

Analysis

Oregon Department of Education

Progress Report on the Implementation of the Student Success Act

Analyst: Doug Wilson

Request: Accept a progress report on the implementation of the Student Success Act.

Analysis: Section 81 of the Student Success Act (HB 3427;2019) includes the following language:
No later than February 1, 2020, the Department of Education shall provide a report, and may include recommendations for legislation, to an interim committee of the Legislative Assembly related to education regarding the progress of implementing this 2019 Act

The Student Success Act or SSA provided a revenue stream to fund over twenty new or expanding programs across three major areas -- early learning, K-12, and youth up to age 21 who have left high school before graduation. Three accounts were established and share of net available resources are:

- *Student Invest Account (at least 50%)* -- provides grants to school districts based on a formula to (1) meet student's mental or behavioral health needs, and (2) to improve academic outcomes and reduce academic disparities.
- *Early Learning Account (at least 20%)* -- provides funding to a variety of preschool programs and for the Early Intervention and Early Childhood Special Education programs.
- *Statewide Education Initiatives Account (no more than 30%)* -- provides funding for a variety of specific grant programs and for agency staff and related resources to carry out the SSA.

Funding for these programs were allocated in the SSA's budget bill HB 5047. Generally, funding for the various grant programs become available for distribution in the second year of the 2019-21 biennium.

The agency's report includes; (1) a summary of each of the program, (2) a progress report of where in the process of implementation the agency is in terms of community outreach, rule implementation and hiring of staff, and (3) any legislative changes that may be required during this 2020 legislative session or in future sessions. Major findings or issues in the report include:

- The most extensive discussion in the report are for the Student Investment Account because it represents the largest share of allocated funding (\$472 million in 2019-21) as well as requiring the most work up front to implement including significant rules development, planning requirements and staff hiring.
- The agency has brought together an ongoing group of stakeholders, agency staff and others that meet regularly to review draft rules and provide input. Rulemaking is scheduled to be completed by June 2020.
- There have been major outreach efforts through web-based resources, meetings with various stakeholders and communities, and partnering with Education Service Districts (ESDs) to assist school districts in community engagement and developing district plans.
- The agency has filled or are in the process of hiring over 50% of the positions authorized for the programs under the SSA. Many positions are not funded until later in the Spring of 2020.

Legislative Fiscal Office Recommendation: The Legislative Fiscal Office (LFO) recommends acknowledging receipt of the report.



Oregon

Kate Brown, Governor



OREGON
DEPARTMENT OF
EDUCATION

Oregon achieves . . . together!

Colt Gill

Director of the Oregon Department of Education

January 17, 2020

The Honorable Senator Betsy Johnson
The Honorable Senator Elizabeth Steiner Hayward
The Honorable Representative Dan Rayfield
Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem OR 97301-4048

Dear Co-Chairpersons:

Nature of Request

The Oregon Department of Education (ODE) respectfully requests acceptance of a report required through Section 81 of House Bill 3427 on the progress of implementing the Student Success Act, as well as any specific recommendations.

Agency Action

The 2019 Legislature made a substantial commitment to Oregon's children, educators, and schools through the passage of House Bill 3427 (Student Success Act). The Student Success Act will invest approximately \$1.0 billion in early learning and K-12 education each fiscal year. This funding will be deposited to the Fund for Student Success where a portion will be transferred to the State School Fund and the remaining balance will be divided between three distinct accounts – Early Learning Account (20%); Student Investment Account (50%); and Statewide Education Initiative Account (30%).

The Act provides direction on the programs, initiatives, and/or activities in which the funding deposited into the Fund for Student Success, as well as subsequent account transfers, shall be expended and monitored by the department. House Bill 5047, the budget bill to the Student Success Act, provides the specific budgeted amounts for each of these programs, initiatives, and/or activities. Within the Student Success Act are provisions that require ODE return to provide a legislative report on the progress of implementing Act. Those provision are outlined in Section 81 of House Bill 3427 as follows:

No later than February 1, 2020, the Department of Education shall provide a report, and may include recommendations for legislation, to an interim committee of the Legislative Assembly related to education regarding the progress of implementing this 2019 Act.

Since the close of the 2019 Legislature, ODE, as well as the Early Learning Division (ELD) and the Youth Development Division (YDD), have worked diligently on the implementation of the Student Success Act. The Department focused the first several months of the biennium initiating recruitment processes and hiring the initial wave of staff to plan, development, and implement the 28 new and expanded programs, initiatives and

The Honorable Senator Betsy Johnson
The Honorable Senator Elizabeth Steiner Hayward
The Honorable Representative Dan Rayfield
January 17, 2020
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activities outlined in Act. While there is still positions that are being recruited and hired, ODE has successfully created enough capacity to begin the plan and development around the majority of the responsibilities required.

ODE has completed a draft report on the progress of implementing the Student Success Act. Over the next several weeks, ODE will be completing its final quality assurance review and making any updates necessary to ensure it is as up to date as possible. The final report will include a summary of progress and legislative considerations for each section of the Student Success Act, including:

High Cost Disabilities Fund	Summer Programs for Title I Schools
Student Investment Account, including various technical assistance supports	Early Indicator and Intervention Systems
High School Success Grant Program (Measure 98)	Educator Professional Development (K-12)
African American/Black Student Success Plan Expansion	Early Intervention (EI)/Early Childhood Special Education (ECSE)
Increased Transparency and Accountability in Public Education	Early Learning Equity Fund
Grant Management System	Relief Nurseries
School Breakfast and Lunch Programs Expansion	Early Learning Program Expansion
Latinx Student Success Plan	Parenting Education
American Indian/Alaska Native Student Success Plan Expansion	Early Learning Professional Learning and Workforce Development
Statewide School Safety and Prevention System	Statewide Youth Reengagement System

The final report will be available by January 31, 2020, ahead of the required due date of February 1, 2020. Once the final report is complete, it will be submitted to the Legislature through the appropriate process.

Agency Request

Accept the final report required through Section 81 of House Bill 3427 (Student Success Act) on the progress of implementing the Act, as well as any specific recommendations. The final report will be made available to the Legislative Fiscal Office no later than January 31, 2020.

Legislation Affected

None

Thank you for considering the approval of this request.

Sincerely,



Colt Gill
Agency Director



House Bill 3427: The Student Success Act

Progress Report on Implementation

February 2020

Oregon Department of Education

Colt Gill, Director

Early Learning Division

Miriam Calderon, Early Learning Systems Director

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Executive Summary

The Student Success Act, [House Bill 3427](#), creates 12 new programs and expands 16 educational programs, affecting students from early learning to graduation. When fully implemented, the Act is expected to invest \$2 billion in Oregon education each biennium. It is landmark legislation that will change the trajectory of education in this state for generations to come.

Section 81 of House Bill 3427 requires the Oregon Department of Education (Department) to submit a progress report on the implementation of the act, including any recommendations for legislative changes by February 1, 2020. This report includes a summary of progress and legislative considerations for each Student Success Act section, including:

- High Cost Disabilities Fund
- Student Investment Account (SIA), including technical assistance supports
- High School Success (Measure 98)
- African American/Black Student Success Plan Expansion
- Increased Transparency and Accountability in the Public Education
- Grant Management System
- School Breakfast and Lunch Programs Expansion
- Statewide Youth Reengagement System
- Statewide School Safety and Prevention System
- American Indian/Alaska Native Student Success Plan Expansion
- Latinx Student Success Plan
- Summer Programs for Title I Schools
- Early Indicator and Intervention Systems
- Educator Professional Development (K-12)
- Early Intervention (EI)/Early Childhood Special Education (ECSE)
- Early Learning Professional Learning and Workforce Development
- Early Learning Equity Fund
- Relief Nurseries
- Early Learning Program Expansion
- Parenting Education

Since the close of the 2019 legislative session, the Department, the Early Learning Division (ELD) and the Youth Development Division (YDD) have worked diligently on the implementation of the Student Success Act. At present, progress includes:

- Filling, or in the process of hiring, over 50 percent of the Student Success Act positions;
- Initiating community engagement and rulemaking procedures, with a plan to complete rulemaking by June 2020; and
- Developing Student Success Act communication tools and webpages to guide our partners through the implementation process.

While there is still much work to be done, the Department, ELD and YDD have built a strong foundation within the first seven months of implementation and are well-positioned to meet the responsibilities of this historic legislation.

Introduction

"The Student Success Act marks a turning point for education in Oregon. We can finally invest in an education system that will ensure every single student in our state is on a path to realizing their dreams for the future. What we have come together to do over the past few months will be felt by students, teachers and schools for years to come."

Governor Kate Brown, July 1, 2019

The Oregon Department of Education is pleased to present a progress report on the implementation of the Student Success Act as required by Section 81 of House Bill 3427 (2019).

