



Oregon

Kate Brown, Governor



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DEPARTMENT OF
EDUCATION

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Colt Gill

Deputy Superintendent of Public Instruction & Director of ODE

House Education Committee

December 15, 2020

Dear Chair Alonso Leon,

On Friday, December 4, 2020, the Oregon Department of Education (ODE) received a request for information on 10 specific questions your committee has generated. Thank you for the opportunity to provide clarity on how ODE is navigating COVID-19 and supporting districts in meeting the needs of students during what has proven to be a most challenging time. This year has been a learning experience for all of us and we recognize how vital it will be to remain committed to responsive action on behalf of Oregon's students. I want to thank you, your committee and the legislature as we continue to support one another during COVID-19 and do the best we can to uplift our students and families through these challenges.

Below, you will find our responses to each of your questions.

Question 1: *How are they addressing the learning gaps, due to COVID, now and in the future*

ODE Response:

Learning is always happening, as it is the natural result of human interactions with environments. In fact, there are many ways that student learning has intensified during the pandemic. Educators and students have developed skill and acumen in leveraging online learning platforms, designing and implementing project-based learning, evaluated curriculum with an eye to culturally responsive practices, and extending grace and space to each other as we learn forward. Educators have learned a great deal about student funds of knowledge, identifying the knowledge and skills that students bring into the learning environment and building from their strengths. Oregon educators have reconsidered multiple aspects of our educational systems as we've designed instructional models to meet student learning needs in multiple formats (comprehensive distance learning, hybrid, and on-site).

Over the summer, [TNTP](#), [CCSSO](#), the [Council of Great City Schools](#), and others gave unified guidance, namely, that students must be accelerated into grade-level standards, not held back by reteaching what may have been missed in the spring. The gap we are focused upon is the gap between every student and grade level proficiency. Our work is to center our efforts on prioritized standards and work with students to meet learning targets based on those standards. In support of this aim, ODE developed a [designing learning page](#) that includes

instructional strategies for each content area, as well as guidance related to formative assessment practices that ensure that students and educators are engaged in feedback loops that support continuous improvement. ODE continues to develop high quality curricular resources that are published and available to all educators free of charge at [Oregon Open Learning](#), including project-based learning opportunities that are sustainable in asynchronous applications. ODE also made a system of high quality lesson plans and units, called Tools For Teachers, which are connected to a robust interim assessment system available statewide. A professional learning series called the Balanced Assessment Series guides districts through the process of accessing and using these resources efficiently. All of these resources are available on ODE's [Interim Assessment](#) webpage.

Question 2: *How many students are dropping out? How many have switched to homeschooling/private schooling?*

ODE Response:

The ODE is still gathering and validating this information and all figures are preliminary until early February 2021. Preliminarily, we see that statewide, enrollment has decreased by about 4% in public schools. We are preliminarily seeing a decrease in grades K-8 and a slight increase in enrollment in grades 9-12. Enrollment in virtual public charter schools has increased. Smaller, rural districts that do not sponsor a virtual public charter school often have the most significant drops in enrollment.

It is too early in the year to know how many students are dropping out of school completely. Our schools are continuing outreach to students that would normally be unenrolled due to the "10 day drop" and so our numbers, once collected, may not be reflective of disengagement this year.

Question 3: *How many students are failing due to distance learning?*

ODE Response:

ODE is focusing on how students are persevering while facing wildfires, economic downturn, and a global pandemic. While the ODE does not collect student data on course grades, we have had an opportunity, through High School Success and Every Day Matters (chronic absenteeism) interviews, to gather some information from school districts and charter schools on the impacts of the response to the pandemic on our students in Oregon. The response is overwhelming: students are struggling with their coursework this year. One school in the Bend LaPine School District cited that at one point in their trimester, 40% of the entire high school student population had at least one failing or unsatisfactory grade. Through focused efforts that

included daily check-ins with their advisory teacher, the school was able to get that figure down to 10%. Over half of those students are 9th graders and one quarter were new students (in 10-12 grade level) to the school. This alerted the school staff that existing connections to teachers seem to be a big factor for student grades this year. If schools are unable to find the necessary support for students to improve their grades, the impacts could include increased rates of retaking courses (requiring more staff time to provide the courses), a decreased ability to take elective courses, delayed graduation and completion, and potentially, students leaving school prior to completion.

