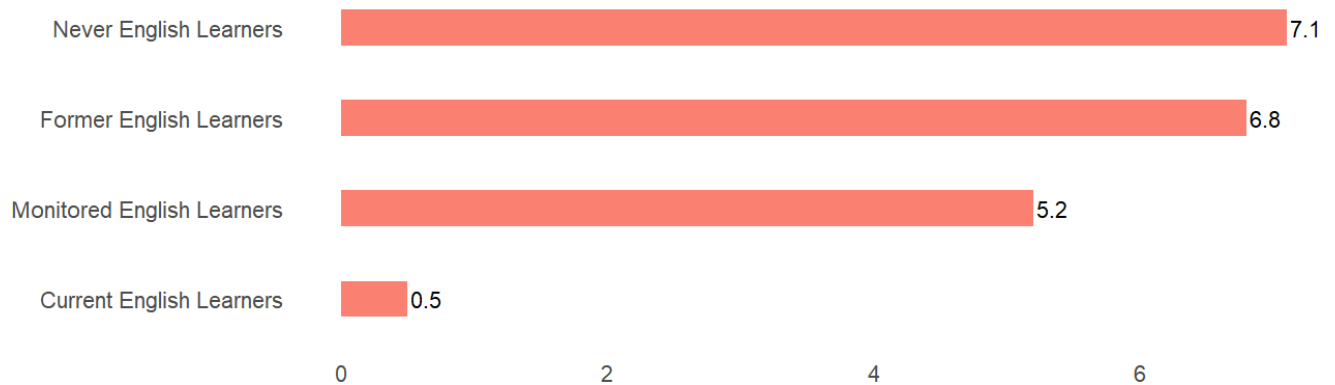
Correctly identifying students for TAG programs and providing specialized services is important because these students may have both unique talents and face unique challenges. For example, some TAG students struggle with perfectionism and the ability to cope with failure. Others engage only selectively at school and have high levels of absenteeism. Findings from the ODE suggest that approximately 10 percent of TAG students drop out of high school (Allen, 2016).

<sup>8</sup> These instructional services mainly include services to students identified as TAG in general education classrooms (push-in/full inclusion).

### Current English Learners were rarely identified for TAG Services.

According to figure 13, 7.1 percent of never English learners (32,225 students) were identified for TAG services in 2023-24. While 6.8 percent of former English learners were identified (1,594 students), 5.2 percent of monitored English learners were identified (836 students), and only 0.5 percent of current English learners were identified for TAG programs in 2023-24 (283 students). Never English learners were over 14 times ( $7.1 \div 0.5$ ) more likely to be identified for TAG programs than current English learners in 2023-24.

**Figure 13. Percentage of current, former, ever, and never English learners who participated in a TAG program in 2023-24.**



## Section 3: Language Development and Academic Outcomes for English Learners

Students who are current English learners have to develop proficiency in English. In addition, and at the same time, they must learn all the same academic content as other students in Oregon. This section of the report provides data about English language proficiency and academic outcomes of current English learners (with comparisons to former, ever, and never English learners).

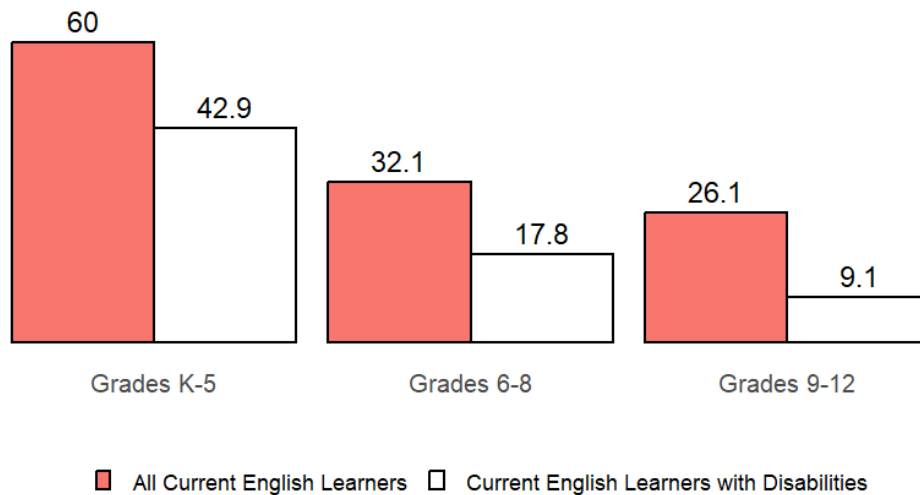
### Progress towards English Language Proficiency

Title I-A of the Every Student Succeeds Act (ESSA) requires current English learners to take an English language proficiency assessment (ELPA) annually. The ELPA measures a student’s proficiency in the domains of listening, reading, speaking, and writing. Students who demonstrate proficiency on all four ELPA domains are ready to exit the ELD program. Since 2017-18, the ODE monitors whether current English learners are on track to attain English language proficiency using a trajectory expectation model. Current English learners are on track if their current ELPA domain performance meets or exceeds trajectory expectations given (1) initial ELPA domain performance, (2) years identified as a current English learner, and (3) disability and/or an interrupted formal education status. These expectations are in line with trajectory expectations indicated by research on English learners (see Hakuta, Goto Butler, & Witt, 2000; Robinson, Cimpian, Thompson, & Umansky, 2016; Umansky & Reardon, 2014), as well as SIFE, and dual-identified English learners (see Burke, Morita-Mullaney, & Singh, 2016; Conger, 2009; Kieffer & Parker, 2016; Thompson, 2015; Umansky &

Reardon, 2014). Interested readers are also referred to the Oregon’s ESSA Consolidated State Plan (2017) for Oregon’s trajectory expectations (pp. 43-44).

As illustrated in figure 14, as the grade level increases, the percentage of current English learners on track to attain English language proficiency decreases from 60 percent in elementary school grades to 26.1 percent in high school grades. Furthermore, the same pattern is evident for current English learners with disabilities where the percentage decreases from 42.9 percent in elementary school grades to 9.1 percent in high school grades. To some extent, the decrease in the percentage of current English learners on track to attain English language proficiency from elementary to high school grades is not a surprise due to the annual exiting of current English learners and the annual enrollment of new ELs. This has a considerable impact on the composition of current English learners across grade levels. Thus, inferences and comparisons across grade levels and between groups of current English learners (e.g., those with and without disabilities) must use caution.

**Figure 14. Percentage of all current English learners and current English learners with disabilities on track to attain English language proficiency by elementary (K-5), middle (6-8), and high school grades (9-12) in 2023-24.**



### **Long-term current English learners made up 21.9 percent of all current English learners.**

Parents and communities have concerns about the ability of Oregon’s schools and districts to ensure current English learners attain English language proficiency and exit an ELD program within an appropriate amount of time. Current English learners who are unable to meet proficiency expectations after a period of time are known as long-term current English Learners. The ODE defines a long-term current English learner as a student who receives English language instruction, supports, and services in an ELD program for more than seven years.

In 2023-24, most current English learners (77.7 percent) were not long-term English learners; however, this means that 21.3 percent of current English learners received English language instruction, supports, and

services for more than seven years. This is a concern because slower development of English language proficiency is highly predictive of other academic challenges (Menken & Kleyn, 2009; Danahy Ebert & Reilly, 2022). An important point to consider is the ability of Oregon’s schools and districts to meet the needs of current English learners. This is particularly salient given that 40.8 percent of current English learners with disabilities in 2023-24 were long-term English learners.

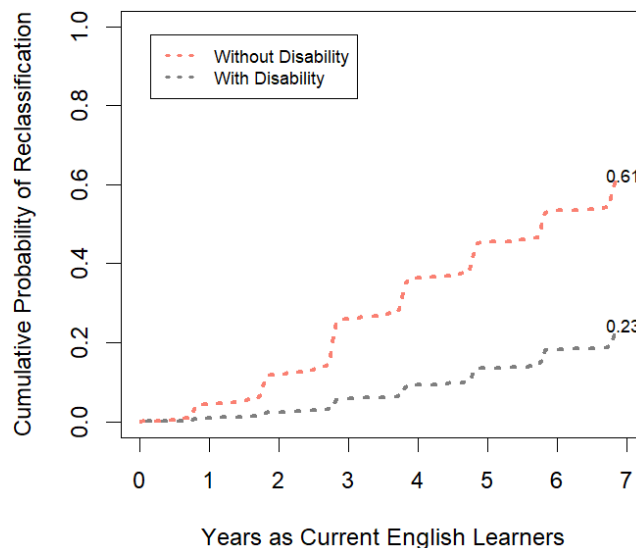
**Approximately 23 percent of current English learners receiving special education services and supports developed English language proficiency in seven years.**

It is also useful to look at the development of English language proficiency from another angle, namely, what proportion of current English learners develop proficiency within a particular amount of time?

This measure uses data for all current English learners who received English language instruction, supports, and services in an ELD program in 2023-24 regardless of the length, start, or end of enrollment. While most of the data in this report rely on the first school day in May 2024 as a snapshot, this measure includes all current English learners (even those not enrolled on the first school day in May 2024).

Figure 15 addresses this question for current English learners with and without disabilities. For current English learners without disabilities who began receiving English language instruction, supports, and services on or after July 1, 2017, the probability of reclassification (i.e., attaining English language proficiency and exiting an ELD program) after seven years is 0.61 (or, after multiplying by 100, 61 percent). That is, 61 percent of the current English learners without disabilities attained English language proficiency and exited EL services in seven years. On the other hand, 23 percent of current English learners with disabilities attained English language proficiency and exited an ELD program in seven years. Succinctly put, ELs without a disability are, on average, about three times as likely to exit the EL program in 7 years than their EL peers with a disability.

**Figure 15. Probability of reclassification for current English learners with and without disabilities after seven years (July 1, 2017 to June 30, 2024).**



## Student Academic Outcomes in English Language Arts and Mathematics

Each year, all Oregon students in grades 3-8 and 11 take state assessments in English language arts and mathematics. Some of these assessments such as English Language Arts which are offered only in English<sup>9</sup>, may be especially challenging for ELs who are still developing proficiency. For both subjects, a performance level of three or higher meets the state standards. Overall, statewide, most Oregon students are not meeting our proficiency standards.

### **Former ELs outperformed or matched never ELs in ELA in early grades, while current ELs met state standards at significantly lower rates across all grades.**

According to figure 16, across all grade levels, Current ELs have the lowest percentage of students meeting or exceeding standards, with only 6.6% in Grades 3–5, 3.7% in Grades 6–8, and 4.1% in Grade 11.

Former ELs, on the other hand, perform significantly better, especially in Grades 3–5, where 82.9% meet or exceed standards—the highest percentage across all groups and grade levels. Their performance decreases in later grades, with 47.3% in Grades 6–8 and 40.5% in Grade 11, but remains notably higher than that of Current and Monitored ELs.

Monitored ELs, who are reclassified from EL status within the past four years, demonstrate moderate performance. In Grades 3–5, 55.7% meet or exceed standards, which declines to 31.8% in Grades 6–8 and further to 24.1% in Grade 11. This downward trend suggests that some reclassified ELs may struggle to maintain academic proficiency as curriculum demands increase.

Never ELs, students who have never been classified as English Learners, generally outperform Current and Monitored ELs but underperform Former ELs in elementary grades. Their percentages remain relatively stable across grades: 47.3% (Grades 3–5), 46.3% (Grades 6–8), and 49.9% (Grade 11).

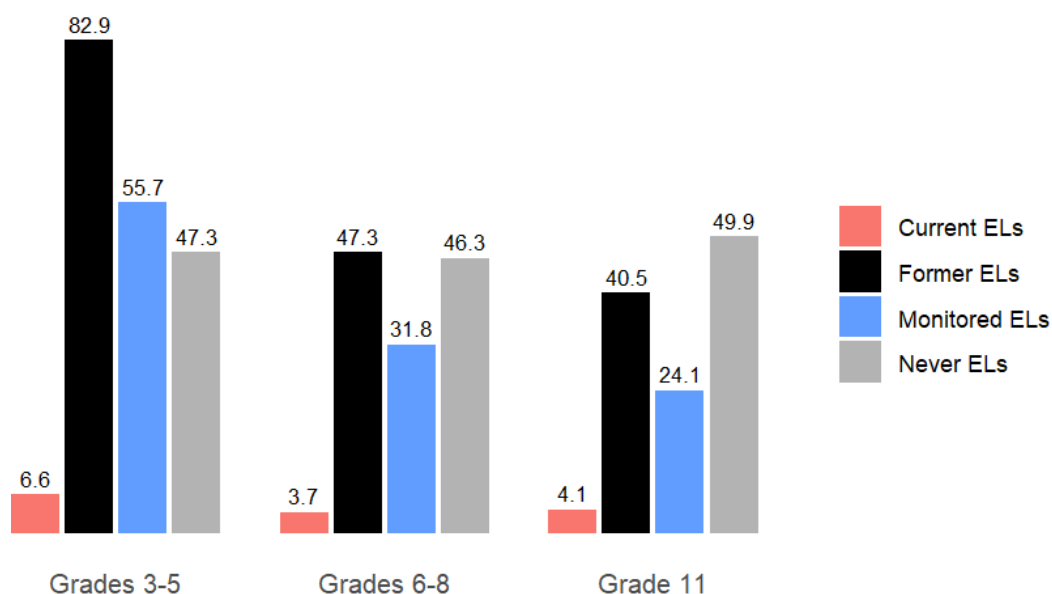
Overall, the data indicate that while Current ELs face the greatest challenges in ELA, students who successfully exit EL status—especially in early grades—can achieve or exceed proficiency at rates higher than their never-EL peers, underscoring the importance of effective EL instruction and support<sup>10</sup>.

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<sup>9</sup> It is worth noting that state mathematics summative tests allow for a Spanish-English toggle feature that may be set up by test administrators upon request prior to the test.

