

AGENDA



Leadership Oregon 2011

Session 2 – Hot Topics in Education

February 18 and 19, 2011

State Capitol Building – Salem, OR

OSBA Offices – Salem, OR

Friday, February 18

- 8:00 a.m. Legislative Advocacy
Tour of the Capitol
- 9:50 a.m. Pick up at Capitol
Bus back to OSBA
- 10:15 a.m. TSPC
Keith Menk
Deputy Director
- 11:00 a.m. Break
- 11:15 a.m. Cultural Competency
Kevin McCann
Executive Director
- 12:00 p.m. Lunch
- 1:00 p.m. Religion in Schools
Steve Green
Professor, Willamette University
- 2:00 p.m. Charter Schools
Morgan Smith, Attorney
Legal, Labor & Employment Services
- 2:45 p.m. Break
- 3:00 p.m. Special Education
Rick Stucky
Board Development & Policy Services
Specialist
- 3:45 p.m. Bullying
Kendra Hughes, Senior Program Advisor
Equity Program, Education Northwest
Joe Wehrli, Associate Executive Director
Board Development & Policy Services
- 4:30 p.m. Adjourn

Saturday, February 19

- 8:00 a.m. Crisis Communication
Joe Krumm
Director of Community & Government
Relations, North Clackamas SD
- 9:15 a.m. Break
- 9:30 a.m. Crisis Communication, continued
- 11:00 a.m. Group Assignment
- 12:00 p.m. Adjourn

DATE: January 25, 2011

TO: OSBA Leadership Oregon

FROM: Keith Menk, Teacher Standards and Practices Commission,
(TSPC), Deputy Director

RE: Overview of the Commission

I. What is TSPC?

- A. First licensure Board in the nation, established in 1965 within the Department of Education
- B. Became 2nd independent licensure board in the nation in 1973 and have been totally independent state agency since 1979.
- C. One of only 12 independent educator licensure boards in the nation.
- D. Model for many state's boards and modeled after other professional licensure boards.
- E. First state in the nation to change the name of "certificates" to "licenses." (1991)
- F. One of the first states in the nation to require testing for teacher licensure.

II. Size and Makeup of the Commission – Commission regulated by the professionals

- A. 17 members appointed by the Governor, confirmed by the Senate
- B. Statutory makeup (ORS 342.350)
 - i. 4 elementary teachers
 - ii. 4 junior or senior high teachers
 - iii. 1 elementary school administrator
 - iv. 1 junior or senior high school administrator
 - v. 1 superintendent of city schools
 - vi. 1 county superintendent or education service district (ESD) superintendent
 - vii. 1 faculty member from approved private teacher education program in Oregon
 - viii. 1 faculty member from a state institution of higher education
 - ix. One member from a school district board
 - x. Two member of the general public
- C. Qualifications:
 - i. Must have been actively engaged in teaching, supervising or administering in the public schools or in approved teacher education institutions in Oregon for 5 years immediately preceding appointment

- ii. Teachers and administrators must hold a valid unrestricted license
- iii. One appointee must have special education expertise

III. Funding

- A. No state general funds –All *Other* Funds
- B. Fully funded from licensure fees paid upon issuance or renewal of the license [May include late fees.]

IV. Statutory Duties

- A. **License Educators:** Establish standards for licensure and issue licenses to teachers, administrators, school counselors, school psychologists and school nurses;
- B. **Discipline License-holders:** Maintain professional standards of competent and ethical performance and proper assignment of licensed educators;
- C. **University Education Program Approval:** Adopt standards for and actively approve Teacher, Administrator, School Counselor, School Psychologist licensure programs which meet those standards.

V. Commission agency staff (approximately 22 full time equivalent (FTE) positions)

- A. 1 Executive Director (hired by the Commission)
- B. 4 Managers (Deputy; Licensure; Business Systems; Professional Practices)
- C. 4 investigators; 2 investigative support staff
- C. 7 public service representatives
- D. 2 evaluators
- E. 4 Intake and support staff

VI. 2011 Licensed Educators (licensure data for 2008-2009 school year)

- A. Over 68,535 active licenses (just over 61,000 head count);
- B. Approximately 32,264 licensed educators **employed** in Oregon public school districts; (2008-2009 school year) (less than 50 percent of total school employees – 65,128)
- C. Over 2,000 employed in Oregon private schools;
- D. Approximately 30,157 (93.2%) **teachers** and 2,136 (6.8%) **administrators** employed in the public schools (*Adm down 100 positions from 2007-2008)
- E. 76% of new licenses are issued to Oregon-prepared educators each year (The rest are from out of state – 24%.)

VII. Workload statistics (average)

- A. **Annual licenses issued or renewed** – 18,700
- B. **Emails inquiries received:** 25,600
- C. **Telephone calls:** 31,000
- D. **Documents Received:** 122,500

VIII. Teacher shortages

- A. Primarily in specialty areas such as:
 - i. Special education,
 - ii. Music,
 - iii. English as a Second Language (ESL)/Bilingual,
 - iv. Counseling,
 - v. Math,
 - vi. Library/media
 - vii. Science; and
 - viii. Most second languages.

IX. Educator Preparation Programs

- A. 20 programs offer teacher, counselor, psychologist or administrator licensure programs [6 public, 14 private]

X. Educator Quality Accountability

- A. All educators must demonstrate competence in basic skills: reading, writing and math;
- B. All educators must demonstrate competence by passing a subject matter test related to their primary area of teaching. Elementary and middle-level teachers must pass a multiple-subjects test. Includes administrators, school counselors and school psychologists;
- C. All educators must complete an approved educator preparation program;
- D. All student teachers fingerprints; criminals background check;
- E. By statute, all complaints about educators must be investigated;
- F. All educators must be licensed prior to beginning employment.