During the 2019 legislative session, Oregon's leaders made an historic commitment to our children, our educators, our schools and our state with the passage of the act. When fully implemented, the act is expected to invest \$2 billion in Oregon education every two years; that's a \$1 billion investment in early learning and K-12 education each year. The Student Success Act provides \$200 million to the State School Fund and the remaining is distributed into three accounts: the [Student Investment Account](#), the [Statewide Education Initiatives Account](#) and the [Early Learning Account](#). At its heart, the Act is a commitment to improving opportunities and outcomes for students who have been historically underserved in the education system and providing educational supports from birth through high school so that every child can graduate with a plan for their future.

The Department is happy to report that implementation is on track and spurring unprecedented partnership and engagement across the state. Over 50 percent of the Student Success Act positions are filled or in the hiring process and rulemaking is well underway, with a scheduled completion of June 2020. Along with these efforts, the ELD, YDD, and the Department have participated in more than 300 meetings, events and conferences around the state, involving a broad scope of education partners. In addition, the Department and Oregon Health Authority are uniting efforts to address the mental and behavioral health of our students.

At the local level, news reports on [school districts](#) and [early learning](#) implementation have documented how the Act has ignited important conversations around the state on how best to meet the needs of our students.

The Act marks a turning point for education in Oregon and we are eager to continue partnering with early learning providers, youth development partners, school districts, the Governor, legislative leaders, tribal governments and communities on this historic opportunity to prioritize equity and well-being for Oregon's greatest resource – our children.



State School Fund

Under the Student Success Act, the State School Fund receives \$200 million for general purpose grants, \$20 million for the High Cost Disabilities Fund and additional funding for revenue reconciliation. Only the High Cost Disabilities Fund is included in this report, as it is the only area with specific program requirements.

High Cost Disabilities Fund: Sections 2-5

Summary: The High Cost Disabilities Fund provides funding to school districts with students who require high-cost special education and related services. The current program reimburses school districts for approved special education costs that exceed \$30,000 per student.

Progress Report: The Student Success Act provides an additional \$20 million to the State School Fund for the High Cost Disabilities Fund (HCDF), increasing the total funding to \$55 million for each fiscal year.

The additional \$20 million will be available for distribution to school districts in the 2020-21 school year, and annually thereafter. The Department will begin communicating with school districts about the additional HCDF funding in July 2020, with specific guidance and estimates provided to school finance personnel in spring 2021. As this initiative does not include programmatic changes, there is no need for additional staffing or rulemaking.

Legislative Considerations

No legislative considerations at this time.



Student Investment Account

This section also includes three technical assistance programs that support the Student Investment Account, but are funded through the Statewide Education Initiatives Account (section 25): (1) Education Service Districts (ESDs), (2) the general coaching program (Intervention and Strengthening Program), and (3) the intensive program (Intensive Coaching Program).

Student Investment Account, including technical assistance supports: Sections 7-22 and 25

Summary: The Student Investment Account (SIA) is a non-competitive grant program for school districts and eligible charter schools to support academic achievement, reduce academic disparities, and meet students' mental and behavioral health needs. For the 2019-21 biennium, the Department will allocate an estimated \$472 million in SIA grants to school districts and eligible charter schools on a per-student funding formula, double weighted for poverty.

Progress Report: The Student Success Act establishes the SIA to provide all Oregon school districts and eligible charter schools with access to non-competitive grant funds. To access SIA grants, school districts and eligible charter schools must meet application requirements set forth by the legislature and administered by the Department.

The SIA grants are for two purposes:

- 1) Meeting students' mental or behavioral health needs; and
- 2) Improving academic outcomes and reducing academic disparities for students of color, students with disabilities, emerging bilingual students, and students navigating poverty, houselessness, and foster care.

After the distribution of resources to the State School Fund, the SIA receives *at least* 50 percent of the remaining balance of funds in the Fund for Student Success. A total of \$471,873,500 (Other Funds) is projected for the grants in the second year of the biennium. These funds will be distributed to districts and charter schools based on the same formula as the State School Fund, but with double the poverty weight.

The use of SIA funds must be based on needs identified through:

- Focused community and student engagement;
- Alignment to the district continuous improvement plan;
- Relevant data; and
- Consideration of the recommendations of the state's [Quality Education Model Report](#).

Allowable uses for the SIA must fall within one of the four categorical areas:

- 1) Increasing instructional time;
- 2) Addressing students' health and safety needs;
- 3) Evidence-based strategies to reduce class sizes or staff caseload; and
- 4) Increasing participation in well-rounded learning experiences.

To receive funding, school districts and charter schools must comply with application requirements set forth in the [Student Success Act](#) and informed by guidance provided by the Department for engagement and planning. Districts and charter schools eligible to apply independently are allowed to utilize up to five percent or \$500,000, whichever is lower, for administrative costs.

SIA Technical Assistance and Coaching Programs

All eligible applicants have access to technical assistance (TA), which may be provided by the Department staff, regional supports coordinated between ESDs and the Department, or through external contractors. The long-term vision for technical assistance provided by the

Department will be responsive to the needs of districts and designed and deployed to support systems improvement. For example:

- Identification of and support for best practices in meeting longitudinal performance growth targets;
- Identification of and support for implementing promising practices; and
- Attention to cultivating a culture of internal accountability.¹

Sections 17 and 18 of the Student Success Act established two distinct but related “coaching” programs which are intended to provide capacity building, system improvement supports and accountability structures to support SIA implementation.

For the purpose of distinction, the general coaching program outlined for SIA grant recipients who do not meet longitudinal performance growth targets, also established in the Act, will be referred to as the *Intervention and Strengthening Program (ISP)*.

Section 17 of the Student Success Act requires the Department to monitor and determine if a grant recipient does not meet the longitudinal performance growth targets identified in the grant agreement. If a grant recipient does not meet the performance growth targets, the grant recipient may submit an explanation for the reasons why the performance growth targets were not met.

After taking into consideration the explanation submitted by the grant recipient, the Department may require the grant recipient to enter into the ISP. If required, participation in the coaching program must be for at least one year, unless the department allows for a shorter period of time.

Under the program, the Department shall advise and counsel grant recipients on how to meet performance growth targets and shall assist grant recipients with ongoing professional development and peer collaboration. The Act does provide the Department with the ability to direct the expenditure of SIA funds as the strongest form of intervention within this program. The principles, staffing, and contracting approach for this program is underway. The earliest engagement with grant recipients under this program is anticipated for summer and fall of 2021. The ISP program is for districts, charter schools they sponsor in the SIA application, and charter schools that have applied and are receiving SIA funds independently. Four positions (2.72 FTE) were authorized as well as \$4,531,000 for technical assistance contracts for implementation of this program.

An *Intensive Coaching Program (ICP)* is established in Section 18 for school districts with the highest need for coaching, support and intervention. Only school districts are eligible to be invited into this intensive program. The ICP requires at least four years of participation. Districts

¹ Hargreaves, A., & Fullan, M. (2012). *Professional capital: Transforming teaching in every school*. New York: Teachers College Press.

that agree to participate are eligible for additional funding from the Statewide Education Initiatives Account (SEIA). A total of \$12 million is included in the Grant-in-Aid section of the SEIA for the additional funding for these districts.

The Department will initiate conversations with the first districts invited to participate in February 2020, with the formal coaching program planned to begin in July 2020. The ICP will utilize Student Success Teams as outlined in the Act. Each Student Success Team is expected to be composed of at least one Department point person, district leader, educator, community member, an ESD liaison and other specialists with expertise in school district improvement strategies and practices. Student Success Teams provide advice and counsel on how to improve performance outcomes and develop recommendations for meeting longitudinal performance growth targets.

Participation in the ICP requires that districts:

- Commit to regular student success plan meetings to monitor practices;
- Use data to track student progress;
- Ensure employees receive professional learning and training;
- Create safe and inclusive learning environments;
- Improve school and school district practices and structures to support teaching and learning;
- Improve the skills of the members of the school board;
- Accept all recommendations of the Student Success Teams related to the use of SIA grant moneys and any additional funding received under this section; and
- Consider all recommendations of the Student Success Teams for any district operations.

A total of \$2,094,643 in resources (\$293,895 is General Fund) were approved for three positions (2.30 FTE) and the balance of \$1,502,605 for needs assessments, contract members of the teams, and onsite assessments for participating districts.

The Role of Education Service Districts in Supporting SIA Implementation

Section 25 of the Student Success Act and House Bill 5047 authorizes the Department to disburse up to \$24 million for use by ESDs to provide technical assistance to school districts in their region to support SIA application development and early implementation as well as supporting coordination between districts and Department.

Each ESD has identified a staff member or contractor who is allocating at least .25 FTE towards the role and function of being a Liaison - the primary point of contact and collaboration - between the Department's new Office of Education Innovation and Improvement, the ESD they represent, and the districts within the ESD's service region.

ESD Liaisons have participated in a series of weekly video conferences (eight to-date) and are actively engaged in SIA implementation support at this time.