<sup>10</sup> In addition to state assessments, in the 2023–24 National Assessment of Educational Progress (NAEP) ELA assessment in Oregon, English learners showed significantly lower performance compared to all students. In 4th grade, only 1% of ELs reached proficiency, compared to 19% of all students, and 93% of ELs scored below basic. In 8th grade, 1% of ELs were proficient, with 86% scoring below basic, while 24% of all students were proficient.

**Figure 16. Percentage of current, former and never ELs meeting or exceeding state standards in English Language Arts in elementary, middle and high school, 2023-24<sup>11</sup>**



**In Math, Former ELs outperformed Never ELs in elementary grades while current ELs met standards across all grades at a significantly lower rate.**

Based on figure 17, across all grade levels, Current ELs consistently exhibit the lowest achievement in mathematics. Only 7.6% of Current ELs in Grades 3–5 meet or exceed standards, and this percentage declines sharply to 2.3% in Grades 6–8 and 1.4% in Grade 11. This trend highlights the significant challenges faced by Current ELs in mastering mathematical concepts and academic language.

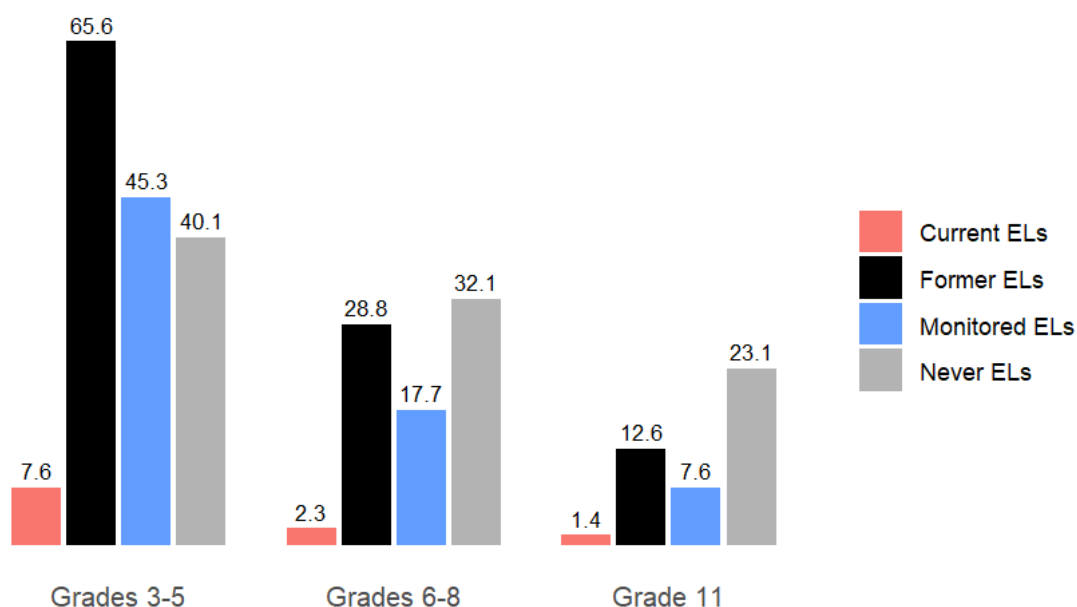
Former ELs show relatively strong performance, especially in elementary grades, where 65.6% meet or exceed standards—surpassing all other groups. However, their performance declines with grade level, dropping to 28.8% in Grades 6–8 and 12.6% in Grade 11. This pattern suggests diminishing returns over time or increasing difficulty in advanced math content for reclassified students.

Monitored ELs, who recently exited EL status, outperform Current ELs at every level but do not consistently surpass Never ELs. In Grades 3–5, 45.3% of Monitored ELs meet standards, compared to 40.1% of Never ELs. However, this advantage disappears in later grades, with Monitored ELs trailing Never ELs in Grades 6–8 (17.7% vs. 32.1%) and Grade 11 (7.6% vs. 23.1%).

<sup>11</sup> In this chart, the group “current EL” includes only students who were classified as current ELs at the time of testing. In some other state accountability reports, the performance of current and recently reclassified ELs are reported together.

Overall, the data reveal a persistent achievement gap in mathematics for Current ELs and indicate that early gains among Former and Monitored ELs may decrease over time, highlighting a need for sustained academic support throughout students’ educational trajectories<sup>12</sup>.

**Figure 17. Percentage of current, former, monitored and never ELs meeting or exceeding state standards in mathematics in elementary, middle and high school, 2023-24<sup>13</sup>**



## Section 4: Attendance, Progress toward Graduation, Graduation, and Beyond

This section of the report examines several important outcomes for English learners. These are attendance, ninth grade progress towards graduation, four-year graduation, earning a Seal of Biliteracy, and post-secondary enrollment.

### Regular Attendance

In recent years, researchers and educators alike have devoted increasing attention to ensuring students attend school on a regular basis. Research has shown that even moderate levels of absenteeism can have a profound impact on students’ grades, performance on standardized assessments, graduation rates, and success in college (Allensworth & Evans, 2016; Ginsburg, Jordan, & Chang, 2014). In Oregon, students exhibit “regular attendance” at school if they attend more than 90 percent of school days during the school year.

<sup>12</sup> In addition to state assessments, the 2023–24 National Assessment of Educational Progress (NAEP) for Oregon, English learners (ELs) scored significantly lower than all students. In 4th grade, only 4% of ELs reached the proficient level compared to 25% of all students, with 70% of ELs scoring below basic. The disparity was even greater in 8th grade: just 1% of ELs were proficient, while 90% scored below basic, compared to 45% of all students.

<sup>13</sup> Also in this chart, the group “current EL” includes only students who were classified as current ELs at the time of testing.

### Current English learners consistently have lower rates of regular attendance across all grade levels, with engagement declining considerably in high school.

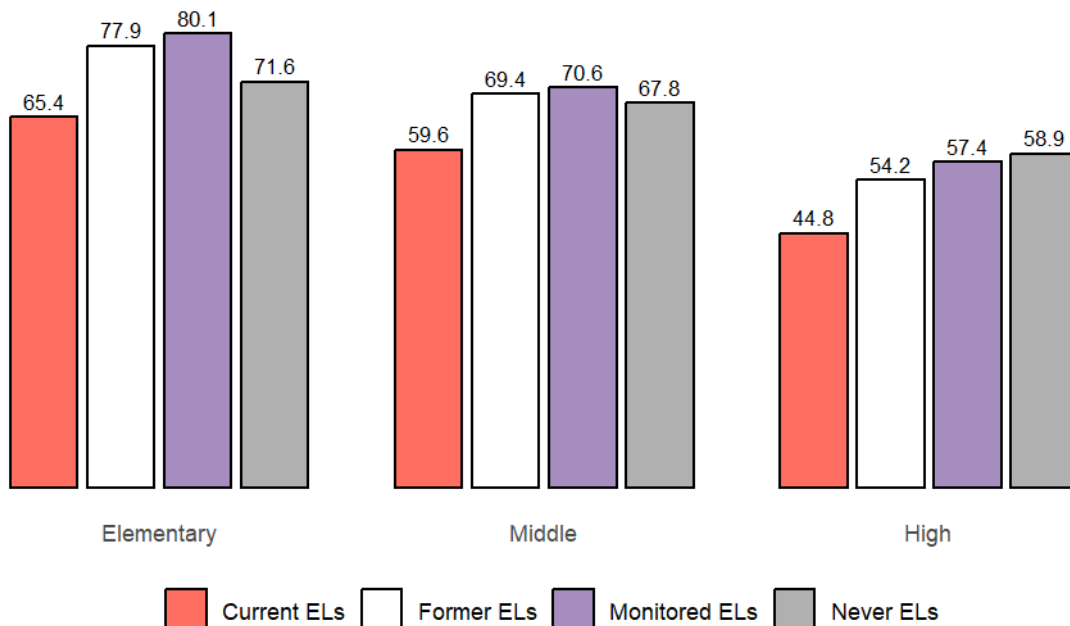
As shown in figure 18, across all grade levels, Current ELs consistently exhibit the lowest rates of regular attendance compared to former and never English learners, beginning with 65.4% in elementary school, declining to 59.6% in middle school, and reaching a low of 44.8% in high school.

Former ELs and Monitored ELs demonstrate the highest rates of regular attendance in elementary and middle school, with Monitored ELs leading at 80.1% in elementary and 70.6% in middle school. Former ELs follow closely with 77.9% and 69.4%, respectively. These figures suggest that students who have exited EL services, especially recently monitored ones, are more engaged with school in the earlier grades.

By high school, attendance declines across all groups, but Former ELs (54.2%) and Monitored ELs (57.4%) still maintain higher attendance rates than Current ELs. Notably, Never ELs show a steadier attendance pattern, with 71.6% in elementary, 67.8% in middle, and 58.9% in high school.

Overall, the data highlight the need for targeted attendance interventions, particularly for Current ELs—whose engagement appears to decrease most significantly in secondary school. Supporting this group with culturally and linguistically responsive attendance strategies may be critical to improving long-term educational outcomes (also see the section on *sense of belonging*).

**Figure 18. Percentage of current, former, and never English learners regularly attending school by elementary (K-5), middle (6-8), and high school grades (9-12) in 2023-24**



## On Track to Graduate

Around the country, states and districts track whether students in the 9<sup>th</sup> grade are on track to graduate within four years<sup>14</sup>. They do this because ninth grade is a critical year for determining whether students will ultimately graduate from high school; identifying students who are not on track allows schools to provide supports and interventions to help keep students in school and progressing towards graduation. Note that In Oregon, students in the 9<sup>th</sup> grade are on track to graduate if they earn at least six credits or 25 percent of the credits their district requires for graduation. However, one should note that ODE’s data only captures the number of the credits earned and not the specific courses associated with those credits. From 2018-19 to 2023-24, a higher percentage of former and never English learners were on-track to graduate compared to current English learners.<sup>15</sup>

According to figure 19, across all years, Former EL students consistently outperform the current and never ELs in terms of being on track to graduate. Their rates rose steadily from 70.4% in 2020–21 to 87.7% in 2023–24, marking a 17.3 percentage point increase over four years. This pattern may reflect differences in the educational opportunities and support systems afforded to students once they exit EL services. Former ELs may benefit from access to broader academic opportunities not always available to Current ELs. These systemic differences in resources, expectations, or placement may contribute to their higher on-track rates.

Never EL students also demonstrated consistent improvement, increasing from 75.7% in 2020–21 to 85.9% in 2023–24. Though they started higher than Former ELs in 2020–21, they were eventually surpassed by Former ELs beginning in 2021–22, highlighting the exceptional progress of the latter group.

Current EL students had the lowest on-track rates across all years, though they showed improvement from 54.3% in 2020–21 to 70.8% in 2023–24—a 16.5 percentage point gain. While this progress is encouraging, the persistent gap between Current ELs and the other two groups (approximately 15–17 percentage points in 2023–24) signals a continued need for targeted support and resources.

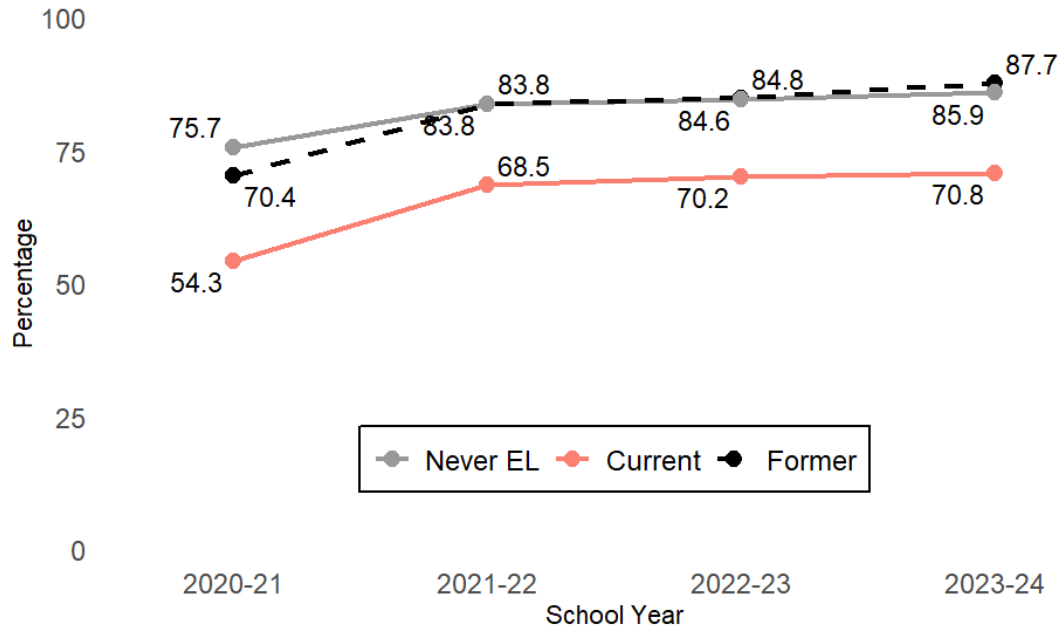
Overall, the data reveal positive trends for all groups, especially for Former EL students. However, the ongoing disparities highlight the importance of addressing the specific challenges that Current EL students face to ensure equitable outcomes in graduation readiness.

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<sup>14</sup> Note that the data in for 9<sup>th</sup> grade on track defines former English learners as multilingual students who attained English language proficiency and exited an ELD program which also includes monitored English Learners.

<sup>15</sup> Data representing the percentage of current, former, and never English learners who were on track to graduate in ninth grade were not available during the 2019-20 school year. The reason for the unavailability is due to the State of Oregon’s response to the COVID-19 pandemic (e.g., the cancellation of data collections that either capture the specific data or support the calculation of this measure at the district and state levels).

