

Division 22 Standards for Public Elementary and Secondary Schools

2019-20 Assurances Report

By November 1 of each year, school district superintendents are required by [OAR 581-022-2305: Operating Policies and Procedures](#) to report to their school board the district's standing with respect to all of the Standards for Public Elementary and Secondary Schools as set out in Oregon Administrative Rules Chapter 581, Division 22. For the 2019-20 school year, the State Board of Education adopted [OAR 581-022-0103: State Standards for the 2019-20 School Year](#). This rule established a streamlined set of Division 22 standards in effect for the 2019-20 school year, accommodating for the shift to emergency distance learning 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 is waived for the 2019-2020 school year.

Below is a summary of Nyssa School District's compliance with each of the standards included in [OAR 581-0103: State Standards for the 2019-20 School Year](#). For each standard reported as out of compliance, Nyssa School District has provided an explanation of why the school district was out of compliance and the school district's proposed corrective action plan to come into compliance by the beginning of the 2021-22 school year.

Summary of Compliance with Division 22 Requirements

1. Diploma Requirements
581-022-0103, Section (2) Diploma Requirements

Compliance Status for 2019-20 school year: IN COMPLIANCE

2. Credit Options
581-022-0103, Section (3) Credit Options

Compliance Status for 2019-20 school year: IN COMPLIANCE

3. Distance Learning for All
581-022-0103, Section (4) Distance Learning for All

Compliance Status for 2019-20 school year: IN COMPLIANCE

4. Special Education for Children with Disabilities
581-022-0103, Section (5) Special Education for Children with Disabilities

Compliance Status for 2019-20 school year: IN COMPLIANCE

5. Emergent Bilinguals

581-022-0103, Section (6) Emergent Bilinguals

Compliance Status for 2019-20 school year: IN COMPLIANCE

6. Talented and Gifted

581-022-0103, Section (7) Talented and Gifted

Compliance Status for 2019-20 school year: IN COMPLIANCE

7. Alternative Education Programs

581-022-0103, Section (8) Alternative Education Programs

Compliance Status for 2019-20 school year: IN COMPLIANCE

8. Equal Educational Opportunities

581-022-0103, Section (9) Equal Educational Opportunities

Compliance Status for 2019-20 school year: IN COMPLIANCE

9. School Counseling

581-022-0103, Section (10) School Counseling

Compliance Status for 2019-20 school year: IN COMPLIANCE

10. Student Safety

581-022-0103, Section (11) Student Safety

Compliance Status for 2019-20 school year: IN COMPLIANCE

11. Personnel

581-022-0103, Section (12) Personnel

Compliance Status for 2019-20 school year: IN COMPLIANCE

12. Fingerprinting of Subject Individuals in Positions not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses

581-022-0103, Section (13) Fingerprinting of Subject Individuals in Positions not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses

Compliance Status for 2019-20 school year: IN COMPLIANCE

13. Individual Student Assessment and Reporting

581-022-0103, Section (14) Individual Student Assessment and Reporting

Compliance Status for 2019-20 school year: IN COMPLIANCE

14. Student Education Records

581-022-0103, Section (15) Student Education Records

Compliance Status for 2019-20 school year: IN COMPLIANCE

15. Record and Reports

581-022-0103, Section (16) Records and Reports

Compliance Status for 2019-20 school year: IN COMPLIANCE

16. Complaint Procedures

581-022-0103, Section (17) Complaint Procedures

Compliance Status for 2019-20 school year: IN COMPLIANCE

17. Assurances

581-022-0103, Section (18) Assurances

Compliance Status for 2019-20 school year: IN COMPLIANCE

Oregon Department of Education

Chapter 581

Division 22

STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

581-022-0103

State Standards for the 2019-20 School Year

(1) Applicability

- (a) This rule sets forth the state standards for school districts and public charter schools for the 2019-2020 school year.
- (b) The definitions set forth in OAR 581-022-0102, 581-022-2010(1), 581-022-2015(1), and 581-022-2020(1) apply to this rule.
- (c) Unless specifically referenced herein, all other rules in this division are waived for the duration of this rule unless specifically added back by the Director through order.

