



**Steve Spencer**  
Superintendent

**Rachel Alpert**  
Assistant Superintendent

**2024-2025**  
**Board of Directors**

**Ed Dressel**  
**Lu Ann Meyer**  
**Rob Ogilvie**  
**Zach Steele**  
**Jon Woods**

**Juli Lichtenberger**  
Board Secretary

Please join us at our  
school board meetings.

Unless otherwise  
scheduled the board  
meets the second and  
fourth Mondays  
of the month.

**District Office**  
**Board Room**  
**6:30 p.m.**

**Mission Statement**  
***Dallas School District***  
***is centered on students,***  
***powered by***  
***collaboration, built on***  
***equity, and driven by***  
***excellence.***

**Our Vision**  
***Each student is known***  
***by name, strength, and***  
***need – pursuing a life***  
***of engagement,***  
***innovation, and***  
***success.***

**Tagline:**  
**Ask yourself...Is it**  
**good for kids?**

***Dallas School District***  
***111 SW Ash Street***  
***Dallas OR 97338***  
***503.623.5594 ph***

**Agenda**  
**Board Meeting**  
**August 26, 2024**  
**6:30 p.m.**

**<https://dsd2-org.zoom.us/j/84855147461>**  
**District Office Board Room**

<b>1.0</b>	<b>Welcome/Pledge of Allegiance</b>	
<b>2.0</b>	<b>Approval of the Agenda</b>	
<b>3.0</b>	<b>Good News</b>	
<b>4.0</b>	<b>Public Comment</b>	
<b>5.0</b>	<b>Announcements</b>	
5.1	August & September Calendars	131
5.1.1	Next Board Meeting September 9, 2024 at 6:30 p.m.	
5.1.2	Citizens Oversight Committee Meeting September 10, 2024 at 5:30 p.m.	
<b>6.0</b>	<b>Consent Agenda</b>	
6.1	Approval of the August 12, 2024 Board Minutes	133
6.2	BBF – Board Member Standards of Conduct	136
6.3	CBC – Superintendent’s Contract	137
6.4	BDC – Executive Sessions	139
6.5	GCBDF/GDBDF – Paid Family Medical Leave Insurance	142
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6.7	EBBA – First Aid – Delete	144
6.8	EBC/EBCA – Emergency Procedures and Disaster Plans – Delete	145
6.9	GCDA/GDDA–Criminal Records Check and Fingerprinting-Delete	146
6.10	BD/BDA – Board Meetings	149
6.11	JHC – Student Health Services and Requirements – Delete	153
6.12	JHCC – Communicable Diseases – Students – Delete	155
6.13	JHCCA – Students- HIV, HVB, and AIDS – Delete	156
6.14	JHCCF – Pediculosis (Head Lice) – Delete	157
6.15	GBEB – Communicable Diseases in Schools	158
6.16	EBC – Emergency Plan and First Aid	160
6.17	AC – Nondiscrimination	161
6.18	CBG – Evaluation of the Superintendent	163
6.19	CCG – Evaluation of Administrators	164
6.20	JGA – Corporal Punishment	167
6.21	CB – Superintendent	168
<b>7.0</b>	<b>Assistant Superintendent Contract (Board Action)</b>	169
<b>8.0</b>	<b>English Language Legislative Report – Todd Baughman</b>	176

**9.0 Work Session Topics**

9.1 Budget 101

9.2 Review of District Goals & Communication Plan

**10.0 Adjourn**



## Public Participation in Board Meetings

During each school board meeting, the agenda has been set to include an item titled “public comment.” It is during this portion of the agenda the public can comment on any item that is or is not on the agenda.

Because of the nature of the Board’s work, it is typical that the Board will hear from a patron. Public participation is a time for the Board to listen, not a time for discussion or responding to questions, as the Board needs adequate time to process the information received to ensure proper steps are taken going forward. The Board may direct questions to district administrative staff to respond to after the meeting. If input is given related to an action item later in the agenda, the Board will use the input during their discussion or deliberation of that specific item. All public comment during a Board meeting is limited to 3 minutes for each individual. Up to 5 minutes may be granted to one person who represents a group of 3 or more with similar testimony. The Board Chairperson may adjust or extend allowable time limits, if necessary.

The Board cannot hear complaints about specific school personnel during an open meeting. If a patron has a specific complaint against district personnel, the board chair or the superintendent can direct the patron to the appropriate complaint process governed by board policy.

There are three ways to provide public comment at a Board meeting.

- 1) If you wish to address the Board in person during a Board meeting, please fill out the request for public comment form available outside the boardroom. If the meeting has started and you decide you would like to provide public comment, please alert the administrator who was the greeter or the board executive assistant with your request by simply handing them the public participation form. This will be directed to the board chair.
- 2) If you wish to address the Board remotely (via Zoom) during a Board meeting, please email Juli Lichtenberger, Executive Assistant to the Superintendent and Board, ([juli.lichtenberger@dsd2.org](mailto:juli.lichtenberger@dsd2.org)) at least two hours prior to the start of the meeting. Clearly label the subject line as “Public Comment”. In the email state that you would like to address the board remotely during the meeting, and include the topic.

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**Steve Spencer, Superintendent**

**Rachel Alpert, Assistant Superintendent**

Board of Directors: Ed Dressel • Lu Ann Meyer • Rob Ogilvie • Zach Steele • Jonathan Woods

- 3) If you wish to address the Board in hard copy or email please submit to Juli Lichtenberger, Executive Assistant to the Superintendent and Board, at [juli.lichtenberger@dsd2.org](mailto:juli.lichtenberger@dsd2.org) at least two hours prior to the start of the meeting. Clearly label the subject line or document as "Public Comment"

If you have questions about the district, we encourage you to contact our superintendent.

Thank you for your interest in Dallas School District.

All public meetings, assemblies and celebrations held by the Dallas School District 2 are required to be accessible to persons with disabilities under Title II of the Americans with Disabilities Act (ADA). Accommodations are available upon request to persons who require alternatively formatted materials or auxiliary aids to ensure effective communication and access to events. Please allow at least 10 business days to arrange for accommodations. All requests should be sent to:

DO Reception  
Dallas School District 2  
111 SW Ash Street  
Dallas, OR 97338  
503-623-5594

Or: e-mail [compliance.officer@dsd2.org](mailto:compliance.officer@dsd2.org)

# AUG 2024

SUN	MON	TUE	WED	THU	FRI	SAT
				01	02	03
04	05	06 Citizens Oversight Committee Meeting 5:30 p.m.	07	08	09 OSBA Conference	10 OSBA Conference
11 OSBA Conference	12 Board Meeting 6:30 p.m.	13	14	15	16	17
18	19	20	21	22	23	24
25	26 Inservice Board Meeting 6:30 p.m.	27 Inservice District Wide Welcome Back Meeting 8:00 a.m.	28 Inservice	29 Inservice	30 Inservice	31

# SEP 2024

SUN	MON	TUE	WED	THU	FRI	SAT
01	02 No School Holiday	03 Orientation Day for Buildings	04 First Day of School for All Grades	05	06	07
08	09 Board Meeting 6:30 p.m.	10 Citizens Oversight Committee Meeting 5:30 p.m.	11	12	13	14
15	16	17	18	19	20	21
22	23 Board Meeting 6:30 p.m.	24	25	26	27	28
29	30					

**Minutes**  
**Board Meeting**  
**August 12, 2024**  
**6:30 p.m.**  
<https://dsd2-org.zoom.us/j/84855147461>  
**District Office Board Room**

**Present:** Lu Ann Meyer, Rob Ogilvie, Jon Woods, Zach Steele, Steve Spencer, Juli Lichtenberger, Rachel Alpert, Sean Johnson, Ann Ziehl, Tami Montague, Tim Larson, Reed Langdon, Nick Ingall, Todd Baughman

**Visitors:** Jennifer Reinhart, Arriel Robinson

**Excused:** Ed Dressel

**1.0 Welcome/Pledge of Allegiance**

**2.0 Approval of the Agenda**

Zach Steele moved to approve the agenda, seconded by Rob Ogilvie. The motion passed unanimously.

**3.0 Good News**

Steve Spencer, Superintendent, introduced Ann Ziehl to the Board. Ann is the new Director of Special Education for the district.

**4.0 Public Comment**

No public comment.

**5.0 Announcements**

**5.1 August Calendar**

5.1.1 Next Board Meeting August 26, 2024 at 6:30 p.m.

5.1.2 Citizens Oversight Committee Meeting September 10, 2024 at 5:30 p.m.

**6.0 Consent Agenda**

**6.1 Approval of the July 8, 2024 Board Minutes**

Consent Agenda was approved without any objection.

**7.0 Financial Report – Tami Montague**

Tami Montague, Director of Fiscal Services, shared the financial report for month ending July 2024. The capital projects funds report was shared. Discussion was held.

## **8.0 Leave of Absence Request for Cassie Heckard**

Steve Spencer recommended approval for the request. Zach Steele moved to approve the leave of absence for Cassie Heckard, seconded by Rob Ogilvie. The motion passed unanimously.

## **9.0 Policies First Read**

- 9.1 BBF – Board Member Standards of Conduct
  - 9.2 CBC – Superintendent’s Contract
  - 9.3 BDC – Executive Sessions
  - 9.4 GCBDF/GDBDF – Paid Family Medical Leave Insurance
  - 9.5 DJCA – Personal Services Contracts – Delete
  - 9.6 EBBA – First Aid – Delete
  - 9.7 EBC/EBCA – Emergency Procedures and Disaster Plans
  - 9.8 GCDA/GDDA – Criminal Records Check and Fingerprinting
  - 9.9 BD/BDA – Board Meetings
  - 9.10 JHC – Student Health Services and Requirements – Delete
  - 9.11 JHCC – Communicable Diseases – Students – Delete
  - 9.12 JHCCA – Students- HIV, HVB, and AIDS – Delete
  - 9.13 JHCCF – Pediculosis (Head Lice) – Delete
  - 9.14 GBEB – Communicable Diseases in Schools
  - 9.15 EBC – Emergency Plan and First Aid
  - 9.16 AC – Nondiscrimination
  - 9.17 CBG – Evaluation of the Superintendent
  - 9.18 CCG – Evaluation of Administrators
  - 9.19 JGA – Corporal Punishment
  - 9.20 CB - Superintendent
- Discussion was held.

## **10.0 Administrative Rules (Information Only)**

- 10.1 DJC-AR – Special Procurements and Exemptions from Competitive Bidding – Delete
- 10.2 DJCA-AR – Personal Services Contracts – Delete
- 10.3 GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting – Delete
- 10.4 JHCC-AR – Communicable Disease – Student – Delete
- 10.5 JHCCF-AR – Pediculosis (Head Lice) – Delete
- 10.6 GBEB-AR – Communicable Diseases in Schools

## **11.0 Reports**

- 11.1 Draft Citizens Oversight Committee Meeting Minutes

## **12.0 Discussion Items**

- 12.1 Oregon School Boards Association Convention Report  
Steve Spencer, Lu Ann Meyer, Rob Ogilvie, and Ed Dressel attended the recent convention. Highlights were shared. Behavior and attendance are challenges across the state. Discussion was held.



- 12.2 Board Retreat Planning  
Discussion held regarding what to discuss during the board retreat. Potential topics for additional works sessions throughout the year was discussed.

13.0 Adjourn at 7:40 p.m.

\_\_\_\_\_  
**Board Chair / Lu Ann Meyer**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Board Secretary / Juli Lichtenberger**

\_\_\_\_\_  
**Date**

## Dallas School District 2

Code: BBF  
 Adopted: 11/09/09  
 Revised/Readopted: 9/26/22  
 Orig. Code: BBF

### Board Member Standards of Conduct

Individual Board members and the Board as a public entity must comply with ethics laws for public officials.

Board members will treat other Board members, the superintendent, staff and the public with dignity and courtesy and will provide an opportunity for all parties to be heard with due respect for their opinions.

Board members will recognize the superintendent as the chief executive officer to whom the Board has delegated administrative authority to establish regulations and oversee the implementation of Board policy.

When expressing personal opinions in public, the Board member should clearly identify the opinions as personal.

A Board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the district.

A Board member will keep information and documents discussed in executive session confidential.

A Board member will not post confidential information or documents about students, staff or district business online, including but not limited to, on social media.

Board members will treat fellow Board members, staff, students and the public with respect while posting online or to social media and will adhere to Oregon Public Meetings Laws, including when communicating with other Board members via websites or other electronic means.

A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately make ~~an oral report by telephone or otherwise to the local Department of Human Services (DHS) or, to the designee of the department or to a local law enforcement within the county where the person making the report is located at the time of contact.~~ Call 1-888-503-SAFE<sup>1</sup> (7233)

END OF POLICY

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#### Legal Reference(s):

ORS 162.015 - 162.035  
ORS 162.405 - 162.425  
ORS 192.610 - 192.710

ORS 244.040  
ORS Chapter 244  
ORS 332.055

ORS 419B.005  
ORS 419B.010  
ORS 419B.015

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<sup>1</sup> Oregon Department of Human Services – How to report child abuse

## Dallas School District 2

Code: CBC  
 Adopted: 11/22/04  
 Revised/Readopted: 10/10/22  
 Orig. Code: CBC

### Superintendent's Contract

The superintendent, upon appointment by the Board, will receive a written contract which will state the terms of employment such as compensation, benefits and other conditions. The Board may not issue a contract that includes terms which direct the superintendent<sup>1</sup> to take any action that conflicts with a local, state or federal law<sup>2</sup> that applies to the district<sup>3</sup>, or which allows the Board to take an adverse employment action against the superintendent for complying with such laws. Contracts shall not be issued for more than three years in duration. The contract shall automatically expire at the end of its term. The Board may elect to issue a subsequent contract at any time for up to three years.

The compensation and benefits for the position of superintendent will be fixed by the Board and based upon the responsibilities required of the superintendent in performing their duties. The Board may not enter into an employment contract that contains provisions that expressly obligate the district to compensate the superintendent for work that is not performed.

Provisions for termination of the superintendent's employment, either by the Board or the superintendent, will also be set forth in the superintendent's employment contract. The employment contract, if it includes a mutually agreed to termination-without-cause provision by the Board, will include a 12-month notice of termination for such provision.

The district may provide health benefits for a superintendent that is no longer employed by the district until the superintendent:

1. Reaches 65 years of age; or
2. Finds new employment that provides health benefits.

For a period of one year after termination of the contract, the superintendent may not:

1. Purchase property or surplus property owned by the district or public charter school; or

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<sup>1</sup> The term "superintendent" includes an interim superintendent.

<sup>2</sup> "Local, state or federal law" means a local, state or federal directive having the force of law, including an ordinance, a city or county resolution, a statute, a court decision, an administrative rule or regulation, an order issued in compliance with ORS Chapter 183, an executive order or any other directive, declaration or statement that is issued in compliance with the law as having the force of law and that is issued by a local government as defined in ORS 174.116, the state government as defined in ORS 174.111 or the federal government.

<sup>3</sup> ~~Also includes taking any action that conflicts with law that applies to education services districts.~~

2. Use property owned by the district or public charter school in a manner other than the manner permitted for the general public.

END OF POLICY

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**Legal Reference(s):**

ORS 332.432  
ORS 332.505

ORS 342.549  
ORS 342.815

OAR 584-005-0005(51)

## Dallas School District 2

Code: BDC  
 Adopted: 10/25/16  
 Revised/Readopted: 9/26/22  
 Orig. Code: BDC

### Executive Sessions

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of a student and matters pertaining to or examination of the confidential records of the student.

~~An executive session may be convened by the Board chair, upon request of three Board members or by common consent of the Board for a purpose authorized under Oregon Revised Statute (ORS) 192.660 during a regular, special or emergency meeting. An executive session may be included as an agenda item of an existing meeting in accordance with Board policy BDDC - Board Meeting Agenda or held as its own meeting. Proper notice is required.~~

If open session is held prior to the executive session, the ~~The~~ presiding officer will announce the executive session by identifying the authorization under Oregon Revised Statute (ORS) 192.660 or ORS 332.061 for holding such session and by noting the subject of the executive session.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent.<sup>1</sup> (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer<sup>2</sup>, employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))
4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))

<sup>1</sup> This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. Prior to holding an executive session under ORS 192.660(2)(a), the Board must ensure

- a. The vacancy has been advertised;
- b. Regular hiring procedures have been adopted;
- c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
- d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

<sup>2</sup> To determine whether the individual involved is considered a public officer, consult with legal counsel.

5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))
6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))
7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))
8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))
9. To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces. (ORS 192.660(2)(o))
10. To consider matters relating to cyber security infrastructure and responses to cyber security threats. (ORS 192.660(2)(p))
11. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))
12. To review/discuss matters pertaining to or examination of the confidential medical records of a student, including that student's educational program. (ORS 332.061(1)(b))

~~The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session.~~

Members of the press may attend executive sessions except those matters pertaining to:

1. Deliberations with persons designated by the Board to carry on labor negotiations;
2. Hearings on the expulsion of a minor student or examination of the confidential records of a student; and
3. Current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including the student's confidential records; the discussion; and each Board member's vote on the issue.

Minutes shall be kept for all executive sessions.

Content discussed in executive sessions is confidential except as provided by law. Board members and the media are instructed not to disclose information obtained in executive session except when specifically authorized to do so or as required by law.

END OF POLICY

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**Legal Reference(s):**ORS 192.660ORS 332.045ORS 332.061

OR. ATTY. GEN. Public Records and Meetings Manual.

Oregon Government Ethics Commission, Staff Advisory Opinion No. 22-106SHouse Bill 2806 (2023)**Cross Reference(s):**

BD/BDA - Board Meetings

BDDG - Minutes of Board Meetings

CBG - Evaluation of the Superintendent

Corrected 12/27/23

## Dallas School District 2

Code: GCBDF/GDBDF  
 Adopted:

### **Paid Family Medical Leave Insurance \***

The district provides an equivalent plan for paid family and medical leave and does not participate in Paid Leave Oregon. This plan has been approved by the Employment Department. {<sup>1</sup>} The district will file the Oregon Quarterly Tax Report as required.

The district will make available a notice poster that outlines the requirements and procedures for the equivalent plan.<sup>2</sup> This poster will be displayed in each of the district's buildings or worksites in an area that is accessible to and regularly frequented by employees. This poster will be provided<sup>3</sup> to remote employees upon hire or assignment to remote work.

END OF POLICY

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#### **Legal Reference(s):**

ORS 657B.210 – 657B.260

OAR 471-070-2200 - 2460

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{<sup>1</sup> Deadlines for the district to file an exemption application can be found on OAR 471-070-2205. Application requirements can be found in OAR 471-070-2210.}

<sup>2</sup> For poster requirements, see OAR 471-070-2330.

<sup>3</sup> By hand delivery, regular mail, or through an electronic delivery method.



## Dallas School District 2

Code: DJCA  
 Adopted: 5/11/21  
 Revised/Readopted: 10/10/22  
 Orig. Code(s): DJCA

### Personal Services Contracts

The district may enter into personal services contracts with qualified professionals as provided by ORS 279A.055. "Personal services contracts," as used in this policy, means contracts for specialized skills, knowledge and resources in the application of highly technical or scientific expertise or the exercise of professional, artistic or management discretion or judgment. The district may enter into a personal services contract with a current district employee only when the individual meets independent contractor status in accordance with state, Public Employees Retirement System (PERS) and Internal Revenue Service (IRS) requirements.

Selection of a personal services contractor will be based primarily on qualifications and performance history, expertise, knowledge and creativity and the ability to exercise sound professional judgment.

All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price.

Contracts for personal services in excess of \$150,000 shall require prior Board approval.

The superintendent will develop administrative regulations as necessary to implement this policy.

END OF POLICY

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#### Legal Reference(s):

ORS Chapters 279  
ORS Chapters 279A, 279B and 279C

ORS 332.107  
ORS 670.600

OAR 459-010-0030

INTERNAL REVENUE SERVICE, PUBLICATION 1779: INDEPENDENT CONTRACTOR OR EMPLOYEE (Rev. 3-2012).

#### Cross Reference(s):

DJC - Bidding Requirements

## Dallas School District 2

Code: EBBA  
 Adopted: 10/24/22

### First Aid\*\*

In cases of sudden illness or injury to a student or staff member, first aid will be given by school staff. Further medical attention for a student is the responsibility of the student's parent(s), or of someone the parent(s) designate in the case of an emergency.

Each principal is **charged** with providing for the immediate care of ill or injured persons within their area of responsibility.