Districts are also sharing their students are experiencing unprecedented levels of trauma: the isolation during the Covid-19 pandemic coupled with the vast impacts of this past fire season is contributing to a mental health crisis for some youth and families. Students are also unable to access regular activities during this time, such as club meetings and sports teams. These activities often correlate with a stronger connection to school and increased engagement (as well as maintaining grade requirements to participate). Being unable to take part in their regular routine has caused a further disengagement between students and their schools. Personnel have reported increased incidents of suicide attempts, student-parent conflicts, and an inability to engage with school as students struggle with not having basic needs met

Our commitment to student success this year is reflected in the robust expectations set forward in the Ready Schools, Safe Learners guidance. ODE held instructional time requirements consistent with current Chapter 581, Division 22 Oregon Administrative Rule requirements and reinforced approaches to attendance, engagement and learning that create strong conditions for student success.

Grading practices are a local decision, with the option of giving letter grades or pass/incomplete or other models remaining with the districts. ODE has recently held listening sessions with teachers and school leaders to discuss ways to support students who are not passing a course or who need to make-up incompletes. Fortunately, Oregon law provides schools with [multiple options to award credit](#) to students who are able to demonstrate proficiency in a course. Although we do not know the specific number of students who are not passing courses in distance learning, we have heard from districts that they are seeing an increase in the number of students not passing courses. They've shared a variety of reasons for an increase in the amount of students who may not be passing courses:

- Technology challenges including the lack of reliable internet connection.
- For some students, extracurricular activities and social interaction kept them engaged in the academic coursework.

- Comprehensive Distance Learning limits the frequency of contacts between teachers and students. For some students, that personalized contact is what keeps them connected.
- Many students may have used time in school to complete homework or work with peers and there is no longer an equivalent space.
- Familiar assignments and grading practices may not necessarily translate well to a distance learning environment.
- Students may have competing factors such as working outside the home to support the family, providing childcare to siblings who are also learning at home, and/or taking care of loved ones who may be ill.

Questions 4: *How many students are not logging in or participating? How many have not participated for 2 weeks or longer? How many students have been unenrolled from school for these reasons?*

ODE Response:

The ODE will not have attendance data until later in the year and may not be able to answer the question of how many students have not participated for 2 weeks or longer for the 2020-21 school year because school districts may not unenroll students that have been absent for long durations this year due to the suspension of the 10 day drop. Our schools are continuing enrollment of the students that have not heavily participated, and are continuing outreach to these students to remove barriers to participation and re-engage them with their learning.

Question 5: *How many students aren't able to participate due to connectivity issues? How many for lack of technology/access to a computer?*

ODE Response:

The ODE does not currently gather this granularity of data on attendance and why students are absent. We know that many (if not most) school districts track this and are continuing discussions with students and families about the types of technical supports that are needed to support their learning. Forecast 5 - Maps is a tool that can support districts in collecting this data. ODE is working with community partners to explore how we might support its use and other possible solutions to more consistently collect data that would be responsive to this question.

Anecdotal evidence from interviews with school districts for the Every Day Matters (chronic absenteeism) and High School Success interviews this year indicate that students that are unable to connect online are frequently the hardest to engage and that while school districts have worked to address all instances of lack of access to devices and wifi, it doesn't address the quality issues of wifi that can occur. When asked how ODE can support them in these efforts, one rural school district requested that we look into providing portable cellular towers for students and families.

A further complication is that even with full online access and consistent wifi, many of our families are finding it difficult to navigate the many different online platforms to support the students, especially our bilingual families. One school administrator, during a High School Success interview, stated "I'm district staff and also a parent and even I'm having difficulty navigating these new systems. We get calls daily from parents that are struggling."