(2) Diploma requirements

- (a) Each school district board and public charter school with jurisdiction over high school programs must award diplomas, modified diplomas, extended diplomas, or alternative certificates to students who were first enrolled in ninth grade in the 2016-17 school year or earlier or were first enrolled in ninth grade in the 2017-18 school year and had an early graduation plan approved before March 17, 2020, and fulfill the state requirements as described in this rule.
- (b) Regular diploma
- (A) To receive a regular diploma, students must earn a minimum of 24 credits to include at least:
- (i) English Language Arts – 4 (must include the equivalent of one unit in Written Composition);
 - (ii) Mathematics – 3 (must include one unit at the Algebra I level and two units that are at a level higher than Algebra I);
 - (iii) Science – 3;
 - (iv) Social Sciences 3 – (including history, civics, geography and economics (including personal finance));
 - (v) Health Education – 1;
 - (vi) Physical Education – 1;
 - (vii) Career and Technical Education, The Arts or World Languages – 3 (units must be earned in any one or a combination).
- (B) A district school board or public charter school with a three-year high school may submit through the waiver process alternative plans to meet unit requirements;
- (C) A school district or public charter school must accept any credits earned by students qualified for the additional district credit requirements waiver in another school district or public charter school and must apply them toward the 24 Units of Credit Requirements for the diploma.
- (D) A school district or public charter school may grant high school credit for courses taken prior to grade 9 if students taking pre-grade 9 courses are required to meet performance criteria that are equivalent to the performance criteria for students taking the same high school courses.
- (c) Modified diploma

(A) School districts and charter schools with jurisdiction over high school programs shall award a modified diploma only to students who have demonstrated the inability to meet the full set of academic content standards for a high school diploma even with reasonable modifications and accommodations but who fulfill all state requirements as described in this rule and meets the eligibility criteria in OAR 581-022-2010(3).

(B) School districts and public charter schools must comply with OAR 581-022-2010(4).

(C) To receive a modified diploma, students must earn a minimum of 24 credits, between grade 9 and the end of their high school career with at least 12 of those credits to include:

(i) English Language Arts — 3;

(ii) Mathematics — 2;

(iii) Science — 2;

(iv) Social Sciences (which may include history, civics, geography and economics (including personal finance)) — 2;

(v) Health Education — 1;

(vi) Physical Education — 1; and

(vii) Career Technical Education, The Arts or World Languages (units may be earned in any one or a combination) — 1.

(viii) Any combination of credits awarded to meet the needs of the individual student as specified in the education plan of the student with the expectations and standards aligned to the appropriate grade level academic content standards, including additional core credits, professional technical education, electives, and career development — 12.

(D) Students may earn units of credit through regular education with or without accommodations or modifications and through modified courses.

(E) Students shall have the option to earn credit for demonstrating proficiency. A student may be given credit for successful demonstration of knowledge and skills that meets or exceeds defined levels of performance. Students may demonstrate proficiency through classroom work or documentation of learning experiences outside of school, or through a combination of these means.

(F) School districts and public charter schools shall ensure that students have access to needed courses, modifications and supports to pursue a modified diploma and to progress in the general education curriculum.

(G) A school district or public charter school shall grant credit toward a modified diploma only for courses that contain substantial academic content. A school district or public charter school shall grant credit for a modified diploma through a continuum of instruction beginning at basic skills and progressing through high level skills.

(H) A school district or public charter school shall award a regular diploma under OAR 581-022-2000 if all requirements for a regular diploma are met. Completion of one or more modified courses shall not prohibit a student from earning a regular diploma; however, required core courses taken under modified conditions must be retaken under standard conditions to be counted toward a regular diploma.

(I) A school district or public charter school shall grant credit toward a modified diploma according to individual student needs across academic content areas including applied, consumer, academic, or knowledge and skill development.

(J) A school district or public charter school shall inform the student and parent or guardian of the student if the courses in grades 9-12 have been modified for an individual student.

(K) A school district or public charter school shall provide transcripts which clearly identify modified courses that do not count toward the regular diploma but that do count toward a modified diploma.

(L) Each student receiving a modified diploma shall have the option of participating in the high school graduation ceremony with the members of their class receiving a high school diploma.