The Department has outlined the following roles that ESDs may fill:

- Support districts with authentic community engagement. The [SIA Engagement Toolkit](#) is available to support ESDs and school districts in these engagement processes.
- Develop or support the use of surveys and other engagement tools, including communication and translation supports as useful.
- Support school districts with incorporating engagement feedback into the Needs Assessment and planning processes, including developing connections between the engagement, needs assessment, Continuous Improvement Plan (CIP) process, and application for SIA funds.
- Assist districts in their application development and documentation for a SIA grant.
- In individual and/or group meetings, lead or assist the district in documenting their needs, growth targets, attainable outcomes, investment strategies and accountability metrics as outlined in the Student Success Act.
- Work closely with the Department to deliver this technical assistance to districts. This will require regular meetings and phone consultation with Department staff to obtain resources and promising practice knowledge.
- Support districts with the use of equity-based tools for decision making.

Work Completed

In August 2019, the Department filled the first SIA position with the hiring of Assistant Superintendent Scott Nine who is in charge of leading SIA implementation and establishing a new Office within the Department which has been titled the “Office of Education Innovation and Improvement.”

Since August 2019, staff from the Office of Education Innovation and Improvement have participated in numerous events, meetings, workshops, or keynote addresses. This includes a statewide tour by Director Colt Gill and Assistant Superintendent Scott Nine reaching more than 130 of Oregon’s 197 Superintendents in collaboration with the Confederation of Oregon School Administrators (COSA).

On October 17, 2019, the Department released [final guidance on Community Engagement](#) through an updated toolkit that incorporated feedback from more than 100 district and community partners after releasing an initial toolkit on August 21. The initial release included support materials for districts and community partners to help communication with parents and families with materials translated into five languages.

On October 17, 2019, the Department launched an updated [SIA Website](#) and [FAQ](#).

On November 21, 2019, Assistant Superintendent Scott Nine presented an update on SIA implementation that was recorded and may also be of interest. You can view the [SIA presentation to the State Board of Education at this link](#). The relevant section of this video is from 1:30:48 to 2:43:00.

On December 19, 2019, the Department released [SIA Implementation Guidance](#). This guide provides comprehensive information to all districts and eligible charter schools about the implementation of the SIA including a full preview of the application, a detailed description of how the Department will review applications, and guidance on setting the longitudinal performance growth targets called for in the legislation.

In December 2019, the Department hired two directors and an administrative position that support SIA implementation.

On January 21, 2020, the Department released [official SIA Preliminary Allocation Estimates](#) to school districts and charter schools who are eligible to apply independently. The estimates are based on the ADMw from the 2018-19 State School Fund (SSF) that was reconciled in May 2019. Moving forward and for the actual 2020-21 distributions, the 2019-20 ADMw from the May 2020 reconciliation of the SSF will be used. The rationale for using this source of ADMw is due to timing and availability of data, where this version of ADMw contains actual data reported by the school districts in their second period ADM data. The same model is used with the High School Success Grant (Measure 98) with the addition of a “double-weight” for poverty.

On January 23, 2020, the Department and the Oregon Health Authority [jointly released a resource](#) centering student mental and behavioral health as an input for districts to review and consider in their SIA planning.

On January 24, 2020, staff from the Department engaged hundreds of schools business managers, central office staff, and superintendents at a statewide conference in Lincoln City to further support and respond to questions regarding SIA implementation.

SIA Position Summary

Overall, the legislature budgeted 29 positions for SIA implementation. These positions will be filled at different intervals based on flows of new resources anticipated from the new tax revenue. Within the SIA positions, three were dedicated for office leadership and support and at this time all three positions have been filled. Twelve positions were established for what was called “Policy, Planning, and Performance” and has been re-titled “Systems Capacity and Improvement.” At this time the Director position and one research position have been filled with two additional positions in the final stages of hiring. Eleven positions were established for the “Grant Management and Monitoring” unit where the Director has also been hired with several recruitments staged to begin now. Finally, the Student Success Team which leads the Intensive Coaching Program described above were staffed with three positions, two of which are nearing final selection.

At present, hiring is slightly behind what was projected in terms of timing but on track to have positions filled and operating consistent with budget planning by May 2020. Hiring order was changed for some positions based on leadership decision to support implementation while staying within budget allocation framework given rolling start.

It is worth noting that staff within the Director's office and within other areas of the agency have been responsive and helpful in supporting early SIA implementation efforts while hiring processes advance.

Rulemaking and Community Engagement Summary

The Department has determined that rulemaking for the SIA is needed in the following areas:

- Definitions;
- Distribution;
- Charter School Eligibility;
- Standard for third-grade reading proficiency rate;
- Appeals process for financial audits;
- Requirements for district performance review;
- Process for Department audits of SIA grants;
- Distribution of funds for the intensive coaching program;
- Application process; and
- Possible health-related measurements.

At present, the State Board of Education has adopted the following rules:

- [SIA Definitions](#), [SIA Distribution](#), and [Charter School Eligibility](#) (Temporary Rules/October 2019)
- [Standard for the third-grade reading proficiency rate](#) (Permanent Rule/December 2019)

In March 2020, the State Board of Education is scheduled to adopt permanent rules for:

- SIA Definitions, Distribution and Charter School Eligibility

In June 2020, the State Board of Education is scheduled to adopt permanent rules for:

- Appeals process for financial audits
- Requirements for district performance review;
- Process for Department audits;
- Distribution of funds for the intensive program;
- Application process; and
- Possible health-related measurements.

To ensure that the rules adopted by the State Board of Education are developed with a broad array of perspectives and voices, the Department has established a standing rules advisory committee. The committee has an open structure and over 200 people are invited to attend, with an average of 60 people participating in each meeting, representing education stakeholders, tribal members, and community partners. All rules for the SIA are presented to the rules committee at least three times prior to adoption.

In addition to rulemaking, the Office of Education Innovation and Improvement has participated in over 150 engagement activities, including participating in a statewide tour of superintendent regional meetings, presenting at convenings of Government to Government, attending community and stakeholder events and conferences, and conducting surveys to support and improve the implementation of the SIA initiative.

Schedule for Release of Funds

An approximate total distribution of \$471,873,500 is now projected for the first year of the SIA program, covering July 1, 2020 to June 30, 2021. SIA funds for the first year will be distributed to districts on a quarterly basis (every three months) after July 2020. This distribution method is intended to support districts to prepare for full implementation prior to the start of the 2020 school year.

The SIA distribution formula is based on laws identified under Section 13 of the Act and temporary rules adopted by the State Board of Education under [OAR 581-014-0004](#) to provide early clarity for districts and support effective implementation.

Legislative Considerations

At this time, the Department is aware of the following legislative considerations related to the Student Investment Account. As SIA implementation moves forward, the Department will continue to track and update legislative considerations for this area.

- The SIA definition for economic disadvantaged students is based on the current income eligibility guidelines for the federal school meal program. There is some concern that this definition may prove to be too narrow to capture all economically disadvantaged students in Oregon, especially considering the potential for federal law changes and the increasing participation in community-eligibility nutrition programs, which do not use individual, family income criteria.
- Under the Student Success Act, the following types of schools are not eligible to receive SIA funding:
 - State-Sponsored Charter Schools (that are not able to apply independently);
 - Juvenile Detention Education Programs (JDEP) and Youth Corrections Education Programs (YCEP);
 - Long Term Care and Treatment (LTCT) Education Programs; and
 - Oregon School for the Deaf.

Going forward, the Department may need clarification on the relationship of these programs to the Student Investment Account, as they serve many students who are experiencing the same concerns that the SIA is seeking to address. In particular, there is a need to clarify how the ADMw for state-sponsored charter schools is treated when they are not able to apply independently for SIA funds. At this time, the ADMw

associated with these state-sponsored charter schools is included in the allocation for their resident school districts, yet these charter schools are not able to receive SIA funds because they are “sponsored” by the state, rather than their resident school district.

- The Student Success Act currently does not include a “common metric” for changes in student health and well-being other than a very latent connection to attendance rates. For now, the Department has encouraged districts to utilize the “optional local-metrics” to round-out their performance indicators and is partnering with Oregon Health Authority (OHA) on creative ways to make investments align with metrics. An additional option for measuring student health may be to develop a statutory, statewide metric.
- Legislators have an important opportunity to contribute to early SIA implementation success as they listen and engage with district and community leaders. This consideration is less about the need for any new policy or legislative fixes and more about considering legislative responses over the next six months. As the first round of SIA applications arrive, the Department recommends a mantra of “right amount of challenge and support” for our districts and eligible SIA applicants. The SIA investment asks that the Department ensures that districts meet fairly strenuous application requirements. The Department is seeking to find the way to hold those requirements at just the right tension, not too lightly or firmly, but guided by clear values and explicit processes and expectations published in the SIA Implementation Guidance. When or if the department determines that an SIA applicant (district or eligible charter school) has not met the requirements, it will be a key test for the Department, legislators, board members, school leaders, and the media to pass. Can we find a way to avoid shaming, blaming or ranking school districts or schools while supporting them to return to work and ensuring the law has integrity and the promises made within it are real? How we move through this period of time, under some pressure, will likely determine how successful this key investment will be. It will require steadiness, clear communication, and an effort to respond in new ways within and across the State.