The National Education Association (NEA) published a report, [Digital Equity for Students and Educators](#), in September 2020 on student access to devices and broadband in Oregon (*estimated* based on 2018 Census data). They reported 77% (487,258 students) had full access and 23% (145,303 students) lacked full access to devices and broadband (defined in this report as speeds at or above 100Mbps/50Mbps, taken from the National Broadband Plan). This report does not reflect efforts since the start of school closures in March of 2020 to improve connectivity and access to devices, nor does it address the possibility of access or participation challenges due to slower speeds (the same report estimates 97% of Oregonians have access to internet connectivity at any speed). Opinions on what constitutes adequate internet connectivity for distance learning vary from 25Mbps/3Mbps to the 100Mbps/50Mbps. Anecdotally, we know that districts and localities have worked diligently during this time to improve connectivity and access to devices for students, but much work remains to be done. Lack of access to connectivity is an issue that predates the pandemic and progress has been slowed in communities impacted also by the wildfires.

In order to support students that do not have adequate connectivity, Comprehensive Distance Learning (CDL) guidance provides recommendations and resources for offline learning as well as online.

Devices:

- At the state level we do not yet have precise data on this question.
- CDL Grants in the spring (\$28.3 million) allowed for purchase of devices.
- ODE has not purchased any devices directly, however, district plans are to use approximately \$12.1 million of their CDL Grants for devices. Based on this, we estimate

between 33,000 to 38,000 devices to be acquired with this money. They are also likely using some of their ESSER money to acquire devices as well. ODE helped facilitate a special purchase for districts of 7,000 devices, but they used their money to acquire.

- The Department also secured state pricing agreements for wifi hotspots among other devices to support access.

Through the CDL Grant, ODE has provided resources to help districts to address the gaps they face in delivering effective distance learning to their students. Two of the five eligible uses are related to Access and Connectivity, and Student and Teacher Devices. Of the \$27.9 million allocated to 196 school districts, nearly 65% of the funds are targeted for these areas. In addition, ODE has helped facilitate statewide contracts that enable districts to procurement hotspot devices and plan. While the number of devices that will enable access and connectivity for student learning won't be known until the completion of the grant scheduled to end June 30, 2021. ODE estimates that the CDL grant will enable 33,000 to 38,000 devices.

In some cases, there is a lack of connectivity or cellular services in parts of the state that limits the ability of students to participate in distance learning. As an alternative, ODE is currently working with SpaceX to put forward a pilot program that will enable direct satellite services to 35-45 residents per district at speeds of 110 Mbps. This will be a solution for many rural and remote districts that have been unable to use distance learning from a technology standpoint. SpaceX is underway on furthering this program as it has been very successful in Washington. The current federal stimulus proposal sets aside resources to be allocated to SpaceX to increase its deployment of satellites that will help to increase the capacity of delivering services.

Question 6: *How are they addressing equitable access to education for students of color, rural students, students with disabilities and students in poverty?*

ODE Response:

The pandemic has exacerbated known and pre-existing inequities in our education system. Some of these inequities include: (1) differences in student access to sufficient internet connectivity and technology; (2) differences in students' ability to interact with their varied learning environments in order to build meaning from instructional content; and (3) qualitative differences between online and in-person curricula and pedagogy. ODE has worked throughout the course of the pandemic to address each of these areas.

ODE leveraged CARES Act funding to support districts in addressing the needs of students who systems have marginalized, including students of color, students experiencing disabilities,

students experiencing poverty, and students in rural school settings. ODE also set the following expectation in *Ready Schools, Safe Learners* (page 57):

Recognize the disproportionate impact of COVID-19 on Black, American Indian/Alaska Native, and Latino/a/x, Pacific Islander communities; students experiencing disabilities; and students and families navigating poverty. It is appropriate and necessary to offer more heightened and focused support to students and staff from these communities. It matters to learn the differential impacts of COVID-19 in particular communities. For example, the workplaces with the largest outbreaks are the prison system and food/agricultural sites which deeply impacts particular communities, including students.