XI. Partnerships

- A. Oregon Department of Education (ODE) – Share data resources, work closely on No Child Left Behind, work closely on standards for teacher competence in subject matter endorsement areas
- B. Oregon University System (OUS) – Work closely on developing research to improve teacher quality
- C. Oregon Independent College Association (OICA) and Deans of Education from all public and private programs (OACTE) Oregon Association of Colleges of Teacher Education
- D. Oregon Professors of Education Administration (ORPEA)
- E. Oregon Education Association (OEA) – majority of licensed teachers are their members.
- F. Oregon Leadership Network (OLN): Work continued in Oregon following ten years of Wallace foundation funding focused on culturally responsible administration and leadership
- G. Confederation of Oregon School Administrators (COSA) – majority of licensed administrators are their members

- H. Oregon School Boards Association (OSBA) – Employers at all public school districts and charter schools
- I. Oregon School Personnel Association (OSPA) – Human Resource directors from many of the major school districts
- J. Oregon Coalition for Teaching and Learning – State coalition formed under the National Council for Teaching and America’s Future
- K. National Council for State Directors of Teacher Education and Certification (NASDTEC) – group of state education officials related to licensure, program preparation, professional development and professional practices.
- L. InTASC: Interstate (new) Teacher and Support Consortium (subgroup of CCSSO)
- M. National Council for Accreditation of Teacher Education (NCATE): National program accreditation.

1. What is the purpose of licensing educators? What does the license signify – person initially licensed has met the state’s minimum standards for preparation.
 - ❖ Accountability to your communities;
 - ❖ Review of preparation prior to licensure;
 - ❖ Criminal background check upon licensure and upon renewal;
 - ❖ Investigate misconduct;
 - ❖ Allows state to monitor preparation program standards.

2. What is the most important thing a school board does? (hire the superintendent)
 - ❖ The superintendent is the educational leader of the district.
 - ❖ High performing districts have leaders that were outstanding educators; know how to motivate their staff; respect the public; serve the board and inspire educators to be leaders and promoters of student achievement.

3. What does research show about administrative leadership?
 - ❖ An outstanding new teacher’s performance will steadily decrease if the building culture is negative; unsupportive;
 - ❖ A mediocre teacher’s performance will soar if the building culture is positive and supportive
 - ❖ Key element – building administrator **SELECTED** by district superintendent;

Teachers have been licensed by the state since before the 1930’s.

What does a license signify? –It is the minimal set of standards

TEACHER STANDARDS AND PRACTICES COMMISSION (TSPC)

What You Should Know About TSPC

Established in 1965:

TSPC is the oldest independent educator licensure board in the nation (1965) and is an independent executive state agency separated from the Oregon Department of Education in 1973. It is governed by a Commission of 17 members *appointed by the Governor* and confirmed by the Senate. Commissioners may serve up to two—three-year terms. The commission is funded through “other funds” received mostly from licensure fees, charter school registration fees, renewal fees, late fees and fingerprinting fees. *No state general funds come to the commission.*

Who makes up the Commission?

The 17 Commissioners are distributed as follows: 8 teachers, 4 administrators, 2 higher education representatives (public and private); 3 private members, one of which must be a school board member.

What does the Commission do?

Licensure:

The Commission is authorized to issue licenses and charter school registrations to “employees in the public schools or employed by an ESD who have direct responsibility for **instruction**, coordination of educational programs or supervision or evaluation of teachers who are compensated for their services from public funds.” ORS 342.120(9). This generally includes: All administrators, *including program directors (such as special education directors)*; teachers, school counselors and school psychologists.

Licensed or registered educators include approximately: **4,501** administrators; **61,516** teachers; and approximately **2,517** Personnel Service [School Counselors, School Psychologists, etc.]

Program Approval:

The Commission approves college and university programs that provide programs *that lead to* licensure for teachers, administrators, school counselors and school psychologists. The Commission requires demonstration of proof of ability to meet standards for licensure and regularly visits institutions to see that these standards are being met. ***There are 20 institutions (6 public and 14 private) approved to deliver licensure programs in the state.***

Discipline:

The Commission investigates complaints made against licensed educators registered charter school educators and charges educators who are found to have had committed acts that constitute: Gross Neglect of Duty or Gross Unfitness for the job. The Commission is required to revoke the licensure of educators that have been convicted of certain serious crimes. See, OAR 584-020-0040 and ORS 342.143. Approximately 300 cases are investigated annually.

How often does the Commission meet?

The Commission meets four to five times a year – for two to three full days. The meetings are held primarily in Portland and Salem, but the summer meeting is conducted in different locations throughout the state.

What does the TSPC office do?

We have 6 public service representatives that answer over 50,000 combined email and phone calls and messages a year. We have four evaluators who review over 20,000 licensure applications for eligibility for licensure. We have 4 investigators who investigate nearly 200 cases a year. There are 5 management positions: Executive Director; Deputy Director; Director of Licensure; Executive Assistant/Office Manager and Business Systems Manager. There are 9 other positions that support all the functions in the office.

How do I find out information about an educator?

Public information about currently licensed educators is found on the Web page at: Oregon.gov/TSPC. The link for licensure information is “License Inquiry.” If you type in the educator’s name, you can review their licensure credential information.

How do I contact TSPC?

Phone: (503) 378-3586 (general line)

Email: contact.tspc@state.or.us


Address: 465 Commercial Street NE,
Salem, OR 97301

Web: Oregon.gov/TSPC

Program Approval:	Keith Menk, Deputy Director Coordinator of Teacher Education keith.menk@state.or.us	(503) 378-3757
Business Systems:	Stan, Wall Business Systems Manager stan.wall@state.or.us	(503) 378-2916
Professional Practices:	Melody Hanson Executive Assistant/Office Manager melody.hanson@state.or.us	(503) 373-1260
Licensure:	Lynn Beaton, Director of Licensure lynn.beaton@state.or.us	(503) 373-0981
Director:	Vickie Chamberlain, Executive Director victoria.chamberlain@state.or.us	(503) 378-6813


The Impact of Unexamined White Culture on Educational Leaders

Elaine Rector
Julie McCann
Innovation Advocates




Blinding Flashes of the Obvious

- ▶ We have a persistent racial achievement gap in Oregon!
- ▶ Oregon's racial mix is changing rapidly.
- ▶ People of color in Oregon experience overt and "hidden" racism.
- ▶ Oregon is not alone.