Statewide Education Initiatives Account

High School Success (Measure 98): Section 25

Summary: High School Success is a non-competitive grant program for school districts and other eligible education providers to support career and technical education (CTE), college-level opportunities, and dropout prevention strategies. The grant is allocated on a per high-school student formula. The Student Success Act adds \$133 million to High School Success to further expand these programs in high schools.

Progress Report: The Student Success Act requires the High School Graduation and College and Career Readiness Act (HSS) be funded at a level of at least \$800 per high school student per school year, as prescribed by ORS 327.856. House Bill 5047, the budget bill for the Student Success Act, adds \$133 million to the grant program for the 2019-21 biennium to meet the funding requirement.

Since the fall of 2016, the Department has been supporting school districts, charter schools, youth corrections education programs (YCEP), and juvenile detention education programs (JDEP) to implement the High School Graduation and College and Career Readiness Act.

Under this Act, school districts and other eligible recipients are working to increase ninth grade on-track, graduation rates, and college and career readiness by establishing or expanding:

- Career and technical education (CTE);
- College-level opportunities; and
- Dropout prevention strategies.

With the additional funding provided by the Student Success Act, the Department has allocated the \$146.7 million for the first year of the biennium, with an additional \$152.7 million to be distributed during the second year of the biennium. At this time, there are 230 recipients with annual awards ranging from \$6,025 to \$10,823,345. Prior to the Student Success Act, the HSS awards ranged from \$4,479 to \$6,351,849.

To implement this expansion of the High School Success Act, the Department filled an education specialist position in August 2019 and will hire a program analyst this spring. The Department is also in the process of hiring a program director to help lead the implementation and alignment of the High School Success and Every Day Matters (EDM) initiatives. (The EDM initiative is focused on increasing school attendance.)

At this time, community engagement for High School Success centers around CTE/Perkins stakeholder engagement.

Legislative Considerations

No legislative considerations at this time.

African American/Black Student Success Plan Expansion: Section 25

Summary: In 2015, the legislature created the African American/Black Student (AA/BS) Success Plan (House Bill 2016) and a grant program to fund the strategies outlined in the plan.

The purpose of the African-American/Black Student Success Plan is to:

- Reduce the achievement gap for historically underserved students by evaluating the strategies implemented by grant recipients; and
- Share results and innovative practices with other school districts.

The Department may award grants to early learning hubs, providers of early learning services, school districts, post-secondary institutions of education and culturally specific community-based organizations that are working to design, implement, improve, expand or otherwise revise programs and services for African American and Black students and their families.

Progress Report: The Student Success Act expands the African-American/Black Student Success Plan by providing additional funding to implement strategies outlined in the plan. House Bill 5047, the Student Success Act budget bill, appropriates an additional \$3.8 million for a total of \$10 million in grant-in-aid funding for the 2019-21 biennium. The additional \$3.8 million is expected to be released sometime after July 1, 2020, depending on the grant agreement or contract.

To implement this Student Success Act initiative, the Department is currently working on:

- Issuing grant agreements to the nine current grantees;
- Releasing new pilot grantees applications;
- Releasing state-wide data concerning Black students in Oregon; and
- Selecting external research evaluators to measure impact of grant implementation across grantees longitudinally.

The African-American/Black Student Success Plan Expansion has conducted Advisory Committee Convenings and an Oregon Community Foundation Presentation, building on the outreach conducted to develop the plan. Other community members will also be encouraged to share the RFA with interested possible applicants. Because the African-American/Black Student Success Plan existed prior to the adoption of the Student Success Act, the rulemaking and hiring for this program are already completed.

Legislative Considerations:

No legislative considerations at this time.

Education Plan Identified by the Department: Section 25

Legislative Considerations:

Section 25 (1)(e) permits the Department to identify additional student groups for statewide equity plans. At this time, the Department is considering identifying the LGBTQ2+ student group for a possible statewide success plan.

Increased Transparency and Accountability in the Public Education System: Section 25

Summary: School districts and ESDs currently follow national standards, federal requirements, state law and local policy for financial accountability and transparency practices. In February 2019, the Department released the report, "[Gubernatorial Convening on School District Fiscal Management and Transparency](#)" (February 2019) that identified potential gaps in the current system and offered recommendations for improvements.

Progress Report: The Student Success Act provides planning funding to increase transparency and accountability in Oregon's public education system. House Bill 5047 appropriated funding to support district fiscal management and transparency initiatives, including school-level expenditure reporting, academic return on investment, data analytics, and best practices in fiscal management. These initiatives are based on the recommendation included in the 2019 report.

The following is a progress update for each of the initiatives.

School-level Expenditure Reporting: The Department currently has data collections and chart of accounts that will allow reporting expenditures at the school level. However, this information has not been available to the general public. Under this initiative, the Department is developing a publicly-available, school-level expenditure report on all Oregon public schools so that students, parents and other education partners can better understand how their schools are funded. The Department is circulating a draft report with school districts for their feedback and input. It plans to release the first public school-level expenditure report in June 2020.

Academic Return on Investment: Under this initiative, the Department will develop a business case on an academic Return on Investment (ROI) system to support the strategic allocation of educational resources, with the goal of increasing equity and student outcomes. The Department is currently in the beginning stages of hiring staff that will be charged with convening internal and external stakeholders to develop a business case for the system, which will be followed by a process to estimate the cost of a ROI system.

Fiscal Standards for Leaders: The purpose of this initiative is to update administrator pre-service and in-service training to include more professional learning on fiscal transparency, management and accountability. This initiative will develop a training program for school district leaders and conduct trainings on a regular basis. It will also work with the Teacher Standards and Practices Commission on preparing standards for administrators related to fiscal management. The Department will hire a policy analyst to lead this effort in July 2020. Trainings will begin in January 2021.

Local and Statewide Data Analytics Reporting: Under this Student Success Act initiative, the Department will implement a risk assessment tool to assess fiscal management at the district

level. Currently, the Department is beta-testing a potential assessment tool. It plans to have the risk assessment tool implemented by July 2020.

This initiative also includes developing a business plan for partnering with a data analytics contractor to provide reports to school districts.

Statewide Best Practices Fiscal Management: The Department will develop a Best Practices in Fiscal Management Guide to share online with the districts and public. The guide will include model policies and practices on auditing, training and performance reviews and guidance on typical areas of concern, such as credit card purchasing and handling of cash receipts. The Department plans to release a best practices guide in summer 2020. In addition, the Department has completed work on posting a statewide audit findings and corrective action list. This list is currently posted on the Department's website.

To implement these Student Success Act initiatives, the Department will hire a policy analyst for business operations review and auditing in February 2020 and a policy analyst for fiscal transparency and return on investment initiatives in the spring of 2020. In July of 2020, the Department will hire two limited duration positions: a project manager for building the project tasks for return on investment development and an information system specialist to assist with business analysis. The Department does not anticipate the need for rulemaking for these initiatives, but is continuing to engage stakeholders by presenting at conferences throughout the state.

Legislative Considerations:

The business plans for the Academic Return on Investment and Data Analytics tool may require additional resources for implementation.

Grant Management System: Section 25

Summary: Prior to the 2019-21 biennium, the Department awarded approximately 5,200 grants each year to school districts, early learning providers, community based organizations, and other education partners across the state. With the addition of the Student Success Act, it is expected that this number will increase by an estimated 1,000 grants per year. Currently, the Department relies on its Electronic Grants Management System (EGMS) to track, report and disburse funding. This system has an aging platform and lacks the full functionality that the Department needs to efficiently and effectively manage the volume of grants within its portfolio.

Progress Report: House Bill 5047, the budget bill for the Student Success Act, appropriated \$420,000 to be used for the acquisition of a Grants Management System. This funding is budgeted as agency operations to help support the implementation of the Student Success Act. The intent of the budget allocations is for the agency to acquire a system in the 2019-21 biennium that would become the replacement for the current and aging Electronic Grant

Management System (EGMS). While it is expected that the agency will complete the acquisition of this system by the end of the biennium, the actual implementation will likely occur in the 2021-23 biennium. The preliminary plan for acquiring and implementing this system are as follows:

January 1, 2020 to April 30, 2020

- Develop a long-term roadmap (Business Plan) that will describe the current state and future state for grants and contracts at the Department. This will take into consideration opportunities to use OregonBuys as a solution for grants, as well as additional subsidiary software that provides solutions to non-finance related portions of the grant process (application submission, application review, automations and outcome reporting). The Business Plan will also identify how to transition from EGMS while implementing future solutions. This plan is expected to include short-term and long-term goals. During this time, the Department may conduct a Request for Information (RFI) to help better identify the requirements for the system.

May 1, 2020 to June 30, 2020

- Develop a list of system requirements that will help populate a formal Request for Proposal (RFP).