Required

- ☐ Review and apply the school's equity stance, principles, and/or commitment.
- ☐ Ensure that no student is subjected to discrimination, as defined in ORS 659.850 and by rule based on race, color, religion, sex, sexual orientation, national origin, marital status, age, disability. EO 20-29 specifically states that ORS 659.850 must be complied with to continue to receive [State School Fund] SSF. The protected classes listed are directly from this statute.

We are still learning about the impact on all students and will continue to monitor for equity impacts of the 2020-21 school year. To date, we have addressed the equity concerns identified above as follows:

Differences in student access to sufficient internet connectivity and technology

The inequities caused by differences in access to sufficient internet connectivity and technology have been widely documented and cause real harm to students without sufficient access. ODE has worked extensively to address the digital divide in Oregon in order to remedy these equity concerns. A solution to this concern will require significant cross-sector investment over the long term. And, ODE has supported districts in their efforts to bridge that divide in the immediate moment. More specifics about these concerns and ODE's efforts in this regard are included under *Question 5: How many students aren't able to participate due to connectivity issues? How many for lack of technology/access to a computer?*

Differences in students' ability to interact with their varied learning environments in order to build meaning from instructional content

ODE has maintained a high level of expectations for students' instructional experiences in the 2020-21 school year regardless of their school's instructional model. All students are entitled to a robust educational experience that meets their academic, social emotional, and mental wellness needs. Towards that end, *Ready Schools, Safe Learners* and its companion and supplemental guidance contains strong instructional requirements within it that assure equitable opportunity for all students. Companion guidance exists for schools operating in Comprehensive Distance Learning and for students receiving services or supports under the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, the Every Student Succeeds Act (ESSA), or the Individuals with Disabilities Education Act (IDEA). The ODE has clearly articulated the expectation that all students be provided a Free Appropriate Public Education (FAPE) that meets their individual needs regardless of instructional model.

Qualitative differences between online and in-person curricula and pedagogy

As part of our waiver request to suspend statewide summative assessment in English language arts, mathematics, and science, ODE is in the process of developing a student survey that we plan to administer in Grades 3-8 and 11. The survey is designed to leverage student voice by collecting data regarding student access to learning resources, including internet connectivity and technology, as well as the degree to which students see themselves in their educators and in the texts and curricula that form their instruction. Information regarding student engagement in courses such as P.E., music, and band, as well as extra-curricular activities, will also be collected and reported as part of a pilot project this spring. These data should help ODE implement a more comprehensive approach to accountability and help districts better define the need for investment in quality system inputs for students whom our system is not serving well, as well as identify the need for continuous improvement in the areas of instructional and curricular quality.

Question 7: With staffing FTEs, have they been able to adapt to the statutory requirements on their FTEs? Are they nimble enough to collaborate on things they need due to COVID?

ODE Response:

When COVID-19 started in March, ODE was focused on implementing the largest education investment in Oregon in the last three decades- the Student Success Act. As the pandemic quickly closed schools to in-person instruction and disrupted learning, the bulk of our resources and staff went into active COVID-19 response and quickly shifted to focus our support to school districts, educators, students, families and even our own staff. ODE staff from every single office, have been collaborating for the last 10 months with partners both internally and

externally to meet the needs of students during this pandemic. While most of our positions are statutorily created, we have been able to create flexibility for staff to navigate this pandemic and continue to provide services to students.

Question 8: *How are they enforcing Erin's law and other forms of child abuse prevention during the pandemic?*

ODE Response:

School districts are still required to fulfill the requirements for abuse, bullying, and sexual violence prevention under Erin's Law, the Healthy Teen Relationships Act, and the Human Sexuality Education law Division 22 requirements (OAR 581-22-2050). School districts self-report their compliance with these laws during the Division 22 compliance process. In turn, ODE provides technical assistance to districts.