In each district facility, procedures for handling health emergencies will be established and made known to staff. Each district facility and district vehicle will be equipped with appropriate first-aid supplies and equipment. All employees are expected to know where first-aid supplies and equipment are kept in their work areas.

Designated employees in each building shall hold current first-aid cards. In compliance with Oregon Administrative Rules, each school shall have, at a minimum, at least one staff member with a current first-aid card for every 60 students enrolled.

END OF POLICY

#### Legal Reference(s):

ORS 329.025  
ORS 332.107  
ORS 336.201  
ORS 336.204

ORS 336.211 – 336.214  
OAR 581-021-0017  
OAR 581-021-0031  
OAR 581-021-0587

OAR 581-021-0590  
OAR 581-022-2050  
OAR 581-022-2220  
OAR 581-022-2515

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).  
 Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).

#### Cross Reference(s):

GBE - Staff Health and Safety

## Dallas School District 2

Code: EBC/EBCA  
 Adopted: 6/09/20  
 Revised/Readopted: 10/24/22  
 Orig. Code: EBC/EBCA

### Emergency Procedures and Disaster Plans

The superintendent will develop and maintain plans specifying procedures to be used in such emergencies as disorderly conduct, unlawful assembly, disturbances at school activities, natural disasters, fire, illness or injury of a student or staff member, and safety threats on district property.

The plans will also include procedures for other foreseeable emergency situations including, but not limited to, weather, explosions, riot, strike, war, or epidemic, and in the case of long-term disruptions to district operations such as a pandemic, declared public health emergency or other catastrophe. These plans should be developed to meet the situations that may occur at a school or districtwide.

The district's Emergency Procedures Plan will meet the standards of the State Board of Education.

Copies of Emergency Procedures will be available in every school office and other strategic locations throughout the district. Parents will be informed of the district's plans for the care of students during such situations.

The Board may use Oregon Revised Statute (ORS) 192.660(2)(k) to conduct an executive session to consider matters related to school safety or a plan that responds to safety threats made toward a school in the district.

END OF POLICY

#### Legal Reference(s):

ORS 192.660(2)(k)  
ORS 332.107  
ORS 433.260

ORS 433.441  
OAR 437-002-0161

OAR 581-022-2030(3)(c)  
OAR 581-022-2220  
OAR 581-022-2225

#### Cross Reference(s):

EEAC - School Bus Safety Program  
 GBE - Staff Health and Safety  
 GBEB - Communicable Diseases – Staff  
 JHCC - Communicable Diseases – Students

## Dallas School District 2

Code: GCDA/GDDA  
 Adopted: 5/25/21  
 Revised/Readopted: 1/09/23  
 Orig. Code(s): GCDA/GDDA

### Criminal Records Checks and Fingerprinting (Version 1)

In a continuing effort to ensure the safety and welfare of students and staff, the district shall require all newly hired full-time and part-time employees<sup>1</sup> not requiring licensure under Oregon Revised Statute (ORS) 342.223 to submit to a criminal records check and fingerprinting as required by law. Other individuals, as determined by the district, that will have direct, unsupervised contact with students shall submit to criminal records checks and/or fingerprinting as established by Board policy and as required by law.

“Direct, unsupervised contact with students” means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision.

Pursuant to state law, a criminal records check or fingerprint-based criminal records checks shall be required of the following individuals<sup>2</sup>:

1. All individuals employed as or by a contractor, whether employed part-time or full-time, and considered by the district to have direct, unsupervised contact with students;
2. Any community college faculty member providing instruction at the site of an early childhood education program, at a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day;
3. Any individual who is an employee of a public charter school and not requiring licensure under ORS 342.223; and
4. Any individual considered for volunteer service with the district who is allowed to have direct, unsupervised contact with students.

The district will provide the written notice about the requirements of fingerprinting and criminal records checks through means such as staff handbooks, employment applications, contracts or volunteer forms.

The district shall require a fingerprint-based criminal records check for volunteers allowed direct, unsupervised contact with students, in the following positions:

<sup>1</sup> Any individual hired within the last three months. A subject individual does not include an employee hired within the last three months if the district has evidence on file that meets the definition in Oregon Administrative Rule (OAR) 581-021-0510(11)(b).

<sup>2</sup> Subject individuals and requirements are further outlined in GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting.

1. Volunteer coaches;
2. Overnight chaperone.

The procedure for processing fingerprint collection is further outlined in GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting.

A subject individual shall be subject to the collection of fingerprint information, only after the offer of employment or contract from the district and may be charged a fee by the district. A subject individual may request the fee be withheld from the amount otherwise due the individual.

The district shall ~~begin the~~ employment of a subject individual or terms of a district contractor on a probationary basis ~~pending~~ the return and disposition of the required criminal records checks.

When the district is notified of a subject individual who has been convicted of any crimes prohibiting employment or contract the individual will not be employed or contracted, or if employed will be terminated. When the district is notified of a subject individual who knowingly made a false statement as to the conviction of any crime, the individual may be employed or contracted with by the district, or if employed by the district may be terminated. A subject individual who fails to disclose the presence of convictions that would not otherwise prohibit employment or contract with the district as provided by law may be employed or contracted with by the district.

The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

The service of a volunteer allowed to have direct, unsupervised contact with students may begin on a probationary basis pending the return and disposition of a criminal records check.

The service of a volunteer into a position identified by the district as requiring a fingerprint-based criminal records check may begin on a probationary basis pending the return and disposition of a state and national criminal records check based on fingerprints.

A volunteer who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number may result in immediate termination from the ability to volunteer in the district.

The superintendent shall develop administrative regulations as necessary to meet the requirements of law.

### Appeals

A subject individual may appeal a determination from ODE that prevents employment or eligibility to contract with the district to the Superintendent of Public Instruction as a contested case under ORS 183.413 – 183.470.

A volunteer may appeal a determination from a fingerprint-based criminal records checks by ODE that prevents the ability to volunteer with the district to the Superintendent of Public Instruction as a contested case under ORS 183.413 – 183.470.

END OF POLICY

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**Legal Reference(s):**

ORS 181A.180  
ORS 181A.230  
ORS 326.603  
ORS 326.607  
ORS 332.107

ORS 336.631  
ORS 342.143  
ORS 342.223  
OAR 414-061-0010 – 061-0030  
OAR 581-021-0510 – 021-0512

OAR 581-022-2430  
OAR 584-050-0012  
OAR 584-050-0100

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. seq. (2018).

**Cross Reference(s):**

IICC - Volunteers

## Dallas School District 2

Code: BD/BDA  
 Adopted: 10/25/16  
 Revised/Readopted: 9/26/22  
 Orig. Code: BD/BDA

### Board Meetings

The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. “Meeting” means the convening<sup>1</sup> of a quorum of the Board as the district’s governing body to make a decision<sup>2</sup> or to deliberate<sup>3</sup> toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the Board governing body, i.e., a work session. “Meeting” does not include any on-site inspection of any project or program attendance of members of the Board at any national, regional or state association to which the Board or its members belong.

The affirmative vote of the majority of members of the Board is required to transact any business.

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. All meetings will be conducted in compliance with state and federal statutes. Information on how to give or submit public comment is outlined in Board policy BDDH - Public Comment at Board Meetings<sup>4</sup> and/or posted on the district’s website.

All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law<sup>5</sup>. The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business. No meeting will be held at any place where discrimination

<sup>1</sup> “Convening” means: (a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communications among participants; or (d) Using an intermediary to communicate among participants.

<sup>2</sup> “Decision” means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

<sup>3</sup> “Deliberation” means discussion or communication that is part of a decision-making process.

<sup>4</sup> When telephone or other electronic means of communication is used during a meeting open to the public, the Board shall make at least one place available to the public where, or at least one electronic means by which, the public can listen during the meeting. At all meetings of the Board open to the public, the public will be provided an opportunity, to the extent reasonably possible, to access and attend the meeting by telephone, video or other electronic or virtual means. If in-person oral testimony (or public comment) is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit oral testimony during the meeting by telephone, video or other electronic or other means. If in-person written testimony is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit written testimony including by email or other electronic means, so that the Board is able to consider the submitted testimony in a timely manner.

<sup>5</sup> ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction if as long as no deliberations toward a decision are involved.

on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced.

The Board will give public notice reasonably calculated to give actual notice to interested persons, including the news media which have requested notice ~~those with disabilities~~, of the time and place for all Board meetings and of the principal subjects to be considered. The Board may consider additional subjects at a meeting, even if they ~~are~~ were not included in the notice.

If requested to do so at least 48 hours ~~two business days~~ before a meeting held in public, the Board shall make a good faith effort to provide an interpreter for hearing-impaired persons. If the meeting is being held upon less than 48 hours' notice and a request for an interpreter is made, the Board shall make a reasonable effort to have an interpreter present. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice.

All meetings held in public shall comply with the Oregon Indoor Clean Air Act.

## 1. Regular, Special and Emergency Meetings

~~Generally, a Regular Board meetings~~ **meetings will be held each** ~~twice~~ a month. The regular meeting schedule will be established at the annual organizational meeting and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular Board business.

No later than the next regular meeting following July 1, the Board will hold the annual ~~an~~ organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings. In Board election years (odd numbered years), the first meeting will be held no later than July 31.

Special meetings can be convened by the Board chair, upon request of three Board members, or by common consent of the Board at any time to discuss any topic. A special meeting may ~~also~~ be scheduled if less than a quorum is present at a meeting, ~~or~~ additional business still needs to be conducted at the ending time of a meeting, conducting business prior to the next regular meeting would be advantageous to the district or other reasons. At least 24 hours' notice must be provided to all Board members, the news media, which have requested notice, and the general public for any special meeting.

Emergency meetings can be called by the Board in the case of an actual emergency upon appropriate notice under the circumstances. The minutes of the emergency meeting must describe the emergency. Only topics necessitated by the emergency may be discussed or acted upon at the emergency meeting.

## 2. Communications Outside of Board Meetings

Communications, to, by and among a quorum of Board members outside of a legally called Board meeting, in their capacity as Board members, shall not be used for the purpose of discussing district business. This includes electronic, video or telephonic communications, serial electronic communications among participants and using an intermediary to communicate among participants. ~~Such This includes electronic communication.~~ Electronic communications among Board members shall be limited to messages not involving deliberation, debate, decision-making or gathering of information on which to deliberate.



Communications outside of a Board meeting ~~Electronic communications may contain:~~

- ~~a. Agenda item suggestions;~~
- ~~b. Reminders regarding meeting times, dates and places;~~
- ~~c. Board meeting agendas or information concerning agenda items;~~
- ~~d. One-way information from Board members or the superintendent to each Board member (e.g., an article on student achievement or to share a report on district progress on goals);~~
- ~~e.a. Communications to, between or among members of a governing body that are:~~
  - (1) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board (including agendas and information concerning agenda items);
  - (2) Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or
  - (3) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters; or
- ~~f.b. Individual responses to questions posed by community members, subject to other limitations in Board policy.~~

E-mails sent to other Board members will have the following notice:

*Important: Please do not reply or forward this communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. Electronic communications on district business are governed by public meetings law.*

### 3. Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by public meetings law.

### 4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with state law on public meetings, including notice and minutes. Generally, Boards do not take official action during work sessions, although there is no legal prohibition to do so.

### 5. Executive Sessions

Executive sessions may be held during regular, special or emergency meetings for a reason permitted by law (see Board policy BDC - Executive Sessions).

Complaints regarding public meetings laws can be filed with the Board in accordance with Board Policy KL – Public Complaints. The Board will respond and provide a copy of the complaint and response to the Oregon Government Ethics Commission within 21 days in accordance with state law.<sup>6</sup>

### **{<sup>7</sup>}Mandatory Training**

Every member of the Board shall attend or view a training on public meetings law prepared or approved by the Oregon Government Ethics Commission (OGE) at least once during the Board member's term of office and shall verify attendance in accordance with OGE procedures.

END OF POLICY

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#### **Legal Reference(s):**

ORS Chapter 192

ORS 255.335

ORS 433.835 - 433.875

ORS 332.040 - 332.061

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

OR. ATTY. GEN. Public Records and Meetings Manual.

House Bill 2805 (2023).

#### **Cross Reference(s):**

ACA - Americans with Disabilities Act

BDC - Executive Sessions

Corrected 12/27/23

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<sup>7</sup> {This is required for Board members in districts with total expenditures for a fiscal year of \$1 million or more. This number will be reviewed by OGE at least once every five years. If the district has total expenditures of less than \$1 million, this language can be kept, but "shall" should be replaced with "is encouraged to."}

## Dallas School District 2

Code: JHC  
 Adopted: 9/12/17  
 Revised/Readopted: 5/08/23  
 Orig. Code: JHC

### Student Health Services and Requirements\*\*

Although the district's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.

The district shall staff nursing services appropriate for students with medical needs and prevention-oriented health services per applicable requirements of Oregon Revised Statutes (ORS) 336.201 and Oregon Administrative Rule (OAR) 581-022-2220.

The nurse(s) employed by the district shall be licensed to practice as a registered nurse or nurse practitioner in Oregon, or may employ licensed practical nurses if their practice is supervised by a registered nurse or nurse practitioner described above, and will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.

The district shall provide:

1. One registered nurse or school nurse for every 125 medically fragile students;
2. One registered nurse or school nurse or one licensed practical nurse under the supervision of a registered nurse or school nurse for each nursing-dependent student; and
3. One registered nurse or school nurse for every 225 medically complex students.

The district may use the most cost effective means available to meet the above requirements.

Any nurse(s) providing services on behalf of the district shall follow all applicable requirements of ORS Chapter 678 and OAR Chapter 851. This includes, but is not limited to, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of the patient prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.<sup>1</sup>

The district shall maintain a prevention-oriented health services program which provides:

1. Pertinent health information on the students, as required by Oregon statutes or rules;
2. Health appraisal to include screening for possible vision or hearing problems;
3. Health counseling for students and parents, when appropriate;

<sup>1</sup> For additional delegation requirements, see OAR 851-047-0030.

4. Health care and first-aid assistance that are appropriately supervised and isolate the sick or injured child from the student body;
5. Control and prevention of communicable diseases as required by Oregon Health Authority, Public Health Division, and the county health department;
6. Assistance for students in taking prescription and/or nonprescription medication according to established district procedures;
7. Services for students who are medically fragile or have special health care needs;
8. Integration of school health services with school health education programs.

The Board directs its district health staff to coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

In accordance with the requirements of federal law, the district recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination<sup>2</sup> or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.

Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

Procedures shall be developed and implemented to carry out this policy. All district employees will be apprised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in vision or hearing screening. The district will abide by those requests.

END OF POLICY

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**Legal Reference(s):**

ORS 329.025  
ORS 336.201

ORS 336.211  
OAR 581-022-2050

OAR 581-022-2220  
OAR 581-022-2225

Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2022).

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).

**Cross Reference(s):**

JHH - Student Suicide Prevention

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<sup>2</sup> The term "invasive physical examination," as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

## Dallas School District 2

Code: JHCC  
 Adopted: 3/13/18  
 Revised/Readopted: 5/08/23  
 Orig. Code: JHCC

### Communicable Diseases – Students

The district shall provide reasonable protection against the risk of exposure to communicable disease for students. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the Communicable Disease Guidance published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA). Services will be provided to students as required by law. A student will not attend school while in a communicable stage of a restrictable disease or when an administrator has reason to suspect that any susceptible student has or has been exposed to any disease for which the student is required to be excluded in accordance with law and per administrative regulation JHCC-AR - Communicable Diseases - Students. If the disease is a reportable disease, the administrator will report the occurrence to the local health department. The administrator will also take whatever reasonable steps it considers necessary to organize and operate its programs in a way which both furthers the education and protects the health of students and others.

The district may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting.

The district will include, as a part of its emergency plan, a description of the actions to be taken by district personnel in the case of a declared public health emergency or other catastrophe that disrupts district operations.

The district shall protect the confidentiality of each student's health condition and record to the extent possible and consistent with federal and state law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure.

The superintendent will develop administrative regulations necessary to implement this policy.

END OF POLICY

#### Legal Reference(s):

ORS 431.150 - 431.157  
 ORS 433.001 - 433.526  
 OAR 333-018

OAR 333-019-0010  
 OAR 333-019-0014  
 OAR 437-002-0360

OAR 437-002-0377  
 OAR 581-022-2220

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2020).  
 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

#### Cross Reference(s):

EBC/EBCA - Emergency Procedures and Disaster Plans  
 GBEB - Communicable Diseases – Staff

## Dallas School District 2

Code: JHCCA  
 Adopted: 8/12/13  
 Revised/Readopted: 5/08/23  
 Orig. Code: JHCCA

### Students - HIV, HBV, and AIDS\*\*

The district will adhere strictly in policies and procedures to the Oregon Revised Statutes and the Oregon Administrative Rules as they relate to a student infected with HIV or HBV or diagnosed with AIDS<sup>1</sup>.

The district recognizes a parent (student) has no obligation to inform the district of an HIV, HBV or AIDS condition, and that the student has a right to attend school. If the district is informed of such a student, written guidelines shall be requested of the parent (student). These guidelines shall include who may have the information, who will give the information, how the information will be given and where and when the information will be given.

When informed of the infection, and with written permission from the parent (student), the district will develop procedures for formulating an evaluation team. The team shall address the nature, duration and severity of risk as well as any modification of activities. The team shall continue to monitor the student's condition. The district will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

Notification of alternative education programs shall be made to the parent or eligible student, if an HIV, HBV or AIDS student withdraws from school.

END OF POLICY

#### Legal Reference(s):

ORS 326.565  
ORS 326.575  
ORS 332.061  
ORS 336.187  
ORS 336.615 to -336.665

ORS 339.030  
ORS 339.250  
ORS 433.008  
ORS 433.045  
ORAR 333-018-0000

ORAR 333-018-0005  
ORAR 581-022-2060  
ORAR 581-022-2220

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2017).  
 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

<sup>1</sup> HIV - Human Immunodeficiency Virus; HBV - Hepatitis B Virus; AIDS - Acquired Immune Deficiency Syndrome

## Dallas School District 2

Code: JHCCF  
 Adopted: 8/12/13  
 Revised/Readopted: 5/08/23  
 Orig. Code: JHCCF

### Pediculosis (Head Lice)

The Board recognizes that district programs should be conducted in a manner that protects and enhances student and employee health and is consistent with recognized health practices. Consequently, in order to prevent the spread of pediculosis (head lice) in the school setting, district staff shall institute guidelines for classrooms that will assist in the prevention of and the spread of head lice. A student with a suspected case of lice shall be referred to the school nurse or administrator for an assessment. A student found with live lice or nits (lice eggs) will be excluded from school attendance. The district recognizes that the Oregon Health Authority, Public Health Division, no longer requires exclusion of a student for the presence of nits and allows the discretion of the district. A student excluded from school will be readmitted after an assessment by designated personnel to confirm no lice are present. Students found with nits (lice eggs) only or returning after exclusion with the presence of nits only will not be excluded, but will be subjected to periodic checks to confirm continuing absence of live lice.

Successful treatment of head lice requires a coordinated approach and may involve the use of antilouse products, combing and implementation of preventative measures recommended by health authorities. Treatment information will be provided by the district to parents of students found to have contracted head lice. It is the district's intent to encourage elimination of the current infestation and to prevent a repeat episode.

The superintendent or designee will develop administrative regulations, as necessary, to implement this policy.

END OF POLICY

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#### Legal Reference(s):

ORS 433.255  
ORS 433.260

OAR 333-019-0010  
OAR 437-002-0360

OAR 581-022-2220

## Dallas School District 2

Code: GBEB  
 Adopted: 2/13/18  
 Revised/Readopted: 1/09/23  
 Orig. Code: GBEB; JHCC

### Communicable Diseases — ~~Staffin~~ Schools

The district shall provide reasonable protection against the risk of exposure to communicable disease for students and employees while engaged in the performance of their duties. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the Communicable Disease Guidance *for Schools* published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA).

~~An~~ A student or employee may not attend school or work, respectively, while in a communicable stage of a restrictable disease, or when an administrator has reason to suspect that the student or employee has or has been exposed to any disease for which exclusion is required in accordance with law. The district may provide an educational program in an alternative setting. Services will be provided to students as required by law, and per administrative regulation GBEB AR Communicable Diseases Staff. If the disease is a reportable disease, the administrator will report the occurrence to the local health department.

Employees shall comply with all other measures adopted by the district and with all rules adopted by Oregon Health Authority, Public Health Division and the local health department.

The district shall protect the confidentiality of each student's and employee's health condition and record to the extent possible and consistent with federal and state law.