**Figure 19. Percentage of 9<sup>th</sup> grade current, former, and never English learners on track to graduate within four years (2020-21 to 2023-24).**



### Four-Year Graduation

The ODE uses a cohort adjusted graduation rate to examine and monitor the percentage of students graduating within a specific number of years. The data for this section relies on the four-year cohort adjusted graduation rate for current, former, and never English learners. For the purposes of reporting graduation data to the public, current English learners are multilingual students who received English language instruction, supports, and services in an ELD program at any time during high school. Former English learners are multilingual students who attained English language proficiency and exited an ELD program prior to entering high school, which for cohort adjusted graduation rates also includes monitored English Learners. (see [Cohort Graduation Rate Policy and Technical Manual, 2021](#)).

Former English learners graduated at rates similar to or better than never English learners; however, substantially fewer current English learners graduated in four years. According to figure 20, former EL students consistently had the highest graduation rates, increasing from 82.5% in 2017–18 to 87.8% in 2023–24. Their rates remained above both other groups each year, reflecting strong long-term outcomes for students who have exited English learner services. Graduation rates ranged from 0% to 100% across districts, with the caveat that the rates closer to 100% were more common among districts with smaller current and former EL graduation adjusted cohorts.

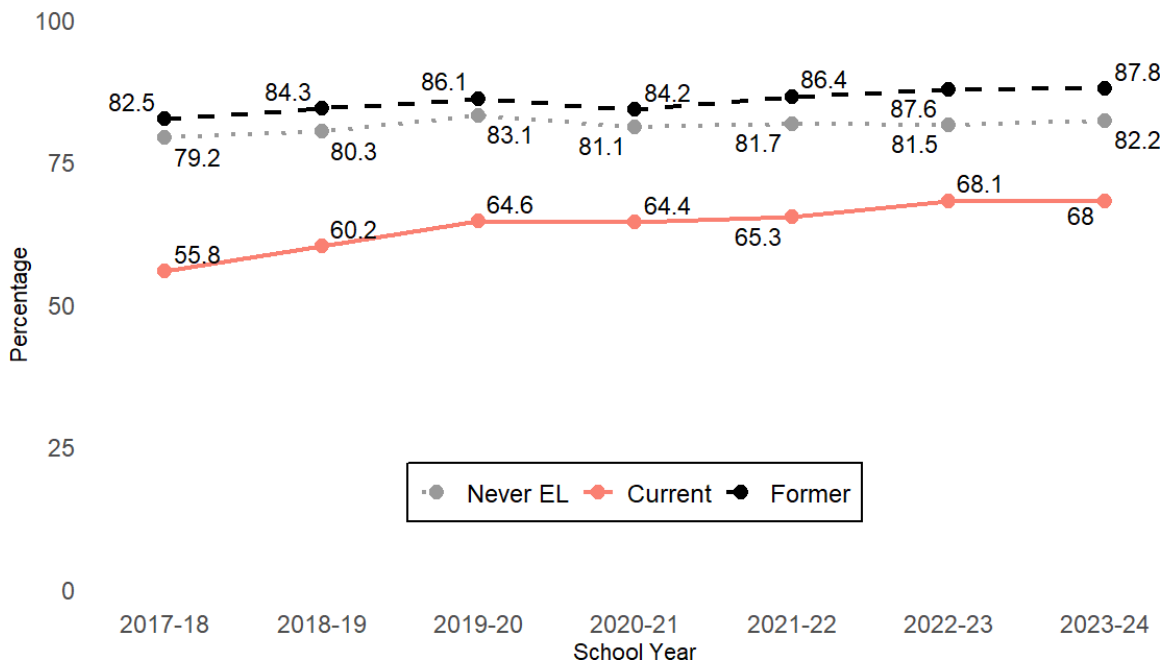
Never EL students followed a relatively stable trend, with graduation rates hovering between 79.2% and 83.1%, and ending at 82.2% in 2023–24. Although this group generally performs well, they have been consistently outpaced by Former EL students since the beginning of the trend.

## English Learners in Oregon

Current EL students showed steady improvement, rising from 55.8% in 2017–18 to 68% in 2023–24—a 12.2 percentage point increase. While this represents meaningful progress, a large gap (nearly 20 percentage points) remains between Current ELs and their peers, signaling persistent inequities.

Overall, the data suggest that while graduation outcomes have improved across all groups, former ELs outperform both their peers who never received services and those currently receiving them. Continued focus is needed to close gaps for Current ELs and support equitable graduation outcomes.

**Figure 20. Percentage of current, former, and never English learners graduating within four years (2017-18 to 2023-24).**



### Current English learners graduating in four years were over 2.5 times more likely to receive a modified diploma

Modified diplomas are designed for students who meet certain criteria listed in OAR 581-022-2010<sup>16</sup>. Modified diplomas require fewer credits to graduate compared to a regular high school diploma. Among the current English learners who graduated in four years in 2023-24 (i.e., 2,548 students), 249 students (9.8 percent) received a modified diploma (see table 8). By contrast, among the former English learners that graduated in 4 years in 2023-24 (i.e., 5,238 students), 91 students (1.7 percent) received a modified diploma. Finally, among the never English learners who graduated in four years in 2023-24 (i.e., 30,984 students), 1,195 students (3.9 percent) received a modified diploma.

In addition, among the students that graduated in four years in 2023-24, current English learners were more than 2.5 times (9.8 percent ÷ 3.9 percent) more likely to receive a modified diploma compared to that for

<sup>16</sup> For the list of the criteria please visit:  
<https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=323056>

never English learners. This ratio slightly decreases to 2.6 times (11.4 percent ÷ 4.3 percent) for cohorts that graduated in five years.

**Table 8. Percentage of students receiving regular vs. modified diplomas**

Student (Diploma Type)	Four-Year Cohort	Five-Year Cohort
Current English Learners (Modified)	9.80%	11.40%
Former English Learners (Modified)	1.70%	2.30%
Never English Learners (Modified)	3.90%	4.30%
Current English Learners (Regular)	90.20%	88.60%
Former English Learners (Regular)	98.30%	97.70%
Never English Learners (Regular)	96.10%	95.70%

## Oregon State Seal of Biliteracy

Bi- and multilingualism offer many cognitive, academic, and economic benefits. The Oregon State Seals of Biliteracy and Multiliteracy recognize student proficiency in two or more languages. Students are eligible to earn a Seal of Biliteracy or Multiliteracy if they meet the following requirements:

- Meet all state and district graduation requirements, and
- Demonstrate ACTFL Intermediate High proficiency in listening, speaking, reading, and writing in any two or more languages.

The data for this section relies on students who graduated in 2023-24 (and were part of the four-year cohort adjusted graduation rate) as the denominator in calculations. Moreover, this section will examine the count and percentage of current, former, and never English learners<sup>17</sup> who earned the Seal of Biliteracy in 2023-24.

### The majority of students who earned the Seal of Biliteracy in 2023-24 were ever English learners.

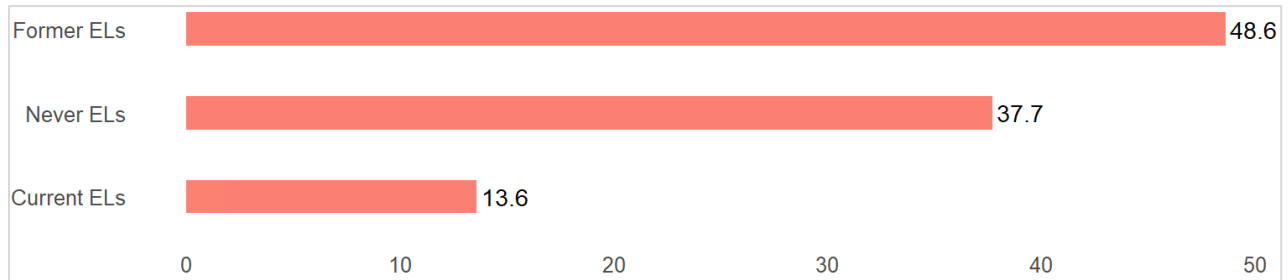
Of the 38,773 students who graduated in 2023-24, 2,567 students (about 6.6 percent) also earned the Seal of Biliteracy. Among those 2,567 students, 37.7 percent were never English learners, 48.6 percent were former English learners, and 13.6 percent were current English learners (see figure 21). In other words, 62.2 percent of those who earned the Seal of Biliteracy were ever English learners (i.e., current plus former English

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<sup>17</sup> For the purposes of reporting Seal of Biliteracy data in this report, current English learners are multilingual students who received English language instruction, supports, and services in an ELD program at any time during high school. Note that current English learners included students who were eligible to receive English language instruction, supports, and services in an ELD program but did not participate because their parents or guardians waived services. Former English learners are multilingual students who attained English language proficiency and exited an ELD program prior to entering high school. Lastly, never English learners are monolingual English or multilingual students who were not eligible to receive English language instruction, supports, and services in an ELD program at any time in grades kindergarten through twelve.

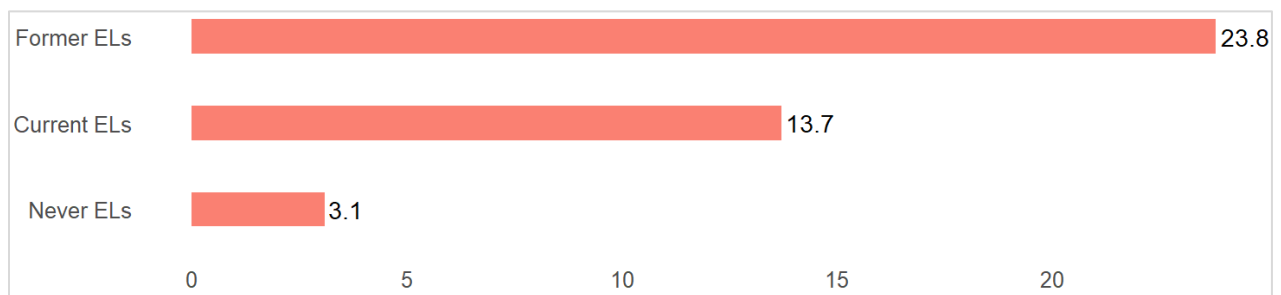
learners). The majority of students who earn the Seal of Biliteracy are (1) ever English learners or (2) never English learners who are native speakers of languages in addition to English.

**Figure 21. Percentage of current, former, and never English learners graduating with the Seal of Biliteracy in 2023-24 (among all students who graduated with the Seal of Biliteracy).**



According to figure 22, among former English learners who graduated in 2023-24, 23.8 percent earned the Seal of Biliteracy. Moreover, 13.7 percent of current English learner graduates earned the Seal of Biliteracy in 2023-24. Among ever English learners who graduated in 2023-24, 20.5 percent also earned the Seal of Biliteracy.

**Figure 22. Percentage of current, former, and never English learners earning the Seal of Biliteracy in 2023-24 (among current, former, and never English learner graduates).**



**Students earned the Seal of Biliteracy in a diversity of language combinations; however, English-Spanish was the most common combination.**

Students who graduated with a Seal of Biliteracy (2,567 students) demonstrated proficiency in a combination of languages. English-Spanish was the most common combination of those languages (85 percent). Other notable combinations of languages in which students demonstrated their proficiency included English-French (4 percent), English-Japanese (2 percent), and English-Chinese (1 percent).

## Graduating students across Oregon achieved recognition for biliteracy in 2023–24.

Table 9 highlights the ten Oregon districts with the highest number of 2023–24 graduates earning the Seal of Biliteracy. Beaverton SD 48J leads with 366 students, followed by Salem-Keizer SD 24J with 329 students. It is important to note that while large districts, like Beaverton and Salem-Keizer SD 24J, had large graduating cohorts, other typically smaller districts achieved higher percentages of graduates earning the Seal of Biliteracy (e.g., St Paul SD 45: 37%; Umatilla SD 6R: 21.3%).

**Table 9. Ten Oregon districts with the highest numbers of 2023-24<sup>18</sup> graduates earning the Seal of Biliteracy.**

District	Student Count	District	Student Count
Beaverton SD 48J	366	Bend-LaPine Administrative SD 1	113
Salem-Keizer SD 24J	329	North Clackamas SD 12	106
Woodburn SD 103	213	Corvallis SD 509J	80
Eugene SD 4J	165	Lake Oswego SD 7J	71
Hillsboro SD 1J	124	Medford SD 549C	69

### Postsecondary Enrollment

The ODE annually examines and publicly reports the percentage of high school graduates who enroll in post-secondary education institutions in Oregon and across the U.S. (e.g., public and private, 2-year and 4-year, etc.). A post-secondary education affords students a wide range of advantages, including greater employment opportunities, financial security, opportunities to contribute to their community, and greater life satisfaction. The data for this measure uses students who graduated in 2020-21 (and were part of the four-year cohort adjusted graduation rate) as the denominator in calculations. Moreover, this portion of the report examines the count and percentage of current, former, and never English learners<sup>19</sup> who enrolled in a post-secondary education institution within sixteen months after graduation.

<sup>18</sup> Note that the counts in this table reflect students who graduated in 2023-24 (and were part of the four-year cohort adjusted graduation rate) and earned the Seal of Biliteracy.

<sup>19</sup> For the purposes of reporting post-secondary enrollment data in this report, current English learners are multilingual students who received English language instruction, supports, and services in an ELD program at any time during high school. Note that current English learners included students who were eligible to receive English language instruction, supports, and services in an ELD program but did not participate because their parents or guardians waived services. Former English learners are multilingual students who attained English language proficiency and exited an ELD program prior to entering high school. Lastly, never English learners are monolingual English or multilingual students who were not eligible to receive English language instruction, supports, and services in an ELD program at any time in grades kindergarten through twelve.

**Never English learners were more likely to enroll in post-secondary education institutions than current English learners; however, former English learners had comparable post-secondary enrollment rates as never English learners.**

Figure 23 displays the percentage of Current, Former, and Never English Learners (ELs) enrolling in post-secondary institutions within 16 months of high school graduation from 2016–17 to 2021–22.

