



**PORTLAND PUBLIC SCHOOLS**  
**OFFICE OF INSTRUCTION & SCHOOL COMMUNITIES**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3440

**Date:** October 20, 2020  
**To:** School Board  
**From:** Kregg Cuellar, Deputy Superintendent of Instruction and School Communities  
**Subject:** Division 22 Community Report

---

**Background:**

On April 16, 2020, the State Board of Education adopted [OAR 581-022-0103: State Standards for the 2019-20 School Year](#). This rule included the planned change to the date for Assurance submission to ODE from February 15 to November 15 in order to make the reporting more proximal to a completed past school year. Shifting the Division 22 Assurance timeline to the fall provides districts additional time and technical assistance from ODE to implement corrective actions in order to achieve compliance by the start of the next school year.

OAR 581-022-0103 also established a streamlined set of Division 22 standard in effect for the 2019-20 school year, in recognition of the challenges faced by districts to accommodate for the emergency shift to Distance Learning for All in response to the COVID-19 pandemic.

For the 2019-20 school year, school districts are required to report on the Division 22 standards included in OAR 581-022-0103; any standard not included in this rule has been waived for the 2019-2020 school year.

Below in this memorandum is a summary of Portland Public School's compliance with each of the requirements of Oregon's administrative rules found in **OAR 581-022-0103**

**Revisiting 2018-19 Division 22 Community Report**

In the 2018-19 [Division 22 Community Report](#) presented to the PPS School Board on January 7, 2020, the District certified compliance with all OARs except four. Below is a status update of those OARS.

- For [581-022-2340: Media Programs](#), ODE determined that PPS was actually in compliance. The corrective action plan provided to ODE indicated to them that the

District demonstrated compliance because we met the requirements by having certified staff in every school and by having articulated program goals and program services. Additionally, we exceeded the expectations for the OAR as we are in the process of aligning our program goals to the Oregon School Library Standards and associated K-14 learning goals with the Common Core State Standards and our GVC framework.

- For [581-022-2440: Teacher Training Related to Dyslexia](#), the District is now in Compliance having completed the corrective action plan.
- For, [581-022-2500: Programs and Services for TAG Students](#), the corrective action plan was approved. The District applied for an extension to this OAR in August. For more details, see **Compliance in 2019-20** below for status of compliance with this OAR.
- For [581-022-2355: Instructional Materials Adoption](#), the corrective action plan was approved. Because the District was not able to be in compliance with all Instructional Materials Adoption by the beginning of the 2020-21 school year, the Board passed [Resolution 6164](#) approving the postponement of OAR 581-0220- 2355. This OAR is waived for the 2019-20 Division 22 Assurances.

Over the past three years, PPS has become compliant with:

- [581-022-2440: Teacher Training Related to Dyslexia](#) in 2019-20
- [581-022-2340: Media Programs](#) in 2019-20
- [581-022-2045: Prevention Education in Drugs and Alcohol](#) in 2018-19
- [581-022-2050: Human Sexuality Education](#) in 2018-19
- [581-022-2370: Complaint Procedure](#) in 2017-18

#### **Timeline:**

- By November 1, 2020: School district superintendents report to their local School Board the district's compliance with all Division 22 Standards in effect for the 2019-20 school year.
- By November 1, 2020: School districts post the report to their websites.
- By November 15, 2020: School districts complete and submit the annual Division 22 Assurance Form.

#### **Compliance in 2019-20:**

For the 2019-20 school year, Portland Public Schools was in compliance with all of the following Standards in OAR 581-022-0103 except one. The District was not in compliance with Standard

**(7) Talented and gifted.** School districts must serve students identified as talented and gifted by accommodating assessed levels of learning and accelerated rates of learning.

**Explanation and Corrective Action:**

Portland Public School District was not able to complete corrective action by the start of the 2020-21 due to the state mandated early closure of schools districts due to COVID-19 and the introduction of distance learning to staff and students. Access to school and district buildings was not allowed hindering sufficient access to teachers and students during the limited on-line learning. Portland Public Schools is in the midst of an ongoing TAG formal investigation by the Oregon Department of Education regarding 581-022-2500 as well as other rules and the investigation was interrupted due to COVID-19. The preliminary results from the investigation will be written by October 30, 2020. The district will use this information to further develop our corrective action.