~~Employees shall provide services to students as required by law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator may~~ shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure. The district shall protect the confidentiality of an employee's health condition and record to the extent possible and consistent with federal and state law.

The district will include, as part of its general emergency plans~~plan~~, a description of the actions to be taken by district staff in buildings and by the ~~case of a declared public health emergency or other catastrophe that disrupts district in response to medical emergencies~~operations.

~~The superintendent or designee will develop administrative regulations necessary to implement this policy.~~

END OF POLICY

#### Legal Reference(s):

ORS 332.107  
ORS 431.150 - 431.157  
ORS 433.001 - 433.004  
ORS 433.010

ORS 433.110  
ORS 433.235 - 433.284  
OAR 333-018

OAR 333-019-0010  
OAR 333-019-0014  
OAR 581-022-2220  
OAR 581-022-2225



OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance for Schools*. Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2023).  
Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -1320d-8 (2018); 45 C.F.R. Parts 160, 164 (2023).

## Dallas School District 2

Code: EBC  
Adopted:

### Emergency Plan and First Aid\*\*

The district will maintain a comprehensive safety program for all employees and students. This program will include a plan for responding to emergency situations. The superintendent will consult with community and county agencies while developing this plan. The district's emergency plan will meet any requirements of the State Board of Education.

Copies of the emergency plan will be available in every school office and other strategic locations throughout the district. Parents or guardians will be informed of the district's plan.

In each district facility, procedures for handling health emergencies will be established and made known to staff. Each district facility and district vehicle will be equipped with appropriate first-aid supplies and equipment. All employees are expected to know where first-aid supplies and equipment are kept in their work areas.

Each school in the district shall have, at a minimum, at least one staff member with a current first-aid/CPR/AED card for every 60 students enrolled and who are trained annually on the district and building emergency plans. Emergency planning will include the presence of at least one staff member with a current first-aid/CPR/AED card for every 60 students for school-sponsored activities where students are present.

The district shall provide instruction to staff and students in the emergency plan and safety program.

END OF POLICY

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#### Legal Reference(s):

<u>ORS 30.800</u>	<u>OAR 437-002-0042</u>	<u>OAR 581-022-2220</u>
<u>ORS 192.660(2)(k)</u>	<u>OAR 437-002-0120 - 0139</u>	<u>OAR 581-022-2225</u>
<u>ORS 332.107</u>	<u>OAR 437-002-0161</u>	<u>OAR 581-053-0003(40)</u>
<u>ORS 433.260</u>	<u>OAR 437-002-0360</u>	<u>OAR 581-053-0220(3)(e)(B)(iii)</u>
<u>ORS 433.441</u>	<u>OAR 437-002-0377</u>	<u>OAR 581-053-0320(5)(b)</u>
	<u>OAR 581-022-2030(3)(c)</u>	<u>OAR 581-053-0420(2)(f)(B)</u>

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).

## Dallas School District 2

Code: AC  
 Adopted: 1/23/18  
 Revised/Readopted: 9/26/22  
 Orig. Code: AC

### Nondiscrimination

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race<sup>1</sup>, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.

The district prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.

The Board encourages staff to improve human relations within the schools, to respect all individuals and to establish channels through which patrons can communicate their concerns to the administration and the Board.

The Board directs the superintendent to designate the district's civil rights coordinator and make contact information available to staff, students and parents.{<sup>2</sup>}

The superintendent shall appoint individuals at the district to contact on issues concerning the Americans with Disabilities Act and Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments, and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the district's administrative office and available on the home page of the district's website.

The district prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.

END OF POLICY

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<sup>1</sup> Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

<sup>2</sup> {For additional information regarding civil rights coordinators and their responsibilities, see ORS 332.505(2).}

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**Legal Reference(s):**

<u>ORS 174.100</u>	<u>ORS 659A.003</u>	<u>ORS 659A.321</u>
<u>ORS 192.630</u>	<u>ORS 659A.006</u>	<u>ORS 659A.409</u>
<u>ORS 326.051(1)(e)</u>	<u>ORS 659A.009</u>	<u>OAR 581-002-0001 – 002-0005</u>
<u>ORS 332.505</u>	<u>ORS 659A.029</u>	<u>OAR 581-021-0045</u>
<u>ORS 408.230</u>	<u>ORS 659A.030</u>	<u>OAR 581-021-0046</u>
<u>ORS 659.805</u>	<u>ORS 659A.040</u>	<u>OAR 581-021-0047</u>
<u>ORS 659.815</u>	<u>ORS 659A.103 - 659A.145</u>	<u>OAR 581-022-2310</u>
<u>ORS 659.850 - 659.860</u>	<u>ORS 659A.230 - 659A.233</u>	<u>OAR 581-022-2370</u>
<u>ORS 659.865</u>	<u>ORS 659A.236</u>	<u>OAR 839-003</u>
<u>ORS 659A.001</u>	<u>ORS 659A.309</u>	

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R. Part 1626 (2019).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

## Dallas School District 2

Code: CBG  
 Adopted: 6/14/17  
 Revised/Readopted: 10/10/22  
 Orig. Code: CBG

### Evaluation of the Superintendent

The Board will formally evaluate the superintendent's job performance. The evaluation will be based on the superintendent's administrative job description, any applicable standards of performance, Board policy and progress in attaining any goals for the year established by the superintendent and/or the Board.

Additional criteria for the evaluation, if any, will be developed at a public board meeting prior to conducting the evaluation. The superintendent will be notified of the additional criteria prior to the evaluation.

The Board's discussion and conferences with and about the superintendent and their performance will be conducted in an executive session, unless the superintendent requests a session open to the public. Such an executive session will not include a general evaluation of any district goal, objective or operation. Results of the evaluation will be written and placed in the superintendent's personnel file.

At the Board's discretion, it may notify the superintendent in writing of specific areas to be remedied, and the superintendent may be given an opportunity to correct the problem(s). Where the Board provided written notice pursuant to the prior sentence, if the Board determines the superintendent's performance remains unsatisfactory, the Board may dismiss or non-renew the superintendent pursuant to Board policy, the superintendent's employment contract and state law and rules. In those situations where the superintendent's employment contract includes an evaluation, dismissal or non-renewal provision, it shall take precedent over this policy.

END OF POLICY

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#### Legal Reference(s):

ORS 192.660(2), (8)  
ORS 332.107

ORS 332.505

OAR 581-022-2405

Hanson v. Culver Sch. Dist. (FDAB 1975).

## Dallas School District 2

Code: CCG  
 Adopted: 1/23/18  
 Revised/Readopted: 10/10/22  
 Orig. Code: CCG

### Evaluation of Administrators

The superintendent will implement and supervise an evaluation system for ~~administrators~~ ~~administrative personnel~~. The purpose of administrator evaluations is to assist an administrator with developing and strengthening ~~his/her~~ professional abilities, to improve the instructional program and management of the school system, and for supervisors to make recommendations regarding their employment and/or salary status.

A formal evaluation will be conducted at least once each year.

The evaluation shall be conducted according to the following guidelines:

1. Evaluative criteria for each position will be in written form and made available to the administrator;
2. Evaluations will be made by the superintendent and/or a qualified, licensed designee;
3. Evaluations will be in writing and discussed with the administrator by the person who conducts the evaluation; and
4. The administrator being evaluated will have the right to attach a memorandum to the written evaluation, and have the right of appeal through established grievance procedures, if applicable.

An administrator's evaluation shall use the following educational leadership-administrator standards<sup>1</sup> adopted by the State Board of Education.

1. Visionary leadership;
2. Instructional improvement;
3. Effective management;
4. Inclusive practice;
5. Ethical leadership; and
6. Socio-political context.

---

<sup>1</sup> These standards are aligned with the Interstate School Leaders Licensure Consortium (ISLLC) and the Educational Leadership Constituents Council (ELCC) standards for Education Leadership.

Administrator evaluations shall be based on the core administrator standards adopted by the Oregon State Board of Education. The standards shall be customized based on collaborative efforts with the administrators and any exclusive bargaining representative of the administration.

Local evaluation and support systems established by the district for administrators must be designed to meet or exceed the requirements defined in the Oregon Framework for Teacher and Administrator Evaluation and Support Systems, including:

1. Four performance level ratings of effectiveness;
2. Consideration of multiple measures of administrator practice and responsibility which may include, but are not limited to:
  - a. Classroom-based assessments including observations, lesson plans and assignments;
  - b. Portfolios of evidence;
  - c. Supervisor reports; and
  - d. Self-reflections and assessments.
3. Consideration of evidence of student academic growth and learning based on multiple measures of student progress including performance data of students, schools and districts that is both formative and summative. Evidence may also include other indicators of student success;
4. A summative evaluation method for considering multiple measures of professional practice, professional responsibilities, and student learning and growth to determine the administrator's professional growth path;
5. Customized by the district, which may include individualized weighting and application of the standards.

An evaluation using the administrator standards must attempt to:

1. Strengthen the knowledge, skills, disposition and administrative practices of the administrator;
2. Refine the support, assistance and professional growth opportunities offered to the administrator, based on the individual needs of the administrator and the needs of the students, the school and the district;
3. Allow the administrator to establish a set of administrative practices and student learning objectives that are based on the individual circumstances of the administrator, including other assignments of the administrator;
4. Establish a formative growth process for each administrator that supports professional learning and collaboration with other teachers and administrators;
5. Use evaluation methods and professional development, support and other activities that are based on curricular standards and are targeted to the needs of the administrator; and
6. Address ways to help all educators strengthen their culturally responsive practices.

~~Evaluation and support systems established by the district must evaluate administrators on a regular cycle.~~

The superintendent shall regularly report to the Board on the implementation of the evaluation and support systems and educator effectiveness.

END OF POLICY

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**Legal Reference(s):**

ORS 192.660(2),(8)

ORS 332.505

ORS 342.120

ORS 342.815

ORS 342.850

ORS 342.856

OAR 581-022-2405

OAR 581-022-2410

OAR 581-022-2420

Hanson v. Culver Sch. Dist. (FDAB 1975).



## Dallas School District 2

Code: JGA  
 Adopted: 9/09/02  
 Revised/Readopted: 5/08/23  
 Orig. Code: JGA

### Corporal Punishment\*\*

The use of corporal punishment in any form is strictly prohibited in the district. No student will be subject to the infliction of corporal punishment.

“Corporal punishment” is defined as the willful infliction of, or willfully causing the infliction of physical pain on a student. Corporal punishment does not include the use of physical force authorized in ORS 161.205 (2), (4) or (5) for the reasons specified therein, or physical pain or discomfort resulting from or caused by participation in athletic competition or other such recreational activity, voluntarily engaged in by a student.

No teacher, administrator, other school personnel or school volunteer will subject a student to corporal punishment or condone the use of corporal punishment by any person under their supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent or school official.

A staff member is authorized to employ reasonable physical force upon a student ~~only when~~ and to the extent that the application of physical force is consistent with ORS 339.285 - 339.303 and is not corporal punishment as defined in ORS 339.250(9). Physical force shall not be used to discipline or punish a student.

A staff member found in violation of this policy may be subject to discipline up to and including dismissal. A volunteer found in violation of this policy by administration may be subject to sanctions and/or prohibited from volunteer service in the district.

The superintendent shall inform all staff members and volunteers of this policy.

END OF POLICY

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#### Legal Reference(s):

ORS 161.205  
ORS 332.107  
ORS 339.240

ORS 339.250  
OAR 581-021-0050 – 0075

OAR 584-020-0040

## Dallas School District 2

Code: CB  
 Adopted: 1/28/02  
 Revised/Readopted: 10/10/22  
 Orig. Code: CB

### Superintendent

The superintendent is designated as the district's chief executive officer. Under the Board's direction, the superintendent exercises general supervision of all district schools, personnel and departments. The superintendent is responsible for managing the schools under the Board's policies and is accountable to the Board for that management. The Board may not direct the superintendent to take any action that conflicts with a local, state or federal law<sup>1</sup> that applies to school districts<sup>2</sup>.

The superintendent may delegate to other district personnel any powers and duties imposed upon the superintendent by Board policies or by vote of the Board. Delegation of power or duty will not relieve the superintendent of responsibility for action taken under such delegation.

END OF POLICY

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#### Legal Reference(s):

<u>ORS 332.505</u>	<u>OAR 581-022-2405</u>
<u>ORS 332.515</u>	<u>OAR 584-005-0005(51)</u>

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<sup>1</sup> "Local, state or federal law" means a local, state or federal directive having the force of law, including an ordinance, a city or county resolution, a statute, a court decision, an administrative rule or regulation, an order issued in compliance with ORS Chapter 183, an executive order or any other directive, declaration or statement that is issued in compliance with the law as having the force of law and that is issued by a local government as defined in ORS 174.116, the state government as defined in ORS 174.111 or the federal government.

<sup>2</sup> ~~Also includes taking any action that conflicts with law that applies to education service districts.~~

**EMPLOYMENT AGREEMENT  
BETWEEN  
RACHEL ALPERT  
AND  
THE GOVERNING BOARD OF  
DALLAS SCHOOL DISTRICT NO. 2  
POLK COUNTY, DALLAS, OREGON**

THIS AGREEMENT, made and entered into this 26th day of August, 2024, between Dallas School District No. 2, hereinafter referred to as DISTRICT, and Rachel Alpert hereinafter referred to as ASSISTANT SUPERINTENDENT.

**WITNESSETH:**

WHEREAS, the DISTRICT is desirous of securing an ASSISTANT SUPERINTENDENT to perform the duties of the assistant superintendent including all aspects of a Director of Human Resources under the general supervision of the superintendent for the 2024-25, 2025-26, and 2026-27 fiscal years; and

WHEREAS, the DISTRICT and ASSISTANT SUPERINTENDENT believe a written employment agreement is necessary to describe specifically their relationship and to serve as the basis of effective communication between them as they fulfill their governance and administrative functions in the operation of the educational program of the schools;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the DISTRICT hereby employs the ASSISTANT SUPERINTENDENT for said DISTRICT, and the ASSISTANT SUPERINTENDENT hereby accepts such employment upon the terms and conditions following:

1. **TERM.** This Employment Agreement for the ASSISTANT SUPERINTENDENT will begin July 1, 2024, and continue through and terminate June 30, 2027, except as modified by this Agreement. This Agreement is for a fixed period of time and expires on June 30, 2027. This section constitutes notice of contract nonrenewal under ORS 342.513. This Agreement shall automatically expire at the end of its stated Term. At the time of the Superintendent's evaluation of the ASSISTANT SUPERINTENDENT during the second year of this contract, the Superintendent may recommend extension to the Term of this Agreement to the school board for approval. Nothing in this Agreement shall prohibit the parties from mutually agreeing to change one or more of the terms of this Agreement in the future.
2. **SALARY.** The ASSISTANT SUPERINTENDENT shall be paid \$158,788 for the period from July 1, 2024, through June 30, 2025 which represents an increase from the 2023-24 salary equal to the cost of living allowance (COLA) and Step (3%) that is provided to teachers in the Dallas Education Association. The salary for subsequent years of this Agreement will also be increased by the same COLA and Step (3%) provided to teachers

in the Dallas Education Association. The ASSISTANT SUPERINTENDENT'S salary shall be paid through equal monthly payments.

3. **DUTIES.** The ASSISTANT SUPERINTENDENT shall perform faithfully the duties of Assistant Superintendent for the District and such duties as prescribed by the laws of the State of Oregon and by the rules and regulations made thereunder by the Board. The ASSISTANT SUPERINTENDENT shall devote her time, skill, labor, and attentions to the duties of the ASSISTANT SUPERINTENDENT during the Term of this Agreement; provided, however, that the Assistant Superintendent may, with concurrence by the Superintendent, undertake consultative work, speaking engagements, writing, lecturing, or other professional duties and obligations.
4. **PROFESSIONAL GROWTH OF ASSISTANT SUPERINTENDENT.** The DISTRICT encourages the continuing professional growth of the ASSISTANT SUPERINTENDENT through participation, as she might decide in light of the duties of the ASSISTANT SUPERINTENDENT, in:
  - A. the operations, programs and other activities conducted or sponsored by local, state and national associations; and
  - B. seminars and courses offered by public or private educational institutions; and
  - C. informational meetings with other persons whose particular skills or backgrounds would serve to improve the capacity of the ASSISTANT SUPERINTENDENT to perform her professional responsibilities for the DISTRICT.
5. **ASSISTANT SUPERINTENDENT'S LICENSE.** The ASSISTANT SUPERINTENDENT shall maintain throughout the life of this Agreement a valid and appropriate license to act as ASSISTANT SUPERINTENDENT as required by the State of Oregon. Should the ASSISTANT SUPERINTENDENT fail to maintain such a license in good standing, the DISTRICT may immediately terminate this Agreement.
6. **EVALUATION.** Each academic year during the Term of this Agreement, the Superintendent and the ASSISTANT SUPERINTENDENT shall meet to evaluate the work of the ASSISTANT SUPERINTENDENT. The evaluation shall be based on the total scope of work assigned to the ASSISTANT SUPERINTENDENT.
7. **PROFESSIONAL ACTIVITIES.** The ASSISTANT SUPERINTENDENT may undertake consultative work, speaking engagements, writing and other professional activities for honoraria and expenses, provided such activities do not interfere with the ASSISTANT SUPERINTENDENT'S normal duties.
8. **WORK YEAR/HOLIDAYS.** The ASSISTANT SUPERINTENDENT shall be required to render twelve (12) months of full and regular service to the DISTRICT during the year except that she shall be entitled to the following holidays: Independence Day, Labor Day,

Veteran's Day, Thanksgiving holidays, Christmas Eve, Christmas Day, New Year's Day, Martin Luther King Jr.'s birthday, Presidents' Day, Memorial, and Juneteenth. If Christmas Day or New Year's Day falls on a Saturday or a Sunday, the preceding Friday or the following Monday may be taken as a paid holiday.

9. **WORK YEAR/VACATION.** The ASSISTANT SUPERINTENDENT shall be entitled to twenty-five (25) days' vacation. No more than ten (10) vacation days may be carried over into subsequent years. For any unused days, the ASSISTANT SUPERINTENDENT will be compensated at her daily per diem rate or put into a TSA or any portion/combination of both as directed by the employee. The TSA will follow all regulations as laid out by law. Any time taken off during winter, spring or summer breaks must be counted among the twenty-five (25) vacation days. Upon termination of this Agreement, ASSISTANT SUPERINTENDENT will be paid out accrued vacation leave.
  
10. **PAID LEAVES.** (Leave days in A, B, and C below are not cumulative.)
  - A. The ASSISTANT SUPERINTENDENT shall have three (3) days available for personal leave.
  
  - B. The ASSISTANT SUPERINTENDENT shall have five (5) days available for critical illness in the event of a critical illness of a member of the ASSISTANT SUPERINTENDENT'S family.
  
  - C. The ASSISTANT SUPERINTENDENT shall have five (5) days available for bereavement leave in the event of a death of a member of the ASSISTANT SUPERINTENDENT'S family.
  
11. **FRINGE BENEFITS.** The ASSISTANT SUPERINTENDENT shall be entitled to participate in the following fringe benefits:
  - A. *PERS:* The DISTRICT shall "pickup" and pay a 6% employee contribution to the Public Employees Retirement System.
  
  - B. *Professional Dues:* Professional/civic dues in full for COSA, AASA, and one civic organization.
  
  - C. The DISTRICT will reimburse the ASSISTANT SUPERINTENDENT for any expenses actually incurred in the performance of duties for the DISTRICT.
  
  - D. *Insurance:* The DISTRICT shall provide for medical, dental, and vision insurance coverage and participation in the DISTRICT'S Section 125 ("cafeteria") plan, on an equal basis to that provided the Dallas School District administrative group for medical, dental and vision coverage.