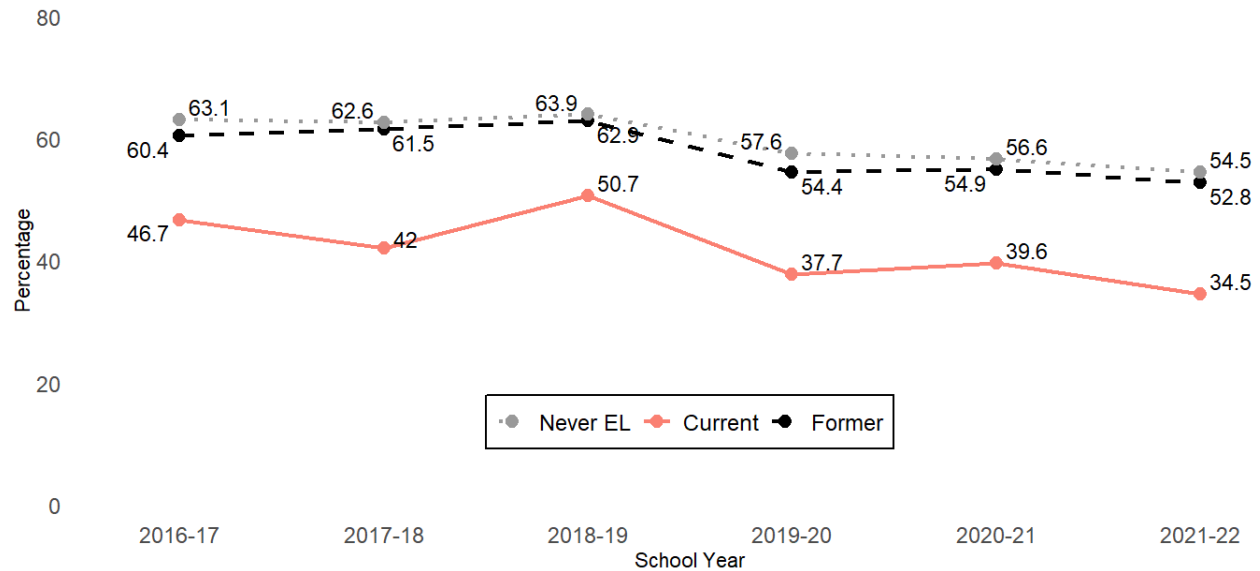
Across all years, Never EL and Former EL students consistently had higher post-secondary enrollment rates than Current ELs. Never EL students began at 63.1% in 2016–17 and declined steadily to 54.5% by 2021–22. Similarly, Former ELs started at 60.4% in 2016–17 and decreased to 52.8% in 2021–22. Despite relatively small year-to-year fluctuations, both groups show a clear downward trend, reflecting an overall decline in post-secondary enrollment during this period.

**Current English Learners faced the steepest decline in college enrollment, dropping over 12 percentage points since 2016–17.**

Current EL students consistently had the lowest enrollment rates and experienced the sharpest decline. From a starting point of 46.7% in 2016–17, their enrollment dropped to 34.5% by 2021–22—a 12.2 percentage point decrease. Notably, their rate peaked at 50.7% in 2018–19, briefly narrowing the gap, but then fell dramatically in subsequent years. The COVID-19 pandemic likely exacerbated existing barriers to enrollment for this group, such as limited access to college guidance, financial challenges, and language-related hurdles.

By 2021–22, the gap between current ELs and their peers had widened considerably, particularly when compared to former ELs (18.3 percentage points). This suggests a pressing need for targeted supports Current EL students navigate the transition to post-secondary education and address the long-term decline in enrollment observed across all groups especially newcomers who have significant gaps in their schooling.

**Figure 23. Percentage of current, former, and never English learners enrolling in post-secondary institutions within 16 months of high school graduation (2016-17 to 2021-22<sup>20</sup>).**



### Dual Language Bilingual Education Programs

Dual Language Bilingual Education (DLBE) programs are a research-based approach to educating English learners that promote bilingualism, biliteracy, academic achievement, and cross-cultural understanding (Soltero, 2018). These programs provide instruction in both English and a partner language, allowing students to develop high levels of proficiency in both languages. For English learners, dual language education offers meaningful access to academic content while supporting continued development of their home language. Research consistently shows that ELs in DLBE programs outperform their peers in English-only settings on academic outcomes (Vazquez Cano & Motamedi, 2024). DLBE programs also have shown to be superior to other instructional models (e.g., Pull-out, ELD Class Period) in promoting English proficiency (Motamedi, et al., 2019). These programs also align with the state’s goals for equity and inclusion by valuing multilingualism as an asset. Expanding access to high-quality dual language programs is a key strategy for supporting EL success and a priority under the Oregon’s ML strategic plan.

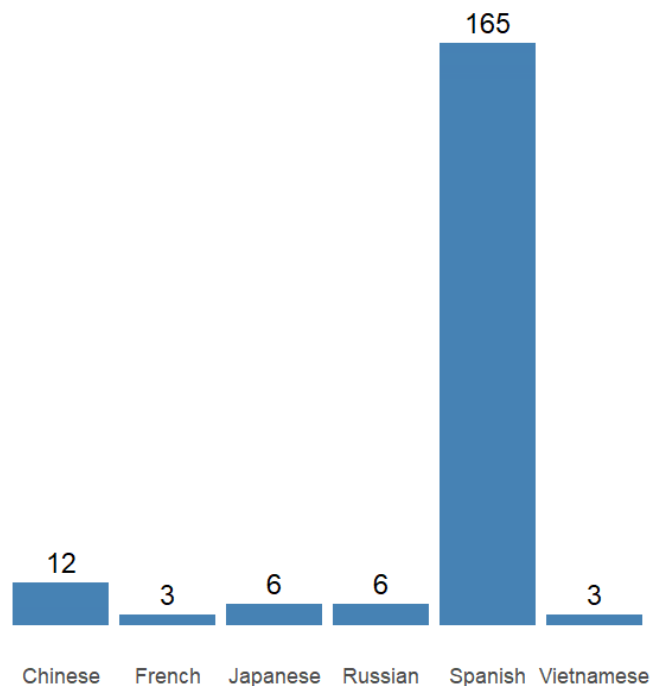
Despite their empirical appeal, there is limited up-to-date information available about DLBE programs in Oregon. While a valuable [DLBE directory](#) was publicly introduced in 2023 by Oregon State University (OSU), the information it contains reflects an earlier snapshot of program features and may not fully represent recent developments. To address this, the Oregon Department of Education (ODE) recently launched an effort to update OSU’s directory. This involved reaching out to multilingual program leaders across the state and inviting them to review and revise their program data. The following provides a brief overview of the languages and school types represented among the 195 schools across 39 school districts offering DLBE programs, based on the DLBE directory.

<sup>20</sup> The year (e.g., 2021-22) represents the school year in which students graduated from high school.

## In Oregon, DLBE programs are available in multiple partner languages.

As shown in Figure 24, Dual Language Bilingual Education programs in Oregon span six distinct partner languages. Of the 195 schools offering DLBE programs across the state, Spanish is used as the partner language in 165 programs, accounting for approximately 84.6% of all DLBE offerings. The second most common partner language is Chinese, featured in 12 programs, representing 6.2% of the total. Japanese and Russian are each used in 6 DLBE programs statewide, comprising 3.1% respectively. Finally, French and Vietnamese are the least represented, with 3 programs each—1.5% of the total.

**Figure 24. Distribution of DLBE programs by partner languages (2023-24).**



## DLBE programs are offered in various school types.

The distribution of these programs by school type is presented in Table 10. This wide coverage reflects both the diversity of student populations and district-specific strategies for promoting bilingualism.

The majority of DLBE offerings are found in elementary schools, with 96 schools—representing 49.2% of all DLBE schools statewide—serving as the foundational entry point for dual language education.

Middle schools account for 52 of the 195 DLBE schools, or 26.7% of the total. These programs frequently serve as the second stage of a K-12 pathway, continuing language and content instruction in the partner language for students who began in elementary DLBE.

High schools represent a smaller portion of DLBE participation, with 36 schools (18.5%) offering dual language instruction. These programs typically emphasize biliteracy and academic content in the partner language, with course offerings such as language arts, social studies, and language-specific electives.

Finally, the remaining 11 schools (5.6%) classified as “Other” include K-8 schools, charter schools, and alternative educational settings that span multiple grade levels or use non-traditional organizational structures.

**Table 10. The number of DLBE programs by school type (2023-24)**

School Type	Number of Schools
Elementary	96
Middle School	52
High School	45
Other	11

### **DLBE programs narrow the opportunity gap between ever and never English learners in Oregon.**

Dual Language Bilingual Education programs are a powerful tool for narrowing opportunity gaps between students who were ever classified as English learners and those who were never ELs. For example, empirical evidence (Vazquez Cano & Motamedi, 2024) from Beaverton School District shows that DLBE programs play a significant role in closing academic opportunity gaps between students who are current or former English learners and those who have never been classified as English learners. English learners participating in DLBE programs demonstrated stronger performance on state assessments in English language arts and mathematics compared to their peers in English-only programs. They also showed faster academic growth and were more likely to be on track to graduate by grade 9. Notably, participation in DLBE programs reduced the achievement gap between ever-English learners and never-English learners by nearly half by middle school. These outcomes suggest that DLBE programs not only support academic success but also advance educational equity by providing linguistically and culturally responsive instruction that affirms the identities and strengths of multilingual learners.

### **DLBE programs are superior to other instructional models in promoting English proficiency in Oregon.**

In addition to their impact on academic outcomes, Dual Language Bilingual Education programs consistently outperform other instructional models, such as pull-out, ELD class periods, co-teaching, in supporting English language proficiency among English learner students. Research (Motamedi, et al., 2019) indicates that EL students in DLBE programs make significantly greater grade-to-grade growth in reading, writing, listening, and speaking compared to those in pull-out programs or whose families waived EL services. Interestingly, although students in pull-out programs entered school with higher English proficiency, those in DLBE

programs caught up and often surpassed their peers by the end of elementary school. Furthermore, DLBE students demonstrated stronger outcomes on standardized English language arts assessments, even when matched with demographically similar peers. In contrast, increasing the quantity of daily EL instruction time—beyond 50 minutes—did not correlate with improved English proficiency, and in some cases was associated with lower performance. These findings highlight the effectiveness of DLBE programs in promoting long-term English development.

### English Learners' Access to Core Content

Ensuring that English learners have access to core academic content is essential for promoting equitable educational outcomes and long-term success (Umansky, Shin, Thompson, Avelar, & Bovee, 2024; Vazquez Cano, Umansky, & Thompson, 2021). Core content courses serve as foundational gateways for graduation, college readiness, and career opportunities. However, systemic barriers—including restrictive course placement policies, language support structures that limit course enrollment, and misconceptions about ELs' academic potential—often exclude ELs from full participation. Access to core content is not only a matter of educational equity but a civil right. Schools, districts, and state education agencies must actively dismantle policies and practices that limit access and instead implement evidence-based strategies to expand opportunity. When English learners are fully included in academic pathways, they are more likely to thrive academically and participate meaningfully in the broader educational landscape.

As a way to measure their course access, the next section explores various groups of English Learners' participation in Advanced Placement or International Baccalaureate (AP/IB) as well as Career and Technical Education (CTE) courses.

### **Former English Learners enrolled in the Advanced Placement or International Baccalaureate courses at the highest rate while current English Learners had the lowest rate.**

The data presented in Table 11 highlights an important disparity in access to Advanced Placement (AP) and International Baccalaureate (IB) courses for English Learners. In the 2023–24 academic year, only 2.4% of ELs were enrolled in AP/IB classes, a stark contrast to 22.6% of former ELs, 5.2% of monitored ELs, and 8.0% of students who were never classified as ELs.

This significant underrepresentation could suggest that ELs face systemic barriers that inhibit their full participation in advanced academic pathways. These barriers may include restrictive course placement policies, insufficient language support structures, and prevailing misconceptions about ELs' academic readiness and potential.

**Table 11. The number and percentage of current, former, monitored, and never English Learners enrolled in an AP/IB class (2023-24)**

Description	Count	Total in EL Status	Percent
ELs in an AP/IB Class	1597	65,965	2.4
Former ELs in an AP/IB Class	5521	24,467	22.6
Monitor ELs in an AP/IB Class	843	16364	5.2
Never ELs in an AP/IB Class	34564	433885	8.0

**Current English Learners are enrolled in the Career and Technical Education (CTE) courses at a lower rate than other students.**

In addition to lower AP/IB course participation, Table 12 reveals that English Learners (ELs) are also significantly underrepresented in Career and Technical Education (CTE) courses compared to their peers. In the 2023-24 academic year, only 11.6% of ELs were enrolled in a CTE class, whereas 49.5% of former ELs, 14.3% of monitor ELs, and 18.5% of students who were never ELs participated in CTE. This disparity suggests that ELs may face structural obstacles such as limited access to information, scheduling conflicts, language-related barriers, or insufficient guidance in navigating course options. CTE courses provide critical opportunities for students to gain hands-on experience and build skills aligned with workforce demands.

The low participation rate among current ELs raises equity concerns, as it limits their access to pathways that support high school completion, career readiness, and economic mobility. Schools and districts must take proactive steps to ensure ELs have equitable access to CTE programs by addressing systemic barriers and promoting inclusive enrollment practices.