Beginning in September 2020, PPS teachers began receiving required rate and level training from their building TAG facilitators. TAG Facilitators will receive monthly professional development from the district TAG Department on best practice for TAG students focusing on strategies for differentiating assessed rate and level of learning as well as key characteristics of a TAG student. This professional development will be shared at building sites by the facilitators and through asynchronous learning activities in CANVAS.

New teacher training will include identifying TAG students and how to assess the rate and level of already identified TAG students and provide best practice strategies for teachers to meet TAG students' rate and level of learning. New teacher professional development will be provided during the professional development time that will take place the first two days of teacher in service. The TAG department is collaborating with STEAM and Humanities to embed best practices for TAG students in professional development. Asynchronous and synchronous professional development will be available for teachers monthly on CANVAS beginning in October 2020.

**Looking Ahead to 2020-21:**

[OAR 581-022-0104: State Standards for the 2020-21 School Year](#) was adopted by the State Board of Education on September 17, 2020. It specifies that for the 2020-21 school year, all Division 22 standards are in effect unless waived by this rule.

The following standards are waived for 2020-21:

- All personalized learning requirements for the diploma and modified diploma. (Essential Skills, Career Related Learning Experiences, Extended Application, and Education Plan/Profile)
- Vision and hearing screening requirements. ODE strongly recommends school districts

conduct vision and hearing screenings when safety procedures can be maintained.

- Physical education minutes per week. Districts and charter schools must still ensure that each public school student in kindergarten through grade eight will receive physical education throughout the entire school year.
- The rule creates one new standard: School districts and public charter schools must comply with the Ready School, Safe Learners Guidance issued by the Oregon Department of Education.
- Finally, the rule makes a modification to the instructional time rule. For the 2020-21 school year, school districts and public charter schools may include in the calculation of required instructional time an additional 60 hours for staff professional development and an additional 60 hours for parent teacher communication to facilitate student learning, including parent teacher conferences, training, and support for distance learning. This allowance is in addition to the 30 hours allowed under OAR 581-022-2320(6)(d)(and (e) respectively.

The District anticipates that we will be compliant with all OARs in 2020-21 except:

- [581-022-2355: Instructional Materials Adoption](#)
  - As referenced in the [Staff Report](#) from August 25, 2020, PPS has been unable to purchase comprehensive curriculum resources in content areas described by Division 22. Over the course of the last few years, the school district has made efforts to supplement existing core materials, or has done partial adoptions, given limited funding.

However, through the proposed bond investment, we hope to adopt comprehensive, culturally relevant curricular resources and materials for K-12 classrooms. This investment will put our district in compliance with the state-required adoption timeline and provide updated resources and materials across core subject areas, including language arts, math, science, the arts and social emotional learning.

- TAG Related OARs
  - [581-022-2500: Programs and Services for TAG Students](#)
  - [581-022-2325: Identification of Academically Talented and Intellectually Gifted Students](#)
  - [581-022-2330: Rights of Parents of TAG Students](#)
    - We are currently still under investigation for [581-022-2500: Programs and Services for TAG Students](#). ODE has indicated that once the investigation is concluded and if corrective action is warranted, most likely corrective

action will include PPS K-12 needing to make corrections to all 3 TAG related OARs.

- [OAR 581-022-2263 Physical Education Requirements](#)
  - This OAR is new as of the 2019-20 school year. These requirements were in place previously, but were not a part of Division 22 until 2019-20. The requirements were waived in 2019-20 due to the interruption to the school year. The minutes requirements are waived for 2020-21 as well. However, the District will be out of compliance because students in the middle grades will not be participating in PE throughout the year as required by the modified OAR for 2020-21. Middle grades students are enrolled in 1 quarter of PE **per grade level** for the 2020-21 school year.