July 1, 2020 to December 31, 2020

- Complete the solicitation of vendors, select vendors that best meet the needs of the agency, evaluate selected vendors, and negotiate with the vendor that best meets the agency's needs and budget.

January 1, 2021 to June 30, 2021

- Prepare for implementation, including business process mapping, policy development, desk manuals, change management, training and system testing. The target is to negotiate a contract with the selected vendor by 12/31/20 and implement by 7/1/21.

July 1, 2021

- Targeted date for implementation

The Department is currently recruiting for an operations and policy analyst who will serve as the principal business coordinator for the project. They will be responsible for completing the business plan, as well as being the lead contract administrator for the RFP and eventual contract with a selected vendor. In addition, the Department will be hiring a limited-duration informational services specialist in February 2020. This position will focus on writing a business case to identify and recommend a Grant Management System solution.

Legislative Considerations

At this time, the Oregon statute does not provide the Department with explicit authority to award state and federal fund grants. As such, the Department must provide evidence of “legal sufficiency” each time it creates a new grant agreement, which can add time to the overall grant allocation process.

The budget for the grant system may need to be revisited based on the negotiated contract with the vendor.

School Breakfast and Lunch Programs Expansion: Sections 26-32

Summary: School meals are currently funded through a combination of federal funds, state funds and family payments. Approximately 23 percent of Oregon students participate in school breakfast and 46 percent in school lunch. School districts and other providers are reimbursed for school meals based on the number of meals served.

Progress Report: The Student Success Act expands access to school meals by:

- Requiring an additional 350 schools to offer breakfast after the school day starts (Breakfast After the Bell); and
- Increasing the number of students eligible for school meals at no cost by:
 - Increasing the number of schools who can participate in community-based eligibility; and
 - Expanding eligibility to students who are between 185 and 300 percent of the poverty level.

House Bill 5047, the Student Success Act Budget Bill, provides \$1.17 million to purchase or upgrade equipment for serving breakfast after the bell and \$40.4 million to provide free school meals to more students

To implement this expansion, the Department is currently working on:

- Technical assistance to school districts, including the development of breakfast delivery models, to:
 - Make breakfast accessible at school sites after the beginning of the school day if 70 percent or more of the students at the school site are eligible students.
 - Consider breakfast instructional time when students consume breakfast in their classroom and instruction is being provided while they are consuming breakfast.
 - Ensure breakfast is accessible to all students after the beginning of the school day, regardless of grade or arrival time. Provide breakfast free of charge to all students, regardless of whether a student is an eligible student, in districts required to offer breakfast after the bell.
- Process for awarding breakfast equipment grants;
- Profiles for each school district so that they can determine which breakfast service and funding model to offer;

- Rulemaking for equipment grants, Breakfast after the Bell requirements, and expanded school meal programs;
- Process for state reimbursement of school meals as outlined in Section 30 of House Bill 3427 (2019); and
- Software updates to CNPweb, a web-based program that allows school districts and other sponsors to maintain school meal counts, file claims for reimbursement, and order USDA Foods.

To date, the Department has conducted six input sessions to develop rules, policies and guidance for the expansion of these programs with over a hundred individuals participating. Based on this input the Department has developed proposed rules for public comment. The State Board of Education is scheduled to adopt final rules in March 2020. In February 2020, the Department will be hiring a policy analyst to help with the implementation and monitoring of this program.

The Department is expected to release the \$1,176,000 for breakfast equipment grants beginning in July 2020. In September 2020, the Department will start reimbursing schools for the costs of providing more school meals free of charge.

Legislative Considerations

- In the 2020 legislative session, the Department is requesting two modifications to the school nutrition expansion:
 1. Changing the definition of eligible student in Section 26, House Bill 3427, from a “student who is eligible for free or reduced price lunches based on USDA current income guidelines” with a “student who is eligible under the national school lunch program or school breakfast program to receive lunch or breakfast at no charge or reduced price.” The current definition leaves out students who are:
 - Certified for meal benefits through methods other than income, e.g. Homeless, Foster, Migrant; or
 - Attending schools that use population-based eligibility to access the National School Lunch Program and School Breakfast Program, e.g. Community Eligibility Provision and Provision 2.

An estimated 329 schools serving over 120,000 students would not be required to implement Breakfast after the Bell under the current definition of eligible student.

2. Changing the reimbursement rate in Section 30 of House Bill 3427 from “the actual amount that a student would have been required to pay for the breakfast or lunch, taking into consideration if the student qualified for a free or reduced price lunch” with “the reimbursement rate established by the United States Department of Agriculture for reimbursable meals.” The current language would result in different

rates of state reimbursement per meal because of different meal prices among grade levels - elementary, middle and high schools – and between school districts. Technical stakeholders expressed concern about fairness because school districts could approve high paid meal prices in order to receive more state reimbursement. In federal regulations the setting of meal prices is a local level decision, preventing a state-set price.

- The current cost estimate for the expanded meal programs is \$40.4 million. However, the cost estimate is based on forecasting the number of student meals served, which is a new forecasting estimate at the state-level. As such, the Department may require a few cycles of funding to develop the best modeling system.

Statewide Youth Reengagement System: Section 33

This section was prepared by the Youth Development Division.

Summary: Services and programs designed to serve youth ages 14-21 who left high school prior to graduation and completion – collectively known as Reengagement – will be supported through the creation of a statewide Youth Reengagement System, to be developed and administered by the Youth Development Division (YDD). Reengagement includes academic remediation and reenrollment, supportive services, and connection to workforce development opportunities in order to address the full range of needs and interests of youth who have disconnected from school. The reengagement system will serve young people ages 14-21 who have left high school prior to completion, and others who are referred to these programs by partner agencies. The Student Success Act funding will support the establishment of Reengagement Programs, and numbers served will be based on community need and capacity.

Progress Report: The Student Success Act outlines requirements for the development of this system, and sets forth guidance on how the YDD, YDC and SBE should establish parameters for Reengagement Programs and participation. The Student Success Act:

- Establishes youth eligibility for the statewide youth reengagement system.
- Allows a school district to choose to provide a youth reengagement program, and participate in this system. The Youth Development Council (YDC) may identify other entities eligible to provide a youth reengagement program.
- Identifies required partnerships in a reengagement program.
- Identifies three required components of a youth reengagement program.
 - Academic instruction (credit recovery, GED preparation, college and career readiness)
 - Academic and career counseling (case management)
 - Services and resources to reduce barriers to educational and workforce success
- Authorizes the YDD to make grants in support of these youth reengagement programs.

- Provides guidance on stakeholder engagement, as well as technical assistance and accountability for reengagement programs.

As of November 1, 2019, YDD promoted an existing staff member into the role of Reengagement Manager (OPA-4). The YDD is currently in the recruiting stages for the Administrative Specialist 1 position which closed on November 2. The YDD is in the process of posting one of the operations and policy positions. The goal is to bring positions on board in early 2020. The remaining operations and policy analyst position won't be filled until the spring of 2020. The YDD has initiated planning for the OAR process, with the intention of drafting rules and carrying out stakeholder engagement in early 2020. In addition, YDD staff began community engagement in October 2019. The initial communities selected for community engagement were based on the following:

- Data analysis on high school non-completion rates (the percentage of students who did not earn a diploma or GED within 5 years of starting high school), and
- The potential impact of reengagement programs, due to the combination of need demonstrated by the data and limited existing programming and resources dedicated to the issue.

The YDD has visited two regions of the state in which it observed:

- Southwestern Oregon (Coos, Curry and Douglas County) – more than a quarter of youth in these three counties did not complete high school in the 2017-18 5-year cohort
- Northwestern Oregon (Columbia and Clatsop County) – the two largest high schools have non completion rates of 27 percent and 24 percent respectively, and there are very limited alternative school/reengagement programs available.

Community Meetings have been held at the following locations:

- Roseburg – Roseburg Public Library and Phoenix School of Roseburg (including reengaged youth focus group)
- Gold Beach – Gold Beach Public Library
- Coos Bay – South Coast ESD
- Astoria – Clatsop Community College
- St. Helens – St. Helens Public Library / Columbia Center

The YDD is still synthesizing feedback received from these meetings. Some themes have emerged which will inform subsequent rulemaking work and system development:

- Primary barriers youth face in reengaging include: Limited transportation, housing instability, shortage of childcare, limited mental health resources, limited options/accessibility of reengagement programs and definitions of success that don't prioritize completion outside of a 4-year diploma.

- Key strengths of these communities include: strong community connections and relationships, a willingness to collaborate to support young people, an interest in testing new approaches and some effective reengagement programs (and motivated schools and districts) that want to work together to build a community-based collaborative model.
- Participants shared ideas for what they think a reengagement program ought to look like:
 - Sustainable, reliable, consistent, and flexible
 - Advocates who can help youth navigate services and systems
 - Combining hands-on learning/CTE and GED instruction
 - Individualized service model
 - No red tape; easy for youth to access
 - Youth friendly locations
 - Family Engagement
 - Mental Health supports
 - Extended hours and virtual/on-site hybrid options for youth who are working or caregiving

The goal is to enter into grant agreements which would have funds available starting July 1, 2020.