**Table 12. The number and percentage of current, former, monitored, and never English Learners enrolled in a CTE class (2023-24)**

Description	Students Enrolled	Total in EL Status	Percent
ELs in a CTE Class	7,628	65,965	11.6%
Former ELs in a CTE Class	12,116	24,467	49.5%
Monitor ELs in a CTE Class	2,339	16,364	14.3%
Never ELs in a CTE Class	80,432	433,885	18.5%

## English Learners' Sense of Belonging

While academic outcomes like test scores, graduation rates, and similar measures offer important insights into student success, they do not capture the full picture—particularly for English learners. A growing body of research highlights the critical role that “sense of belonging” plays in students’ academic and emotional wellbeing (Allen, Kern, Vella-Brodrick, Hattie, & Waters, 2018; Gillen-O’Neel, 2021). For ELs, feeling welcomed, valued, and represented in their school communities is especially important given the additional cultural, linguistic, and social transitions they often navigate. A strong sense of belonging can improve motivation, engagement, and resilience, and is linked to better attendance and higher academic achievement (Gillen-O’Neel, 2021; Jacoby, 2023).

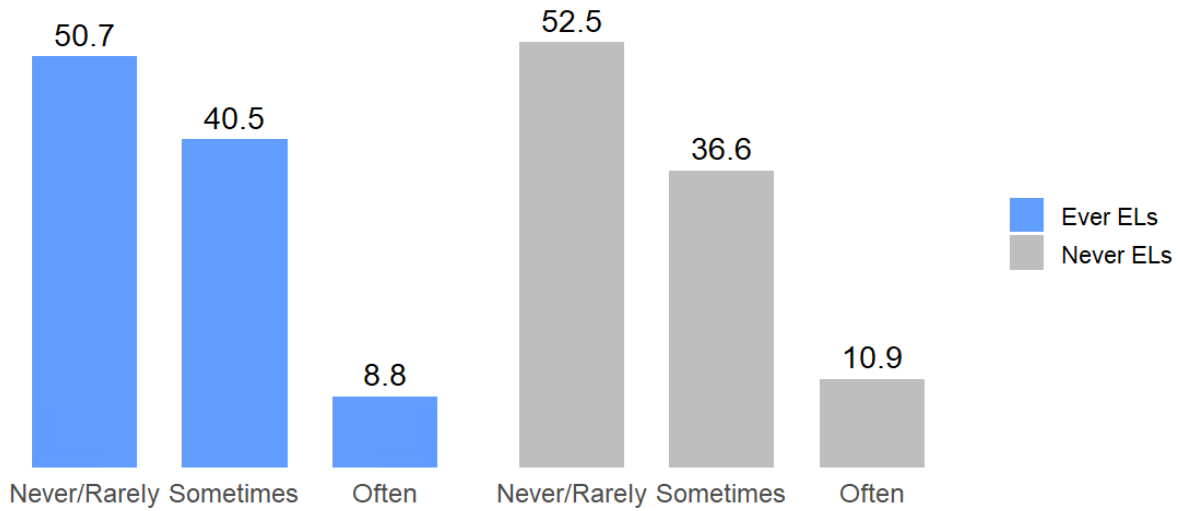
In Oregon, the *Student Educational Equity Development* (SEED) Survey captures students' voices on their school experiences, including how supported and connected they feel. In 2023-24, about 15% of the 169,000 SEED respondents were ELs. By monitoring EL students’ sense of belonging, Oregon takes a critical step toward ensuring that every student, regardless of language background, experiences school as a place of safety, connection, and inclusion. The SEED Survey included items assessing both social identity (e.g., identity representation in curriculum) and emotional connection (e.g., feeling welcome at school). In the following, we explore two survey items that examine how often EL’s social identity and emotional connection is represented in schools and how it compares to that by other groups of English Learners.

### English Learners report low levels of identity representation in school assignments.

Figure 25 presents data from the 2023–24 SEED Survey, which captures perceptions of identity representation in curriculum among Oregon students in grades 3–11. The survey item asked: “*Think about your assignments from this school year. How often did they have pictures or stories of people who are like you and your family?*” Responses are disaggregated by English Learner (EL) status: Current ELs, Former ELs, Monitored ELs, and Never ELs. Over half of both groups responded “Never/Rarely” (50.7% for Ever ELs, 52.5% for Never ELs), while fewer than 11% in either group selected “Often.” However, Ever ELs reported slightly more frequent identity representation than Never ELs, with a higher percentage selecting “Sometimes” (40.5% vs. 36.6%) and “Often” (8.8% vs. 10.9%).

These findings suggest that EL students, particularly those no longer receiving support, often do not see themselves or their families reflected in classroom content. This underrepresentation may contribute to feelings of alienation, lower academic engagement, and weakened sense of belonging. The results point to a critical need for schools to incorporate culturally responsive curriculum materials that reflect and affirm students’ diverse identities and lived experiences, especially those from multilingual backgrounds.

**Figure 25. Response rates<sup>21</sup> (%) for identity representation in school assignments among ever and never English Learners (2023-24)**



**Feeling welcome at school varies significantly across English learner groups.**

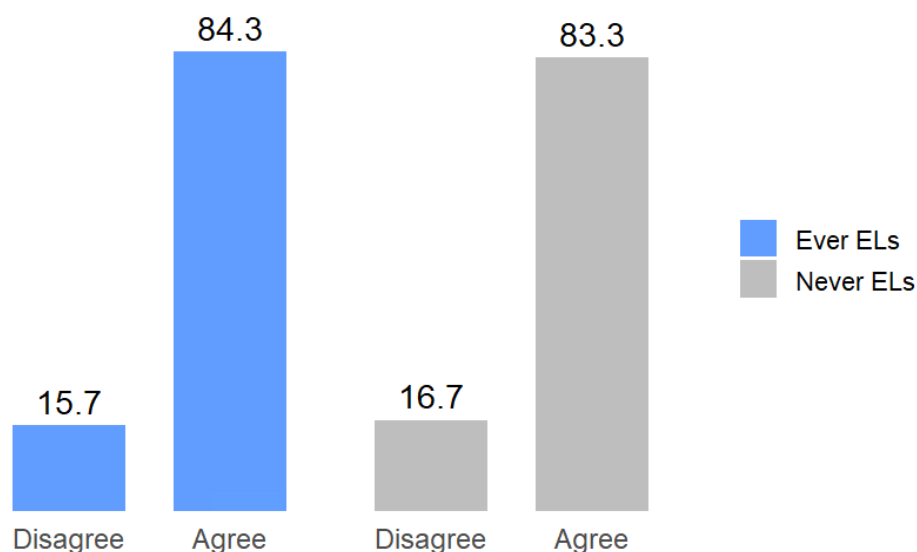
Figure 26 presents the results from the 2023-24 Student Educational Equity Development (SEED) Survey, specifically student responses to the item: *“Think about this school year and the people at your school. How much do you agree with each statement? I feel welcome at my school.”* Once again, this data is disaggregated by English Learner (EL) status: Current ELs, Former ELs, Monitored ELs, and Never ELs.

The responses reveal notable differences in students’ sense of belonging. Vast majority of students, regardless of English Learner status, reported feeling welcome at school. Among Ever ELs, 84.3% agreed with the statement, compared to 83.3% of Never ELs. The percentage who disagreed was also similar—15.7% for Ever ELs and 16.7% for Never ELs.

These patterns suggest that while many students feel welcomed, Current ELs may face unique challenges that impact their school experience. These disparities highlight the need for targeted support to foster inclusive environments for linguistically diverse students, particularly those still navigating English language development programs.

<sup>21</sup> Percentages exclude respondents who skipped the item and may not sum to 100 due to rounding.

**Figure 26. Response rates<sup>22</sup> (%) for feeling welcome at school among ever and never English Learners (2023-24)**



## Section 5: State Revenues and Expenditures for Current English Learners

Each year, Oregon’s State School Fund provides funding to districts through General Purpose Grants. The amount of the grant relies on a formula that considers the number of students in the district (known as average daily membership weighted or ADMw). On average, the per-pupil funding amount in 2023-24 was \$10,104.<sup>23</sup> In addition to this basic funding, districts receive additional state funds for each student enrolled in an ELD program. This amount is  $0.5 \times \$10,104$  or \$5,051.99 per current English learner. Altogether, the state allocated \$272,834,469 for these additional English learner funds in the 2023-24 school year.

Figure 27 depicts the relationship between current English learner revenues the state allocated to districts via the State School Fund Formula and the total current English learner expenditures from the General Fund expressed as a ratio. Statewide, the ratio of expenditures to revenues in 2023-24 was 0.83, meaning that district expenditures on current English learners reflected 83 percent of the funds the state allocated to districts via the State School Fund Formula. Some districts (n=47) spent about average or more than this percentage (up to about 1800 percent), while others (n=93) reported spending less (as little as 0 percent). The values on the extreme ends of the range, however, may reflect variations in the way that some districts report data. Some districts with few current English learners report revenue received from the state, but do not identify expenditures specific to current English learners, even though they may expend funds for English learner services. Other districts on the high end of the spending ratio may include expenses for dual-language

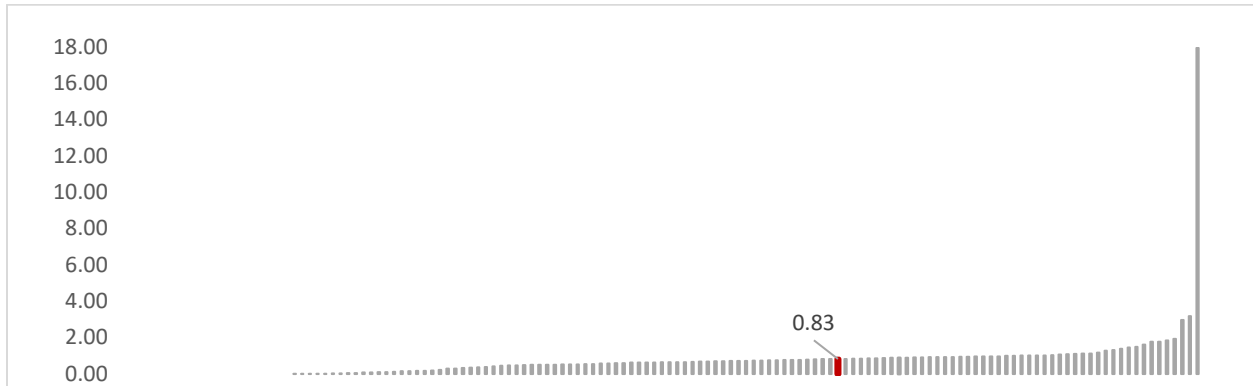
<sup>22</sup> Percentages exclude respondents who skipped the item and may not sum to 100 due to rounding.

<sup>23</sup> While \$10,104 is the average amount, the grant amount can vary a bit for different districts because of the way the formula is set up.

## English Learners in Oregon

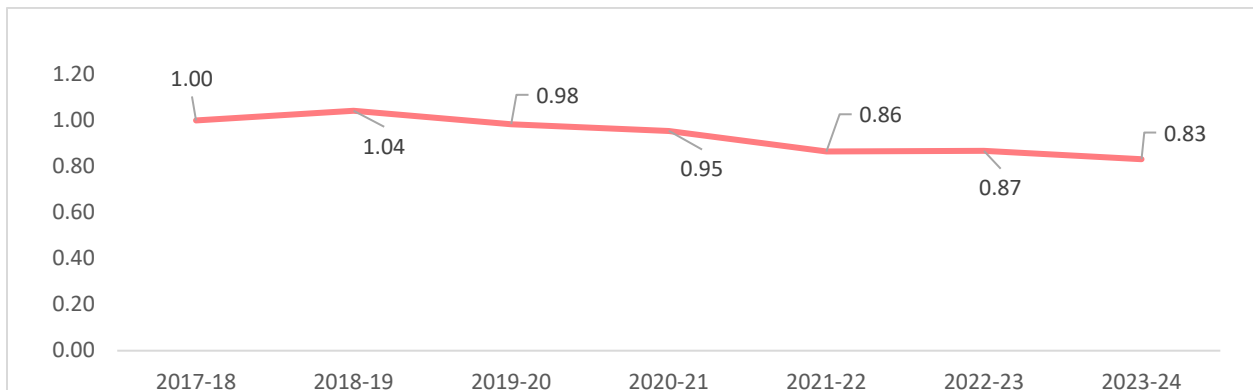
programs that also educate former and never English learners, rather than calculating the percentage spent solely on current English learners.

**Figure 27. Ratio of current English learner expenditures to revenues across districts in 2023-24.**



As figure 28 illustrates, the statewide ratio increased from 2017-18 to 2018-19; however, in 2019-20 through 2023-24, the ratio decreased below 1.0.

**Figure 28. Ratio of statewide expenditures on current English learners to revenues (2017-18 to 2023-24).**



Expenditures from the General Fund on current English learners either belong to Function 1291 (covering expenditures for instruction and interventions to help current English learners learn English) or Area of Responsibility 280 (covering other supports for current English learners, such as interpretation services or transportation).<sup>24</sup>

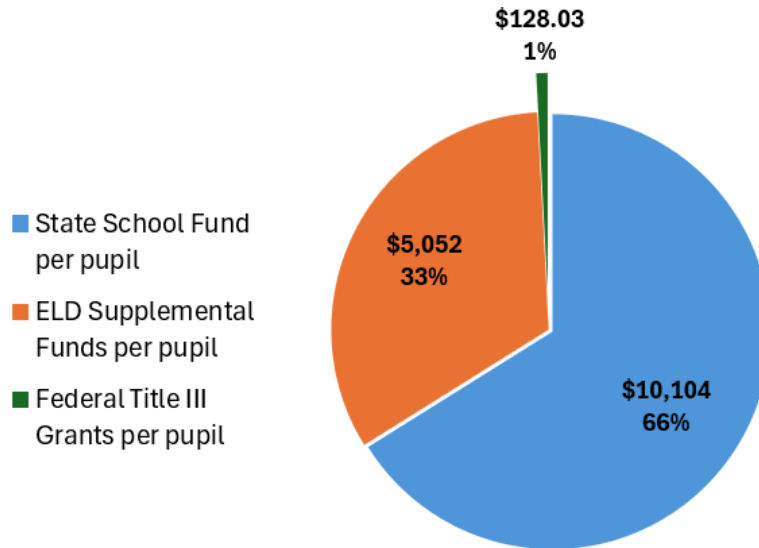
Current English learner expenditures for 2023-24 totaled \$226,409,301. Districts accounted for approximately 84.8 percent of the expenditures (\$191,943,630) using Function 1291 and 15.2 percent of the expenditures (\$34,465,671) using Area of Responsibility 280.