Essential Questions

- ▶ What is White culture and how does it affect teaching and leading for equity in education?
- ▶ How do White anti-racists help their White colleagues "get it"?
- ▶ How do allies across difference assist White teachers and leaders confront the status quo?



Our Work in Oregon

- ▶ Provoke and promote education leaders to deeply transform the culture of Oregon's schools to produce equitable outcomes for every student.
- ▶ Our work strategically builds capacity in Oregon's education leaders, teachers and students to create more culturally competent schools.

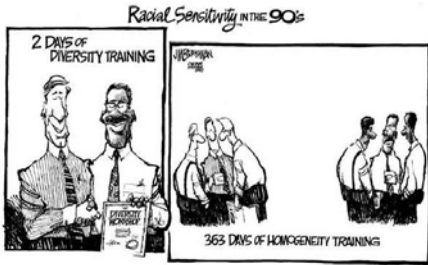
Our Purpose

- ▶ Without a deep understanding of student culture, most school and classroom strategies have minimal effect on student achievement
- ▶ Our work strategically builds capacity in Oregon's education leaders, teachers and students to create more culturally competent schools.

Our Method

- ▶ CFEE provides opportunities for reflection and dialogue with direct instruction in the components of institutional racism and cultural competency.
- ▶ Participants learn tools and protocols to ask honest questions of themselves and others and to listen deeply to, and trust, the uncomfortable responses.

What Our Work Is NOT!



Why Race?

- ▶ Initial research that shows that focusing on closing the racial achievement gap, poverty gap also closes.
- ▶ White educators are especially uncomfortable talking about race.
- ▶ We go deep into one aspect of inequity to learn skills that can be translated into other areas of oppression.

White Privilege

- ▶ A set of perceived advantages enjoyed by white people beyond those commonly experienced by non-white people in the same social, political, and economic circumstances.

What Does It Mean To Be White?

- ▶ Write down what comes to your mind



Interviews from the streets of San Francisco



For his research, Dr. Derald Wing Sue stopped pedestrians at random around the San Francisco area and asked them the question:

“What Does It Mean to be White?”



These interviews are from a PowerPoint created by Dr. Derald Wing Sue, available from the Microtraining and Multicultural Development <http://www.emicrotraining.com/race1.html>

42 year old White Businessman

A: Frankly, I don't know what you're talking about!

Q: Aren't you White?

A: Yes, but I come from Italian heritage. I'm Italian, not White.

Q: Well then, what does it mean to be Italian?

A: Pasta, good food, love of wine (obviously agitated). This is getting ridiculous!

**26 year old White Female
College Student**

A: Is this a trick question?..... I've never thought about it.....

I wish people would just forget about race differences and see one another as human beings.

People are people and we should all be proud to be Americans.

34 year old White Female Stockbroker

A: I don't know (laughing), I've never thought about it.

Q: Are you White?

A: Yes, I suppose so (seems very amused).

Q: Why haven't you thought about it?

A: Because it's not important to me.

Q: Why not?

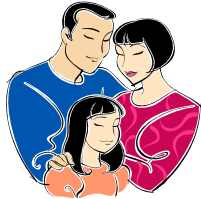
A: It doesn't enter into my mind because it doesn't affect my life. Besides, we are all individuals. Color isn't important.

WHITE REACTIONS TO WHITENESS

- ▶ We often find the question perplexing
- ▶ We would rather not think about whiteness
- ▶ We are uncomfortable about being labeled "White"
- ▶ We deny its importance in affecting our lives
- ▶ We feel that we are unjustifiably accused of being bigoted by virtue of being White.

How Do People of Color Answer the Question?

- ▶ How are their answers different from those given by white people?



21 year old Chinese American Male College Student

A: Well, it has to do with White privilege. Being White in this society automatically guarantees you better treatment and unearned benefits and privileges than minorities....When you enter a store, security guards won't assume you will steal something. You can flag down a cab without the thought they won't pick you....You don't have to deal with race or think about it.

Q: Are White folks aware of their privilege?

A: Hell no! They're oblivious to it.

Transforming White Consciousness

according to Cynthia Kaufman

READ

- Inform yourself
- Don't make people of color educate you
- Watch out for your resistance to new learning
- Take the initiative to learn with others
- Read novels of people of color,
- Study sociological, political and historical works that take racism seriously

My Moral Obligation

- ▶ I've benefitted from white privilege
- ▶ Use my influence for the greater good
- ▶ Oregon has a racial achievement gap
- ▶ OSBA goal:
 - *OSBA will increase local district awareness of the need for equitable opportunities and outcomes with high expectations for all students.*
- ▶ Guillermo and Juliana Padillo



Religious Expression in the Public Schools



Issues

- *School Sponsored* Prayer and Bible Reading
- *Student-led* Religious Activities
- Religious Activities at Assemblies, Sporting Events
- Distributions of Religious Material
- Evangelizing by Students, Outsiders
- Religion in the Curriculum (Evolution debate)
- Religious Holidays & Observances

Sources of Authority

- First Amendment
 - Freedom of Speech
 - Freedom of Assembly
 - Freedom of Religion
 - No Establishments
- State Constitutions
- Federal and State laws



Specific Oregon Provisions

- Const. Art. I § 3: protects free exercise and rights of conscience.
- Const. Art. I § 5: prohibits public support of religion.
- Const. Art. I § 8: protects free expression.
- ORS 327.109: Complaint process if school “financially supports or is actively involved with religious activity.”
- HB 3686 (2010): Allows school employees to wear religious clothing.

Foundation Principles

- Not the business of government to control, support or influence the kinds of prayer Americans say.
- Government power & prestige behind religion places indirect pressure on religious minorities to conform to prevailing expressions.



“Government must avoid sending messages to religious minorities that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.”