Legislative Considerations

- The current “dropout” definition excludes many out-of-school youth, particularly those who have been out-of-school for more than a year. One option may be to modify youth eligibility to include any 14-21 year old who is out of school and has not earned a diploma or GED.
- The Student Success Act requires a reengagement program to provide academic instruction or services for monitoring and supporting eligible youth. One consideration is to require a youth reengagement program to provide both education and monitoring and support services.

Statewide School Safety and Prevention System: Section 36

Summary: The Student Success Act creates a statewide school safety and prevention system, with a four-pronged approach to strengthen safety in Oregon schools. This model focuses on the primary drivers of safety concerns to students: bullying, harassment, physical violence and suicide. The Department will allocate \$1.7 million in grants and contracts for regionalized services to support this system in the 2019-21 biennium.

Progress Report: The Student Success Act requires the Department to establish and maintain a Statewide School Safety and Prevention System. The School Safety and Prevention System must assist districts to establish:

- Bullying and Harassment Prevention Programs
- Suicide Prevention and Student Wellness Programs
- Multi-disciplinary School Safety Assessment Teams
- Promotion and Use of a Statewide Tip Line

The Student Success Act requires the system to be supported by school safety and prevention specialists who:

- Serve the regions of the state;
- Are cross trained in safety assessment, suicide prevention, and bullying and harassment prevention; and
- Provide ongoing training, support and coordination.

This Student Success Act initiative is based on the recommendations from the [Oregon Task Force on School Safety 2019 Report to the Legislature](#) (January 2019). House Bill 5047 appropriated \$1.73 million in grants for eight regional school safety and prevention specialists and five statewide youth suicide prevention and wellness specialists. This funding is expected to be released sometime after July 1, 2020, depending on the grant agreement.

To implement this initiative, the Department is currently working on:

- Establishing a steering committee to help determine regions and other system needs;
- Soliciting input on rulemaking;
- Hiring and on-boarding activities; and
- Community engagement.

The State Board of Education is scheduled to adopt rules for the statewide system in April 2020. In addition, the Department hired a program analyst in January 2020 to manage development of the statewide and regional grant agreements and contracts, conduct an inventory of district needs, assist with compiling and maintaining data, facilitate the steering committee and perform other related duties. The steering committee is scheduled to start meeting in February 2020.

Legislative Considerations

There are currently discrepancies between federal law and state law related to the disclosure of student information in health and safety emergencies. The Family Educational Rights and Privacy Act, 20 USC § 1232g (“FERPA”) does not provide for a right of civil action for the disclosure of personally identifiable information from an education record, but Oregon law does. This difference in the federal and state standards may lead to confusion for educators and institutions when determining whether to disclose protected student information in an emergency situation.

American Indian/Alaska Native Student Success Plan Expansion: Section 38

Summary: Over 30 years ago, the Oregon American Indian/Alaska Native Education State Plan was approved by educators within American Indian and Alaska Native communities, members of the State Board of Education, and the Oregon Department of Education. In 2015, the plan was revised and now includes 11 state educational objectives with accompanying strategies and measurable outcomes.

Progress Report: The Student Success Act codified the American Indian/Alaska Native Student Success Plan into statute and created a grant program to fund the strategies outlined in the plan. House Bill 5047, the budget bill for the Student Success Act, appropriated \$3,190,000 in grant funding for the 2019-21 biennium. This funding is expected to be released after July 1, 2020, depending on the grant agreement.

Under the plan, grants may be distributed to early learning hubs, providers of early learning services, school districts, education service districts, post-secondary institutions, community-based organizations and tribal governments.

To implement this initiative, the Department is currently working on:

- Updating the American Indian/Alaska Native Student Success Plan;
- Preparing to release funds for Tribal Attendance Promising Practices (TAPP) grants and new grant development;
- Hiring activities; and
- Community meetings and collaboration.

To prepare for the implementation of the plan, the Office of Indian Education has conducted community engagement statewide, including:

- Ongoing tribal engagement and collaboration on the student success plan; and
- Community outreach through conferences, trainings at the Department, collaboration with partners, workshops, summits and school and district engagement.

The State Board of Education is scheduled to adopt rules related to the grant program in May 2020.

In addition, the Department received two positions to help with the implementation of the plan. In January 2020, the Department hired a Native American Student Success Coordinator. This position will help facilitate the American Indian/Alaska Native Student Success Advisory Committee, manage the rulemaking process, assist with the development and implementation of the grant program, conduct research and analysis of best and promising practices for American Indian youth and students, share findings with districts and schools and identify ways to make systematic changes through the grant program. In the summer of 2020, the Department plans to hire an operations and policy analyst for tribal relations, student

investment, and developing alignment with the Latinx and African-American/Black student success plan.

Legislative Considerations

No legislative considerations at this time.

Latinx Student Success Plan: Section 38

Summary: The Student Success Act creates a statewide student success plan for students who are Latino or Hispanic, including individuals of Mexican, Cuban, Puerto Rican, South American, Central American or Spanish descent and who have experienced disproportionate results in education due to historical practices. It also creates a grant program to fund the strategies outlined in the plan. House Bill 5047, the budget bill for the Student Success Act, appropriated \$1 million in grant funding for the 2019-21 biennium. Grants may be distributed to early learning hubs, providers of early learning services, school districts, education service districts, post-secondary institutions and community-based organizations.

Progress Report: To implement this initiative, the Department is currently working on:

- Establishing an executive committee;
- Advisory committee planning;
- Preparing for rulemaking;
- Pilot grant program development;
- Hiring activities; and
- Community engagement.

The State Board of Education is scheduled to adopt rules for the grant program in May 2020. In February 2020, the Department will hire an education specialist to support the implementation of the plan by facilitating the advisory committee, managing the rulemaking process, writing the student success plan as guided by the advisory committee, assisting with the development and implementation of the grant program, supporting the research and analysis of best and promising practices and other related duties. Funding for initial pilot grants is expected to be released sometime after July 1, 2020, depending on the grant agreement or contracts.

Legislative Considerations

The Latinx Plan received \$1 million for grant-in-aid in the 2019-21 biennium. At this time, Latinx students represent approximately 24 percent of the total student population in Oregon public schools. Due to the large number of students, the Latinx plan may need additional resources to fully implement the success strategies.

Summer Programs for Title I Schools: Sections 42-44

Summary: The Summer Program for Title I Schools is a non-competitive grant program, with the goal of providing summer opportunities to improve student academic outcomes. The Department will allocate \$3 million through a per student formula to eligible Title I schools in the 2019-21 biennium.

Progress Report: The Student Success Act creates a grant program for summer programs to improve student achievement at identified Title I eligible schools. Specifically, the Student Success Act directs the Department to make summer program grants available to schools that:

- Are considered high poverty under Title I-A of the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act;
- Have significant achievement gaps between historically underserved student groups and other student groups; and
- Have been determined by the Department to require additional supports and interventions based on school performance.

The Student Success Act requires that programs funded by this grant provide at least 60 hours of direct academic instruction by a teacher licensed under ORS 342.125 or by an instructional assistant, as defined in ORS 342.120.

In February 2020, the State Board of Education will adopt rules to establish the funding, selection criteria, and program requirements for the Student Success Act Summer Program.

To develop the program rules and guidance, the Department conducted a total of six input sessions with the Student Success Act Standing Rules Advisory Committee and the Title I-A Committee of Practitioners. In addition, it solicited input through school classroom visits and surveys. To assist with the implementation of this program, the Department is hiring a program analyst in February 2020.

At the end of January, the Department will identify and notify schools of their pending eligibility to receive the Student Success Act summer program grants for 2020, 2021 and 2022 summers, with the first programs starting in June 2020. After this first funding cycle, schools will be identified on a biennial basis. House Bill 5047, the budget bill for the Student Success Act, appropriated \$3 million for these grants in the 2019-21 biennium.

Legislative Considerations

In the 2020 legislative session, the Department is requesting that the effective date of the summer programs be moved from July 1, 2020 to May 15, 2020. The earlier date will allow the Department to provide grant funding to school districts, particularly rural school districts that start their summer learning programs as early as the middle of May.

Early Indicator and Intervention Systems: Sections 44-47

Summary: Early Indicator and Intervention Systems (EIS) are used by many districts and some states across the nation to identify students who are not on track to graduate. These systems can provide educators with quality and customizable tools to monitor data points and analyze key indicators of student progress, attendance and behavior. These tools also aim to allow educators to monitor the effectiveness of interventions. The Student Success Act provides non-competitive grants to assist school districts and charter schools in implementing these systems.

Progress Report: The Student Success Act requires the Department to provide grants to school districts to purchase and manage EIS systems so that school districts, students, families, educators, school counselors and community organizations have the information to keep students on track to graduate. The Department is also required to provide technical assistance to school districts to ensure effective and proper implementation of the systems.