- E. *Life Insurance:* The DISTRICT shall provide term life insurance with death benefits in the amount of \$100,000.
- F. *Disability Insurance:* The DISTRICT shall provide Long Term Disability Insurance including extensive care coverage as provided to the Dallas School District Administrative Group.
- G. *Sick Leave:* The ASSISTANT SUPERINTENDENT shall accumulate sick leave as provided by Oregon law.
- H. *Technology Stipend:* The expectation is that the ASSISTANT SUPERINTENDENT is accessible 24/7, therefore the ASSISTANT SUPERINTENDENT shall receive a monthly allowance on an equal basis to that provided the Dallas School District administrative group for communication related expenses including phone, data, internet connection or any other technology that will assist with communication while the SUPERINTENDENT is out of the office.
- I. *Professional Development:* The DISTRICT shall pay for all tuition, and related expenses, that are incurred by the ASSISTANT SUPERINTENDENT in the completion of her professional development plan.
- J. *Travel Allowance:* The Board shall provide the ASSISTANT SUPERINTENDENT with a monthly stipend of \$500 to compensate the ASSISTANT SUPERINTENDENT for use of a personal vehicle for all in-district travel while on District business. Out-of-district travel will be reimbursed at the IRS rate.
- K. *Tax-deferred annuity:* The DISTRICT shall make contributions toward deferred compensation plan (e.g., IRA, 403B, 457, etc.) of the ASSISTANT SUPERINTENDENT'S selection. The monthly contribution shall be 9% of ASSISTANT SUPERINTENDENT'S monthly salary.
- L. *Retention Incentive:* The DISTRICT recognizes the value of continuity at the ASSISTANT SUPERINTENDENT level and in an effort to promote stability by keeping the ASSISTANT SUPERINTENDENT in Dallas, a retention incentive will be accrued at the rate of \$4,699.20 per year for a total of \$14,097.60 over the three-year contract. Payout of the retention incentive will take place under the following terms: If still employed by the District on June 1, 2026, a \$4,699.20 retention incentive will be paid in the June, 2026, payroll. And, if still employed by the District on June 1, 2027, a \$9,398.40 retention incentive will be paid in the June, 2027, payroll. If at any point in the contract, the ASSISTANT SUPERINTENDENT vacates her position due to health-related issues, she will receive in her final paycheck, any retention incentive that has been accrued, but not paid out. For example, if the ASSISTANT SUPERINTENDENT vacates her position on May 1, 2026 due to health-related issues, she would receive the

\$4,699.20 retention incentive. If the ASSISTANT SUPERINTENDENT separates from employment with the District for any reason other than a health-related reason, the retention incentive will not be paid out upon separation.

12. **EARLY RETIREMENT.** ASSISTANT SUPERINTENDENT will be eligible for the early retirement benefit after being employed by the DISTRICT for fifteen (15) years, as was previously available to DISTRICT administrators:

An administrator who has been employed by the DISTRICT (in any licensed capacity) for fifteen (15) years shall be eligible for Early Retirement benefits. The DISTRICT agrees to provide monthly tiered rate insurance premium “capped” at a rate equal to the monthly benefit premium awarded to administrative staff for a period of seven (7) years or until such time as the employee becomes eligible for medical benefits under Medicare. In addition to satisfying all of the conditions above, the administrator must be eligible for and receiving a service retirement allowance or disability retirement allowance under the Public Employees Retirement System (PERS) based on her voluntary separation from service with the District to receive this Early Retirement benefit. Should the ASSISTANT SUPERINTENDENT be involuntarily dismissed for any reason other than those spelled out in Article 13.C, this benefit shall remain in force regardless of employment status with the DISTRICT.

13. **TERMINATION OF EMPLOYMENT CONTRACT.**

- A. *Termination at the request of the ASSISTANT SUPERINTENDENT:* In the event the ASSISTANT SUPERINTENDENT intends to act to terminate this employment Agreement prior to its termination day, she shall notify the DISTRICT no later than sixty (60) days prior to the date of separation of her intent to terminate the agreement.
- B. *Termination by Mutual Consent:* This contract may be terminated at any time by the mutual consent of the parties.
- C. *Termination Without ASSISTANT SUPERINTENDENT’s Concurrence (For Cause).* In the event the DISTRICT intends to act to terminate this employment contract prior to its termination date for cause, ASSISTANT SUPERINTENDENT shall be entitled to a due process hearing before the Board prior to the occurrence of any purported act of termination. For cause shall mean the grounds for dismissal in ORS 342.865(1), including gross neglect of duty or gross unfitness, as those terms are defined by the Oregon Teacher Standards and Practices Commission. Due process shall include at least a written notice of the reasons why the DISTRICT is considering termination of this employment contract, the right to appear before the Board in closed executive meeting or public hearing, at the option of the ASSISTANT SUPERINTENDENT’S choice, and the right to a written decision describing the results of the hearing. The DISTRICT shall give the ASSISTANT SUPERINTENDENT no less than ten

(10) days written notice in advance of termination. This provision does not constitute a waiver of any rights the DISTRICT or ASSISTANT SUPERINTENDENT may have to enforce this employment contract in the courts under contract or other applicable law.

14. **PROFESSIONAL LIABILITY.** The DISTRICT shall hold harmless and indemnify the ASSISTANT SUPERINTENDENT from any and all demands, claims, suits, and legal proceedings brought against the ASSISTANT SUPERINTENDENT in her individual capacity or in her official capacity as an agent and employee of the DISTRICT, provided the incident arose while the ASSISTANT SUPERINTENDENT was acting within the scope of employment. In no case will individual Board members be considered personally liable for indemnifying the ASSISTANT SUPERINTENDENT against such demands, claims, suits, actions, and legal proceedings.

If, in the good faith opinion of ASSISTANT SUPERINTENDENT, conflict exists regarding legal defenses to a third-party claim against the ASSISTANT SUPERINTENDENT and DISTRICT (i.e., pressing the defense of one party would tend to injure the other party), the ASSISTANT SUPERINTENDENT may engage separate counsel, and the DISTRICT shall indemnify the ASSISTANT SUPERINTENDENT for the costs of such counsel, subject to the same limitations, provisions, and exceptions set forth above. The DISTRICT shall not, however, be required to pay the costs of any legal proceeding in the event the DISTRICT and the ASSISTANT SUPERINTENDENT have adverse interests in any litigation.

15. **CRITICISMS/COMPLAINTS.** The Board, individually and collectively, agrees that any criticism or complaint about the ASSISTANT SUPERINTENDENT the Board is made aware of, shall be promptly shared with the Superintendent for initial steps to resolve the complaint.
16. **APPLICABLE LAW.** This Agreement is subject to all applicable laws of the state of Oregon.
17. **MODIFICATION.** This Agreement supersedes all prior Agreements and understandings between the parties. The parties may, during the term of this Agreement, mutually agree to modify any of its terms. Any modifications will be in writing, signed by both parties and attached to this document.
18. **SAVINGS CLAUSE.** If it is found that any specific clause of this Agreement is or becomes illegal under either federal or state law, such illegal clause will be excised from this Agreement, with all remaining clauses to remain in full force and effect.
19. **ATTORNEY'S FEES.** In the event suit or arbitration is filed to enforce any of the terms of this Agreement, the court shall award to the prevailing party, its actual attorney's fees and costs as established by invoice and relevant billing records, including those on appeal, if appeal is taken.



IN WITNESS WHEREOF, the DISTRICT pursuant to the authority of its Board of Directors has caused two originals of this Agreement to be signed in the name of the DISTRICT by the Chair of the School Board and the ASSISTANT SUPERINTENDENT.

DALLAS SCHOOL DISTRICT NO. 2, DALLAS, OREGON

By \_\_\_\_\_ Date \_\_\_\_\_  
Chair, Board of Directors

By \_\_\_\_\_ Date \_\_\_\_\_  
Rachel Alpert, Assistant Superintendent

# English Learners in Oregon

Annual Report 2022-23

June 2024



**OREGON**  
**DEPARTMENT OF**  
**EDUCATION**

*Oregon achieves... together!*

English Learners in Oregon

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## **Acknowledgements**

We extend our appreciation to colleagues from across ODE who contributed to this report through data sharing, data analysis, and review of the findings.

### **Office of Teaching, Learning, and Assessment**

Jennifer Patterson, Assistant Superintendent

Mary Martinez-Wenzl, Director

Reza Norouzian, Research Analyst

Kim Miller, Education Program Specialist

### **Office of Equity, Diversity, and Inclusion**

Deb Lange, Assistant Superintendent

Kelly Kalkofen, Education Program Specialist

Mirela Blekic, Education Program Specialist

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Ana Salas, Executive Support Specialist

Susy Mekarski, Education Program Specialist

### **Office of Finance and Information Technology**

Kai Turner, Assistant Superintendent

Lauren Holstein, Business Analyst

### **Office of Research, Assessment, Data, Accountability, and Reporting**

Dan Farley, Assistant Superintendent

Jon Wiens, Director

Andrea Lockard, Director

Ben Wolcott, Education Program Specialist

W. Joshua Rew, Psychometrician

Greg Houser, Research Analyst

Evan Fuller, Research Analyst

Stephanie Evers, Research Analyst

## Executive Summary

ORS 327.016 directs the Oregon Department of Education (ODE) to prepare an annual report on English learner program funding and student outcomes. The report's intention is to describe the population of English Learners in Oregon and provide a summary of district and state progress towards meeting their needs and objectives. This report is also available on [ODE's legislative reports webpage](#). Any member of the public can contact the Government Relations and External Affairs Director to request a copy of this report.

## Definitions

ORS 327.016 describes students who receive English language instruction, supports, and services as part of an English language development (ELD) program as English learners. While these students are learning English in an ELD program, the English learner label only focuses on a singular dimension (i.e., learning English) and does not reflect the linguistic and cultural assets of the students (García, 2009). Thus, although this report will use the English Learner label in order to comply with ORS 327.016, we recognize these students are multilingual learners who bring valuable linguistic and cultural assets.

The ODE annually reports four groups of English learners: current, former, ever, and never English learners. Current English learners are multilingual students who were learning English in an ELD program during the 2022-23 school year<sup>1</sup>. Former English learners are multilingual students who demonstrated English proficiency and exited an ELD program prior to the 2022-23 school year. Ever English learners are the combination of both current and former English learners. Finally, never English learners are monolingual English or multilingual students who were not eligible to receive English language instruction, supports, and services in an ELD program before or during the 2022-23 school year.

## Nearly 100,000 students in Oregon are current or former English learners.

As of May 1, 2023, 545,609 students enrolled in Oregon public schools and districts. Among those students, 10.9 percent were current English learners (59,263 students), 7.5 percent were former English learners (40,912 students), and 81.6 percent were never English learners (445,434 students). Both current and former English learners (i.e., ever English learners constituting 18.4 percent of students) were an incredibly diverse student population in 2022-23.

The distribution of current English learners varied across grade levels and districts in Oregon during the 2022-23 school year. Woodburn School district served the highest percentage of current English learners, with 41.9 percent of students learning English in an ELD program as of May 1, 2023. On the other hand, 67.9 percent of Oregon districts either had no current English learners or very few (i.e., less than 5 percent of all students).

Other key features of the English learner student population in the 2022-23 school year include the following:

- The majority of current English learners were in elementary grades (59.2 percent), while the majority of former English learners were in high school grades (55.6 percent).

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<sup>1</sup> Note that current English learners also include students who are eligible to receive English language instruction, supports, and services in an ELD program but do not participate because their parents or guardians waive English language instruction, supports, and services.

## English Learners in Oregon

- The number of recently arrived current English learners (i.e., new immigrant students) increased from 4,145 in 2021-22 to 4,851 students in 2022-23.
- Spanish was the predominant home language of current English learners (76 percent), but overall, there were 222 documented unique home languages (an increase of 23 languages from 2021-22) spoken by current English learners. Other prevalent languages include Russian, Chinese, Vietnamese, Arabic, Chuukese, and Ukrainian; each being the home language of about 2 percent of current English learners.
- Approximately 77 percent of current English learners were Latino/a/x, and 32.7 percent of Latino/a/x students were current English learners. A similar percentage of Native Hawaiian/Pacific Islander students (32.6 percent) were current English learners.

### **English learners are overrepresented in special education and underrepresented in TAG programs.**

The report also examines the involvement of English learners in targeted federal and state programs: free or reduced price meals, special education, migrant education, and the talented and gifted (TAG) program.

Key findings include the following:

- A higher percentage of both current and former English learners were eligible for free or reduced price meals as compared to students who were never English Learners (88.4 and 79.8 percent vs. 59 percent).
- A higher percentage of current English learners received special education services and supports as compared to never English learners (19.7 vs. 16.1 percent); however, ever English learners and never English learners had comparable percentages of students receiving special education services and supports (14.3 vs. 16.1 percent).
- Almost 10.5 percent of current English learners received services in migrant education programs (i.e., 6,232 students). Additionally, 57.5 percent of the students in migrant education programs were current English Learners.
- While across Oregon 7.0 percent of never English learners participated in TAG programs, this figure was 5.7 percent for former English learners and just 0.5 percent for current English learners.

### **Younger English learners are more likely to be on track to English Language Proficiency than their older peers.**

Oregon monitors whether or not current English learners are on-track to attain English language proficiency within seven years. More than half of current English learners (58.8 percent) in elementary school grades were on track. In contrast, current English learners in middle or high school grades as well as current English learners with disabilities were much less likely to be on track.

### **Very few current English learners are meeting state standards in English Language Arts and Mathematics.**

A substantially smaller percentage of current English learners in elementary schools (6.6 percent) versus former (54.6 percent) and never English learners (47.8 percent) met or exceeded state standards in English Language Arts in 2022-23. A similar trend is observed at middle and high schools.

## English Learners in Oregon

Similarly, a substantially smaller percentage of current English learners in elementary schools (7.1 percent) versus former (44.3 percent) and never English learners (40.0 percent) met or exceeded state standards in mathematics in 2022-23. A similar trend is observed at middle and high schools.

### **Attendance rates are lower among current ELs, particularly in high school.**

Former and never English learners have the highest levels of regular attendance (75.2 and 64.9 percent) in elementary school grades. Current English learners have rates of regular attendance substantially lower in elementary (58.3 percent), middle (56.2 percent), and high school (44.0 percent) grades. Regular attendance rates decline for current, former, and never English learners in middle and high school grades.

### **Current English learners are more likely to graduate with a modified diploma.**

Former English learners graduated at rates better than never English learners (87.6 vs. 81.5 percent) in 2022-23; however, substantially fewer current English learners graduated in four years (68.1 percent). Moreover, current English learners that graduated in four years were over 2.8 times more likely to receive a modified rather than a regular diploma compared to that for never English learners. This ratio was only slightly smaller (2.5 times) for the cohorts that graduated in five years.

### **Students designated as English learners in high school are less likely to go to college than their peers.**

Post-secondary enrollment rates for former English learners were comparable to those of never English learners; in both cases, about 55 percent of high school graduates enroll in college within 16 months of graduation. On the other hand, current English learners were less likely to enroll in post-secondary education institutions. Over 39 percent of current English learners went on to college within 16 months of high school graduation.

### **District revenues and expenditures**

As in reports from previous years, this report summarizes the ratio of total current English learner expenditures to revenues districts receive for these students. In 2022-23, this ratio is 0.87, which is only slightly higher than 0.86 for 2021-22.

## Introduction

In 2022-23, students who received English language instruction, supports, and services in an English language development (ELD) program as well as students who exited the ELD program prior to the 2022-23 school year made up 18.4 percent of all students in Oregon public schools and districts (as of the first school day in May 2023). They form a vital part of our student communities and bring a variety of cultural and linguistic assets that enrich our schools and districts. This report describes this diverse population of students, examines their academic progress and achievement, and summarizes information about key aspects of the education they receive in our state.

### Why this report?

ORS 327.016 directs the Oregon Department of Education (ODE) to prepare an annual report on English learner program funding and student outcomes. The report's intention is to describe the population of English Learners in Oregon and provide a summary of district and state progress towards meeting their needs and objectives in ELD programs. ORS 327.016 requires ODE to include the following information in the annual report:

- English learner student demographics;
- Length of participation in ELD programs;
- Participation in special education and related services; and
- Other information identified by the ODE.

In addition, the annual report must include the following financial information:

- Allocations to each school district from the State School Fund for students enrolled in ELD programs;
- The extent to which districts expend these allocations for students enrolled in ELD programs; and
- The categories of expenditures for ELD program funding.

Each annual report looks back at the prior school year, which for this year is the 2022-23 school year. This report will be available on the ODE website, submitted to House and Senate Education Committees, and provided to district school boards. State law requires the report to be available to the public at each district's main office and on district websites.

## Definitions

ORS 327.016 describes students who receive English language instruction, supports, and services as part of an ELD program as English learners. While these students are learning English in an ELD program, the English learner label only focuses on a singular dimension (i.e., learning English) and does not reflect the linguistic and cultural assets of the students (García, 2009). Thus, although this report will use the English Learner label in order to comply with ORS 327.016, we recognize these students are multilingual and value their linguistic and cultural assets.

The ODE annually reports four groups of English learners: current, former, ever, and never English learners. Current English learners are multilingual students who were learning English in an ELD program during the



## English Learners in Oregon

2022-23 school year<sup>2</sup>. Former English learners are multilingual students who demonstrated English proficiency and exited an ELD program prior to the 2022-23 school year. Ever English learners are the combination of both current and former English learners. Finally, never English learners are monolingual or multilingual students who were not eligible to receive English language instruction, supports, and services in an ELD program before or during the 2022-23 school year.

### Structure of this report

This report consists of five sections:

Section 1: Demographics of English Learners

Section 2: Participation in Targeted Programs

Section 3: Language Development and Academic Achievement

Section 4: Attendance, Progress toward Graduation, Graduation, and Beyond

Section 5: State Revenues and Expenditures for English Learners

Several aspects of this year's report differ from the reports the ODE issued in previous years. For example, where appropriate, this report provides comparisons to never English learners (i.e., students not eligible to receive services from an ELD program). Furthermore, in addition to describing statewide patterns, in some cases the report indicates which districts serve high percentages of certain types of students (e.g., students participating in migrant education programs). Finally, like last year, this year's report provides data insights into Student Academic Outcomes in English Language Arts and Mathematics that were not available during the period impacted by the COVID-19 pandemic.

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<sup>2</sup> Note that current English learners also include students who are eligible to receive English language instruction, supports, and services in an ELD program but do not participate because their parents or guardians waive English language instruction, supports, and services.

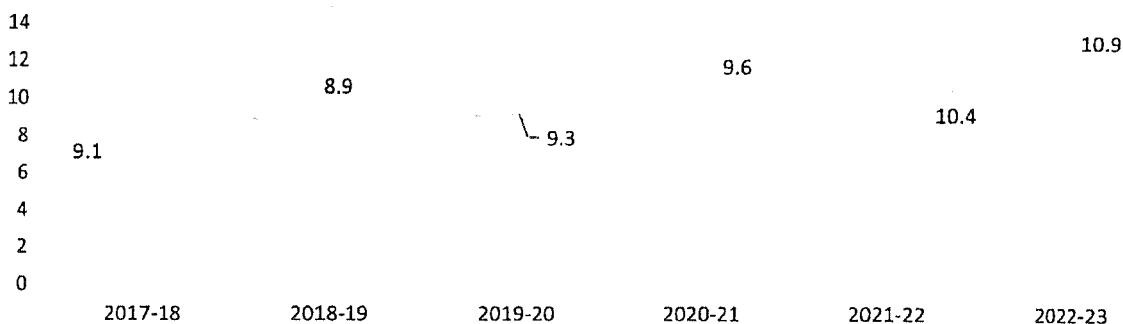
## Section 1: Demographics of English Learners in Oregon in 2022-23

Almost one in five Oregon students has been designated as an English learner. As of the first school day in May 2023, 545,609 students enrolled in Oregon public schools and districts. Among those students, 10.9 percent were current English learners (59,263 students), 7.5 percent were former English learners (40,912 students), and 81.6 percent were never English learners (445,434 students). Both current and former English learners were an incredibly diverse student population in 2022-23 (representing 18.4 percent of all students). These students brought a rich linguistic and cultural heritage to their classrooms, schools, and communities. This section summarizes the demographics of Oregon's English learner population, considering grade levels, interruptions in formal education among newcomer immigrant students, and racial, ethnic, and linguistic diversity.

### Current and Former English Learners

Current English Learners are multilingual students who are learning English in an ELD program during the school year<sup>3</sup>. They receive English language instruction, supports, and services because they are to help them become proficient in English. The reason for the lack of English proficiency is because English is not their native language, or they come from an environment where a language other than English has had a significant impact on their English proficiency. Identification of English learners is done using a Language Use Survey (LUS) as well as an English Language Proficiency Assessment (ELPA) screener. As noted earlier, in 2022-23, 59,263 of Oregon's 545,609 K-12 students, or 10.9 percent, were current English learners<sup>4</sup> (see figure 1).

**Figure 1. Percentage of all Oregon students who were current English Learners (2017-18 to 2022-23)**



A smaller number of students in 2022-23 (40,912 or 7.5 percent) were former English learners. Former English learners are multilingual students who demonstrated English proficiency and exited an ELD program prior to the 2022-23 school year. Research does suggest, however, that former English learners may still need support to develop high levels of proficiency in academic English (i.e., the language students need in order to be successful in school; see de Jong 2004; Flores, Batalova & Fix, 2012). Given its importance, during its

<sup>3</sup> Note that current English learners also include students who are eligible to receive English language instruction, supports, and services in an ELD program but do not participate because their parents or guardians waive English language instruction, supports, and services.

