Oregon Education Investment Board
Division 100
Achievement Compacts

705-010-0005 Definitions

The following definitions apply to Oregon Administrative Rules, 705-010-0005 to 705-010-0060, unless otherwise indicated by the context:

(1) "Board" means Oregon Education Investment Board established under section 1, chapter 519, Oregon Laws 2011 (Enrolled Senate Bill 909).

(2) "Chief Education Officer" means the Chief Education Officer appointed under section 2, chapter 519, Oregon Laws 2011 (Enrolled Senate Bill 909) by the Board, or, in the event of a vacancy in the Chief Education Officer position, the Chair of the Board or the Chair's designee.

(3) "Education entity" means:
(a) A school district, as defined in ORS 332.002;
(b) An education service district operated under ORS chapter 334;
(c) A community college district or community college service district operated under ORS chapter 341;
(d) The Oregon University System established by ORS 351.011;
(e) A public university of the Oregon University System, as listed in ORS 352.002; and
(f) The health professions and graduate science programs of the Oregon Health and Science University (OHSU) operated under ORS chapter 353.

(4) "Governing body of an education entity" means:
(a) For a school district, the school district board;
(b) For an education service district, the board of directors of the education service district;
(c) For a community college district or a community college service district, the board of education of the community college district;
(d) For the Oregon University System, the State Board of Higher Education;
(e) For a public university of the Oregon University System, the president of the university; and
(f) For the Oregon Health and Science University, the Oregon Health and Science University Board of Directors.

(5) "Achievement compact" means an agreement entered into between the Oregon Education Investment Board and the governing body of an education entity.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0010 Parties to Achievement Compacts

Prior to the beginning of each fiscal year, the governing body of each education entity must enter into an achievement compact with the Oregon Education Investment Board for the fiscal year.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0015 Terms of Achievement Compacts

(1) The Board shall establish the terms for achievement compacts, which may include:

(a) A description of goals for outcomes that are consistent with the high school and college completion goals identified as the mission of education in ORS 351.009 and the educational goals expressed in ORS 329.015 and ORS 351.003.

(b) A description of the outcomes and measures of progress that will allow each education entity to quantify:
(A) Completion rates for:
(i) Critical stages of learning and programs of study;
(ii) The attainment of diplomas, certificates and degrees; and
(iii) Achieving the high school and post-secondary education goals established in ORS 351.009 and a projection of the progress needed to achieve those goals by 2025;
(B) Validations of the quality of knowledge and skills acquired by students of the education entity; and
(C) The relevance of the knowledge and skills acquired by the students of the education entity and the means by which those skills and knowledge will contribute to the workforce, the economy and society as described in state policy.

(c) Local priorities as provided by OAR 705-010-0020.

(2) Notwithstanding the terms listed in subsection (1) of this rule, the achievement compact for Oregon Health and Science University shall be limited to the enrollment of, and attainment of degrees by, Oregon residents in programs for which the state provides funding.

(3) For school districts, the Board shall provide to each school district a number quantifying the district's estimated level of funding for the next fiscal year compared to the determination of funding needed to ensure that the state's system of kindergarten through grade 12 public education meets the quality goals specified under ORS 327.506. This number shall be included within the achievement compacts for school districts.

(4) For education entities other than school districts, the Board shall provide a number quantifying the entity's estimated level of state and local funding for the next fiscal year.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0020 Optional Local Priorities

(1) The governing body of an education entity may include in its achievement compact local priorities that include outcome measures that the education entity chooses to use to inform its goals for educational achievement if those priorities meet the requirements of this rule and are approved by the Board.

(2) Education entities must provide to the Board a research-based rationale for their use of local priorities and a description of what the education entity projects to be accomplished by the use of these priorities.

(3) The Board shall provide guidance and examples to education entities of local priorities that would be acceptable to the Board.

(4) The Board shall act on the approval of local priorities within thirty days of receipt of an education entity's completed achievement compact.

(5) The Board delegates to the Chief Education Officer the authority to approve local priorities.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0025 Guidance

(1) The Board shall provide guidance to all education entities on the definitions and methodologies to be used in setting targets for outcome measures when the Board distributes the achievement compacts.

(2) The guidance shall include:
   (a) A calculation of the progress needed to achieve the high school and post-secondary education goals established in ORS 351.009 and a projection of the progress needed to achieve those goals by 2025;
   (b) Definitions and explanations of the outcomes to be measured and the methodologies for calculating such measures;
   (c) An explanation of the Board's expectations for local priorities and examples of such priorities that would be acceptable to the Board, pursuant to OAR 705-010-0020;

(d) The determination of a sufficient number of students to require the inclusion of numbers and percentages for groups of students identified in OAR 705-010-0040; and,
(e) Any other provision that the Board or Chief Education Officer determines is relevant to the completion of achievement compacts.

(3) For school districts and education service districts, the Board's guidance shall include:
(a) Direction to include in the calculation of high school completion students who:
(A) Were awarded a high school diploma in four or fewer years;
(B) Were awarded a high school diploma in five years;
(C) Were awarded a modified diploma;
(D) Were awarded an extended diploma; and
(E) Earned a General Educational Development (GED) certificate.
(b) Data for the categories of high school completion indentified in subsection (3)(a) herein for the most recent year for which such data are available.