In addition to this state funding, districts with at least 80 current English learners may access federal Title III grants, which in 2023-24 provided an additional \$128.03 per student for supplemental current English learner

<sup>24</sup> For a more detailed description of the accounting system categories, see [Oregon's Program Budgeting and Accounting Manual](#).

services<sup>25</sup>. Figure 29 summarizes the percentage of the state and federal per-pupil funding for English Learners in 2023-24 school years.

**Figure 29. Percentage of state and federal per-pupil funding for English Learners in 2023-24**



As Figure 29 indicates, overall, about 99 percent (66 percent + 33 percent) of the funding allocated to ELs comes from the state which in turn reflects a strong state-level commitment to education equity for EL students. Additional information on the grant amounts is available on the [ODE website under Title III Allocations](#).

## Conclusion

The data trends in this report underscore both meaningful progress and persistent challenges in supporting the state's multilingual students. Nearly 102,000 Oregon students are current, monitored, or former English learners—a testament to the state's growing linguistic diversity. Encouragingly, former and monitored English learners often achieve academic outcomes that meet or exceed those of their never-EL peers, demonstrating the long-term benefits of effective English Language Development (ELD) services and the resilience of these students.

Notable progress is evident in several areas. For example, a growing share of English learners—particularly those who have exited EL services—are earning the Oregon Seal of Biliteracy, highlighting bilingualism as both a personal asset and a statewide educational goal. Graduation rates for former English learners have improved steadily, outpacing never-ELs, and additionally postsecondary enrollment rates for these students now closely match those of their peers.

Despite these successes, persistent gaps underscore the need for continued investment and reform. Current English learners face significant academic disparities. Fewer than 10 percent meet state standards in English Language Arts or Mathematics, and their regular attendance and on-time graduation rates lag considerably

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<sup>25</sup> Districts with fewer than 80 students could join other districts in a consortium to access these grants.

## English Learners in Oregon

behind those of other student groups. Furthermore, English learners remain underrepresented in Talented and Gifted (TAG) programs and are more likely to receive modified diplomas, signaling inequities in both access and expectation. Another key concern is the overrepresentation of English learners in special education, raising questions about accurate identification practices.

Schools and districts should continue to strengthen culturally and linguistically responsive supports. Enhanced professional development, better data-driven decision-making, and equitable funding are essential. Additionally, sustained attention is needed to ensure students transitioning out of ELD programs—especially monitored ELs—continue to receive academic support as they navigate the demands of advanced coursework and postsecondary preparation.

In 2024, Oregon Department of Education introduced its latest [Multilingual Learner Strategic Plan](#). The plan provides a clear roadmap for addressing these challenges, with priority areas emphasizing community engagement, transformative educators, culturally responsive practices that lead to various pathways multilingualism. Actions outlined in the plan, such as expanding pathways to academic and linguistic success, fostering inclusive school environments, and enhancing teacher training, are critical to addressing existing disparities.

By leveraging the strategies in the plan and aligning resources to meet the unique needs of ELs, Oregon can improve outcomes in future years, ensuring that every English learner has equitable opportunities to excel academically and linguistically to support their full participation and success in school and beyond.

Ultimately, Oregon's commitment to its multilingual learners should go beyond compliance—it must affirm their full academic potential and cultural contributions to our state.

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## Blachly Superintendent Evaluation Timeline for 2025-26

<i>Action</i>	<i>Date</i>	<i>Person(s)</i>
<ul style="list-style-type: none"> <li>Board/superintendent review the evaluation process, standards, and timelines to be used this school year. Board formally adopts all of these in open session.</li> </ul>	9/15	Board & Superintendent
<ul style="list-style-type: none"> <li>Superintendent reports interim progress on evaluation standards to the board. Any specific feedback from board to the superintendent can be done in executive session. (See below.)</li> </ul>	12/10	Superintendent
<ul style="list-style-type: none"> <li>Evaluation documents sent to board/superintendent to be completed and returned to the board chair (or designee) by 1/7. Results must be compiled by the 2/6 board meeting.</li> </ul>	12/11	Board Secretary (or designee)
<ul style="list-style-type: none"> <li><b><i>Superintendent presents their self-evaluation and/or “artifacts of evidence” of performance to the Board. Superintendent exits upon completion.</i></b></li> <li><b><i>Board members discuss their individual evaluations and develop the board’s written summative evaluation. (Speak with one voice.)</i></b></li> </ul>	1/7	Board & Superintendent
<ul style="list-style-type: none"> <li><b><i>Board members meet to discuss their evaluations and develop the board’s official written summative evaluation document(s) that will be shared with the superintendent. (If needed. Board may have finished on 2/6.)</i></b></li> </ul>	1/8*	Board (if needed)
<ul style="list-style-type: none"> <li>Board chair or designee presents draft of the summative evaluation prior to the 2/20 board meeting. Details of the evaluation will be discussed with the whole board at the upcoming executive session. This is a “preview” copy.</li> </ul>	1/12	Board Chair (or designee)
<ul style="list-style-type: none"> <li><b><i>Board and superintendent meet to discuss and clarify the summative evaluation document. Superintendent exits executive session.</i></b></li> <li><b><i>Changes to the evaluation may be made at this time.</i></b></li> <li>Board votes in open session to approve the summative evaluation.</li> <li>A copy of the final written summative evaluation form is placed in the superintendent’s personnel folder.</li> </ul>	1/14	Board & Superintendent
<ul style="list-style-type: none"> <li>Notify superintendent of contract extension/non-extension (if applicable)</li> </ul>	1/28	Board
<ul style="list-style-type: none"> <li>Superintendent/board set evaluation goals for upcoming year. (Open session.)</li> <li>Board/superintendent review the evaluation process, standards, and timelines to be used this school year. Board formally adopts all of these in open session.</li> </ul>	4/8	Board & Superintendent
<ul style="list-style-type: none"> <li>Superintendent reports interim progress on evaluation goals/standards to the board. Any specific evaluative feedback from the board to the superintendent can be done in executive session.</li> </ul>	10/8 11/12 12/10 2/11	Superintendent

**Notes:** “\*” denotes a special meeting. All other meetings are regular meetings. Evaluation meetings may be held in executive session unless otherwise requested by the superintendent to be done in open session ORS 192.660(2)(i). (***This is denoted above with bold italics.***) This adopted timeline shall serve as noticed to the superintendent of the pending stated executive sessions within this document.

# Superintendent Bottensek Goals 2025-2026

## **Goal 1: Improve Student Attendance and Engagement**

**Objective:** Increase student attendance rates by developing consistent, supportive, and family-centered attendance practices.

**Actions:**

- Analyze grade bands (K-5, 6-8, 9-12) and grade-level attendance data to identify trends and barriers to regular attendance.
- Work with teachers, attendance office staff and the counselor to create a District Attendance Action Plan focused on prevention, early intervention, and recognition.
- Partner with families to address causes of chronic absenteeism.
- Promote positive attendance through recognition programs and regular celebrations.

**Measures of Success:**

- Districtwide attendance rate improves, getting to at least 93%.
- Reduction in the number of students classified as chronically absent.
- Positive feedback from staff and families regarding communication and support around attendance.

## **Goal 2: Strengthen Instruction and Student Learning**

**Objective:** Support high-quality teaching and learning in every classroom through clear instructional priorities and meaningful professional development.

**Actions:**

- Review current instructional practices, curriculum alignment, and assessment data across grade levels.
- Identify districtwide instructional priorities (e.g., literacy, math, engagement) and align professional learning accordingly.
- Collaborate with the assistant principal to ensure instructional leadership is consistent and focused on improving student outcomes.
- Recognize and celebrate effective teaching practices and student learning growth.

**Measures of Success:**

- Observable alignment between instructional priorities and classroom practice.
- Improvement in student performance indicators in identified focus areas.
- Staff feedback reflects increased clarity and support for instructional goals.

### **Goal 3: Ensure Fiscal and Operational Stability**

**Objective:** Maintain responsible stewardship of district resources to support student success and long-term sustainability.

**Actions:**

- Review current budget structures, staffing levels, and resource allocation for efficiency and alignment with district goals.
- Develop a transparent, multi-year financial projection and budget calendar.
- Strengthen communication about district finances with staff, the board, and the community.
- Explore grants and partnerships that can provide additional support for rural school priorities.

**Measures of Success:**

- Balanced budget that aligns resources with instructional and student-support priorities.
- Evidence of improved fiscal transparency and planning.
- Increased community and staff understanding of district finances and priorities.

**Lane Education Service District  
School District Transit Dollar Request for Fiscal Year 2026-27**

*Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these "Transit Dollars" will be distributed on an ADMw basis.*

*The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.*

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Blachly School District #90

District Representative: Superintendent Brittany Bottensek

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Select One

	<p><b>Not to Exceed 50%</b> <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
	<p><b>More than 50% and less than 100%</b> <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
	<p><b>100%</b> <i>The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</i></p>

*Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:*

- 51%-80% 10% service fee*
- 81%-100% 15% service fee*



# Division 22 Standards Assurances for the 2024-25 School Year

October 8, 2025

Superintendent Brittany Bottensek

Blachly School District

# Overview

# What are the Division 22 Standards?



- Standards for Public Elementary and Secondary Schools: all Oregon administrative rules (OARs) set out in Chapter 581, Division 22.

Example: 581 - 022 - 0102 Definitions  
Chp. Div. Rule Title

- The standards that the Oregon legislature or the State Board has determined must be met in order to be a standard school district.
- Compliance with these rules ensures a baseline level of service across the state.

# Division 22 Rule Categories

1. High-quality learning experiences
2. Aligned & focused educational systems
3. Engaged partners & communities
4. Safe & inclusive schools
5. Committed & supported staff

*Priorities for*  
**STUDENT  
SUCCESS**

Division 22  
standards  
include over  
50 rules.



# Snapshot: Division 22 Rules



# What are the requirements for each of the rules?

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Consult the following resources for information:

<b>Resource</b>	<b>Description</b>
<a href="#"><u>ODE's Rules at a Glance Summary</u></a>	Provides a high-level summary of each rule
<a href="#"><u>Secretary of State's Oregon Administrative Rules Database</u></a>	Consult the text of the OAR for all of the specific details
<a href="#"><u>ODE's Division 22 Standards Newsletter</u></a>	Biannual publication that highlights new/revised rules, clarifies existing rules; provides insights on how the standards intersect with current issues and trends in K-12 education, as well as resources and promising practices

# What are the Division 22 Standards Assurances?

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## Combined Accountability Model

Districts report annually on compliance with each of the standards and include an explanation and corrective action plan for any rule with which the district is out of compliance.

### Local Accountability

Districts must:

- report to their local school board by Nov 1
- make a report available on the district website by Nov 1



### State Accountability

- Districts must submit assurances to ODE by Nov 15
- ODE reviews all submissions and follows up with districts that have self-reported as being out of compliance



# Division 22 Standards & Assurances of Compliance

## “The Why”

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- Signals our commitment to providing a high-quality educational experience and equitable opportunities for all students.
- Division 22 standards articulate the floor of the education to be provided to students, not the ceiling.
- Assurances process offers an opportunity for districts not in compliance to reflect on areas in need of attention and receive technical assistance.



# What happens if the district is out of compliance?



- ODE reviews the district's proposed corrective action plan and either approves or rejects it.
- If the plan is not approved as submitted, ODE contacts the district and provides technical assistance and support.
- Once the district has an approved plan in place, ODE specialists may continue to provide support, as needed.
- The corrective action must be complete by the beginning of the next school year.
- If a district fails to come back into compliance after an opportunity for corrective action, ODE may withhold a portion of the district's State School Fund monies.

# Report for the 2024-25 School Year

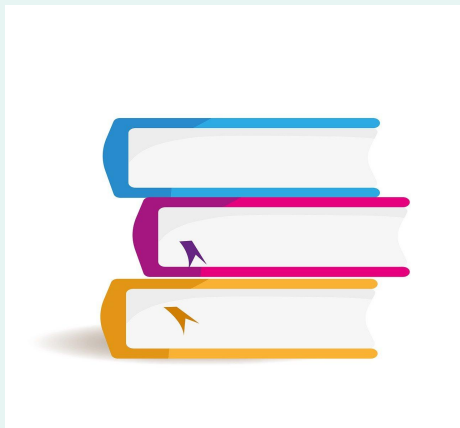
# Division 22 Waivers for 2024-25

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- [581-022-2115\(3\) Assessment of Essential Skills:](#)
  - **Essential Skills Graduation Requirements** are waived for students graduating through the end of the 2027-28 school year.
  - Note: Local Performance Assessment requirement in Section (2) remains in effect.
- [OAR 581-022-2120 Essential Skill Assessments for English Language Learners](#)
  - This related policy requirement has also been waived through the end of the 2027-28 SY.



# Rule Revisions in Effect for the 2024-25 SY



## **OAR 581-022-2030 District Curriculum**

Beginning in 2024-25, districts must have had:

- a planned K-12 instructional program for Social and Emotional Learning; and
- a planned 9-12 instructional program which includes the Personal Financial Education and Higher Education and Career Path Skills content standards.

# Rule Revisions in Effect for the 2024-25 SY



## **Modified Diploma, Extended Diploma, and Certificate of Attendance**

Districts must annually provide parents information about diploma availability and requirements, and disclosure about certificates of attendance. On-site access to all courses is required for a diploma at all high schools.