ODE understands that school districts and educators need additional support to provide sexuality education, especially in these times. In April, ODE released the [Comprehensive Distance Learning: Erin's Law Toolkit for Districts](#). Included in this guidance are [key tips for sex ed instruction during distance learning](#), webinars for both [school staff](#) and [families](#) during distance learning, and sexuality education lessons with both online and offline adaptations. This guidance has been updated to reflect plans for the 2020-21 school year.

ODE Supports

- ODE .5 FTE for supporting district implementation of Erin's Law, the Healthy Teen Relationships Act, and the Human Sexuality Education Law.
- ODE created the Erin's Law Toolkit to ensure that districts have the tools and resources that they need to meet these laws during distance and hybrid learning.
 - [Erin's Law Toolkit](#), including:
 - 4-5 distance adapted lessons per grade band
 - 2 Webinars embedded within
 - [Key tips for adapting sex ed instruction during distance learning](#) guide
- ODE implements a teacher training program for implementing Erin's Law requirements in K-5.
- ODE created tools for designing health and sexuality education learning
 - [Color-coded standards](#) and [essential questions](#)
 - [Designing learning for Sexuality Education in CDL](#)

Question 9: *What lessons were learned from spring distance learning? What solutions have been applied and what can still be done?*

ODE Response:

A Crisis Response to a Pandemic

In the face of unexpected, emergency school closures due to the COVID-19 pandemic, Oregon focused educational efforts on ensuring care, connection, and continuity of learning for all of Oregon's students during Governor Brown's *Stay Home, Stay Safe* order. Educators, students, and families responsibly did their best to implement *Distance Learning for All*, which was a crisis response that positioned schools to focus on student health and well-being in the midst of a pandemic.

Documenting Lessons Learned to Inform Our Work

In order to formalize the lessons learned during the crisis response in the spring of 2020 and help define the barriers to instruction that students experienced during this time, ODE hosted a Digital Summit in late May to gather information from education and community partners. The summit yielded several needs that require community and education system attention, including:

- Equity and access to the resources necessary for learning
- Professional development in quality online pedagogy
- Technical support provided remotely for educators, families, and students
- Asynchronous and synchronous resources for instruction

ODE developed a grant application process to distribute federal dollars from the CARES act (\$28.3 million) to districts who submitted CDL applications in service of the following indicators:

- **Access and Connectivity:** Adequate infrastructure and/or services that enable internet access and connectivity for student learning
- **Student and Teacher Devices:** Appropriate and user friendly devices for students and educators to navigate through distance learning curriculums and programs of study.
- **Digital Content and Curriculum:** High quality, adaptable, culturally responsive, and effective digital learning curriculums and content that fosters student learning and engagement.
- **Learning Management Systems:** Online technology that allows educators to successfully deliver their teaching content and lessons.
- **Professional Learning for Educators:** Various supports and training that ensure effective use of all digital learning tools.

Instructional Models for 2020-21

For the 2020-2021 School Year, understanding that the options to attend in-person would be limited throughout the state and that Oregon could no longer hold onto a temporary, emergency model, ODE developed guidance allowing for local instructional model determination. Ready Schools, Safe Learners provided districts with required and recommended components for implementing Comprehensive Distance Learning (CDL), hybrid, and in-person instructional models. CDL extended the spring's *Distance Learning for All* focus on care and connection to include extension of learning versus continuity and maintenance. CDL maintained instructional expectations while acknowledging the need to focus efforts on learning targets that were most critical, given instructional time limitations. CDL approaches allowed districts more time to plan and make preparations to better ensure quality and accessibility of the learning experience for all students. However, districts planned through the summer and looked to the fall with hopes of implementing in-person and hybrid models that the virus would not allow for nor support. Many districts had to pivot to develop and implement CDL models in August as the virus took hold and Oregon's health and safety metrics, founded on the best research available, limited district access to in-person instructional models.