(4) The Board may provide and collect data on other categories of students to be tracked separately, including those who:
(a) Were awarded an alternative certificate;
(b) Left school without receiving a diploma or certificate prior to age 21; and,
(c) Were no longer qualified to be offered a free appropriate public education by a school district under ORS 339.115 and did not receive a diploma or certificate.

(5) The Board shall provide guidance to education entities regarding the progress needed to close the achievement gap between disadvantaged groups of students and other students when setting targets for disadvantaged groups of students.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0030 Distribution of Compacts to Education Entities

(1) For the 2012-13 fiscal year, the Board shall distribute achievement compacts to all education entities by the following dates:
(a) For school districts, by 5:00 PM, April 5, 2012;
(b) For education service districts, by 5:00 PM, April 5, 2012;
(c) For community colleges, by 5:00 PM, April 12, 2012;
(d) For the Oregon University systems and its public universities, by 5:00 PM, April 6, 2012; and,
(e) For the Oregon Health and Science University, by 5:00 PM, April 12, 2012.

(2) Distribution may be done by electronic means.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0035 Completion and Execution of Achievement Compacts

(1) Prior to the beginning of each fiscal year, the governing body of each education entity must complete and execute its achievement compact with the Board.

(2) Completion means that the governing body shall identify a target number and percentage of students for achievement of the outcomes, measures of progress and goals specified in the achievement compact for the fiscal year, as directed by the Board. The Board may waive the requirement to identify both a target number and percentage of students and require either a number or percentage for specific outcome measures, depending on the specifications of the compacts it approves.

(3) Education entities may provide a range of target numbers and percentages, but the Board shall use the lowest figure of any range provided.

(4) Education entities may provide target numbers and percentages for fiscal years beyond the next fiscal year.

(5) Execution of an achievement compact requires the signature of the chair or president of the governing board or that of its chief executive officer and its submission to the Board.

(6) The deadline for the submission of achievement compacts for 2012-13 is 5:00 PM, July 2, 2012. Education entities may submit by electronic means.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0040 Data for Student Groups

(1) In addition to the target numbers and percentages of all students that are identified in achievement compacts for the outcome measures specified in OAR 705-010-0015 and OAR 705-010-0020, education entities must include in their achievement compacts for each outcome measure a target number and percentage for the combined total of all students in disadvantaged groups specified in subsections (2) and (4) of this rule.

(2) The governing body of school districts and education service districts must set targets for all outcome measures in their achievement compacts for students in each of the following groups:
   (a) Economically disadvantaged students;
   (b) Limited English proficient students;
   (c) Students with disabilities;
   (d) Black students (not of Hispanic origin);
   (e) Hispanic/Latino students;
   (f) American Indian or Alaska Native students; and
   (g) Pacific Islander students.

(3) In addition to the groups of students identified in subsections (2) of this rule, school districts and education service districts shall also set targets for all outcome measures for students in each of the following groups:
   (a) Talented and gifted students; and,
   (b) Asian students.

(4) The governing body of post-secondary education entities must set targets for all outcome measures in their achievement compacts for students in each of the following groups:
   (a) African American students;
   (b) Hispanic/Latino students;
   (c) Native American or Alaska native students;
   (d) Pacific Islander students;
   (e) Multi-racial or multi-ethnic students;
   (f) Economically disadvantaged students based on Pell Grant eligibility.

(5) An education entity is not required to include a target number or percentage under this section if the district does not have a sufficient number of the students in that group to ensure that individual students are not personally identifiable. The Chief Education Officer will identify a minimum number of students necessary in each subgroup to ensure that an individual student's information is not personally identifiable.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0045 Communications

As part of the process of entering into an achievement compact, the governing body of an education entity shall ensure that open communications are provided to parents, students, teachers or faculty, employees, exclusive bargaining representatives and community representatives for the purposes of explaining and discussing the outcomes, measures of progress, goals and targets specified in the achievement compact for the fiscal year. The open communications must be provided during each education entity's public budget process.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0050 Modification of Achievement Compacts

(1) After submission and acceptance of an achievement compact, an education entity may modify its target numbers and percentages in its achievement compact in the event of unexpected circumstances that the Chief Education Officer determines constitute a compelling reason to warrant such modification.

(2) The Board may provide guidance on what constitutes a compelling reason to warrant the modification of an education entity's target numbers and percentages pursuant to this rule.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0055 Receipt and Acceptance of Achievement Compacts

(1) The Chief Education Officer shall acknowledge receipt of each achievement compact and shall inform the education entity of the Board's acceptance of any local priorities within 30 days of receipt of the achievement compact.

(2) The Board shall post on its website the achievement compacts received and summary reports of the information contained in the achievement compacts.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)

705-010-0060 Authority of Chief Education Officer Relating to Achievement Compacts

(1) In addition to the authorities specified in these rules, the Chief Education Officer may:
   (a) Communicate with the governing boards of education entities on behalf of the board about the implementation of and response to the achievement compacts; and
   (b) Waive any timelines specified in the rules, policies and guidelines adopted by the Board, to the extent permitted by section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581),

(2) The Chief Education Officer may settle any disputes relating to the achievement compacts. Any decision of the Chief Education Officer shall be considered a final decision.

Stat. Auth.: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)
Stats. Implemented: Section 14, chapter 36, Oregon Laws 2012 (Enrolled Senate Bill 1581)