## **OAR 581-022-2045 Substance Use Prevention and Intervention Plan**

Requires a written comprehensive plan for substance use prevention and intervention. Includes K-12 substance use prevention education that meets the Health Education Standards; **requires a minimum of 1 ODE Opioid Prevention Education lesson in grades 6, 7, and 8 and once in High School (SB 238 – 2023).**

# District Report on Compliance with Division 22 Standards

## ✓ Areas in Compliance

The district is in compliance with **nearly all Division 22 Standards**, including:

- **Diploma & Instructional Programs:** Standard, Modified, Extended Diplomas; Career Education; Comprehensive Counseling; Human Sexuality Education.
- **Assessment & Reporting:** State assessments, Essential Skills (waived through 2027–28), recordkeeping, district assurances.
- **Student Services:** Special education, health services, child abuse reporting, suicide prevention, substance use prevention, emergency/safety plans, menstrual dignity.
- **Personnel & Leadership:** Teacher/administrator evaluations, professional standards, licensing, personnel policies.
- **Community Engagement:** Veterans diploma, complaint procedures, equal opportunity, “Every Student Belongs,” district/school report cards.

## ⚠ Areas of Non-Compliance




The district identified **four key areas of non-compliance**:

1. **Physical Education Requirements (581-022-2263)**
  - **Issue:** K–3 students received 100 minutes per week (short of 150).
  - **Correction:** Adjusted in the 2025–26 master schedule; now 152 minutes per week. District is back in compliance moving forward.
2. **Instructional Materials Adoption (581-022-2355)**
  - **Issue:** Continued use of materials from the previous cycle; 6–12 math adoption delayed.
  - **Plan:** Adoption process underway with LESD; new materials will be in place by fall 2026.
3. **TAG Programs & Services (581-022-2500)**
  - **Issue:** District lacks a comprehensive TAG plan (identification, services, evaluation, and posting requirements not fully met).
  - **Plan:** Finalizing a full TAG plan by fall 2025.
4. **TAG Identification & Parent Rights (581-022-2325, 2330)**
  - **Issue:** No district-wide TAG identification system or comprehensive parent notification processes.
  - **Plan:** Will be included in the comprehensive TAG plan under development (fall 2025).

# Corrective Action Implemented

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## 581-022-2405 Personnel Policies

-  **Issue:** A teacher's license expired in June 2024, just before the end of the school year. Renewal was not submitted until summer 2024.
-  **Action Taken:** Renewal application submitted and processed during summer 2024.
-  **Status:** District is now **back in compliance** with personnel licensing requirements.

# Corrective Action Plans and Timeline

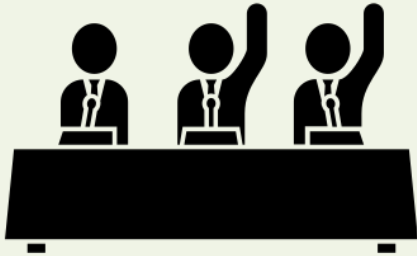
<u>Standard</u>	<u>Issue</u>	<u>Action Plan</u>
Physical Education (581-022-2263)	K-3 students previously short of 150 min/week	Corrected in 2025-26 master schedule (152 min/week).
Instructional Materials Adoption (581-022-2355)	Delayed adoption; outdated cycle materials in use	Adoption underway; new 6-12 math materials in place by Fall 2026
TAG Program & Services (581-022-2500)	No comprehensive TAG plan posted	Draft in progress; full plan finalized by the end of Fall 2025.
TAG Identification & Parent Rights (581-022-2325, 2330)	No system-wide identification or parent notification	Incorporated into new TAG plan; training rollout by the end of Fall 2025

## Corrective Action Timeline

- **Fall 2025** → Adopt & post comprehensive TAG plan (includes identification & parent rights).
  - **2025–26 School Year** → Maintain PE compliance through revised schedules.
- **Fall 2026** → Complete adoption and implementation of new 6–12 math instructional materials.

# Looking Ahead: Compliance for the 2025-26 SY

# New/Revised Rules & Requirements



## Educational Equity Advisory Committees

Requires that districts establish a committee composed of parents, employees, students and community members to be selected by the school board and superintendent. For school districts with an average daily membership (ADM) of less than 10,000, the school district is required to first convene an educational equity advisory committee by September 15, 2025.

# New/Revised Rules & Requirements



## Administration of State Assessments

- Added SEED Survey as required OSAS component
- Added mention of ELPA Screener as required OSAS component (not a new requirement, just making the rule more complete)
- Added clarification that districts must abide by ODE decisions regarding student test records

# New/Revised Rules & Requirements



## **Educational Leadership – Administrator Standards**

Administrator standards have been updated to the Professional Standards for Educational Leadership, which are currently used by TSPC for administrator licensure. These standards have more specific, detailed language and a greater focus on key issues such as equity, talent development, leadership capacity, and instructional leadership.

**Districts must align administrator evaluations to the updated standards by September 30, 2027.**

# DIVISION 22 STANDARDS/EVIDENCE

## Internal Tracking Tool for Blachly School District #90

### 2024-2025 School Year Compliance

Please Note: The rule summaries included below are high-level and do not outline all requirements spelled out in rule. To ensure an accurate assessment of the district's compliance, access the linked rule for details and specifics. All schools operating in an online or remote capacity should refer to the [Online and Remote Learning Guidance](#) to ensure alignment with current policy. ODE also provides a [Google Doc version of the form](#).

Rule Number & Title	Summary	Evidence that supports meeting requirements of the rule (policy, program, systems/process, etc.)	Notes	Compliance Status
<p>*New Rules/Requirements for reporting on the 2024-25 SY are highlighted in yellow</p> <p>**New Rules/Requirements for implementation in the 2025-26 SY are highlighted in blue</p>	<p>* <i>Changes and waivers for 2024-25 are in italics and highlighted in yellow</i></p> <p>**<i>Changes for 2025-26 are in italics and highlighted in blue</i></p>			<p>Yes</p> <p>No</p>
<b>High-Quality Learning Experiences for All Students</b>				
<p><a href="#">581-022-2000 Diploma Requirements</a></p>	<p>All requirements for a standard diploma.</p> <p><b><i>Credit requirements for students graduating on or after January 1, 2027 include 0.5 credit in Personal Financial Education and 0.5 credit in Higher Education &amp; Career Path Skills.</i></b></p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p>*<a href="#">581-022-2010 Modified Diploma</a></p>	<p>All requirements for the Modified Diploma.</p> <p>*<i>New requirements: Annually provide parents information about diploma availability and requirements, and disclosure about certificates of attendance. On-site access to all courses required for a diploma at all high schools.</i></p> <p><b><i>Credit requirements for students graduating on or after January 1, 2027 include 0.5 credit in Personal Financial Education and 0.5 credit in Higher Education &amp; Career Path Skills.</i></b></p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>

Rule Number & Title	Summary	Evidence that supports meeting requirements of the rule (policy, program, systems/process, etc.)	Notes	Compliance Status
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<p><a href="#">*581-022-2015 Extended Diploma</a></p>	<p>All requirements for the Extended Diploma.</p> <p><i>*New requirements: Annually provide parents information about diploma availability and requirements, and disclosure about certificates of attendance. On-site access to all courses required for a diploma at all high schools.</i></p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">*581-022-2020 Certificate of Attendance</a></p>	<p>All requirements for the Certificate of Attendance.</p> <p><i>*New requirements: Annually provide parents information about diploma availability and requirements, and disclosure about certificates of attendance. On-site access to all courses required for a diploma at all high schools.</i></p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2050 Human Sexuality Education</a></p>	<p>Districts must plan for and implement a K-12 comprehensive sexuality education program that meets the Health Education Standards, including providing instruction on child abuse prevention, healthy relationships, and healthy sexuality.</p>	<p>The district has met all of the requirements for this rule</p>	<ul style="list-style-type: none"> <li>• K-5 Great Body Shop</li> <li>• 6-12 Good Heart Wilcox</li> </ul>	<p>Yes</p>
<p><a href="#">581-022-2055 Career Education</a></p>	<p>Districts must have a K–12 Career Education plan developed in conjunction with the Comprehensive School Counseling Program and embedded within the district's overall curriculum.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2263 Physical Education Requirements</a></p>	<p>Grade level time requirements for PE instruction.</p> <ul style="list-style-type: none"> <li>• K-5 requirement: 150 minutes/week (4 day week = 120 minutes). Students shall participate in PE instruction each week throughout the entire school year.</li> <li>• 6-8 requirement: 150 minutes/week, averaged over the course of the entire school year (4 day week =</li> </ul>	<p>During this school year our k-3 students received 25 minutes of PE instruction per day, for a total of 100 minutes per week.</p>	<ul style="list-style-type: none"> <li>• The district is now back in compliance, as the issue was</li> </ul>	<p>No</p>

<p><b>Rule Number &amp; Title</b></p> <p>*New Rules/Requirements for reporting on the 2024-25 SY are highlighted in yellow</p> <p>**New Rules/Requirements for implementation in the 2025-26 SY are highlighted in blue</p>	<p><b>Summary</b></p> <p>* <i>Changes and waivers for 2024-25 are in italics and highlighted in yellow</i></p> <p>**<i>Changes for 2025-26 are in italics and highlighted in blue</i></p>	<p><b>Evidence that supports meeting requirements of the rule (policy, program, systems/process, etc.)</b></p>	<p><b>Notes</b></p>	<p><b>Compliance Status</b></p> <p>Yes</p> <p>No</p>
	<p>120 minutes average). Must be taught by a licensed PE teacher.</p>		<p>addressed during the 2025/2026 master schedule process.</p> <ul style="list-style-type: none"> <li>• K-5 students currently have 38 minutes per day, for a total of 152 minutes per week.</li> </ul>	
<p><a href="#">581-022-2340 Media Programs</a></p>	<p>Provides guidelines for a cohesive K-12 media program, including expectations around facilities and materials, staffing, program development, instructional goals, and program maintenance.</p> <p><b>Staffing Guidelines:</b> at minimum, a district must employ a classified employee to oversee and maintain the media program at each school site. Ideally, the district would have a certificated media specialist overseeing the program. If a certificated media specialist is not employed by the district, the district may consult with Jennifer Maurer, the School Library Consultant at the State Library of Oregon, and should either consult with the local ESD, or a local public librarian to assist with program development, implementation, and maintenance.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>

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<a href="#">581-022-2350 Independent Adoptions of Instructional Materials</a>	Requirements for conducting an independent adoption of instructional materials. Districts that use digital content as core curriculum for a course of study or any part thereof must complete an independent adoption of the digital instructional materials.	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2355 Instructional Materials Adoption</a>	Districts must follow the adoption cycle established by the State Board of Education and provide free and appropriate instructional materials that meet the NIMAS guidelines.	During this school year the students continued to use materials from the previous adoption cycle.	<ul style="list-style-type: none"> <li>6-12 math is going through an adoption process with the LESD math adoption specialist in the 2025/2026 school year.</li> <li>The selected materials will be in place no later than fall of 2026.</li> </ul>	No
<a href="#">581-022-2360 Postponement of Purchase of State-Adopted Instructional Materials</a>	Postponement of instructional materials adoption, based on the state adoption cycle, requires an application to the State.	The district has met all of the requirements for this rule		Yes

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<p><a href="#">581-022-2440 Teacher Training Related to Dyslexia</a></p>	<p>School districts must ensure that at least one kindergarten through grade five teacher in each kindergarten through grade five school has received training related to dyslexia. The training must be from the <a href="#">Department's approved list</a>. A waiver may be obtained using the process outlined in OAR 581-002-1810.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2500 Programs and Services for TAG Students</a></p>	<p>Written plan required. Must include identification process, services, district philosophy and goals, description of nature of services to meet goals, and evaluation plan. Districts must post the plan on their district website using the template provided by ODE. Student plans must address level and rate of learning. District TAG contact information must be reported to ODE annually. Other rule requirements defined.</p>	<p>The district doesn't have a comprehensive TAG plan in place that meets these requirements.</p>	<p><a href="#">TAG plan resources on ODE website</a></p> <ul style="list-style-type: none"> <li>Fall of 2025 the district is working on finalizing a comprehensive TAG plan.</li> </ul>	<p>No</p>
<p><a href="#">581-022-2505 Alternative Education Programs</a></p>	<p>Policies and procedures relative to alternative education programs (district operated and private contracted).</p>	<p>The district has met all of the requirements for this rule</p>	<p>Reminder: Alt Ed Data Collection is open every spring, closing at the beginning of May.</p>	<p>Yes</p>
<p>Aligned and Focused Educational Systems</p>				
<p><a href="#">581-022-2025 Credit Options</a></p>	<p>Elective or content credit may be earned based on mastery of recognized standards, competencies and skills.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p>*<a href="#">581-022-2030 District Curriculum</a></p>	<p>Outlines all required components of a district's planned K-12 instructional program.</p> <p>*<i>New requirements for 2024-25: a planned K-12</i></p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>

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<p><a href="#">581-022-2060 Comprehensive School Counseling</a></p>	<p><i>instructional program for Social and Emotional Learning; a planned 9-12 instructional program which includes the Personal Financial Education and Higher Education and Career Path Skills content standards.</i></p> <p>Comprehensive district and school counseling program at each school based on Oregon’s Framework for Comprehensive School Counseling Programs to support the academic, career, social-emotional and community involvement development of every student. Education and career plan and profile for all students in grades 7-12, that builds upon itself each year. Annual review of the district and each schools’ comprehensive counseling program.</p>	<p>The district has met all of the requirements for this rule</p>	<p>ODE recommends Superintendents use the <a href="#">District Compliance Self-Reflection Tool</a> when meeting with school counseling team or district team lead to determine compliance.</p>	<p>Yes</p>
<p>**<a href="#">581-022-2100 Administration of State Assessments</a></p>	<p>Definitions and policies related to Test Administration.</p> <p>**<i>New for 2025-26:</i></p> <ul style="list-style-type: none"> <li>• <i>Added SEED Survey as required OSAS component</i></li> <li>• <i>Added mention of ELPA Screener as required OSAS component (not a new requirement, just making the rule more complete)</i></li> <li>• <i>Added clarification that districts must abide by ODE decisions regarding student test records</i></li> </ul>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2110 Exception of Students with Disabilities from State Assessments</a></p>	<p>Applies to students with disabilities with an IEP or a Section 504 plan. States that a public entity cannot exempt a student from state testing, unless the parent has made a request for exemption.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>