House Bill 5047, the budget bill for the Student Success Act, appropriated \$1.8 million for grants to school districts to implement early indicator and intervention systems. The grant funding will become available in July 2020 and be awarded on the basis of a school district's ADM multiplied by \$3.00. At this time, the Department is still determining the basis and timing for reimbursement. The Department also received \$1 million for technical assistance contracts for grants to the field. The Department anticipates distribution sometime after July 1, 2020.

The State Board of Education plans to adopt rules for the EIS grant program in April 2020. To develop rules and guidance, the Department is currently engaging community members, tribal representatives and stakeholders through the Standing Rules Advisory Committee for the Student Success Act.

Legislative Considerations

In the 2020 legislative session, the Department is requesting to shift a portion of the budgetary resources from the \$1.0 million Grant-in-Aid to Operations to establish one position. This position will support the implementation of the \$2.8 million resources dedicated to the Early Indicator and Intervention System.

Educator Professional Development: Section 48

The Student Success Act requires the Department and the Educator Advancement Council (EAC), in consultation with the Teacher Standards and Practices Commission, the Higher Education Coordinating Commission and representatives of school districts and other education stakeholders to develop a plan to provide an effective combination of programs and initiatives for the professional development of educators from kindergarten through grade 12. The plan shall be based on consideration of increasing: educator retention, educator diversity, mentoring and coaching of educators, participation in educator preparation programs, and educator scholarships.

The Student Success Act required the Department to submit a report on the plan, including legislative recommendations, by January 15, 2020. House Bill 5047, the Student Success Act budget bill, provides \$15 million to support the implementation of the plan, upon approval by the legislature.

The EAC submitted the [Report on Section 48 of the Student Success Act, Diversifying the Educator Workforce](#) on January 15, 2020.

Legislative Consideration

In May 2020, the EAC will need to submit an updated plan to the Emergency Board to facilitate the release of the \$15 million.



Early Learning Account

Except for the Early Intervention/Early Childhood (EI/ECSE) section, the Early Learning Account sections were prepared by the Early Learning Division.

Early Intervention (EI)/Early Childhood Special Education (ECSE): Section 52

Summary: The Oregon Department of Education contracts with local agencies to provide a statewide system of free services for young children with developmental delays and disabilities and their families, including:

- Early Intervention (EI) -- Individually designed services for children birth to three and support for parents to enhance children's physical, cognitive, communication, social emotional and/or adaptive development; and
- Early Childhood Special Education (ECSE) -- Specially designed instruction for children ages three to the age of public school eligibility in the areas of communication, cognitive, social/emotional, adaptive and others.

Progress Report: The Student Success Act provides funding for Early Intervention and Early Childhood Special Education (EI/ECSE) to reach adequate service levels for children with disabilities, ages birth to five, and their families. House Bill 5047, the budget bill for the Student Success Act, appropriated \$37.5 million to increase the quality of services to the estimated eligible children for the 2019-21 biennium. This funding will be distributed through the EI/ECSE approved contractors.

To implement this initiative, the Department is currently working on:

- Updating the Adequate Service Level model and data collections on ecWeb related to tracking the provision of Adequate Services in the nine contract areas;

- Convening an inter-agency Statewide Leadership Team to meet monthly and make decisions collaboratively to build the state capacity to implement, sustain and scale-up high-quality inclusion;
- Collaborating with the Early Learning Division to explore opportunities to increase inclusion in state funded preschool and support teachers to provide high-quality, inclusive practices;
- Revising the Comprehensive System of Professional Development (CSPD) to reflect goals regarding staff recruitment and retention which will also be a core challenge in reaching adequate service level provision; and
- Reviewing and revising EI/ECSE contracts and associated deliverables to address how the additional funding will be used to increase adequate service levels and improve quality service provision.

In addition, the Department recently applied for and received an Intensive Technical Assistance Grant to Implement, Sustain and Scale-Up High Quality Inclusive Preschool Policies and Practices. This technical assistance is directly related to the components identified in EI/ECSE's Adequate Service Level model and will increase the capacity of the state and local programs to enrich service provision to infants, toddlers and children with disabilities.

The Department does not anticipate the need for rulemaking to implement the expansion of the EI/ECSE services. However, it has met with the Early Learning Council and the State Interagency Coordinating Council and with the nine EI/ECSE Contractors to identify community-specific strategies to increase service levels. It has also convened an inter-agency Statewide Leadership Team to meet monthly and make decisions collaboratively to build the state capacity to implement, sustain and scale-up high-quality inclusion.

EI/ECSE Contractors will receive their first Student Success Act funds on July 1, 2020. After this, funding will occur biennially with annual amendments.

Legislative Considerations

There will need to be consideration given to the historical methodology in which current service level is calculated for EI/ECSE. This methodology has been strictly based on caseload growth without a consideration of the levels of services provided for eligible children. A new calculation may need to be implemented to ensure the EI/ECSE continues to be funded in accordance to the level it was established in the 2019-21 biennium.

Early Learning Professional Learning and Work Force Development: Section 52

Summary: The Early Learning Professional Learning investment will provide funding for preparation and ongoing development of the Birth-to-Five workforce. The Early Learning Division's proposal to the legislature for this funding includes scholarships, competency-based

training and the development of new pathways and supports (e.g., apprenticeships) for the early learning workforce.

Progress Report: The Early Learning Professional Learning and Workforce Development funding in the Early Learning Account was appropriated in the Student Success Act. The accompanying budget note states: “The Early Learning Council, Early Learning Division staff, and Educator Advancement Council shall consult with other units of the Department of Education, Higher Education Coordinating Commission, and representatives of early learning Hubs, providers and families in developing a plan on the most effective set of programs and initiatives for early learning educator professional development and expanded education/training opportunities. The plan shall include consideration of workforce retention, recruitment, a greater diversified education workforce, early learner educator scholarships, and the potential for a coordinated stackable system of programs incorporating work experience, community college credits and public university credits.” The EAC submitted the report on the plan to the legislature on January 15, 2020 for consideration during the 2020 legislative session.

Community Engagement:

Significant outreach was conducted to complete this report. In addition to the Early Learning Council, Early Learning Division, ODE, HECC and the Educator Advancement Council, the following stakeholders have been engaged in order to complete this report:

- Staff and faculty from two- and four-year institutions
- Child Care Resource and Referral staff
- Staff from the Oregon Registry Online
- Focus groups of educators working in child care centers across the state
- Family Child Care Providers
- Staff from Culturally Specific Organizations and Community Based Organizations
- Philanthropy
- Early Learning Hub staff

Legislative Considerations

No legislative considerations at this time.

Early Childhood Equity Fund: Section 53-55

Summary: The Early Childhood Equity Fund will provide about \$10 million annually in grants to support a broad range of culturally specific early learning, early childhood and parent support programs, including parenting education, parent-child interactions, kindergarten transition, and tribal language preservation. The fund aims to close opportunity gaps for children and families who experience systemic disparities because of any combination of factors, such as race, income, zip code or language through funding early learning services rooted in culture, home language and lived experience.

Progress Report: The Early Childhood Equity Fund was created as part of the Student Success Act (House Bill 3427) and will provide about \$10 million annually in grants to support a broad range of culturally specific kindergarten readiness and family support organizations and programs.

The purpose of the fund is to build capacity in communities to implement parenting support and kindergarten readiness programs. An evaluation is being designed that will measure the following:

- Positive child indicators, including early childhood school readiness;
- Positive family indicators, including family stability;
- Use of culturally specific methods; and
- Building capacity of culturally specific organizations.

An Early Childhood Equity Fund Implementation team comprised of ELD staff and stakeholders has convened since February 2019 to discuss and plan effective outreach and engagement with culturally specific organizations during the solicitation process. A [webpage](#) dedicated to the Early Childhood Equity Fund is available on the [ELD Student Success Act page](#) as a mechanism for communicating with the public and prospective Early Childhood Equity Fund applicants. The Division developed and released an Early Childhood Equity Fund Survey in October 2019 to help identify the types of culturally specific organizations and programs operating across the state; understand the experiences and constraints encountered by programs in engaging in state solicitation processes; and to generate a broader distribution list of organizations that are potentially interested in applying for Early Childhood Equity Fund grants. The results are currently being analyzed.

The Division also developed a Rules Advisory Committee for the Early Childhood Equity Fund. The RAC was comprised of a variety of stakeholders, including culturally specific organizations, early learning service providers, advocacy organizations and more. The RAC convened in early December 2019, sending final rules for consideration and adoption by the Early Learning Council on January 30. ELD staff are in the process of writing the request for application document as well as a program guidance tool.

Hiring Summary

Equity Fund Program Manager

- Hiring: Recruitment posted as of January 2020.
- Function: Subject matter expert. Management and monitoring of Equity Fund program.

Equity Fund Grants Specialist

- Hiring: Hiring will be finalized by the end of January 2020.
- Function: Grant administration and oversight of Equity Fund grants.