CDL Provides Flexibility and Expectation

CDL expanded the time that educators can dedicate to professional development, as well as the time needed to connect with and support families as they worked to help students learn remotely for 2020-21. CDL also extended learning expectations to reasonably resemble what students might expect in a typical brick and mortar school, while acknowledging the limitations on instructional time that exist:

- Attendance rules met fundamental responsibility to ensure that students throughout the state were engaged in learning while also recognizing that the way attendance is documented needed to shift to meet the challenge of this moment.
- In CDL models, daily student contact is required. Student interactions can be evidenced by any of the following or reasonable equivalents, however, which allowed for flexibility of design and implementation:
 - Participation in a synchronous class using an online learning management system;
 - Communication from the student to the teacher via chat, text message, communication app or email;
 - A phone call between the teacher or educational assistants/paraprofessionals and the student, or, for younger students, with the parent or guardian of the student;
 - Posting completed coursework to a learning management system or web-based platform or via email; or
 - Turning in completed coursework on a given day.

New Resources to Support Educators

ODE developed a [designing learning page](#) that includes instructional strategies for each content area, as well as guidance related to formative assessment practices that ensure that students and educators are engaged in feedback loops that support continuous improvement. ODE continues to develop high quality curricular resources that are published and available to all educators free of charge at [Oregon Open Learning](#), including project-based learning opportunities that are sustainable in asynchronous applications. ODE also made a system of high quality lesson plans and units, called Tools For Teachers, which are connected to a robust interim assessment system available statewide. A professional learning series called the Balanced Assessment Series guides districts through the process of accessing and using these resources efficiently. All of these resources are available on ODE's [Interim Assessment](#) webpage.

The resources listed above are helping to meet educator and student needs and are the result of substantial effort, but more support is needed. ODE has identified the need for continued work in the following areas:

- Curate, share, and highlight promising practices. We have learned anecdotally that some students are doing better in a CDL context than in a traditional setting and many teachers are adapting in creative, resourceful and thoughtful ways. We have initiatives in the early stages to learn and share from where things are going well.
- Support high quality professional learning focused on pedagogy that is applicable both in and beyond the COVID and CDL context, not only the how-to of using virtual tools and software. Specifically, strategies and tools to support marginalized students.
- Continue to work with community and business partners to address internet connectivity access in the short- and long-term.

Making Challenge an Opportunity

Implementation of CDL this fall forced Oregon educators to think in new ways, to prioritize the most essential learning, and to focus on ways we can innovate in the area of instructional delivery. Responding to the pandemic has also highlighted the importance of the need for sustained partnership with families as co-facilitators of learning. We are seeing increased collaboration between teachers, between school districts, and between states. Educators and leaders are being generous with their sharing. It has been an *All Hands on Deck* approach and the willingness to come together in service and support for all students has truly been inspiring.

ODE was able to use a small portion of the CARES Act funds to create a new position to support school districts with online learning. We created the Digital Learning Director, which has never previously been funded in Oregon.

Question 10: *Why are we removing funding for SATs and essential skill requirements? Are we testing less*

ODE Response:

Before addressing the substance of your question, our response is predicated on the assumption that you are referencing the historical use of the PSAT within the context of [ORS 329.488](#) (not the SAT, which is a different third-party assessment). We would also like to offer the following procedural clarifications regarding the nationally-normed college entrance practice assessment required under ORS 329.488.

- *ORS 329.488*, which directs ODE to make a nationally-normed college entrance practice assessment available to Oregon 10th graders, also allows the State Board of Education to use its rulemaking authority to waive this assessment requirement for groups of students. Given the limitations on in-person instruction currently in place in most districts across the state and the myriad challenges schools are facing to maximize precious instructional time, ODE asked the State Board to leverage this option to alleviate the burden on schools and educators so they can focus on connecting with students and providing high-quality and engaging instruction in our current context.
- The proposed waiver is incorporated into the [revision](#) to *OAR 581-022-0104*: State Standards for the 2020-21 School Year (section 4). The State Board had its first read of the revised *OAR 581-022-0104* in [October](#) 2020 (see item 6A). ODE anticipates bringing the rule back to the State Board for adoption in January or February 2021.