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<a href="#">581-022-2115 Assessment of Essential Skills</a>	<i>*Waiver – Assessment of Essential Skills graduation requirement is waived for students graduating through the 2027-28 school year. See section (22) of the rule.</i>  <b>Section 2: Local Performance Assessment requirement is not waived.</b> Policies governing the Assessment of Essential Skills, including diploma requirements and local performance assessments. One worksample per grade must be provided to students in grades 3-8 and one offered in high school, using Official State Scoring Guides, in the following areas: writing, speaking, math problem-solving, and scientific inquiry; or, comparable measure adopted by the district. Also defines Assessment of Essential Skills Review Panel (AESRP) policies/practices.	The district has met all of the requirements for this rule		<b>Yes</b>
<a href="#">581-022-2120 Essential Skill Assessments for English Language Learners</a>	<i>*Waiver – This policy requirement relating to Assessment of Essential Skills graduation requirements is waived through the end of the 2027-28 school year. See section (4) of the rule.</i>  Districts must adopt a policy delineating whether a student may demonstrate proficiency in the student's language of origin.	The district has met all of the requirements for this rule		<b>Yes</b>
<a href="#">581-022-2130 Community Informed Information Gathering Process at Kindergarten</a>	Volunteer school districts will pilot a Family Conversation where an educator and family meet at the start of kindergarten. The ultimate goal is to begin the process of developing meaningful relationships between educators and families while also collecting information about children's experiences prior to kindergarten to address programs and policy at all levels.			n/a - no requirements for districts at this time

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	<p><b><i>*Districts will not be required to report on this rule until the pilot has concluded and the new Community Informed Information Gathering Process is being implemented statewide.</i></b></p>			
<p><a href="#">581-022-2250 District Improvement Plan</a></p>	<p>Definitions and guidelines for requirements for district CIP. Must be done once every 4 years, unless there are substantial changes, which are defined in the Standard. Community input and evaluation of the plan are critical components.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2260- Records and Reports</a></p>	<p>Requirements for filing state records and reports; maintaining student records and policy for Student Activity Funds.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2265 Report on PE Data</a></p>	<p>Provide data to ODE annually on PE minutes, as well as physical capacity and facilities.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2300 Standardization</a></p>	<p>Outlines methods of verifying compliance with Division 22 standards.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2305 District Assurances of Compliance with Public School Standards</a></p>	<p>Requirements for annual Division 22 Standards assurances process: make report to board in September or October, report to ODE by November 15, post community report on district website.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2315 Special Education for Children with Disabilities</a></p>	<p>Mandates a district provide an educational program to serve eligible students with disabilities in accordance with all applicable OARs.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>

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<a href="#">581-022-2320 Required Instructional Time</a>	Requirements for instructional time in grades K-12: Grade 12 — 966 hours; Grades 9–11 — 990 hours; and Grades K–8 — 900 hours.  For specific information related to instructional time requirements for online and remote learning models, refer to the <a href="#">Online and Remote Learning Guidance</a> .	The district has met all of the requirements for this rule		<b>Yes</b>
<a href="#">581-022-2325 Identification of Academically Talented and Intellectually Gifted Students</a>	Requirements for TAG identification. Use of local norms and percentile thresholds are determined at the district-level. Person who is responsible for identification must be trained in accordance with the identification requirements.	The district doesn't have a comprehensive TAG plan in place that meets these requirements.	<ul style="list-style-type: none"> <li>• <a href="#">ODE Training Slide Decks</a></li> <li>• Fall of 2025 the district is working on a comprehensive TAG plan that will include TAG identifiers.</li> </ul>	<b>No</b>
<a href="#">581-022-2335 Daily Class Size</a>	Must maintain class sizes that promote effective practices consistent with expected outcomes.	The district has met all of the requirements for this rule		<b>Yes</b>
<a href="#">581-022-2400 Personnel</a>	All teachers, specialists and administrators employed must be licensed	The district has met all of the requirements for this rule		<b>Yes</b>
<a href="#">581-022-2445 Universal Screenings for Risk Factors of Dyslexia</a>	School districts must universally screen for risk factors of dyslexia in kindergarten, and for students entering Oregon schools for the first time in first grade, using a screening test that is on the <a href="#">Department's approved list</a> . Districts may select a tool not on the approved list through	The district has met all of the requirements for this rule		<b>Yes</b>

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	<p>a petition process outlined in the rule. If a student shows risk factors for reading difficulties, school districts must screen for a family history of difficulty in learning to read.</p>			
<b>Engaged Partners and Communities</b>				
<p><a href="#">581-022-2005 Veterans Diploma</a></p>	<p>Basic information regarding the requirement to offer Veterans Diploma.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2255 School and District Performance Report Criteria</a></p>	<p>Definitions and required components of state-provided district and school report cards. School districts must make a copy of the state-provided district and school report available to parent(s) or guardian(s) by 1/15. They may be mailed, sent electronically, or posted on the school or district website.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2270 Individual Student Assessment, Recordkeeping and Reporting</a></p>	<p>Includes requirements that districts establish proficiency-related assessment and grading systems. Requires that information on academic progress be reported to both teachers and parents or guardians.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><b>**<a href="#">581-022-2307 Educational Equity Advisory Committees</a></b></p> <p><b>D22 reporting for the 2024-25 SY is only required for school districts with an average daily membership (ADM) of 10,000 or more.</b></p>	<p>Requires that districts establish a committee composed of parents, employees, students and community members to be selected by the school board and superintendent; outlines guidelines for member selection and the duties of the committee.</p> <p><i>**For school districts with an average daily membership (ADM) of less than 10,000, the school district is required to first convene an educational equity advisory committee by September 15, 2025.</i></p>			<p>Only applies to districts with ADM of 10,000 or more</p>

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<p><a href="#">581-022-2330 Rights of Parents of TAG Students</a></p>	<p>Parent right to notification at time of identification regarding services and programs offered, opportunity to provide input on their child's plan. Parents may opt their student out at any time.</p>	<p>The district doesn't have a comprehensive TAG plan in place that meets these requirements.</p>	<ul style="list-style-type: none"> <li>Fall of 2025 the district is working on a comprehensive TAG plan that will include TAG identifiers.</li> </ul>	<p>No</p>
<p><a href="#">581-022-2370 Complaint Procedures</a></p>	<p>Each district must have a written complaint policy describing the process; must be linked on website.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p>Safe &amp; Inclusive Schools</p>				
<p>*<a href="#">581-022-2045 Substance Use Prevention and Intervention Plan</a></p>	<p><i>*Updated requirements for 2024-25: Requires a written comprehensive plan for substance use prevention and intervention. Includes K-12 substance use prevention education that meets the Health Education Standards; requires a minimum of 1 ODE Opioid Prevention Education lesson in grades 6, 7, and 8 and once in High School. The plan must also include: school policies and procedures on substance use; resources and referral processes; and training and procedures for staff.</i></p>	<p>The district has met all of the requirements for this rule</p>	<p>Districts may use the <a href="#">Substance Use Prevention and Intervention Plan: Implementation Tool</a> when developing, reviewing, or updating their plans.</p>	<p>Yes</p>
<p><a href="#">581-022-2205 Policies on Reporting of Child Abuse</a></p>	<p>School Boards must adopt policies on Child Abuse Reporting. Outlines all requirements that the policy must include.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>

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<a href="#">581-022-2210 Anabolic Steroids and Performance Enhancing Substances</a>	Includes training requirements for coaches and athletic directors and utilization of evidence-based programs, e.g. ATLAS and ATHENA.	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2215 Safety of School Sports–Concussions</a>	Definitions and policies for athletic participation, including training requirements.	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2220 Health Services</a>	Policies/practices that govern district health programs and services. Requires districts to have a prevention-oriented health services plan for all students that includes: <ul style="list-style-type: none"> <li>● a school-level communicable disease prevention and response plan</li> <li>● services for all students, including those who are medically fragile, complex, and nursing dependent</li> <li>● a process to assess student health needs, including availability of a nurse for assessment</li> <li>● guidelines for the management of students' health needs across their school day, including in transit to and during school-sponsored activities</li> <li>● availability of staffed and equipped health care space</li> <li>● health screenings (hearing, vision, and dental)</li> <li>● medication administration</li> <li>● and medical emergency response for each building.</li> </ul> Establishes a first aid/CPR/AED staff ratio of 1:60 and requires all contracted health services to be comprehensive, medically accurate, and inclusive.	The district has met all of the requirements for this rule		Yes

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<a href="#">581-022-2223 Healthy and Safe Schools Plan</a>	Regulations for establishing and updating HASS Plans, annual statements/final test results re: lead in water tested as per ODE schedule outlined in the HASS plan.	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2225 Emergency Plans and Safety Programs</a>	Requirements for Emergency and Safety Plan, which includes staff and student safety training. Procedure for Accident Reports. Required drills for fire, earthquake, lockdown, lockout, shelter in place, and evacuation.	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2230 Asbestos Management Plans</a>	Asbestos Management Plan requirements. Training requirement for custodial and maintenance staff-OSHA.	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2267 Annual Report on Restraint and Seclusion</a>	Public education programs must submit an annual report completed via the ODE Restraint and Seclusion Incidents Data Collection and the ODE Seclusion Rooms Data Collection. Reports must be available at the local level, including on the district website.	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2308 Agreements Entered Into with Voluntary Organizations</a>	Requires adoption of a policy governing participation in a voluntary organization that administers interscholastic activities. Voluntary organization must adopt and implement policies prohibiting discrimination, maintain a complaint process with sanctions, and administer an annual survey.	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2310 Equal Education Opportunities</a>	Policies regarding Equal Opportunity and prohibition of harassment, intimidation, bullying, and cyberbullying	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2312 Every Student Belongs</a>	Requires adoption of a policy that (among other things) prohibits the use or display of hate symbols, establishes procedures for addressing bias incidents. Districts that	The district has met all of the requirements for this rule		Yes

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	sponsor public charter schools are also assuring their charter schools have adopted the appropriate policy.			
<a href="#">581-022-2345 Auxiliary Services</a>	Compliance with statute and rules regarding transportation, food, custodial, facilities, equipment and materials services.	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2430 Fingerprinting of Subject Individuals in Positions Not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses</a>	Compliance with OAR 581-021-0511	The district has met all of the requirements for this rule		Yes
<a href="#">581-022-2510 Suicide Prevention Plan</a>	Requires adoption of a policy and plan for suicide prevention for students in K-12. The plan must include: <ol style="list-style-type: none"> <li>1. Procedures for prevention, intervention, postvention, and reentry into school after an event.</li> <li>2. Identified school/district designee and flowchart for referrals</li> <li>3. Procedure to request a review of response.</li> <li>4. Equity and racial equity centered procedures to support youth who are at high risk of suicide, specifically youth from historically and currently underserved communities</li> <li>5. Staff training plan in suicide prevention</li> <li>6. Plans must be publicly available and posted on district website.</li> </ol>	The district has met all of the requirements for this rule		Yes

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<p><a href="#">581-022-2515 Menstrual Dignity for Students</a></p>	<p>Requires free and accessible menstrual products (tampons and pads) in every school bathroom K-12, instructions on use of menstrual products within bathrooms, and Menstrual Health education in the classroom as part of the health and sexuality education program.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<b>Committed and Supportive Staff</b>				
<p><a href="#">581-022-2405 Personnel Policies</a></p>	<p>District must adopt personnel policies that include: Affirmative action, staff development, Equal Employment Opportunity, Evaluation Procedures, Employee Communication System, release of information in employee file for anyone convicted of a crime under ORS 342.143. Includes requirements for bonded employees.</p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p>**<a href="#">581-022-2410 Teacher and Administrator Evaluation and Support</a></p>	<p>Districts must establish local teacher and administrator evaluation systems aligned to the requirements in the <a href="#">Oregon Framework for Teacher and Principal Evaluation and Support</a>.</p> <p>**<i>By September 30, 2027, districts must align administrator evaluations to the updated standards.</i></p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>
<p><a href="#">581-022-2415 Core Teaching Standards</a></p>	<p>Core teaching standards must be used to evaluate teachers. There are 10 standards in the following 4 categories:</p> <ol style="list-style-type: none"> <li>1. The Learner and Learning.</li> <li>2. Content</li> <li>3. Instructional Practice</li> <li>4. Professional Responsibility</li> </ol>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>

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<p>**<a href="#">581-022-2420 Educational Leadership - Administrator Standards</a></p>	<p>Administrators must be evaluated on adopted leadership standards aligned with the <a href="#">Professional Standards for Educational Leadership</a>:</p> <ol style="list-style-type: none"> <li>1. <i>Mission, Vision, and Core Values</i></li> <li>2. <i>Ethics and Professional Norms</i></li> <li>3. <i>Equity and Cultural Responsiveness</i></li> <li>4. <i>Curriculum, Instruction, and Assessment</i></li> <li>5. <i>Community of Care and Support for Students</i></li> <li>6. <i>Professional Capacity of School Personnel</i></li> <li>7. <i>Professional Community for Teachers and Staff</i></li> <li>8. <i>Meaningful Engagement of Families and Community</i></li> <li>9. <i>Operations and Management</i></li> <li>10. <i>School Improvement</i></li> </ol> <p>**<i>The Professional Standards for Educational Leadership are the same standards used by the Teacher Standards and Practices Commission for administrator licensure. These standards have more specific, detailed language and a greater focus on key issues such as equity, talent development, leadership capacity, and instructional leadership. Districts must align administrator evaluations to the updated standards by September 30, 2027.</i></p>	<p>The district has met all of the requirements for this rule</p>		<p>Yes</p>