OAR Development Summary

No rules currently exist for the Early Childhood Equity Fund; therefore, new rules are needed. The Early Childhood Equity Fund Rules Schedule is as follows:

- November: Develop draft rules
- December: Convene Rules Advisory Committee; external stakeholder review
- January: public comment period; final rules adoption

Community Engagement Summary

Community engagement on the Early Childhood Equity Fund has occurred through work with the Early Childhood Equity Fund Implementation team and the Early Childhood Equity Fund Survey.

Schedule for Release of Funds

July 1st – Funds will be available to grantees.

Legislative Considerations

As a brand new program, the goal is to apply learnings from the first year of implementation to subsequent years of program administration.

That said, there are a number of areas in HB3427 that the rules will clarify:

- Definitions, including “culturally specific organization” and “culturally specific program”
- Application process (competitive solicitation, duration of awards, process for submitting an application, etc.);
- Eligibility criteria;
- Scoring criteria and process;
- Grantee selection and award;
- Program administration; and
- Evaluation.

Relief Nurseries: Section 52

Summary: Relief Nurseries serve families with children aged 0-6 who are most at risk of abuse and neglect. They provide high-risk families with the intensive support they need for their children to grow up safe, healthy and ready for school. Classrooms are designed to be therapeutic environments, with low adult-child ratios. Families receive home visits and parenting education, among other opportunities.

Progress Report: The ELD has developed, in consultation with Oregon Association of Relief Nurseries (OARN), the funding allocations for the next fiscal year. All necessary documents have been prepared for the release of funds, when the funds become available. The funding

allocations will support the expansion of Relief Nursery services to an additional 1,000 children and families by opening two new sites and seven additional satellite sites.

House Bill 2262

- No action needed

House Bill 5047

- \$2.8 million to expand services
- Open two new Relief Nurseries and seven additional satellite sites
- An additional 1,000 children will be served

Scope of Work

- Budget development- December 2019
- Amend existing contracts and develop new contracts for new sites - March 2020
- Coordinate with the OARN- ongoing
- Fully executed contracts – July 1, 2020
- Services begin – September 2020

There is no need for additional staffing or rulemaking at this time.

Community Engagement Summary

Monthly meetings have been established with OARN. There have been four monthly meetings to date. The ELD presented information and collected input on the implementation of the new legislation at the OARN annual summit in October. ELD staff is scheduled to meet the OARN's Stewardship Committee on January 16, 2020.

Schedule for Release of Funds

Funds will be released July 1, 2020. New services will begin in fall of 2020, so funds need to be distributed as soon as they are available.

Legislative Considerations

No legislative provisions needed to implement the act.

Early Learning Program Expansions: Section 52

Summary:

Preschool Promise: The Preschool Promise Program is a high-quality, publicly-funded preschool program that serves children ages 3-4 in families living at or below 200 percent of the Federal Poverty Level, children in foster care and children from other historically underserved populations. Preschool Promise incorporates a mixed delivery approach to provide families the opportunity to find a type of care that best meets their needs. The Preschool Promise program is currently undergoing an expansion to serve approximately 3,800 children across the state.

Oregon Pre-kindergarten Program (OPK): Modeled after the Head Start program, Oregon Prekindergarten is a program that provides comprehensive health, education and social services to children prenatally through five years of age. The program promotes high-quality early learning opportunities for lowest income and highest need children, and supports children's growth and development prior to entry into kindergarten.

Progress Report: The ELD drafted a rule set for the Oregon Pre-Kindergarten program and the Preschool Promise Program. The rules sets are currently in the public comment period and public hearings were held on January 21, 2020. Rules are on schedule to be adopted by the ELC on January 30, 2020. Draft Requests for Applications have been reviewed by the Department of Justice and final revisions were completed on January 16, 2020. The Preschool Promise Program Request for Applications (RFA) will soon be translated into Spanish. The ELD is finalizing the communication and technical assistance plan connected to the RFAs.

House Bill 2025

- Rule revision and promulgation
 - To be completed by January 30, 2020
- Programs impacted:
 - Oregon Pre-Kindergarten (OPK)
 - Oregon Early Head Start
 - Preschool Promise

House Bill 5057

- \$44,399,232 to expand and enhance OPK services (transportation, full day programming) and increase teacher and assistant teacher salaries
- \$22,343,688 to expand Early Head Start services to an additional 1,189 families and children
- \$30,795,390 to expand Preschool Promise services to an additional 2,565 children

Scope of Work

- Stakeholder engagements – Began in September, 2019 and will continue through implementation in fall 2020
- Rule revisions and promulgation – January 30, 2020
- Budget development- December 2019
- Develop RFA and release after rules have been adopted by the ELC – late January/ early February 2020
- Develop program guidance and grant agreements – January 2020
- Review applications and select recipients- March 2020
- Fully executed grant agreements – July 1, 2020
- Services begin- September 2020

Hiring Summary

PA2- Communication and Community Engagement Coordinator

- Offer made 11/22/19.
- Responsible for coordinated stakeholder engagement events and creating associated reports.
- Responsible for creating communication documents related to the implementation for both internal and external stakeholders.
- Coordinates work with the Communication Director.

OPA4- Lead Program Specialist

- Position posted and recruitment closed 11/17/19.
- Responsible for creating monitoring and program oversight policies and protocols for OPK, Early Head Start, Preschool Promise and Relief Nursery.
- Responsible for developing technical assistance strategies to support the successful implementation of high quality services throughout the expansion.

PA4- Head Start Program Specialist

- Position posted and recruitment still open
- Responsible for developing policies and protocols for the Early Head Start expansion.
- Coordinates with existing Head Start Program Specialist on all implementation tasks (rules, budget, RFA, TA).

OAR Development Summary

Rule revisions are necessary for Preschool Promise, OPK, and Early Head Start programs. Stakeholder engagements began in September and ended in December 2019. Rule revision language was initially drafted in November 2019 based on the feedback received. Final rules will be adopted by the ELC on January 30, 2020.

Community Engagement Summary

A combination of virtual, in person and surveying began in September 2019 and will continue through May 2020. Stakeholders include early learning hubs, the Oregon Head Start Association and members, parents, Preschool Promise providers, and the ELD is also planning to reach out to Tribal representatives.

Schedule for Release of Funds

Funds will be released July 1, 2020. New services will begin in fall of 2020, so funds need to be distributed as soon as they are available.

Legislative Considerations

No legislative considerations at this time.

Healthy Families Oregon: Section 52

Summary: The Healthy Families Oregon investment will increase capacity for local programs to provide Healthy Families' evidence-based voluntary intensive home visiting services to more prenatal families and families with newborns. Healthy Families Oregon enhances family functioning and promotes positive parent-child relationships.

Progress Report: Section 52 of HB 3427 includes expected outcomes for Healthy Families Oregon (HFO). Specifically that more families voluntarily access high-quality home visiting services to learn about building a strong relationship with their baby and improving their child's health, nutrition and development.

The ELD has consulted with Healthy Families Oregon's national organization, Healthy Families America, as well as the Oregon Health Authority's Maternal Infant and Early Childhood Home Visiting (MIECHV) program regarding cost modeling and per child costs. The Division has refined the goals and objectives to align with the LAB and are in the process of determining RFA requirements.

Once the RFA requirements are finalized, the ELD will begin the RFA process, including soliciting applications and determining awards with grant funds disbursed through a grant amendment. The final timeline, including when newly-funded HFO slots will be up and running, have not yet been determined.

Legislative Considerations

No legislative considerations at this time.

Parenting Education: Section 52

Summary: The Parenting Education investment will provide funding to support the establishment, expansion and sustainability of community-based parenting education programs to deliver evidence-based, culturally-specific parenting education programs for families of young children from birth to age five. The ELD will leverage the Oregon Parenting Education Collaborative, an established statewide infrastructure, to expand access.

Progress Report: The Early Learning Account created as part of the Student Success Act (HB 3427) a one million dollar investment in expanding access to parenting education programs. The scope of work for the distribution and implementation of these funds is currently in development, and is designed to build off the existing parenting education infrastructure throughout the state. The Oregon Parenting Education Collaborative are key partners in

developing the scope of work. To date, work has been accomplished to determine a timeline and methodology for distributing funds, and for providing technical assistance, data collection, and program evaluation. Resources and supports will be directed primarily to priority populations, with an emphasis on the application of an equity lens through culturally responsive programming.

As an expected outcome of the program:

- Families will be able to demonstrate improved knowledge and skills in relation to supporting their children's early learning and development;
- Families will be able to connect to additional resources and supports outside of the parenting education programs that will help them support their children's early learning and development; and
- Children's readiness for kindergarten will improve as a result of their families' participation in parenting education programs.

There is no need for additional staffing or rulemaking at this time. Funding will be distributed in partnership with the Oregon Parenting Education Collaborative. The time frame for release of funds is being determined with the Oregon Parenting Education Collaborative.

Legislative Considerations

No legislative considerations at this time.