<sup>4</sup> The data for this portion of the report relies on student enrollments as of the first school day in May 2023.

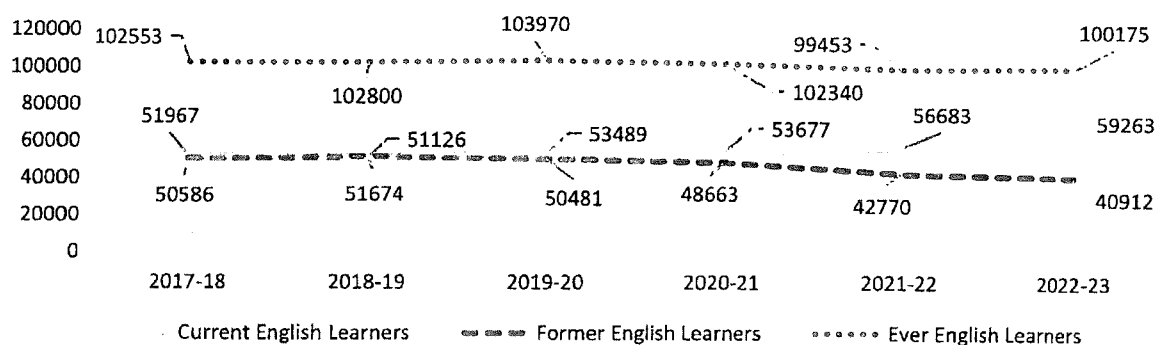
## English Learners in Oregon

monitoring process, ODE reviews the ways in which the districts monitor the progress of former English learners and provides them with feedback to enhance the districts' ability to support former English learners continued progress.

Comparisons between current, former, ever, and never English learners are useful to understand the experiences and outcomes of English learners over time, and to counter misperceptions about English learner achievement. Current English Learners tend to perform at lower levels while still developing English, particularly on assessments of content knowledge that are administered in English, which can negatively impact their performance. However, once current English learners attain English language proficiency, they often perform academically at significantly higher levels than their peers, including monolingual English speakers indicating the value of bilingualism (Thompson, Umansky, & Rew, 2022; Hopkins, Thompson, Linquanti, Hakuta, & August, 2013).

Oregon has had a largely stable population of about 100,000 English learners (former and current) over the past several years. Figure 2 shows the change in the count of current, former, and ever English learners in Oregon over the last six school years. In general, it displays a slightly fluctuating population of ever English learners in Oregon, starting at 102,553 in 2017-18 and, after increasing and declining for a couple years, reaching 100,175 students in 2022-23.

**Figure 2. Number of current, former, and ever English Learners in Oregon (2017-18 to 2022-23)**

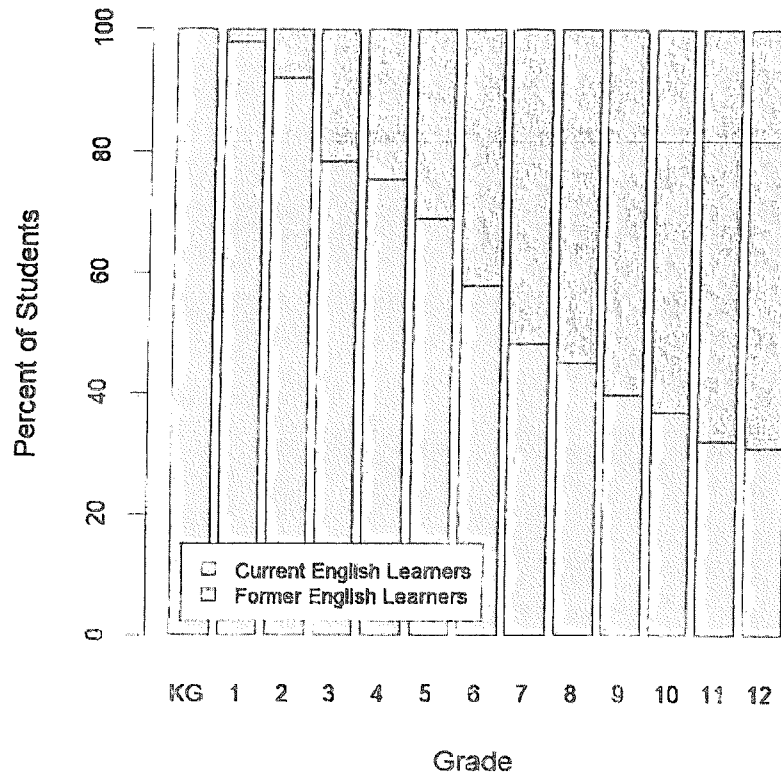


### The majority of current English Learners were in the elementary grades.

Although there were current English learners at every grade level, approximately two-thirds (59.2%) were in kindergarten through fifth grade. Far fewer current English learners were in middle school (grades 6-8; 20.1 percent) or in high school (grades 9-12; 20.6 percent). Figure 3 shows the percent of current and former English learners by grade in 2022-23. As the grade level increases from kindergarten to twelfth grade, the percent of current English learners decreases as they attain English proficiency and exit their ELD programs (subsequently, this results in an increase of former English learners). For example, across the elementary grades, the percentage of elementary students who are current English learners ranges from 68.8 percent to 100 percent, while in the secondary grades it ranges from 45.0 percent to 57.7 percent, and in high school it ranges from 30.9 percent to 39.7 percent.

## English Learners in Oregon

**Figure 3. Comparison of the percentage of current and former English learners by grade in 2022-23**



### English Learner enrollment varied across Oregon districts.

Oregon has 197 school districts. In 2022-23, 153 districts provided English language instruction, supports, and services to current English learners. Over 80 districts participated in Title III funds in a consortium as these districts had fewer than 77 identified English learners and therefore did not generate the federally required \$10,000 minimum Title III sub-grant. These districts with small EL populations may experience challenges with the students being enrolled across several grade levels, may have different English language proficiency levels, or may have limited ELD teachers. The remaining districts in Oregon ( $n = 44$ ) did not have any enrolled English learners.

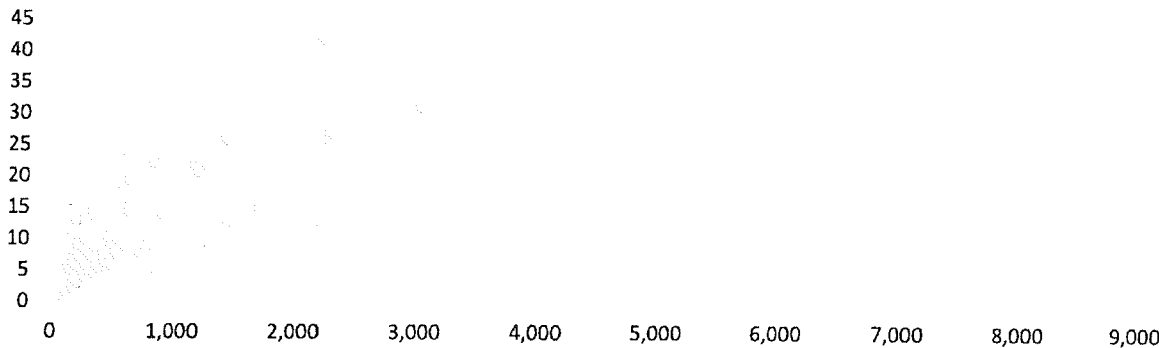
Figure 4 shows the distribution of current English learners across Oregon districts in 2022-23. There were eight districts with more than 2,000 current English learners. Thus, in 2022-23, districts differed in terms of both the number of current English learners and/or the percentage of their student population who received English language instruction, supports, and services.

Statewide, about a quarter of Oregon districts ( $n = 51$ ) provided English language instruction, supports, and services to between 1 and 19 current English learners. This suggests these districts have too few current English learners to be independently eligible for Federal Title III subgrant. However, such districts can always form or join a consortium of districts to become eligible for the improvement efforts under state and federal accountability initiatives.

English Learners in Oregon

A sizable proportion of Oregon districts did not have any current English learner enrollments in 2022-23. The 44 districts not currently serving English learners tended to be small in overall population (median 122 students).

**Figure 4. Comparison of the number and percentage of current English learners by district in 2022-23**



This variation across districts is also evident in table 1, which shows the ten districts with the highest numbers of current English learners.

**Table 1. Districts with the highest number of current English learners in 2022-23.**

District Name	Number of Current English Learners
Salem-Keizer SD 24J	8,088
Beaverton SD 48J	5,680
Portland SD 1J	4,314
Hillsboro SD 1J	3,836
Reynolds SD 7	3,023
David Douglas SD 40	2,236
Woodburn SD 103	2,182
North Clackamas SD 12	2,160
Gresham-Barlow SD 10J	1,707
Tigard-Tualatin SD 23J	1,423

In addition, table 2 shows the ten districts with the highest percentage of current English learners. Note that some districts (ex. Woodburn SD 103) appear on both lists. This means that not only do these districts rank high on the number of current English Learners in the state, but their current English learners also make up a notable portion of their own overall student population.

## English Learners in Oregon

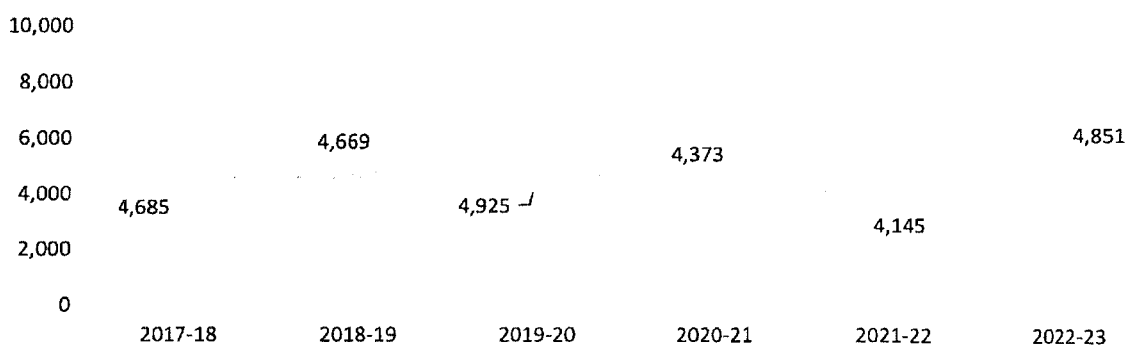
**Table 2. Districts with the highest percentage of current English learners in 2022-23.**

District Name	Percentage of Current English Learners
Woodburn SD 103	41.9%
Umatilla SD 6R	32.6%
Reynolds SD 7	31.3%
Centennial SD 28J	26.1%
David Douglas SD 40	26.1%
Nyssa SD 26	25.6%
Milton-Freewater Unified SD 7	24.4%
Morrow SD 1	24.2%
Gervais SD 1	23.9%
North Marion SD 15	22.3%

**The number of recent arrivers increased in 2022-23.**

The term recent arrivers refers to students who were born outside of the U.S. and Puerto Rico, and who have been educated in the U.S. for fewer than three cumulative years (i.e., these students are recent immigrants). They can be current, former, or never English learners; however, the majority are current English learners.

In 2022-23, 4,851 current English learners were recent arrivers. This number represents one of the largest counts of recent arrivers over the last six years (see figure 5).

**Figure 5. Number of current English learners who were recent arrivers in Oregon (2017-18 to 2022-23).**

Most recent arrivers (58.9 percent) were in the elementary grades, while 17.1 percent were in grades 6-8 and 24.0 percent were in high school. Current English learners who are recent arrivers in middle and high school contend with significant challenges, since they must learn the language while also using English-language textbooks and lectures to learn the content of their courses in a variety of subject areas (Short & Fitzsimmons, 2007). Recent arrivers in the secondary grades are known as adolescent newcomers, and districts sometimes design specialized programs to serve their unique language and cultural needs.

## English Learners in Oregon

Statewide, the total number of current English learners who were adolescent newcomers in 2022-23 was 1,995. Not all districts provided English language instruction, support, and services to adolescent newcomers; however, five Oregon districts with the largest population of such students in 2022-23 are shown in Table 3.

**Table 3. Districts with the largest population of adolescent newcomers in 2022-23.**

District	Number of Adolescent Newcomers (Recently Arrived Current English Learners in Middle or High School)
Beaverton SD 48J	338
Salem-Keizer SD 24J	240
David Douglas SD 40	194
Reynolds SD 7	124
Gresham-Barlow SD 10J	91

### **In 2022-23, districts reported 790 current English learners had experienced interruptions in their education.**

Some current and former English learners had their education interrupted or received limited formal education before arriving in the U.S. school system. Often, these were immigrant or refugee students who had spent time in refugee camps or whose process of immigration to the U.S. prevented them from attending school for a time. These students are known as students with limited or interrupted formal education (often abbreviated as SLIFE or SLIFE). Students are SLIFE if they are immigrant students or English learners who enter school in the U.S. after grade two and experience all of the following:

- a. Have at least two fewer years of schooling than their peers of the same age,
- b. Function at least two years below grade level expectations in reading and mathematics, and
- c. Are preliterate in their native language.<sup>5</sup>

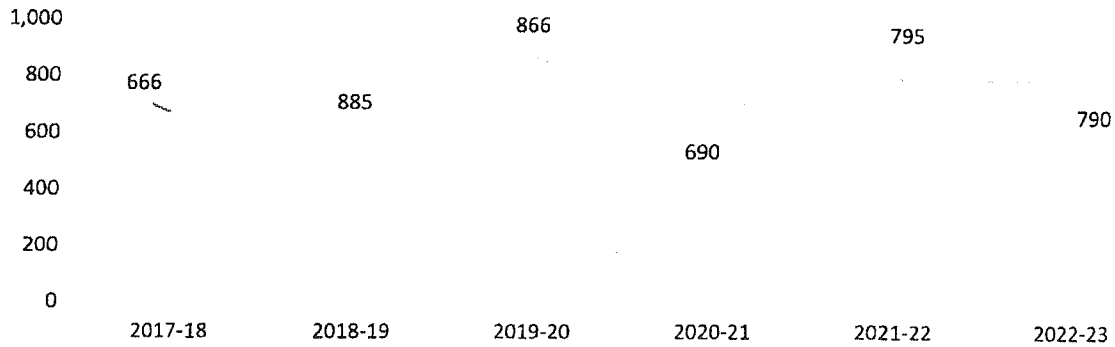
SLIFE students face unique circumstances. In addition to having missed at least two years of schooling, some arrive having experienced significant trauma. Schools need to find ways to serve SLIFE students without placing them in classes with younger students, since forming relationships with peers, including never English learner peers, is a factor that appears to improve academic outcomes (Browder, 2014).

The ODE began collecting data on the number of students with limited or interrupted formal education in 2015-16. For the 2022-23 school year, districts reported 790 current English learners with limited or interrupted formal education (about 1.3 percent of all current English learners). As figure 6 illustrates, the number of students with limited or interrupted formal education increased from 2016-17 to 2019-20 but decreased in 2020-21 and once again increased in 2021-22 and 2022-23.

<sup>5</sup> See [ESEA Title III English Learner Definitions](#) for more details.

## English Learners in Oregon

**Figure 6. Number of current English learners with an interrupted formal education (2017-18 to 2022-23).**



Most students with limited or interrupted formal education were in high school (62.2 percent). Another 22.7 percent were in the middle school grades (grades 6-8), and only 15.2 percent were in the elementary grades.

In 2022-23, the distribution of current English learners with limited or interrupted formal education was not uniform across Oregon districts. Instead, current English learners with limited or interrupted formal education were, for the most part, concentrated in a few districts. Nine districts in Oregon, identified in table 4, provided English language instruction, supports, and services to at least 20 current English learners with limited or interrupted formal education in 2022-23. These nine districts alone enrolled 83.3 percent of all SLIFE students in Oregon. Note that three of the eight districts serving many adolescent newcomers (see table 3) also enroll a significant number of current English learners with interrupted formal education (i.e., Portland, Beaverton, and Reynolds).

**Table 4. Districts serving at least 20 current English learners with interrupted formal education in 2022-23**

District	Number of Current English Learners with Limited or Interrupted Formal Education
Hillsboro SD 1J	291
Portland SD 1J	91
Beaverton SD 48J	82
Hermiston SD 8	47
Reynolds SD 7	41
Woodburn SD 103	31
South Lane SD 45J3	28
Morrow SD 1	26
Klamath County SD	21

### Current English learners across the state spoke 222 unique home languages.

Statewide, current English learners spoke about 222 different languages at home. By far the most prevalent home language among Oregon current English learners was Spanish, spoken at home by 76.0 percent of all current English learners. The four next most common languages were Russian, Chinese, Vietnamese, and Arabic. Taken together, these top five languages represent 84.0 percent of home languages among current English learners (see Table 5). In recent years, the number of current English learners speaking Somali, Mesoamerican languages, and other languages has been increasing.



## English Learners in Oregon

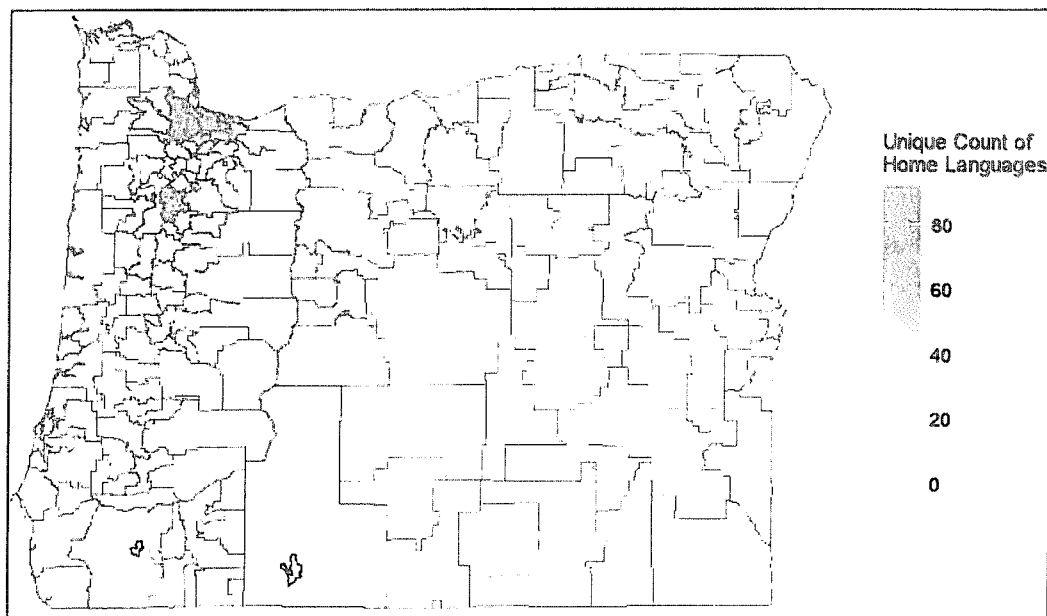
In 2020, ODE expanded the language of origin reporting options to include an additional 384 languages; many of which were Mesoamerican languages such as Mam, Q'anjobal, and K'iche. This was intended to reduce the prevalence of districts reporting an unknown home language. However, in 2022-23, districts reported an unidentified home language (listed as 'other languages' in Table 5) for 772 English learners, suggesting a need for continued training and support in this area.

**Table 5. Most prevalent home languages among current English learners in 2022-23.**

Language	Number of Current English Learners with this Language	Percentage of Current English Learners with this Language
Spanish	45,035	76.0%
Russian	1,548	2.6%
Chinese	1,178	2.0%
Vietnamese	1,172	2.0%
Arabic	820	1.4%
Chuukese	782	1.3%
Other languages	772	1.3%
Ukrainian	735	1.2%
Somali	571	1.0%

Figure 6 provides a map illustrating the number of different home languages in different Oregon districts. A few districts, mostly in the Portland metropolitan area and Salem, provide English language instruction, supports, and services to students with over 60 unique home languages.

