



Date: October 26, 2021
To: School Board
From: Shawn Bird, Deputy Superintendent of Instruction and School Communities
Subject: Division 22 Community Report of the 2020-21 School Year

Background

By November 1 of each year, school district superintendents are required by OAR 581-022-2305: District Assurances of Compliance with Public School Standards to report to their community on the district's status with respect to all of the Standards for Public Elementary and Secondary Schools. The Standards are adopted by the State Board of Education and set out in Oregon Administrative Rules Chapter 581, Division 22.

All changes and waiver to the Division 22 standards for the 2020-21 school year are set out in OAR 581-022-0104 State Standards for the 2020-21 School Year.

The following rules were waived in their entirety:

- 581-022-2115 Assessment of Essential Skills
- 581-022-2130 Kindergarten Assessment
- 581-022-2325 Identification of Academically Talented and Intellectually Gifted Students

Subsections of multiple rules have been waived and/or modified:

- personalized learning requirements for the diploma and modified diploma
- vision and hearing screening requirements
- weekly minimums for PE minutes
- instructional time

New Rule for 2020-21 only:

581-022-0104(5) Ready Schools, Safe Learners Guidance

New Rules that went into effect beginning in the 2020-21 school year:

- 581-022-2267 Annual Report on Restraint and Seclusion
- 581-022-2312 Every Student Belongs
- 581-022-2510 Suicide Prevention Plan

Timeline:

- By November 1, 2021: 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, 2021: School districts post the report to their websites.
- By November 15, 2021: School districts complete and submit the annual Division 22 Assurance Form.

Revisiting 2019-20

On April 16, 2020, the State Board of Education adopted OAR 581-022-0103: State Standards for the 2019-20 School Year, which established a streamlined set of Division 22 standards 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. Any standard not included was waived.

At the October, 20, 2020 Board Meeting, the [Division 22 Community Report](#) was presented. The District certified compliance with all OARs except one:

- 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.

PPS Progress toward Division 22 Compliance

Over the past four 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

Compliance in 2020-21/Explanations and Corrective Action Plans:

For the 2020-21 school year, Portland Public Schools was in compliance with all of the Division 22 Standards except the following Standards:

- 581-022-2100 Administration of State Assessments and 581-022-2110 Exception of Students with Disabilities from State Assessments
 - Required SBAC assessments were not given in the 2020-21 school year. On April 13, 2021, the PPS School Board passed Resolution No. 6287 that allowed the District to refrain from participation in state summative assessments in the spring of 2021.
 - The District will be participating in state summative assessments for the 2021-22 school year and will be in compliance with these two OARs.
- 581-022-2355: Instructional Materials Adoption
 - For the 2020-21 School Year, PPS was not compliant with Instructional Materials Adoption.
 - The Bond investment has enabled PPS to create an Instructional Materials Action Plan, attached to this memorandum, with support from ODE to demonstrate our path to compliance with this OAR by the 2024-25 school year.
 - The plan carefully sequences different adoptions over the next five years to put us in compliance. The sequencing of adoptions importantly allows our system to effectively implement each adoption.
 - The Instructional Materials Action Plan will be formally submitted to ODE by November 15 and will be formally approved by ODE by the end of November.

- 581-022-2500: Programs and Services for TAG Students
 - During the 2020-21 school year, the district was unable to verify that every TAG student in every PPS classroom had their rate and level of learning addressed as instruction occurred for the most part in Comprehensive Distance Learning.
 - As is done every year, building administrators and site based TAG facilitators led a rate and level PD during a staff meeting. Additionally, an asynchronous course was provided to educators through our online learning platform Pepper.
 - Attached to this memorandum is the PPS TAG Education Plan for 2019-22 for how we address programs and services for TAG students.

- 581-022-2330: Rights of Parents of TAG Students
 - PPS did not conduct TAG assessments during the 2020-21 school year because we were in CDL and therefore could not notify parents about the status of their students' identification and eligibility for TAG services.
 - In 2021-22 TAG assessments are resuming and parents will be notified.

- 581-022-0104 State Standards for the 2020-21 School Year and 581-022-2263 Physical Education Requirements.
 - PE Requirements were modified for 2020-21. In 2020-21, K-8 students were required to receive PE throughout the year. PPS was out of compliance as only K-5 students received PE throughout the year.
 - Under 581-022-2263 Physical Education Requirements, Districts are required to provide students with 150 minutes/week in grades K-5 & 225 minutes/week in grades 6-8.
 - For the 2021-22 school year, K-5 students are staffed to receive 90 minutes/week and grades 6-8 students are staffed to receive 1 quarter of Health and 1 quarter of PE for 225 minutes/week each year.
 - PPS is planning to be in compliance with 581-022-2263 Physical

Education Requirements for grades K-5 for the 2022-23 school year and in compliance with grades 6-8 in the 2024-25 school year.

- To become compliant in grades K-5, staff is asking the Board to modify [Board Resolution 5252](#). Instead of a scheduled 15 minute recess, the Board would allow students to have a 15 minute structured time four days a week. In addition to Board action, conversations are needed with labor partners to ensure this additional task conforms with our CBA. Staff will return to the Board later this year with a staff report and new resolution in order to begin implementation for the 2022-23 school year.
- To become compliant in grades 6-8, the investment is significant. PPS will need to increase staffing by an estimated 50 FTE. Space is also a consideration as currently not all K-8 and Middle Schools have sufficient space for PE. Nearly every school would need an alternate space outside of the gymnasium to provide structured movement. Staff is planning to incorporate this investment into Middle School Redesign and fully implement by 2024-25 to become compliant.