Justice Sandra Day O'Connor

Trust Relationship

“Families entrust public schools with the education of their children, but condition their trust on the understanding that the classroom will not be used to advance religious views that conflict with the private beliefs of the student or his or her family”

Justice William Brennan

America's Growing Religious Diversity

- “Protestant, Catholic, Jew”
- 1500 religions & denominations
 - 6-8 Million Moslems
 - 3-4 Million Buddhists
 - 2 Million Hindus
- 30 Million Non-Believers



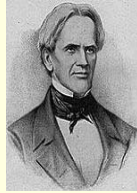
How Religious Diversity Impacts Schools

- Different traditions & ways to pray
- Holidays & observances
- Sensitivity to course content
- Attire
- Dietary needs



Nonsectarian Education

- Universal Common Schooling
- Republican Values
- “Nonsectarian” religious instruction
- Bible Reading without “note or comment”



Later Developments

- School districts began abandoning prayer and Bible reading in the late-1800s
- Only 1/3 of public schools had organized religious exercises before 1962
- 1962 and 1963 Supreme Court decisions



Impermissible Activities

- Classroom prayer & Bible reading
- Teacher religious activities
- “Tailoring” curriculum
- Prayer at graduation, assemblies, athletic events
- Bible distributions



Evolution Debate

- Teaching evolution permissible
- “Equal Time”
- “Intelligent Design” Controversy



Ten Commandments

- Posting of Ten Commandments in schools not permitted
- May be used in academic study



Teacher Participation

- Limited Opportunities (Public Employees)
- Not use classroom to share faith
- Not participate in student religious activities or clubs



Athletic Events

- School controlled and directed activities
- Student-led prayer not permitted
- Coach-led prayer not permitted
 - Team prayers ?



Assemblies

- School organized, controlled events
- Outsider access prohibited
- Student speech
- Public Forum – “Equal Treatment?”



Graduation Prayer

- Clergy prayer not permitted
- Student led *for prayer* not permitted
- Student votes
- Baccalaureates



Permissible Activities

- Individual & Private prayer
- Moments of Silence
- “Released Time”
- Teach “about” religion
 - Academic use of Bible
- Teach Values
- “Partnerships”



Religious Holidays

- Acknowledgements – OK
- Celebrations – not OK
- Teaching opportunities
- Carols, sacred music



On-going Controversies

- School Sponsored vs. “Student Led”
- Student Religious Expression
 - Classroom expression, assignments
- Equal Use of School Facilities
- Access to Students by Outsiders

Student Expression: General Principles

- Students do not shed their rights “at the schoolhouse gate.”
- Student speech rights not coextensive with those in other settings.
- Applied in “light of special characteristics of the school environment.”



Student Religious Expression

- Issues:
 - Classrooms
 - Student Clubs
 - Release Time
 - Athletic events
 - Assemblies, Graduation Ceremonies
 - Assignments, Art-work
 - Distribution of Literature
 - Student Opt-outs: curriculum, garb, holidays

Quandary: “Student-Led”

- Must be truly student-controlled or student autonomy
- Not “student-led” if part of school sponsored or controlled activity
- Student votes
- Texas “Religious Viewpoints Antidiscrimination Act”



Classrooms

- Assignments
 - Art-work, projects
- Student presentations
- Teacher discussions
- Teach “about” religions



Student Distributions

- Same rules as govern non-religious items
- Schools may impose reasonable time, place & manner limits
- “See You at the Pole”
- Offensive material



Student “Bible Clubs”

- Equal Access Act (1984) (secondary)
- Student-initiated & led
- Before or after classes
- Non-curriculum related
- Similar access to facilities, recognition
- Teachers monitor, not participate
- *Good News Club*

Resources

- Department of Education Guidelines:
www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html
- National School Boards Association:
www.nsba.org/MainMenu/SchoolLaw/Issues/Religion/Resources
 - Student Religious Rights: Survival Tips for School Boards
- First Amendment Center:
www.firstamendmentschools.org
- Pew Forum on Religion and Public Life:
www.pewforum.org/docs/?DocID=206

Center for Religion, Law and Democracy



Charter School Basics:
Current Requirements and Future developments

Morgan Smith, Attorney


Oregon School Boards Association

Agenda

- Introduction
- National and State Charter landscape
- Oregon's law, including key recent changes
- Application process
- Basic operations of Charter Schools
- Evaluation and monitoring
- Charter renewal
- Charter termination
- Virtual Charters and looking forward

What is a Charter School?

- Public School operated by groups outside of the traditional district-operated system
- Funded with state school fund dollars
- Accountable for results by state and federal law and terms of charter
- Diverse students, programs, operational/legal arrangements



National Overview

- In 2010, Over 1.7 million students will attend 5,450 public charter schools across the U.S.
- 60% are minority students over 50% are eligible for free and reduced lunch
- Public charter schools comprise 3.5% of all public schools (based on student population) in the U.S.

Oregon's Charter Schools

- **2009-2010**
 - 106 Charter schools in one third of Oregon school districts
 - Approximately 18,000 students enrolled statewide
 - 7 Virtual Charter Schools serving approximately 4,600 students



Oregon's Charter Law

- Enacted in 1999
 - Oregon Revised Statute Chapter 338
- Any person or group may proposed/develop
- The school must be an Oregon non-profit and (in the process to be) a federal tax-exempt corporation
- Cannot convert an existing tuition based private school
- Proposals and Charter contracts approved by school districts

Oregon's Charter Law (cont'd)

- Must be non-sectarian and tuition-free
- Minimum 25 student enrollment
- Open, non-discriminatory admissions, lottery
 - In District students served first
- Up to one-half of teachers/administrators may be non-licensed; all must be highly qualified
 - New changes for virtual schools, all must be licensed
- Funded through districts at a % of ADMw

Recent Amendments

- Charters that offer any on-line courses must have 50% of student enrollment from the sponsoring district (SB 1071, 2005)
 - Possible change this legislative session
- Heightened financial reporting requirements for all charters and new requirements for Virtual Public Charter Schools (SB 767, 2009)
- State Board of Education directed to proposed governance model for Virtual Education (HB 3660, 2010)