(M) Transition services and other services designed to meet the unique needs of the student may be provided to the student through an interagency agreement entered into by the school district if the individualized education program developed for the student indicates that the services may be provided by another agency. The school district or public charter school retains the responsibility for ensuring that the student has access to the number of service hours required to be provided to the student.

(d) Extended diploma

(A) A school district or public charter school shall award an extended diploma only to students who have demonstrated the inability to meet the full set of academic content standards for a high school diploma with reasonable modifications and accommodations but who fulfill all state requirements as described in this rule and meet the eligibility criteria in OAR 581-022-2015(5)(b).

(B) A school district or public charter school may award an extended diploma to a student only upon the consent of the parent or guardian of the student, or upon the consent of the adult student or emancipated minor student as required by OAR 581-022-2015(4).

(C) To receive an extended diploma, students must, while in grade nine through completion of high school, complete 12 credits, which may not include more than six credits earned in a self-contained special education classroom and shall include:

- (i) Two credits of mathematics;
- (ii) Two credits of English;
- (iii) Two credits of Science;
- (iv) Three credits of history, geography, economics, or civics;
- (v) One credit of health;
- (vi) One Credit of physical education; and
- (vii) One credit of arts or a second language.

(D)(i) A student shall have the opportunity to meet the requirements of an extended diploma by the later of four years after starting grade nine or the student reaching the age of 21 years, if the student is entitled to a public education until the age of 21 years under state or federal law.

(ii) A student may complete the requirements for an extended diploma in less than four years if the parent/guardian or adult student gives consent. The consent must be written and must clearly state that the parent/guardian or adult student is waiving the 4 years to complete the requirements for an extended diploma. A copy of all consents must be sent to the district superintendent. Each school district must annually provide the number of consents obtained to the State Superintendent of Public Instruction. The consent may not be used to allow a student to satisfy the requirements for an extended diploma in less than three years.

(E) A school district or public charter school may not deny a student who has the documented history described in subsection (1)(a) of this section the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason that the student has the documented history.

(F) Transition services and other services designed to meet the unique needs of the student may be provided to the student through an interagency agreement entered into by the school district if the individualized education program developed for the student indicates that the services may be provided by another agency. The school district or public charter school retains the responsibility for ensuring that the student has access to the number of service hours required to be provided to the student.

(e) Alternative certificate

(A) A School district or public charter school shall award an alternative certificate to a student who does not satisfy the requirements for a high school diploma, a modified diploma or an extended diploma.

(B) Each district school board or public charter school governing board with jurisdiction over high school programs shall define criteria for an alternative certificate and shall award an alternative certificate to those students who have met the criteria requirements as described in district school board policies.

(C)(i) A student shall have the opportunity to meet the requirements of an alternative certificate by the later of four years after starting grade nine or the student reaching the age of 21 years, if the student is entitled to a public education until the age of 21 years under state or federal law.

(ii) A student may complete the requirements for an alternative certificate in less than four years if the parent/guardian or adult student gives consent as required under OAR 581-022-2020(4)(c).

(D) Each student receiving an alternative certificate shall have the option of participating in the high school graduation ceremony with the members of their class receiving a high school diploma.

(E) Transition services or other services designed to meet the unique needs of the student may be provided to the student through an interagency agreement entered into by the school district if the individualized education program developed for the student indicates that the services may be provided by another agency. The school district or public charter school retains the responsibility for ensuring that the student has access to the number of service hours required to be provided to the student.

(3) Credit options

(a) A school district or public charter school must grant required and elective credit towards the diploma or modified diploma provided the student earns the credit by meeting the requirements of one or more of the options described in

this rule.