**Figure 7. Geographic distribution current English learner home languages across Oregon districts during 2022-23**

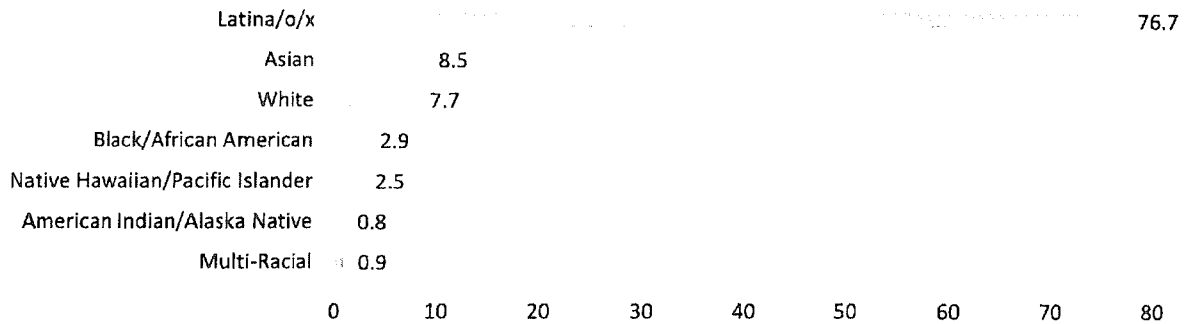


## English Learners in Oregon

### The vast majority of current English learners were Latina/o/x.

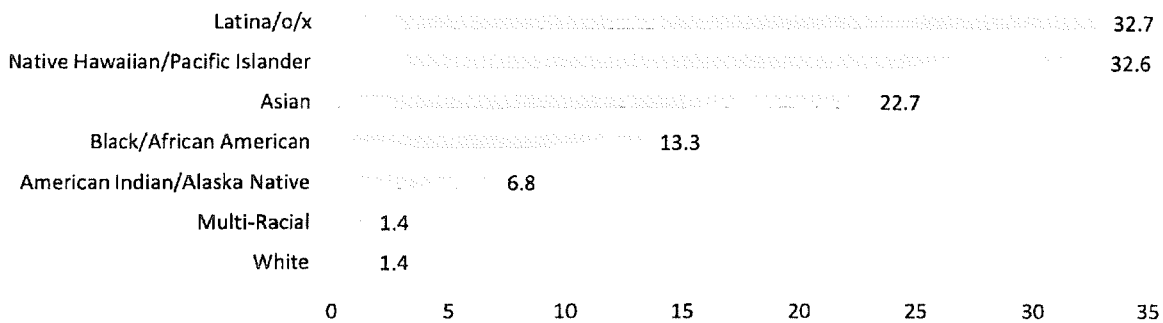
Of the 59,263 current English learners in Oregon during the 2022-23 school year, 45,463 (76.7 percent) were Latina/o/x. About 7.7 percent were White and 8.5 percent were Asian, while smaller percentages were Black/African American, Native Hawaiian/Pacific Islander, American Indian/Alaska Native, and Multi-Racial (see figure 8).

**Figure 8. Percentage of current English learners by race/ethnicity in 2022-23.**



It is important to note that most Latina/o/x students in Oregon were not current English learners. In fact, according to figure 9, only 32.7 percent of Latina/o/x students were current English learners in 2022-23. Moreover, 32.6 percent of Native Hawaiian/Pacific Islander students were current English learners.

**Figure 9. Percentage of each racial/ethnic group who were current English learners in 2022-23.**



## Section 2: Participation in Targeted Programs

Schools and districts deliver a range of programs that aim to address the needs of particular groups of students. These include free or reduced price meals, special education, migrant education, and TAG programs. Most of these programs receive some federal funding; however, TAG programs receive only state funding. This section of the report describes the participation of English learners in each of these programs during the 2022-23 school year.

### Free or Reduced Price Meals

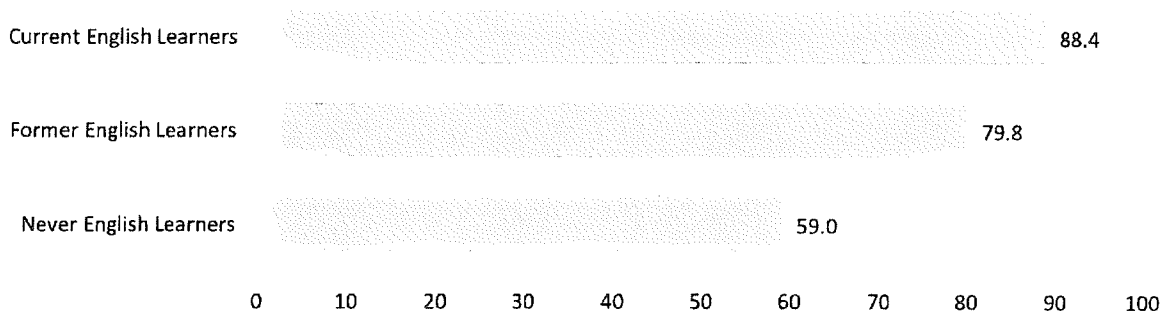
Students who come from low-income families (those earning below 185 percent of the federal poverty line) are eligible for free or reduced price meals. The percentage of students receiving free or reduced price meals

## English Learners in Oregon

is an estimate of the level of poverty or economic disadvantage in a school. It is an imprecise measure, since some eligible students and families never apply to the program; however, it provides the best data currently available to compare poverty and economic disadvantage levels across schools and districts.

According to figure 10, current and former English learners are much more likely than never English learners to be eligible for free or reduced price meals. This suggests that households for current and former English learners are more likely to experience poverty and economic disadvantage. Overall, 88.4 percent of current English learners come from economically disadvantaged households<sup>6</sup>.

**Figure 10. Percentage of current, former, and never English learners receiving free or reduced price meals in 2022-23.**



## Special Education

Students who are current English learners and receive special education services and supports are known as dual-identified students, since they receive instruction, supports, and services from two programs (i.e., English language and special education).

There is concern in the field about the difficulty of accurately identifying current English learners who need special education services and supports. Schools may incorrectly identify current English learners as having a learning disability when, in fact, it is their developing English proficiency that adversely influences their educational progress. On the other hand, some schools may overlook genuine disabilities, assuming that current English learners just need more time to learn English. Both identification challenges are present not only in Oregon but across the United States (Artiles & Ortiz, 2002; Hamayan, Marler, Sanchez Lopez & Damico, 2007; Umansky, Thompson, & Díaz, 2017).

### **Ever English learners and never English learners received special education services and supports at about the same rate.**

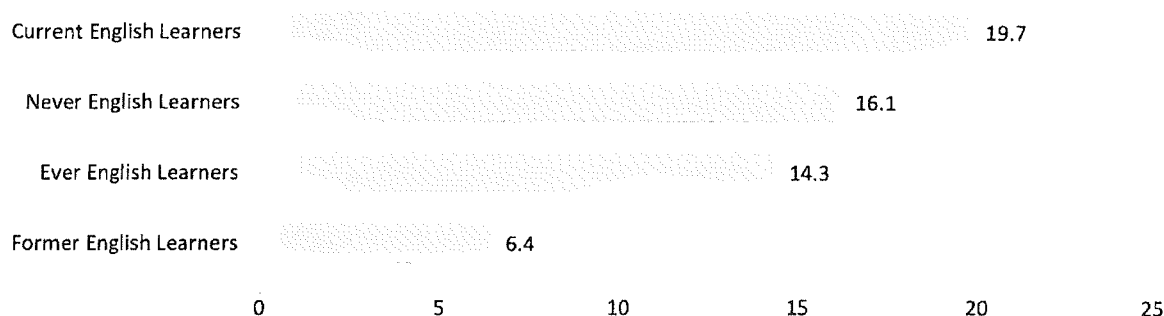
As figure 11 illustrates, a far higher rate of current English learners (19.7 percent) received special education services and supports as compared to former (6.4 percent) and never English learners (16.1 percent).

<sup>6</sup> Although the COVID-19 related waivers issued by the USDA to allow meals to be served at no cost to all students ended in 2021-22 school year, about 54% of Oregon schools provided free meals to all their students in 2022-23 school year.

## English Learners in Oregon

However, the percentage of ever English learners (the combination of current and former English learners) receiving services and supports is very similar to that for never English learners.

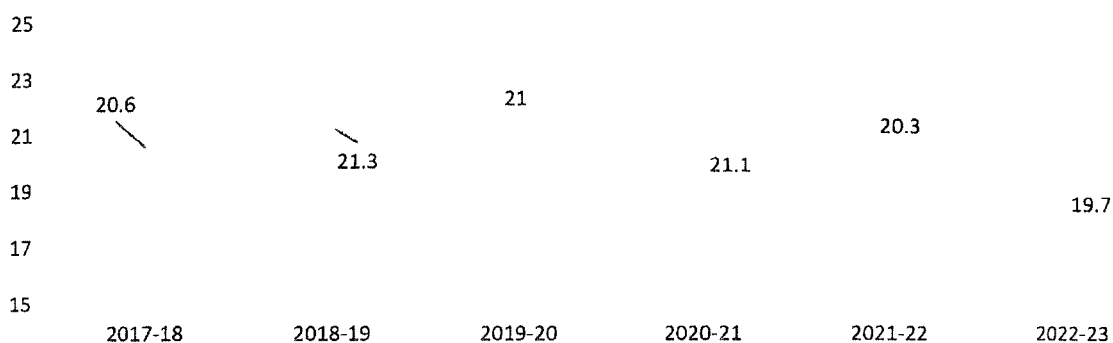
**Figure 11. Percentage of current, former, never, and ever English learners receiving special education services and supports in 2022-23.**



### The percentage of current English learners receiving special education slightly decreased in 2022-23.

In 2022-23, 11,694 current English learners (19.7 percent) were receiving special education supports and services. The number of current English learners receiving special education services and supports in 2022-23 represents a slight decrease from the year before, when 20.3 percent of current English learners received special education services and supports (see figure 12).

**Figure 12. Percentage of current English learners receiving special education services and supports (2017-18 to 2022-23).**



Most current English learners with a disability in 2022-23 had a specific learning disability (3,611 students) or a speech or communication disorder (2,816 students) as their primary disability.<sup>7</sup> Other primary disabilities, with 100 or more current English learners in 2022-23, included autism spectrum disorder, other health

<sup>7</sup> A specific learning disability refers to a disorder in one or more of the basic psychological processes involved in understanding or using language that may manifest itself in difficulties in listening, thinking, speaking, reading, writing, spelling, or doing math calculations. A speech or language impairment refers to a communication disorder such as stuttering, impaired articulation, or a language or voice impairment that adversely affects a students' learning or educational performance.

## English Learners in Oregon

impairments, developmental delay, intellectual disability, emotional behavior disability, deaf or hard of hearing, hearing impairment (see Table 6).

**Table 6. Primary disabilities involving 100 or more current English learners in 2022-23.**

Disability Type	Number of Current English Learners	Percent of Current English Learners
Specific Learning Disability	3,611	6.1%
Communication Disorder	2,816	4.8%
Autism Spectrum Disorder	1,096	1.8%
Other Health Impairments	1,084	1.8%
Developmental Delay	801	1.4%
Intellectual Disability	683	1.2%
Emotional Disturbance	237	0.4%
Hearing Impairment	186	0.3%

## Migrant Education

Some English learners also participate in migrant education programs. Students ages 3-21 can qualify for Title I-C migrant education programs services if they or their parents are engaging in qualifying agricultural or fishing work, and they have moved within the past 36 months to obtain or seek this type of work. Many migrant children experienced poverty, and when they move, they confront the challenges of having to adjust to different teachers with different instructional approaches and materials, as well as building new social connections. The intent of migrant education programs is to ensure that migrant children receive the support that addresses their unique situations and are able to receive supports necessary to succeed academically.

### **10.5 percent of current English learners received services from Migrant Education Programs in 2022-23.**

Oregon has one of the largest migratory student populations nationally. Across the state in the 2022-23, 6,232 current English learners participated in migrant education programs. That number translates to 10.5 percent of all current English learners. It also means that more than half (57.5 percent) of the 10,844 students in migrant education programs were current English Learners in 2022-23. Moreover, 31.4 percent of students in migrant education programs in 2022-23 were former English learners. This also implies that 88.8 percent of the 10,844 students who received services from migrant education programs were ever English learners.<sup>8</sup>

Approximately 101 districts in 2022-23 school year enrolled students who qualified for migrant education programs. Ten districts with the largest population of English learners participating in their migrant education program in 2022-23 (see table 7).

<sup>8</sup> The data for this portion of the report relies on student enrollments as of the first school day in May 2023.

## English Learners in Oregon

**Table 7. Districts with the largest number of English learners participating in migrant education programs in 2022-23.**

District	Number of Current ELs in Migrant Education	District	Number of Current ELs in Migrant Education
Salem-Keizer SD 24J	928	Hood River County SD	261
Hillsboro SD 1J	358	North Wasco County SD 21	253
Medford SD 549C	348	Hermiston SD 8	243
Woodburn SD 103	318	Beaverton SD 48J	205
Forest Grove SD 15	290	Nyssa SD 26	168

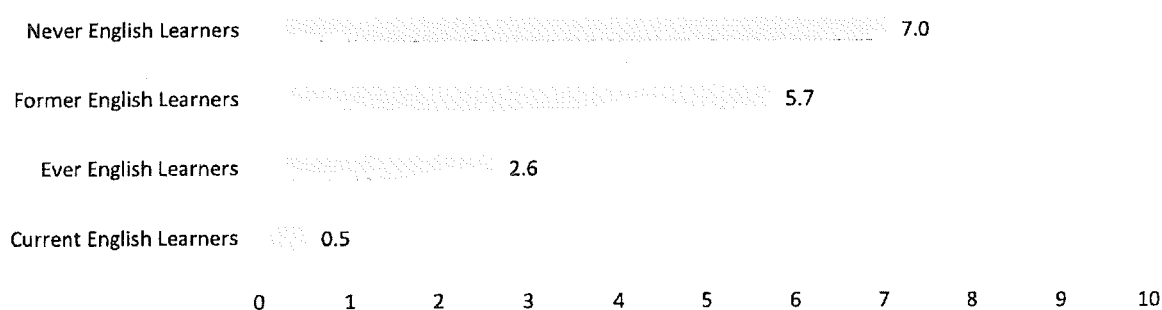
**Talented and Gifted**

The state requires that all school districts establish policies and procedures to identify students to participate in TAG programs. These students may have high general intelligence and/or demonstrate unusual academic ability in one or more particular areas (Gubbins et al., 2020). State law requires districts to develop a plan to provide programs and services beyond regular school programs in order to ensure that eligible students can develop and realize their potential (OAR 581-022-2500).

Correctly identifying students for TAG programs and providing specialized services is important because these students may have both unique talents and face unique challenges. For example, some TAG students struggle with perfectionism and the ability to cope with failure. Others engage only selectively at school and have high levels of absenteeism. Findings from the ODE suggest that approximately 10 percent of TAG students drop out of high school (Allen, 2016).

**Current English Learners were rarely identified for TAG Programs.**

According to figure 13, 6.5 percent of never English learners (31,032 students) were identified for TAG programs in 2022-23. While 5.7 percent of former English learners were identified (2,345 students) and 5.3 percent of ever English learners were identified (2,336 students), less than 1 percent (0.5% percent) of current English learners were identified for TAG programs in 2022-23 (283 students). Never English learners were about 14 times more likely to be identified for TAG programs than current English learners in 2022-23.

**Figure 13. Percentage of current, former, ever, and never English learners who participated in a TAG program in 2022-23.**

### Section 3: Language Development and Academic Outcomes for English Learners

Students who are current English learners have to develop proficiency in English. In addition and at the same time, they must learn all the same academic content as other students in Oregon. This section of the report provides data about English language proficiency and academic outcomes of current English learners (with comparisons to former, ever, and never English learners).

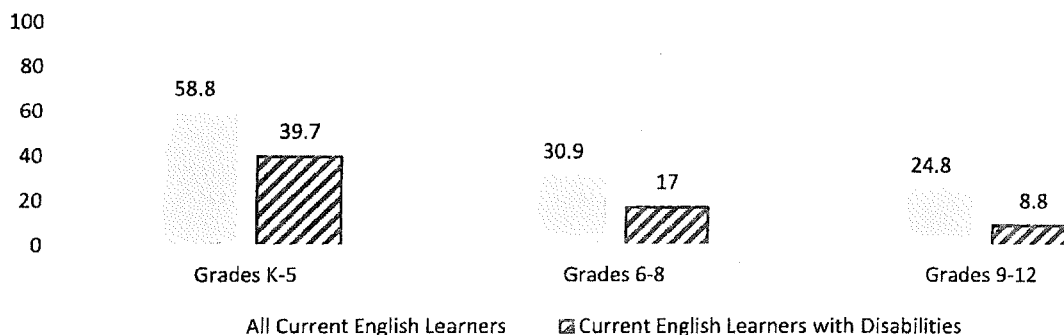
#### Progress towards English Language Proficiency

Title I-A of the Every Student Succeeds Act (ESSA) requires current English learners to take an English language proficiency assessment (ELPA) annually. The ELPA measures a student's proficiency in the domains of listening, reading, speaking, and writing. Students who demonstrate proficiency on all four ELPA domains are ready to exit the ELD program. Since 2017-18, the ODE monitors whether current English learners are on track to attain English language proficiency using a trajectory expectation model. Current English learners are on track if their current ELPA domain performance meets or exceeds trajectory expectations given (1) initial ELPA domain performance, (2) years identified as a current English learner, and (3) disability and/or an interrupted formal education status. These expectations are in line with trajectory expectations indicated by research on English learners (see Hakuta, Goto Butler, & Witt, 2000; Robinson, Cimpian, Thompson, & Umansky, 2016; Umansky & Reardon, 2014), as well as SIFE, and dual-identified English learners (see Burke, Morita-Mullaney, & Singh, 2016; Conger, 2009; Kieffer & Parker, 2016; Thompson, 2015; Umansky & Reardon, 2014). Interested readers are also referred to the Oregon's ESSA Consolidated State Plan (2017) for Oregon's trajectory expectations (pp. 43-44).

According to figure 14, as the grade level increases, the percentage of current English learners on track to attain English language proficiency decreases from 58.8 percent in elementary school grades to 24.8 percent in high school grades. Furthermore, the same pattern is evident for current English learners with disabilities where the percentage decreases from 39.7 percent in elementary school grades to 8.8 percent in high school grades. To some extent, the decrease in the percentage of current English learners on track to attain English language proficiency from elementary to high school grades is not a surprise due to the annual exiting of current English learners and the annual enrollment of new ELs. This has a considerable impact on the composition of current English learners across grade levels. Thus, inferences and comparisons across grade levels and between groups of current English learners (e.g., those with and without disabilities) must use caution.

## English Learners in Oregon

**Figure 14. Percentage of all current English learners and current English learners with disabilities on track to attain English language proficiency by elementary (K-5), middle (6-8), and high school grades (9-12) in 2022-23.**



### **Long-term current English learners made up 21.9 percent of all current English learners.**

Parents and communities have concerns about the ability of Oregon's schools and districts to ensure current English learners attain English language proficiency and exit an ELD program within an appropriate amount of time. Current English learners who are unable to meet proficiency expectations after a period of time are known as long-term current English Learners. The ODE defines a long-term current English learner as a student who receives English language instruction, supports, and services in an ELD program for more than seven years.

In 2022-23, most current English learners (78.1 percent) were not long-term current English learners; however, this means that 21.9 percent of current English learners received English language instruction, supports, and services for more than seven years. This is a concern because slower development of English language proficiency is highly predictive of other academic challenges (Menken & Kleyn, 2009; Danahy Ebert & Reilly, 2022). An important point to consider is the ability of Oregon's schools and districts to meet the needs of current English learners. This is particularly salient given that 40.5 percent of current English learners with disabilities received English language instruction, supports, and services for more than seven years in 2022-23.

### **Approximately 31 percent of current English learners receiving special education services and supports developed English language proficiency in seven years.**

It is also useful to look at the development of English language proficiency from another angle, namely, what proportion of current English learners develop proficiency within a particular amount of time?