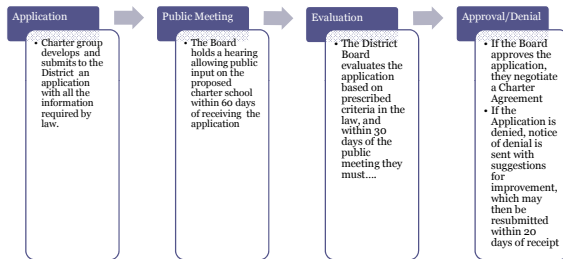
Recent Amendments (cont'd)

- SB 767 (2009):
 - "Virtual Public Charter schools" added as a new type of Charter school
 - Adds extra requirements for their operation
 - For-profit entities cannot employ Charter School employees
 - Virtual Charter Schools currently cannot increase enrollment, unless:
 - More than 50% of the enrollment is from resident District students, or
 - They are siblings of a current student

Recent Amendments (cont'd)

- **HB 3660 (2010):**
 - State Board must propose governance model for VPCS
 - Review special needs participation in online education
 - Examine whether charter law should apply to online ed
 - Imposes addition requirements on VPCS

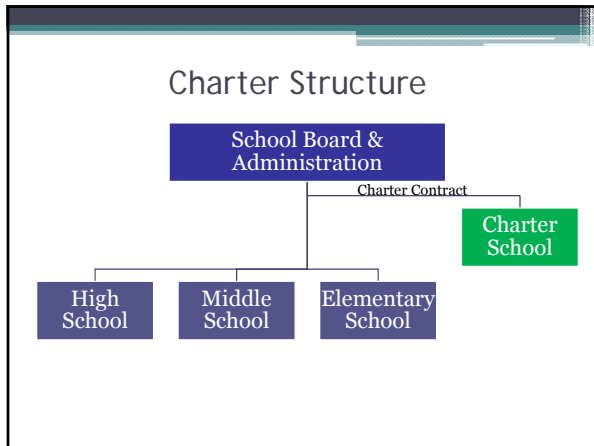
Application Process



The Charter

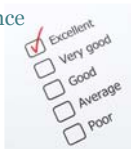
- The Charter agreement is a contract between the District Board and the Charter School
- Sets out the basics of their relationship and the rights and obligations of both parties





- ### Charter Operations
- Free from many requirements under state education law
 - Funded at a percentage of ADMw
 - Open enrollment
 - Limits on online education
 - Students become residents of sponsoring Districts, unless Special Ed (possible change for SpEd soon)
 - Responsible for transportation

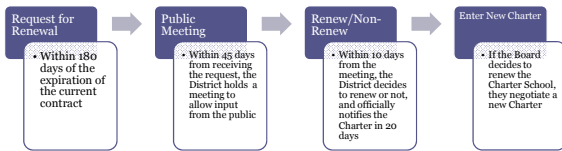
- ### Monitoring and Evaluation
- The law mandates little in oversight, but what is required:
 - Review school's annual report and annual audit
 - With a balance sheet from the Charter school and a statement of all transactions affecting the Charter
 - Annual site visit to determine compliance affecting the Charter
 - Expect more changes on this



Monitoring and Evaluation (cont'd)

- Despite the absence of legal oversight requirements:
 - Use the charter contract as a road map to oversight
 - The District and Charter should have an open collaboration
 - The charter contract should include realistic, measurable performance outcomes
 - New law requires more fiscal oversight specifically
 - Proactively include charter staff in district activities (i.e., professional development)

Renewal Process



Renewal Criteria

- The sponsor bases charter renewal decision whether the charter:
 - Is in compliance with the charter and the law
 - Is meeting or working toward meeting the student performance goals and agreements specified in the charter
 - Is fiscally stable
 - Is in compliance with any renewal criteria specified in the charter

Charter Contract Length

- Initial charter – no more than 5 years
- First renewal – must be the same period of time as the initial charter
- Subsequent renewal – at least 5 years, but not more than 10 years
- Avoid sporadic extensions

Charter Termination

- Upon 60 days notice of termination, the sponsor can terminate for a failure to:
 - Meet charter terms, student achievement requirements or legal requirements
 - Maintain insurance and financial stability plan as required by law
- Sponsor can terminate immediately for health and safety reasons

Virtual Public Charter Schools

- Defining a “Virtual” charter school vs. one that uses online courses
- Original Charter laws did not envision this form of education
- Recently grown in popularity requiring legislative action
- SB 767 created a workgroup to address the future of this form of education



Recent Adjustments for Virtual/Online Charter

- **SB 767 (2009):**
 - Address charter schools in general, but focused on online education
 - Set out Virtual Public Charter Schools (VPCS as a separate form of Charter
 - VPCS is a charter that offers online courses and does not primarily serve students in a physical location

Recent Adjustments for Virtual/Online Charter (cont'd)

- **SB 767 Requires VPCS to:**
 - Have heightened academic achievement plans
 - 100% TSPC licensed teachers
 - Plans for student/teacher contact time
 - Plans for access
- **Online Education Task Force created**

Funding and Finances

- **General Charter rules apply to virtual/online charters**
 - Sponsored by and received funding through Districts
 - Regular Ed: 80% ADM for K-8 and 95% for 9-12
 - No funding for:
 - Transportation, capital funds, federal title funds, School Improvement Funds



Sponsorship of VPCSs

- SB 767 contemplated a moratorium on virtual public charters, but this was taken out
 - Virtual charters can still be started provided they comply with the 50% residency requirements
- For new schools be cognizant of whether it is VPCS or just offers a form of online education under the law

Sponsorship of VPCSs (cont'd)

- Under SB 767, any Virtual Public Charter School must have the following:
 - A budget, business plan and governance plan
 - An interactive online platform that tracks attendance and student performance
 - A physical location for storing student records

Sponsorship of VPCSs (cont'd)

- A plan for equitable access by ensuring that prospective students have access to the technology required to participate
- A plan for student/teacher contract
 - Bi-weekly meetings between teachers and students
 - Six face to face meetings
 - Six optional school sponsored events

HB 3660 (2010)

- State Board of Education Directed to create an Online Learning Report
- Focused on examining online education in the State, specifically:
 - Governance
 - Funding
 - Access for students, specifically those with disabilities

Online Learning Report

- Recommendations
 - Separate charter schools and virtual schools under the law
 - Special approval for online ed for out of district students
 - Encourage districts to start in-house online ed
 - Require communication between virtual schools and parents

Online Learning Report (cont'd)

- Recommendations:
 - 3% rule: release 3% of each district's population to attend virtual schools
 - Separate online school report cards, district from the overall district report card
 - Fund all virtual schools at 90%
 - Continue to monitor special education in virtual schools

Questions?