(b) A school district or charter school may grant credit to a student if the student demonstrates defined levels of proficiency or mastery of recognized standards (e.g., state academic content standards and essential skills, industry-based or other national or international standards) by any one or more of the following options:

(A) Successfully completing classroom or equivalent work (e.g., supervised independent study, career-related learning experiences, project based learning), which meets Common Curriculum Goals and academic content standards required by OAR 581-022-2030;

(B) Successfully completing classroom or equivalent work designed to measure proficiency or mastery of identified standards (knowledge and skills) in class or out of class, where hours of instruction may vary;

(C) Successfully passing an appropriate exam designed to measure proficiency or mastery of identified standards (knowledge and skills);

(D) Providing a collection of work or other assessment evidence which demonstrates proficiency or mastery of identified standards (knowledge and skills);

(E) Providing documentation of prior learning activities or experiences which demonstrates proficiency or mastery of identified standards (knowledge and skills) (e.g., certification of training, letters, diplomas, awards, etc.); or

(c) Notwithstanding subsection (2) of this rule, for courses offered in the second semester or third trimester of the 2019-20 school year, a school district must grant credit to a student if:

(A) The student was first enrolled in ninth grade in the 2016-17 school year or earlier or was first enrolled in ninth grade in the 2017-18 school year and had an early graduation plan approved before March 17, 2020; and

(B) As of March 16, 2020, was maintaining a passing grade.

(4) Distance learning for all. School districts and public charter schools must develop and implement a distance learning for all plan that aligns with the Distance Learning for All Guidance issued by the Oregon Department of Education.

(5) Special education for children with disabilities. School districts and public charter schools must provide services for students who experience disability in accordance with IDEA and applicable Oregon Administrative Rules.

(6) Emergent bilinguals. School districts and public charter schools must provide students identified as English learners English language development and grade-level content area instruction.

(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.

(8) Alternative education programs. School districts must comply with OAR 581-022-2505(3)(b) and (5).

(9) Equal educational opportunities. School districts and public charter schools must provide equity, opportunity and access for all students as required by OAR 581-021-0045 and 581-021-0046.

(10) School counseling. School districts and public charter schools must provide school counseling services to all students. Counseling services must align to the guidance issued by the American School Counseling Association: The School Counselor and Virtual School Counseling (Adopted 2017).

(11) Student safety

(a) School districts and public charter schools must create systems or processes for reporting child abuse pursuant to ORS 419B.010 that take into account the unique situation of distance learning. School districts and public charter schools must make those systems or processes accessible to any district personnel who meet the definition of "public or private official" in ORS 419B.005(6).

(b) School districts and public charter schools must review and if necessary revise policies and procedures relating to appropriate electronic communication with students. School districts and charter schools must make guidance based on those policies and procedures available to all school district or charter school personnel.

(12) Personnel

(a) All teachers, specialists, and administrators employed by school districts must hold valid Oregon licenses and be assigned in accordance with the individual license district policies, program goals and applicable statutes and administrative rules.

(b) Any school district employing teacher aides must follow applicable Oregon Administrative Rules.

(13) Fingerprinting of subject individuals in positions not requiring licensure as teachers, administrators, personnel specialists, school nurses. All public school districts must comply with the requirements for Fingerprinting of subject individuals as defined in and in compliance with OAR 581-021-0500.

(14) Individual student assessment and reporting. School districts and public charter schools must assess and record each individual student's progress and achievement:

(a) For the fall terms, in all subject areas of instruction and to academic content standards consistent with ORS 329.045 and OAR 581-022-2030; and

(b) For the spring terms, under the school district's distance learning plan.

(15) Student education records. School districts and public charter schools must maintain education records of students according to the provisions of OARs 581-021-0210 through 581-021-0440.

(16) Record and reports. School districts and public charter schools must provide all records and reports required by the Oregon Department of Education.

(17) Complaint procedures. School districts must maintain a process for the prompt resolution of a complaint as required by OAR 581-022-2370.

(18) Assurances. School districts must report compliance with the standards set forth in this rule for the 2019-20 school year:

(a) By November 1, 2020, to the school board of the school district in a public meeting and by posting a report on compliance to the school district's web page. The school board must acknowledge receipt of the report prior to February 15, 2021;

(b) By November 15, 2020, to the Oregon Department of Education on a form to be provided by the Department.

Statutory/Other Authority: ORS 326.051, ORS 329.451, 659.850, 343.409, 327.103 & 336.625

Statutes/Other Implemented: ORS 329.451, 659.850, 343.409, 327.103 & 336.625

History:

ODE 31-2020, adopt filed 06/24/2020, effective 06/24/2020

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