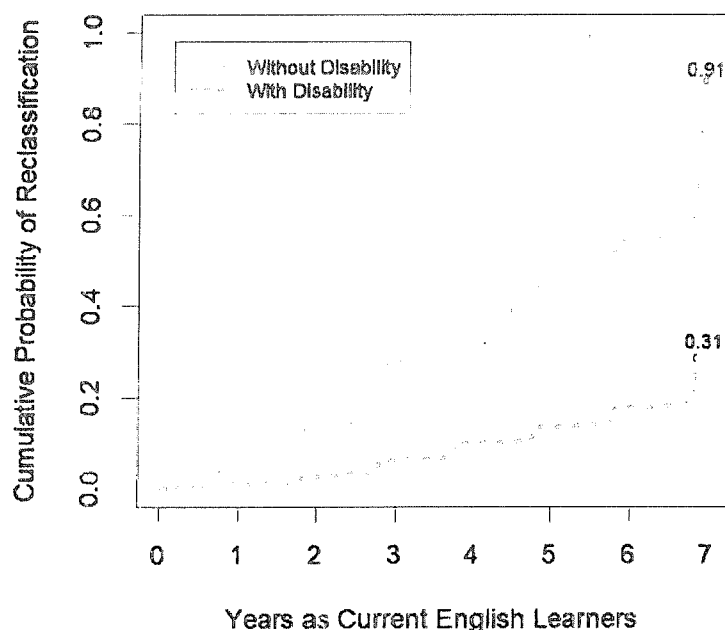
This measure uses data for all current English learners who received English language instruction, supports, and services in an ELD program in 2022-23 regardless of the length, start, or end of enrollment. While most of the data in this report rely on the first school day in May 2023 as a snapshot, this measure includes all current English learners (even those not enrolled on the first school day in May 2023).



## English Learners in Oregon

Figure 15 addresses this question for current English learners with and without disabilities. For current English learners without disabilities who began receiving English language instruction, supports, and services on or after July 1, 2016, the probability of reclassification (i.e., attaining English language proficiency and exiting an ELD program) after seven years is 0.91<sup>9</sup> (or, after multiplying by 100, 91 percent). That is, 91 percent of the current English learners without disabilities attained English language proficiency and exited an ELD program after seven years. On the other hand, 31 percent of current English learners with disabilities attained English language proficiency and exited an ELD program after seven years. Succinctly put, ELs without a disability are, on average, about three times as much likely to exit the EL program in 7 years than their EL peers with a disability.

**Figure 15. Probability of reclassification for current English learners with and without disabilities after seven years (July 1, 2016 to June 30, 2023).**



## Student Academic Outcomes in English Language Arts and Mathematics

Each year, all Oregon students in grades 3-8 and 11 take state assessments in English language arts and mathematics. These assessments, offered in English, may be especially challenging for ELs who are still developing proficiency. For both subjects, a performance level of three or higher meets the state standards.

**Former ELs performed similarly or slightly below never ELs in English language arts, while few current ELs met or exceeded state standards.**

At the elementary level (grade 3-5), 6.6 percent of current ELs met or exceeded state standards in English language arts. In contrast, 54.6 percent of former ELs in elementary hit this benchmark. This was higher than the percentage of never ELs meeting or exceeding standards, 47.8 percent. In fact, in many districts ( $n = 74$ ),

<sup>9</sup> Because ELPA21 was introduced in 2015 and its EL exit data became available in 2016, this value is inflated.

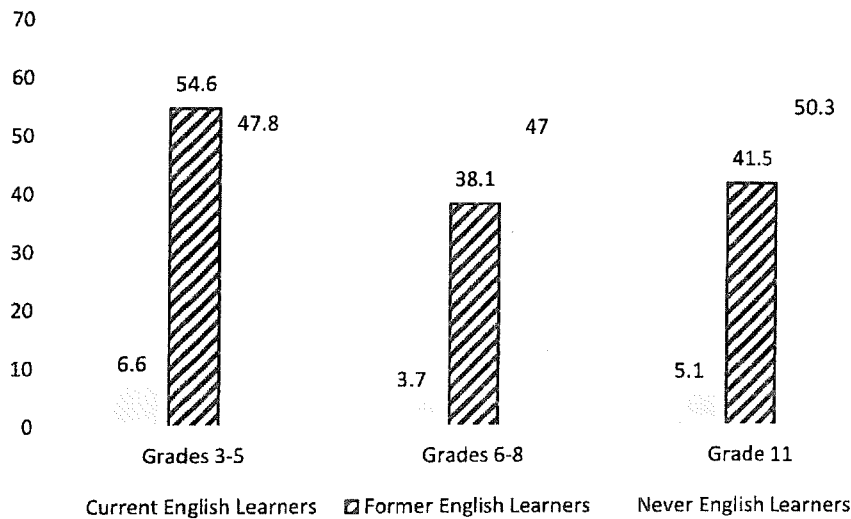
## English Learners in Oregon

a higher percentage of former ELs, compared to never ELs, met benchmark in elementary English language arts.

At the middle school level (grades 6-8), only 3.7 percent of current ELs met or exceeded state standards in English language arts. Additionally, 38.1 percent of former ELs and 47.0 percent of never ELs met or exceeded standards. In 46 districts, a higher percentage of former ELs, compared to never ELs, met benchmark.

Among high school students (grade 11), 5.1 percent of current ELs, 41.5 percent for former ELs, and 50.3 percent of never ELs met or exceeded state standards. At the high school level, there were 36 districts<sup>10</sup> in which a higher percentage of former ELs than never ELs met the benchmark in English language arts.

**Figure 16. Percentage of current, former and never ELs meeting or exceeding state standards in English Language Arts in elementary, middle and high school, 2022-23<sup>11</sup>**



**In math, former ELs performed below never ELs, especially in middle and high school, while less than 10 percent of current EL met or exceeded state standards.**

At the elementary level, 7.1 percent of current ELs met or exceeded standards in math (Figure 17). In addition, 44.3 percent of former ELs met or exceeded standards in math. The percentage of never ELs meeting or exceeding standards was somewhat lower, 40 percent.

<sup>10</sup> These districts include: Baker SD 5J, Oregon Trail SD 46, Gladstone SD 115, Scappoose SD 1J, North Bend SD 13, Crook County SD, Douglas County SD 4, Winston-Dillard SD 116, Central Point SD 6, Eagle Point SD 9, Culver SD 4, Three Rivers/Josephine County SD, Klamath County SD, Lake County SD 7, Fern Ridge SD 28J, Siuslaw SD 97J, Central Linn SD 552, Nyssa SD 26, Mt Angel SD 91, Reynolds SD 7, Centennial SD 28J, Corbett SD 39, David Douglas SD 40, Tillamook SD 9, Echo SD 5, Milton-Freewater Unified SD 7, Pendleton SD 16, Stanfield SD 61, La Grande SD 1, North Powder SD 8J, Mitchell SD 55, Yamhill Carlton SD 1, Amity SD 4J, Dayton SD 8, Sheridan SD 48J, North Wasco County SD 21.

<sup>11</sup> In this chart, the group “current EL” includes only students who were classified as current ELs at the time of testing. In some other state accountability reports, the performance of current and recently reclassified ELs are reported together.

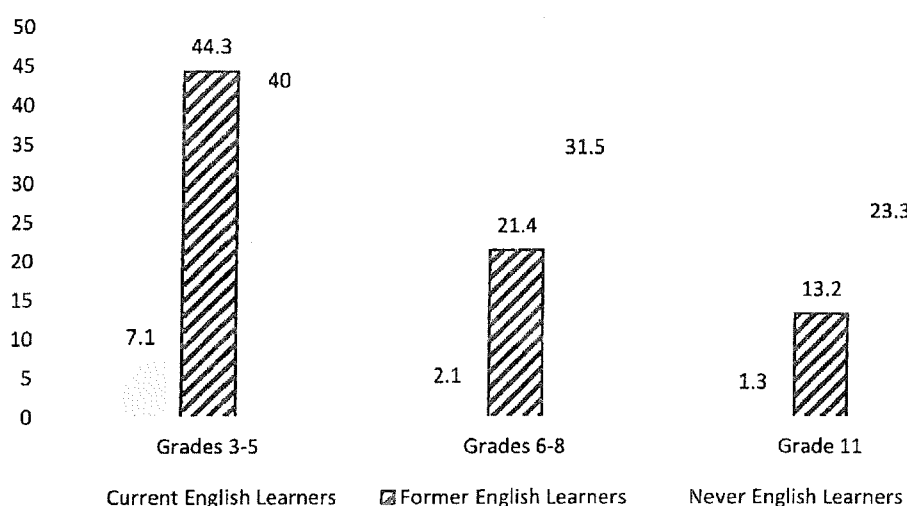
## English Learners in Oregon

Among middle school students, 2.1 percent of current ELs met or exceeded standards in math, compared to 21.4 percent of former ELs and 31.5 percent of never ELs.

Among students in grade 11, 1.3 percent of current ELs, 13.2 percent of former ELs, and 23.3 percent of never ELs met or exceeded standards in math. At all levels and among all groups, fewer students met or exceeded standards in math than in English language arts.

Overall, similar patterns emerge in Math as in ELA, with higher levels of proficiency at the elementary level than other educational levels.

**Figure 17. Percentage of current, former and never ELs meeting or exceeding state standards in mathematics in elementary, middle and high school, 2022-23<sup>12</sup>**



## Section 4: Attendance, Progress toward Graduation, Graduation, and Beyond

This section of the report examines several important outcomes for English learners. These are attendance, ninth grade progress towards graduation, four-year graduation, earning a Seal of Biliteracy, and post-secondary enrollment.

### Regular Attendance

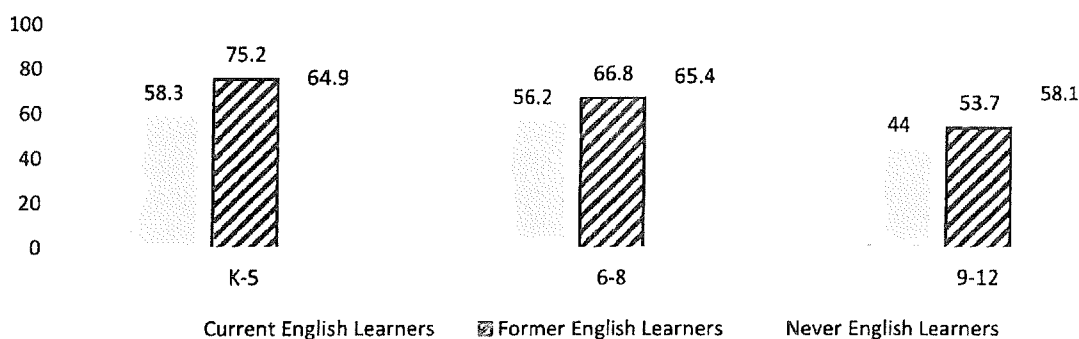
In recent years, researchers and educators alike have devoted increasing attention to ensuring students attend school on a regular basis. Research has shown that even moderate levels of absenteeism can have a profound impact on students' grades, performance on standardized assessments, graduation rates, and success in college (Allensworth & Evans, 2016; Ginsburg, Jordan, & Chang, 2014). In Oregon, students exhibit "regular attendance" at school if they attend more than 90 percent of school days during the school year.

<sup>12</sup> Also in this chart, the group "current EL" includes only students who were classified as current ELs at the time of testing.

## English Learners in Oregon

Among elementary grades in 2022-23, former and never English learners have the highest levels of regular attendance (see figure 18). Current English learners, on the other hand, have lower rates of regular attendance in elementary, middle, and high school grades. In fact, regular attendance rates decline considerably for current, former, and never English learners in middle and high school grades (with current and former English learners declining by approximately 14.3 (i.e., 58.5 – 44.0) and 21.5 (i.e., 75.2 – 53.7) percentage points between elementary and high school grades).

**Figure 18. Percentage of current, former, and never English learners regularly attending school by elementary (K-5), middle (6-8), and high school grades (9-12) in 2022-23**



## On Track to Graduate

Around the country, states and districts track whether students in the 9<sup>th</sup> grade are on track to graduate within four years. They do this because ninth grade is a critical year for determining whether students will ultimately graduate from high school; identifying students who are not on track allows schools to provide supports and interventions to help keep students in school and progressing towards graduation. In Oregon, students in the 9<sup>th</sup> grade are on track to graduate if they earn at least six credits or 25 percent of the credits their district requires for graduation. However, one should note that ODE's data only captures the number of the credits earned and not the specific courses associated with those credits. From 2018-19 to 2022-23, a higher percentage of former and never English learners were on-track to graduate compared to current English learners.<sup>13</sup>

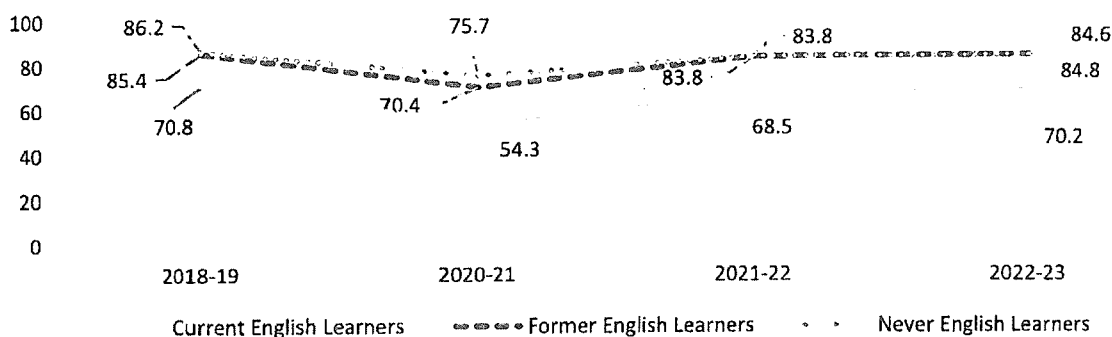
According to figure 19, former and never English learners in 9<sup>th</sup> grade are on track to graduate at substantially higher percentages than current English learners from 2018-19 to 2022-23. Former and never English learners have very similar percentages. Their gap widens from 0.8 percentage points in 2018-19 to 5.3 percentage points in 2020-21. However, the gap between former and never English learners completely closes in 2021-22. Despite a considerable decline in 2020-21 likely due to the impact of the COVID-19 pandemic, current, former, and never English learners experience a sizeable improvement in 2021-22 with the current and former English learners increasing by 14.2 and 13.4 percentage points since 2020-21. Finally, all three groups of students continued to grow in 22-23, with current English learners improving by 1.7 percentage points, former English learners by 1.0 percentage point, and never English learners by 0.8

<sup>13</sup> Data representing the percentage of current, former, and never English learners who were on track to graduate in ninth grade were not available during the 2019-20 school year. The reason for the unavailability is due to the State of Oregon's response to the COVID-19 pandemic (e.g., the cancellation of data collections that either capture the specific data or support the calculation of this measure at the district and state levels).

## English Learners in Oregon

percentage points. It must be noted also that as part of Senate Bill 744 passed in 2021, these students were not required to demonstrate proficiency for three of the nine essential skills as one of their non-credit graduation requirements.

**Figure 19. Percentage of 9<sup>th</sup> grade current, former, and never English learners on track to graduate within four years (2018-19 to 2022-23).**



## Four-Year Graduation

The ODE uses a cohort adjusted graduation rate to examine and monitor the percentage of students graduating within a specific number of years. The data for this section relies on the four-year cohort adjusted graduation rate for current, former, and never English learners. For the purposes of reporting graduation data to the public, current English learners are multilingual students who received English language instruction, supports, and services in an ELD program at any time during high school. Former English learners are multilingual students who attained English language proficiency and exited an ELD program prior to entering high school. Note that current English learners included students who were eligible to receive English language instruction, supports, and services in an ELD program but did not participate because their parents or guardians waived services. Lastly, never English learners are monolingual English or multilingual students who were not eligible to receive English language instruction, supports, and services in an ELD program at any time in grades kindergarten through twelve.

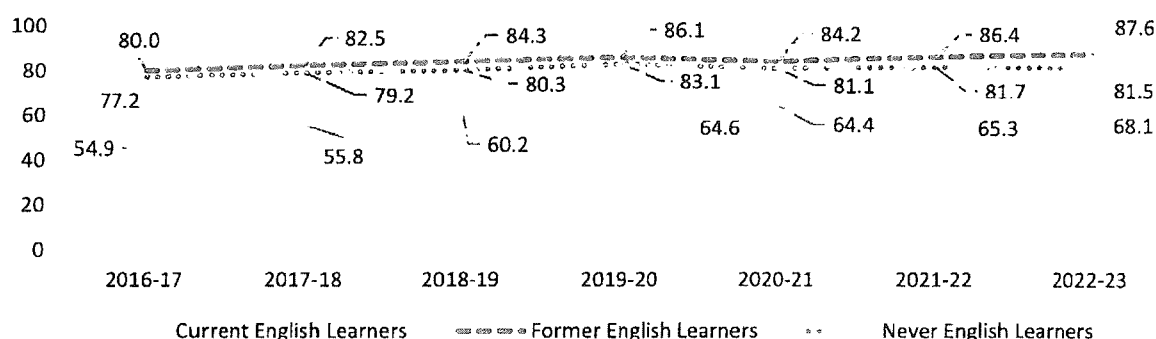
Former English learners graduated at rates similar to or better than never English learners; however, substantially fewer current English learners graduated in four years.

According to figure 20, former and never English learners graduate in four years at relatively similar rates; however, although similar, the rate for former English learners was higher from 2016-17 to 2022-23. Indeed, consistently since years 2016-17, the four-year graduation rate for former English learners was higher than the rate for never English learners.

Current English learners, on the other hand, graduated in four years at lower rates than former and never English learners; however, it is important to note that the four-year graduation rate for current English learners has grown considerably from 2016-17 to 2022-23 (an increase of 13.2 percentage points).

## English Learners in Oregon

**Figure 20. Percentage of current, former, and never English learners graduating within four years (2016-17 to 2022-23).**



### Current English learners graduating in four years were over 2.8 times more likely to receive a modified diploma

Modified diplomas are designed for students who meet certain criteria listed in OAR 581-022-2010. Modified diplomas require fewer credits to graduate compared to a regular high school diploma. Among the current English learners who graduated in four years in 2022-23 (i.e., 2,297 students), 261 students (11.4 percent) received a modified diploma (see table 8). By contrast, among the former English learners that graduated in 4 years in 2022-23 (i.e., 5,140 students), 112 students (2.2 percent) received a modified diploma. Finally, among the never English learners who graduated in four years in 2022-23 (i.e., 30,270 students), 1,201 students (4.0 percent) received a modified diploma.

In addition, among the students that graduated in four years in 2022-23, current English learners were more than 2.8 times ( $11.4 \text{ percent} \div 4 \text{ percent}$ ) more likely to receive a modified diploma compared to that for never English learners. This ratio slightly decreases to 2.6 times ( $11.1 \text{ percent} \div 4.3 \text{ percent}$ ) for cohorts that graduated in five years.

**Table 8. Percentage of students receiving regular vs. modified diplomas**

Student (Diploma Type)	Four-Year Cohort	Five-Year Cohort
Current English Learners (Modified)	11.4%	11.1%
Former English Learners (Modified)	2.2%	2.3%
Never English Learners (Modified)	4.0%	4.3%
Current English Learners (Regular)	88.6%	88.9%
Former English Learners (Regular)	97.8%	97.7%
Never English Learners (Regular)	96.0%	95.7%

### Oregon State Seal of Biliteracy

The Seal of Biliteracy offers recognition of the many cognitive, academic, and economic benefits of bilingualism. Students can earn a Seal of Biliteracy on their diplomas if they meet the following requirements:

English Learners in Oregon

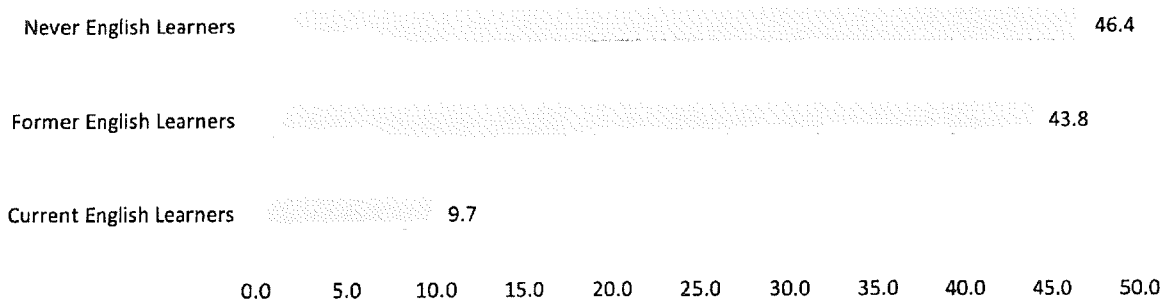
- Meet all graduation requirements, and
- score at the intermediate high level in listening, speaking, reading, and writing in a partner language.

The data for this section rely on students who graduated in 2022-23 (and were part of the four-year cohort adjusted graduation rate) as the denominator in calculations. Moreover, this section will examine the count and percentage of current, former, and never English learners<sup>14</sup> who earned the Seal of Biliteracy in 2022-23.