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Leadership Oregon 2011

Special Education –IDEA

Rick Stucky
Board Development
&
Policy Services Specialist

What to Expect

- History of IDEA.
- Who is eligible for Special Education?
- How are services delivered?
- A little about Section 504, it's not a seat at a Blazer game.



All children
Can Learn!

A Brief History of Special Education Law

- ✦ **1966 – Elementary & Secondary Education Act Amendment:**
 - ✦ Established the 1st Federal program for the education of children with disabilities at the local school level
- ✦ **1974 – Education Amendments Act of 1974:**
 - ✦ First mention of an appropriate education for all children with disabilities
 - ✦ Established Family Education Rights & Privacy Act (FERPA) giving parents and students over 18 the right to examine student's personal file

A Brief History of Special Education Law (cont'd)

- **1975 – Education for All Handicapped Children Act:**
 - Mandated a free, appropriate public education (FAPE) for all children with disabilities,
 - Ensured due process rights, and
 - Mandated IEP's (Individualized Ed Plan) and LRE (Least Restrictive Environment).
- **1986 – Education for All Handicapped Children Act Amendment:**
 - Mandated services for preschoolers and provided assistance to states to develop early intervention services for infants.

A Brief History of Special Education Law (cont'd)

- **1990 – Education for Handicapped Children Act renamed Individuals with Disabilities Education Act (IDEA):**
 - Reauthorized and expanded special education programs
 - Mandated transition services
 - Defined assistive technology services and devices
 - Added autism and TBI to list of categories of children eligible for special education services

A Brief History of Special Education Law (cont'd)

- **2004 – IDEA Reauthorization:**
 - Transition process for student on IEP begins at age 16
 - Students transferring between districts must receive comparable services until a new IEP is developed
- **2008 – U.S. Dept. of Ed, 34 CFR Part 300, Final Rule:**
 - With written notice, parent can revoke consent for continued provision of special education services

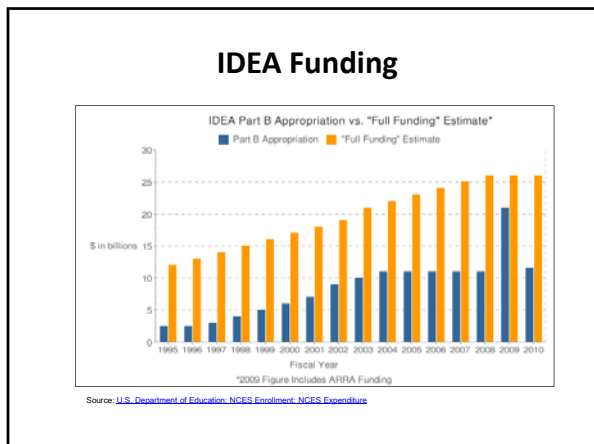
Eligibility Categories for Special Education Services

- Autism Spectrum Disorder
- Communication Disorder
- Deaf/blindness
- Emotional Disturbance
- Hearing Impairment
- Intellectual Disability
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Traumatic Brain Injury
- Vision Impairment

To be eligible a student must meet eligibility criteria for at least one of the above listed disabilities and must need special instruction and related services.

How Special Education Services are Delivered in Oregon

- **By the district:** special classrooms, pull out, consultation with regular education staff.
- **By the ESD:** ESD staffed classroom in the district, direct service in the classroom by ESD specialists, consultation with regular and special education staff.
- **Regional Programs:** Services for autism, hearing impairment, vision impairment, deaf/blindness, orthopedic impaired, traumatic brain injury.



Section 504 of the Rehabilitation Act of 1973 & Americans with Disabilities Act

- Section 504 is a civil rights statute because it prohibits discrimination on the basis of a disability. The ADA and ADA Amendment Act of 2009 applies the meaning of disability to Section 504
- "Disability" is defined as:
 - Having a physical or mental impairment which substantially limits one or more major life activities;
 - Having a record of such impairment; or
 - Being regarded as having such impairment.

Section 504 of the Rehabilitation Act of 1973 & Americans with Disabilities Act

- Major Life Activities includes a non-exhaustive list such as:

seeing	learning
hearing	reading
speaking	concentrating
eating	thinking
sleeping	communicating
walking	working
standing	breathing
lifting	bending

Section 504 of the Rehabilitation Act of 1973 & Americans with Disabilities Act

- Major Life Activities also includes bodily functions such as:
 - immune system
 - normal cell growth
 - digestive
 - bladder
 - neurological
 - brain
 - endocrine
 - reproductive
 - circulatory
 - bowel
 - respiratory

Section 504 of the Rehabilitation Act of 1973 & Americans with Disabilities Act

- Under 504 a student is eligible for a 504 Plan whether or not the student needs special instruction
- Also requires a district to provide a “free appropriate public education” (FAPE)
- Districts may use the same process to evaluate the needs of a student for a 504 Plan as they use to evaluate the needs of a student for an IEP

A reason why we do this...



**Justin has graduated from high school,
He works in the bakery at a local grocery store,
and...
He's an assistant coach for the high school
basketball team!**

Policy and Practice

Presented by:

Joe Wehrli, Associate
Executive Director
Kendra Hughes, Ed. NW Civil Rights
Senior Consultant

OSBA

- CyberBullying/Bullying
- Information for School Board Members
- What are we doing to ensure our students safety while online and at school?
- What are the mandates and limitations from a legal perspective?