In addition, it is important to note that ODE's contract with the College Board ended on June 30, 2020. If the State Board does not support ODE's waiver request, ODE will swiftly initiate a Request for Proposals (RFP) process. While the College Board was awarded the most recent contract, as a state agency ODE is bound to follow a transparent and competitive procurement process. As such, ODE has framed its response to your question without focusing on a specific vendor or assessment product.

Nationally-normed College Entrance Practice Examination

ORS 329.488 allows the State Board to use its rulemaking authority to waive the nationally-normed college entrance practice test for specific groups of students. The waiver request ODE submitted to the State Board is specific to the cohort of students who are enrolled in Grade 10 during the 2020-21 school year. ODE is seeking a waiver for 2020-21 in order to reduce burdens that are not crucial to instruction for schools and students. To provide some context, under ODE's previous contract with the College Board, the PSAT was historically given in the second week of October. It was not possible to administer the PSAT in October. College Board scheduled an additional testing date for January 2021. The majority of Oregon students are being served by [Comprehensive Distance Learning](#) instructional models, and with the current rise in Oregon COVID-19 health [metric trends](#), that will more than likely be the case in January 2021. Under ORS 329.488, administration of the nationally-normed college entrance practice test is structured as a requirement on both the part of ODE and local districts. Unless ODE works with the State Board to pursue the waiver option permitted under ORS 329.488, it would be left to individual parents to request an exemption from their district. Processing exemption requests on an individual student basis would create significant additional burdens on districts that are already facing a number of challenges in meeting the needs of students and optimizing the use of instructional time. If the State Board approves this waiver request, ODE and districts would not require the assessment, which would reduce testing.

Essential Skills & Local Performance Assessment

ODE first communicated to districts, families, and students that the Essential Skills graduation requirement would be suspended for students graduating in 2020 and 2021 as part of the [Distance Learning for All](#) Guidance published in the Spring of 2020.

In order to implement E.O 20-20 (issued April 23, 2020) and assist public schools in responding to the COVID-19 emergency, the Department of Education issued a significant amount of guidance to the field, including [Graduation Pathways 2020](#). The purpose of *Graduation Pathways 2020* was to support the class of 2020 in reaching graduation goals during an unprecedented time. The guidance provided options and recommendations to award credits for seniors that account for their work and accomplishments up to the point of school closure.

The *Graduation Pathways 2020* guidance suspended the Essential Skills requirement for the class of 2020 and the class of 2021. The guidance stated that the suspension was dependent upon the State Board taking action to amend applicable administrative rules.

The State Board did take action to implement that guidance and suspend the Essential Skills by adopting two administrative rules. For the class of 2020, the applicable rule is [OAR 581-022-](#)

[0103 State Standards for the 2019-20 School Year](#) (see subsection (2)). The rule was adopted as a temporary rule in April 2020 and as a permanent rule in June 2020. Here are links to the board materials for the [April](#) (see item 6A), [May](#) (see item 8H), and [June](#) (see item 3D) board meetings.

For the class of 2021, the applicable rule is [OAR 581-022-0104 State Standards for the 2020-21 School Year](#) (See Subsection (3)(a)). The rule was adopted as a temporary rule in [September](#) (see item 4A). ODE is currently going through the permanent rulemaking process. The permanent rule was first read at the [October](#) board meeting (see item 6A) and will be back before the board for adoption in either January or February.

The assessment waiver request under State Board consideration this fall relates primarily to removing local performance assessment requirements, which place procedural burdens on Oregon districts that are not tenable in the 2020-21 school year, and the waiver of the nationally-normed college entrance practice examination for current 10th graders.

It is important to share that the Essential Skills graduation requirements are not assessment requirements, but proficiency requirements that use assessments to help determine levels of student functioning. Removal of the Essential Skills requirements, in and of itself, does not affect how much testing occurs. Our state assessment and accountability waiver request, if submitted and approved by the USED, would pause all statewide summative assessment in ELA, mathematics, and science.