**The majority of students who earned the Seal of Biliteracy in 2022-23 were ever English learners.**

Of the 37,710 students who graduated in 2022-23, 2,311 students (about 6.1 percent) also earned the Seal of Biliteracy. Among those 2,311 students, 46.4 percent were never English learners, 43.8 percent were former English learners, and 9.7 percent were current English learners (see figure 21). In other words, 53.6 percent of those who earned the Seal of Biliteracy were ever English learners (i.e., current plus former English learners). Note that the majority of students who earn the Seal of Biliteracy are (1) ever English learners and (2) never English learners who are native speakers of languages in addition to English.

**Figure 21. Percentage of current, former, and never English learners earning the Seal of Biliteracy in 2022-23 (among all students who earned the Seal of Biliteracy).**

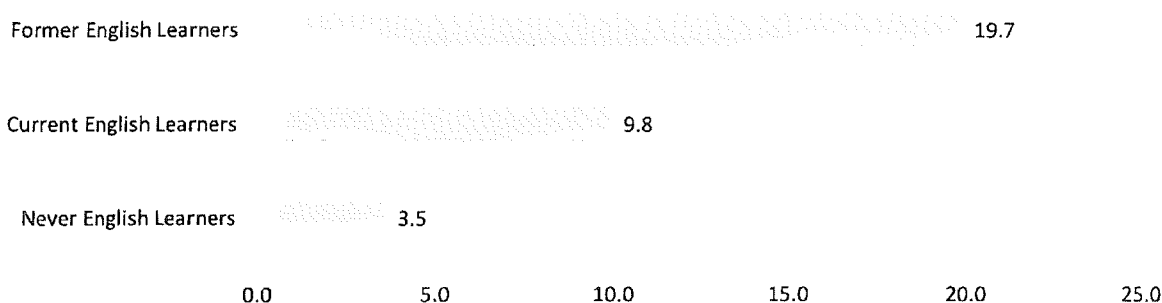


According to figure 22, among former English learners who graduated in 2022-23, 19.7 percent earned the Seal of Biliteracy. Moreover, 9.8 percent of current English learner graduates earned the Seal of Biliteracy in 2022-23. This means that, among ever English learners who graduated in 2022-23, 29.5 percent also earned the Seal of Biliteracy.

<sup>14</sup> For the purposes of reporting Seal of Biliteracy data in this report, current English learners are multilingual students who received English language instruction, supports, and services in an ELD program at any time during high school. Note that current English learners included students who were eligible to receive English language instruction, supports, and services in an ELD program but did not participate because their parents or guardians waived services. Former English learners are multilingual students who attained English language proficiency and exited an ELD program prior to entering high school. Lastly, never English learners are monolingual English or multilingual students who were not eligible to receive English language instruction, supports, and services in an ELD program at any time in grades kindergarten through twelve.

## English Learners in Oregon

**Figure 22. Percentage of current, former, and never English learners earning the Seal of Biliteracy in 2022-23 (among current, former, and never English learner graduates).**



**Students earned the Seal of Biliteracy for their knowledge of a diverse combination of languages; however, English-Spanish was the most common combination.**

Among the students who graduated with a Seal of Biliteracy (2,311 students), a vast majority demonstrated proficiency in a combination of languages. Specifically, English-Spanish was the most common combination of those languages (82 percent). Other notable combinations of languages in which students demonstrated their proficiency included English-French (5 percent), English-Japanese (3 percent), and English-Chinese (3 percent).

### **Eleven districts had 50 or more students earning the Seal of Biliteracy.**

In 2022-23, eleven districts had 50 or more students earning the Seal of Biliteracy (see table 9). Moreover, among Woodburn's students who graduated in 2022-23, 52.4 percent earned the Seal of Biliteracy. Four other districts in 2022-23 had 10 percent or more of their high school graduates earning the Seal of Biliteracy.

**Table 9. Districts with 50 or more students earning the Seal of Biliteracy in 2022-23<sup>15</sup>.**

District	Number of Students	District	Number of Students
Portland SD 1J	365	Corvallis SD 509J	102
Salem-Keizer SD 24J	265	North Clackamas SD 12	78
Beaverton SD 48J	247	West Linn-Wilsonville SD 3J	64
Woodburn SD 103	195	Bend-LaPine Administrative SD 1	60
Eugene SD 4J	157	Lake Oswego SD 7J	55
Hillsboro SD 1J	111		

## Postsecondary Enrollment

The ODE annually examines and publicly reports the percentage of high school graduates who enroll in post-secondary education institutions in Oregon and across the U.S. (e.g., public and private, 2-year and 4-year, etc.). A post-secondary education affords students a wide range of advantages, including greater

<sup>15</sup> Note that the counts in this table reflect students who graduated in 2022-23 (and were part of the four-year cohort adjusted graduation rate) and earned the Seal of Biliteracy.



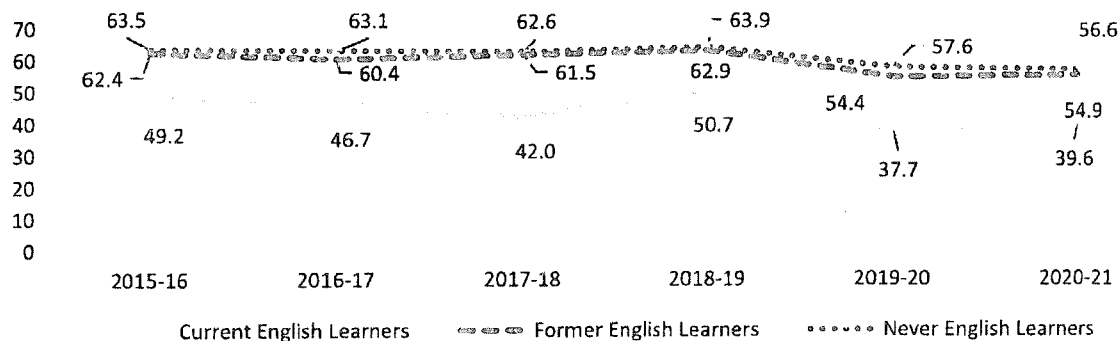
## English Learners in Oregon

employment opportunities, financial security, opportunities to contribute to their community, and greater life satisfaction. The data for this measure uses students who graduated in 2019-20 (and were part of the four-year cohort adjusted graduation rate) as the denominator in calculations. Moreover, this portion of the report will examine the count and percentage of current, former, and never English learners<sup>16</sup> who enrolled in a post-secondary education institution within sixteen months after graduation.

### Never English learners were more likely to enroll in post-secondary education institutions than current English learners; however, former English learners had comparable post-secondary enrollment rates as never English learners.

Figure 23 shows the post-secondary enrollment rates by graduation year for three groups of Oregon students. The post-secondary enrollment rates for never English learners, represented by the gray dotted line, ranged from 63.5 to 56.6 percent from 2015-16 to 2020-21. The salmon line displays the same information for students who were current English Learners. Current English learners enrolled in post-secondary institutions at substantially lower rates than never and former English learners. The post-secondary enrollment rates for current English learners annually decreased from 49.2 percent in 2015-16 to 46.7 percent in 2016-17. They also decreased in 2017-18; however, they increased in 2018-19. The black dashed line shows the post-secondary enrollment rates for former English learners. The post-secondary enrollment rates for former English learners decreased from 62.4 percent in 2015-16 to 60.4 percent in 2016-17. Moreover, since 2015-16, former English learners had post-secondary enrollment rates that were reasonably comparable to never English learners.

**Figure 23. Percentage of current, former, and never English learners enrolling in post-secondary institutions within 16 months of high school graduation (2015-16 to 2020-21<sup>17</sup>).**



<sup>16</sup> For the purposes of reporting post-secondary enrollment data in this report, current English learners are multilingual students who received English language instruction, supports, and services in an ELD program at any time during high school. Note that current English learners included students who were eligible to receive English language instruction, supports, and services in an ELD program but did not participate because their parents or guardians waived services. Former English learners are multilingual students who attained English language proficiency and exited an ELD program prior to entering high school. Lastly, never English learners are monolingual English or multilingual students who were not eligible to receive English language instruction, supports, and services in an ELD program at any time in grades kindergarten through twelve.

<sup>17</sup> The year (e.g., 2020-21) represents the school year in which students graduated from high school.

## Section 5: State Revenues and Expenditures for Current English Learners

Each year, Oregon’s State School Fund provides funding to districts through General Purpose Grants. The amount of the grant relies on a formula that considers the number of students in the district (known as average daily membership weighted or ADMw). On average, the per-pupil funding amount in 2022-23 was \$9,622.<sup>18</sup> In addition to this basic funding, districts receive additional state funds for each student enrolled in an ELD program. This amount is  $0.5 \times \$9,622$  or \$4,811 per current English learner. Altogether, the state allocated \$250,092,649 for these additional English learner funds in the 2022-23 school year.

Figure 24 depicts the relationship between current English learner revenues the state allocated to districts via the State School Fund Formula and the total current English learner expenditures from the General Fund expressed as a ratio. Statewide, the ratio of expenditures to revenues in 2022-23 was 0.87, meaning that district expenditures on current English learners reflected 87 percent of the funds the state allocated to districts via the State School Fund Formula. Some districts spent more than this percentage (up to 644 percent), while others reported spending less (as little as 0 percent). The values on the extreme ends of the range, however, may reflect variations in the way that some districts report data. Some districts with few current English learners report revenue received from the state, but do not identify expenditures specific to current English learners, even though they may expend funds for English learner services. Other districts on the high end of the spending ratio may include expenses for dual-language programs that also educate former and never English learners, rather than calculating the percentage spent solely on current English learners.

**Figure 24. Ratio of current English learner expenditures to revenues across districts in 2022-23.**

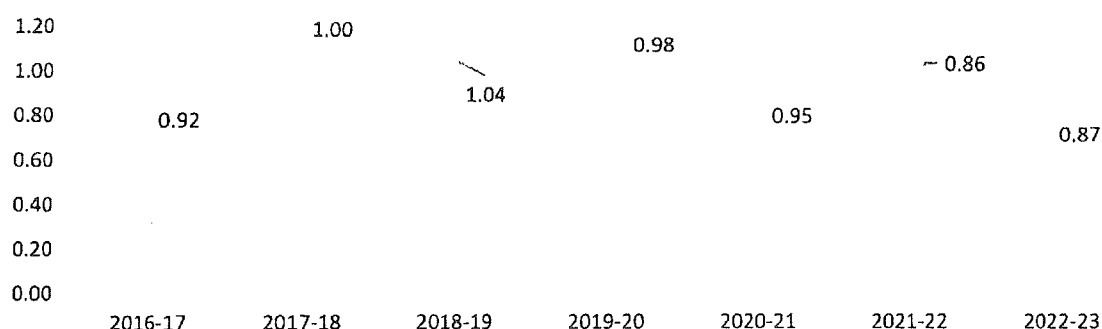


As figure 25 illustrates, the statewide ratio increased steadily from 2016-17 to 2018-19; however, in 2019-20 through 2022-23, the ratio decreased below 1.0.

<sup>18</sup> While \$9,622 is the average amount, the grant amount can vary a bit for different districts because of the way the formula is set up.

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Figure 25. Ratio of statewide expenditures on current English learners to revenues (2016-17 to 2022-23).



Expenditures from the General Fund on current English learners either belong to Function 1291 (covering expenditures for instruction and interventions to help current English learners learn English) or Area of Responsibility 280 (other supports for current English learners, such as interpretation services or transportation).<sup>19</sup>

Current English learner expenditures for 2022-23 totaled \$216,663,622. Districts accounted for approximately 81.2 percent of the expenditures (\$175,970,409) using Function 1291 and 18.8 percent of the expenditures (\$40,693,213) using Area of Responsibility 280.

In addition to this state funding, districts with at least 77 current English learners may access federal Title III grants, which in 2022-23 provided an additional \$132.95 per student for supplemental current English learner services<sup>20</sup>. Additional information on the grant amounts is available on the [ODE website under Title III Allocations](#).

<sup>19</sup> For a more detailed description of the accounting system categories, see [Oregon's Program Budgeting and Accounting Manual](#).

<sup>20</sup> Districts with fewer than 77 students could join other districts in a consortium to access these grants.

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Overall Rating	
* refers to n-sizes less than 10 current English learners.	
Elementary/Grades	
° refers to n-sizes less than 10 students (i.e., current, ever, or never English learners).	
<5 refers to values less than 5 percent.	
>95 refers to values greater than 95 percent.	
Secondary/Grades	
° refers to n-sizes less than 10 students (i.e., current, ever, or never English learners).	
<5 refers to values less than 5 percent.	
>95 refers to values greater than 95 percent.	
Expenditure to Revenue	
- refers to no EL revenue or Expenditure.	

Overall Rating Criteria (Elementary & Secondary):  
 Notable Progress: ≥ 75.0% of weighted points available  
 Some Progress: 50.0 to 74.9% of weighted points available  
 Limited Progress: < 50.0% of weighted points available

Note: Districts may earn a bonus point for each indicator if the value for Ever English Learners is greater than the value for Never English Learners. The bonus point does not apply to On Track to ELP. "-" refers to not applicable due to small n-size.

Elementary Grades Indicators, Thresholds, and Levels		
On Track to ELP (K-5)		
Threshold	Level	
78.65	5	
73.25 to 78.64	4	
69.25 to 73.24	3	
62.25 to 69.24	2	
< 62.25	1	
ELA Achievement (3-8)		
Threshold	Level	
≥ 43.16	5	
36.80 to 43.15	4	
29.20 to 36.79	3	
24.65 to 29.1	2	
< 24.65	1	
ELA Growth (4-8)		
Threshold	Level	
≥ 54.06	5	
55.38 to 58.94	4	
50.00 to 55.37	3	
44.50 to 49.99	2	
< 44.50	1	
Math Achievement (3-8)		
Threshold	Level	
≥ 29.58	5	
25.25 to 29.57	4	
20.80 to 24.24	3	
15.60 to 20.79	2	
< 15.60	1	
Math Growth (4-8)		
Threshold	Level	
≥ 81.00	5	
84.38 to 86.99	4	
80.40 to 84.27	3	
84.0 to 86.89	2	
< 84.0	1	
Exclusionary Discipline (K-5)		
Threshold	Level	
≥ 97.00	5	
94.00 to 96.99	4	
91.00 to 93.99	3	
88.00 to 90.99	2	
< 88.00	1	

The level for each indicator corresponds to a value that is equal to or greater than a specific threshold:

- Level 5 threshold: ≥ 50% percentile
- Level 4 threshold: ≥ 75% percentile and < 90% percentile
- Level 3 threshold: ≥ 50% percentile and < 75% percentile
- Level 2 threshold: ≥ 25% percentile to < 50% percentile
- Level 1 threshold: < 25% percentile

Note: The ODE will freeze these thresholds for the next four years in order to monitor the progress of districts. The ODE may change the thresholds if there are substantial changes to the calculation or if the indicator no longer exists.

#### Indicator Ratings:

Notable Progress: Level + bonus ≥ 4 points  
 Some Progress: Level + bonus ≥ 2 and < 4 points  
 Limited Progress: Level + bonus = 1 point

District	Elementary Grades Rating	Secondary Grades Rating	El Count Elementary	El Count Middle School	El Count High School	Percent of Weighted Points (Elementary)	Percent of Weighted Points (Secondary)
Banks SD 13		Elementary: 20-29 Secondary: 30-39	20-29	*	*	52.5%	
Beaverton SD 481		Elementary: 30-39 Secondary: 40-49	3,462	1,078	1,140	58.8%	49%
Brookings-Harbor SD 17C		Elementary: 20-29 Secondary: 30-39	20-29	10-19	*	38.8%	20%
Centennial SD 28J		Elementary: 30-39 Secondary: 40-49	818	282	322	52.5%	38%
Central Limn SD 552		Elementary: 20-29 Secondary: 30-39	*	*	*		31.4%
Cortett SD 39		Elementary: 20-29 Secondary: 30-39	10-19	*	*	42.5%	48.6%
Creswell SD 40		Elementary: 20-29 Secondary: 30-39	20-29	*	*	48.8%	48.6%
Dallas SD 2		Elementary: 20-29 Secondary: 30-39	50-59	25	17	42.5%	33.3%
Forest Grove SD 15		Elementary: 20-29 Secondary: 30-39	676	261	297	38.8%	41%
Gaston SD 511J		Elementary: 20-29 Secondary: 30-39	*	*	*		37.1%
Gervais SD 1		Elementary: 20-29 Secondary: 30-39	168	70	64	46.2%	42%
Grants Pass SD 7		Elementary: 20-29 Secondary: 30-39	46	24	33	60%	34%
Gresham-Barlow SD 10J		Elementary: 20-29 Secondary: 30-39	983	346	378	38.8%	26%
Hillsboro SD 1J		Elementary: 20-29 Secondary: 30-39	2,300	729	807	38.8%	47%
Hood River County SD		Elementary: 20-29 Secondary: 30-39	527	154	153	38.8%	48%
Lebanon Community SD 9		Elementary: 20-29 Secondary: 30-39	70	23	22	50%	46.7%
Lincoln County SD		Elementary: 20-29 Secondary: 30-39	264	115	102	42.5%	47%
Lowell SD 71	N-Site	Elementary: 20-29 Secondary: 30-39	*	*	*		
Medford SD 549C		Elementary: 20-29 Secondary: 30-39	738	245	215	42.5%	48%
Mitchell SD 55		Elementary: 20-29 Secondary: 30-39	20-29	17	20	46.2%	46.2%
Monroe SD 1J		Elementary: 20-29 Secondary: 30-39	30-39	*	*	65%	42.9%
Nestucca Valley SD 101J		Elementary: 20-29 Secondary: 30-39	20-29	10	*	38.8%	45.7%
North Bend SD 13		Elementary: 20-29 Secondary: 30-39	28	12	19	80%	35%
North Marion SD 15		Elementary: 20-29 Secondary: 30-39	228	81	58	38.8%	39%
North Wasco County SD 21		Elementary: 20-29 Secondary: 30-39	263	93	80	38.8%	
Ontario SD 8C		Elementary: 20-29 Secondary: 30-39	102	45	56	50%	43%
Pendleton SD 16		Elementary: 20-29 Secondary: 30-39	103	18	*	42.5%	45.6%
Prairie City SD 4		Elementary: 20-29 Secondary: 30-39	*	*	*		
Redmond SD 2J		Elementary: 20-29 Secondary: 30-39	303	95	83	38.8%	32%
Reynolds SD 7		Elementary: 20-29 Secondary: 30-39	1,743	636	644	38.8%	36%
Salem-Keizer SD 24J		Elementary: 20-29 Secondary: 30-39	4,496	1,777	1,815	38.8%	35%
Sanjam Canyon SD 129J		Elementary: 20-29 Secondary: 30-39	20-29	24	33	45%	36%
South Lane SD 45J3		Elementary: 20-29 Secondary: 30-39	70-79	26	39	38.8%	38.9%
South Wasco County SD 1	N-Site	Elementary: 20-29 Secondary: 30-39	*	*	*		
Springfield SD 19		Elementary: 20-29 Secondary: 30-39	441	128	146	38.8%	42%
State Level		Elementary: 20-29 Secondary: 30-39	35,099	11,939	12,221	38.8%	37%
Sutterlin SD 130		Elementary: 20-29 Secondary: 30-39	10-19	*	*	42.5%	
Tigard-Tualatin SD 23J		Elementary: 20-29 Secondary: 30-39	859	268	296	46.2%	42%
Warrenton-Hammond SD 30		Elementary: 20-29 Secondary: 30-39	31	*	*	23.8%	37.1%
Woodburn SD 103		Elementary: 20-29 Secondary: 30-39	1,380	495	307	38.8%	47%
Yamhill Carlton SD 1		Elementary: 20-29 Secondary: 30-39	10-19	*	*		

District	Indicator	Rating	EL%	Never EL%	Level	Bonus	Point
Dallas SD 2	On Track to LEP	Limited Progress	43.6	N/A	1	N/A	1
Dallas SD 2	Regular Attendance		66.0	62.4	1	1	2
Dallas SD 2	Exclusionary Discipline	At or Below Progress	>95	>95	5	1	6
Dallas SD 2	ELA Achievement	Limited Progress	15.7	40.2	1	0	1
Dallas SD 2	Math Achievement	Limited Progress	<5	25.7	1	0	1



District	Indicator	Rating	EL%	Never EL%	Level	Bonus	Point
Dallas SD 2	On Track to LEP	Limited Progress	20.5	N/A	1	N/A	1
Dallas SD 2	Regular Attendance	Limited Progress	32.4	59.6	1	0	1
Dallas SD 2	Exclusionary Discipline	Limited Progress	71.8	90.2	1	0	1