Facts about our playgrounds

- One incident of bullying every seven minutes
- Adult intervention in 4% of incidents
- Peer intervention in 11% of incidents

Be able to identify bullying

- **Physical bullying:** hitting, kicking, pushing, choking, punching
- **Verbal bullying:** threatening, taunting, teasing, starting rumors, hate speech
- **Exclusion from activities:** This does not mean that a child should not have the right to choose to play, or not to play, with another child; it does mean that children should not be allowed to systematically exclude others
- "No one play with Sally;" "No one wants to play with her;" "Don't be her friend."

How does it happen

- Done by someone with more power or social support to someone with less power or social support
- Often includes the abuser blaming the target for the abuse
- Often it leads to the target blaming him or herself for the abuse

Why must it be addressed?

- **Schools owe a heightened duty of care to students under Oregon Law**
 - Schools have an obligation to undertake reasonable precautions against foreseeable risks to students
- **In regards to bullying, schools must affirmatively prevent or stop it when it is foreseeable**

Why must it be addressed?
(cont.)

- Possible liability under federal and state civil rights laws
- Can the behavior amount to a sexually or racially hostile environment?
- District can be liable for this if it knew or should have known of the discrimination

What Doesn't Work?

- Asking the target to solve the problem
- Whole-population education

What Does Work

- Consensus-development among staff and community members so people enforce the same expectations consistently
- Consistent enforcement of effective consequences for verbal and physical aggression which are predictable, inevitable, immediate, and escalating

What does
work...continued

- Building positive connections between staff and students
- Monitoring to make sure that consequences and education are effective
- Effective counseling for bullies after enforcement of consequences

What does
work...continued

- Effective support for targets, including protection from repeat victimization
- Empowering bystanders to tell adults, support targets, and discourage bullying

Where to draw the line?

- A school's responsibility to its students is generally limited to the school day
- Schools lack the resources and authority to police off campus activity with no relationship to school
- First Amendment issues

Tools for our students

- Dealing with peer pressure and bullying
- Saying 'no' in ways that are effective and practical
- Managing emotional triggers
- Staying safe from verbal attack
- Preventing violence from peers and strangers
- Setting boundaries to stop unwanted touch and attention
- Getting help

CyberBullying

" Cyberbullying"

The use of any electronic communications device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile or unwanted manner under a person's false or true identity. In addition, any communication of this form which disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying.

Targeting an individual with interactive technologies:

I hate you!
I am going to hurt you.
I know where you live.
You are the ugliest, (fattest), (skinniest) kid in our school.

Prevention Education

Stop, Block, Report

Think before you click

Things to consider

- How many of you have children or work with children ages 6-16?
- Would you allow them to ride in a vehicle, or use a tool or sporting equipment that is unsafe, or without training?

OSBA Focus

Ensure access to documents that support district efforts:

- Policy/Administrative Regulation Documents
- Hazing/Harassment /Intimidation - GBNA
- Bullying/Cyberbullying - GBNA
- Personal Communication Devices - JFCEB
- Freedom of Expression - IB
- Electronic Communication System - IIBGA
- Web Pages - IIBGB

Every day on the internet

How many of you would allow 20 students that go to your child's school and 10-12 others that you have never met come into your home, go into a room with no supervision and allow them to say and show each other whatever they want!

Cellular Telephones/Bullying

- Access to the Internet often without parental supervision
- Share and post digital photographs
- Send and receive text messages

Legal problems with Cell phones

- **Difficult for schools to control**
 - Parents would complain if banned
 - If you confiscate, you must keep the item safe
- **Cannot automatically be searched**
 - Must have a reasonable suspicion before examining the contents of a phone

Legal Problems with the Internet

- **Treat school owned computers like lockers, students have a limited expectation of privacy in them**
 - Clear notice of this is important for deterrence and limiting objections
- **Complex First Amendment issues with off campus computers**

Legal Problems with the Internet (Cont.)

- **The First Amendment limits the ability of school officials to limit student expression**
 - Particularly when the expression is off campus on a private computer
- **When can a school act?**
 - Only if there is a material threat of disruption or interference with school
 - Need a nexus to campus

Legal Problems with the Internet (Cont.)

- **Example: Student A messages Student B over Facebook from his personal computer, the message includes insulting derogatory language, Student B comes to the principal, what can he/she do?**
 - Nothing, unless the threats manifest themselves as a disruption to school

Legal Problems with the Internet (Cont.)

- When students have challenged formal discipline legally, in most instances they prevail or the district settles, despite the presence of truly objectionable online actions
- There is little to support formal discipline resulting from student's conduct online without a nexus to school

How serious is it?

High school staff and counselors report an increase in the incidence of conflict in schools related to internet/cell phone use among boys

Among girls there has also been an increase reports of depression, withdrawal and threats of harm to self and others

There are also additional risks:

Questions ???

Discussion of how to address this issue in schools

Joe Wehrli
Oregon School Boards Association
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Communication That Counts

- Leadership Oregon
- OSBA
- Joe Krumm APR
- February 19, 2011



Agenda

- Playing field exercise
- RACE
- Message development
- Social media
- Crisis/issue systems, reactions
- Scenario response



Effective school communications

Playing Field Exercise

- What do you know?
- What do you think you know?
- What would you like to know?



Exercises today

- Will have scenario to work with
- Develop strategic plan
 - Messages for your audience
 - Seek engagement, dialogue
- Plan for presentation
 - Play audience roles for other groups



Communication roles

- Promote, Persuade
- Issues management, response
- Change behavior
- Engage, Share goal/project
- Build trust, share power
- Support others' power



Discussion

- How did you:
 - Select the last movie you saw?
 - Select where to apply to work?
 - Select a doctor?

How people form opinions

People rely on the advice of friends and neighbors when making decisions.

Print/media can help in getting the word out, but not in persuading the public.



Communication

Research says mass media is best for providing information.

But interpersonal communication is best for changing attitudes.

USE BOTH!

For your school, organization, family, community, how do you change attitudes?

What is your communication challenge?

How will you achieve your communication goal?

The Value of RACE

Research: Know your subject matter, your audiences and how they want to learn about your organization

Analyze: What is the best delivery method?

Communicate: Use One-Way, Two-Way, Engage,

Evaluate: What was the result of communication?

Applying RACE

Research will help all your communication.
You don't have time to do it all, so concentrate on what works.
Develop and test messages. (If you knew...if you heard...?)
Target your communication



Know that every one is in P.R.

Exercise

Tell your neighbor about your best experience as a customer
Tell your neighbor about your worst experience as a customer



What people repeat

- 96 percent of unhappy customers never complain
- The average unhappy customer will share the negative story with at least nine other people
- 13 percent will tell more than 20 people
- The average unhappy customer will remember the incident for 23.5 years
- The average happy customer will talk about the pleasant experience for 18 months and tell 3-5 people



Communications

- Knowing what you know, why are there more negative media stories?



What's more effective?

Living History Day?
Or...a positive story!

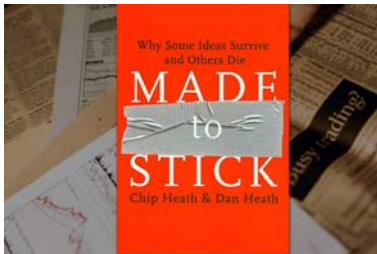


What is the coolest thing you've learned lately?

WHY does it stick?



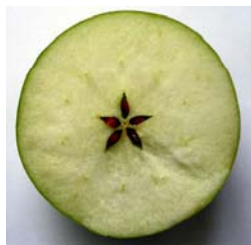
What makes ideas stick?





Simple

- Find the core.
- Share the core.



Unexpected



- Get attention: Surprise!
- Hold attention: Interest.

Concrete

- Help them understand & remember



Credible



bxp28059 www.fotosearch.com

- Help people believe.
- Make statistics accessible.
- Use a Sinatra test example.

Emotional

- Make people care
- Appeal to identity
- Help people visualize



Stories



- Get people to act
- Simulation
--how to act
- Inspiration
-- energy to act

Sticky ideas = SUCCESS

- Simple
- Unexpected
- Concrete
- Credible
- Emotional
- Stories



Social Media

Start Film

Social Media



- Facebook
- MySpace
- Twitter
- RSS feeds
- Blogs
- Podcast
- Linked In
- You Tube
- Flickr

What's different about it?

- Two-way
- Personal, individual
- Interactive
- Recreational
- Media for busy lives
- Reaches people where they live: on-line.

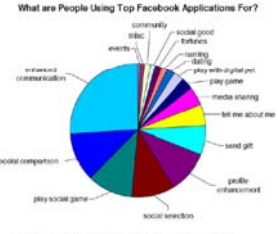


Figure 1: Distribution of Facebook Applications by Age Group, Research by Social Media Intelligence, 11/2008
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Social media users



- 48% of Americans over 12
- 50% use daily
- Students are frequent users
- Women more than men
- Users follow corporate/brands
- Frequent users watch less TV



Leadership & social media



- 2-way engagement.
- Build relationships, trust.
- Method to hear problems, provide answers, resources
- Enhance w/ in-person
- Be real, conversational.
- Drive people to your Web site, list serve, event, or publication.
- Be responsive.
- Keep content current.



Social media

- **What do you do about the anonymous idiot attacking your idea?**

Social media: What NOT to do!




- Advertise.
- Ignore comments.
- Be defensive.
- Stop posting.

Thinking beyond the media

- Media is hard, unpredictable, a weak resource
 - Doesn't move behavior
 - Only 10% of my work
- Target communication-create buzz
- Develop messages
- One-way opportunities (write them down)
- Two-way opportunities (plan them)
- Ready for the viral news mill
 - (E-mail, web, Facebook, Twitter, blogs.)


Targeting

- Who cares? Apply the test
- How do they want to be reached?
 - Busting through the clutter
 - How to say it? Talk in headlines, short Tweet
 - 80,000 bits of info daily
- Make sure to include internal audiences
- Must you reach those that don't care?




Matrix- targeting one way...

Who What? How?



Two-way communication

- Listen and adjust
- Can be messy, less predictable
- Throughout the RACE process
- Create connection, buy in
- People want to participate, be heard
- How do you listen?
 - Survey, forum, soft soundings, focus groups
- Project development:
 - Align with/Support power vs. Empower & guide
 - Stand vs. PTA: Backpack Buddy, Elections
 - Major change possible



Systems in place?

- Response plan for each school, including buddy schools.
- Trained admin team at each school.
- Central plan—Response and communication.
- Guarantee communication methods: radio, cell phones, private phone lines, talk with authorities.
- Checklist: methods to reach internal and external audiences.
- Prep with all community partners: emergency response, law enforcement, medical, city, county.
- Sample letters for message development.



What people and where?

- Central team. Superintendent, designees to advise, research, prep messages, anticipate, do the right thing. May include outside experts, partners.
- On-site team, if allowed. May need to be at buddy school. School administrator. One central administrator. Counselors. Crisis response team.
- Media location: Determine if at site or away from incident site.
- Outside resources: expert in subject area, PR people, counselors, event planners, run perimeter.



Messages, means, audiences

- Start with three key points. Answer the questions: what's happened, what are we doing about it, action for others.
- Have a single spokesperson who knows what's going on. Feed that person with information.
- Fix the problem, not the perception. No smoke. No mirrors.
- KISS
- Be clear and informative.
- You know more than your audience. Slow down. Teach.
- Golden hour—get the message out ASAP.
- Know what you can and can't say.



Messages, means, audiences

- Start internal, grow outward.
- Standup staff meeting, secretaries to handle calls.
- Same message goes to all: media, web, letters home, social media, key communicators, email.
- Communicate in multiple languages.
- Create two-way opportunities, work on issue together.



Media: necessary nuisance

- Use media to clarify messages
- Say the same message to all audiences through all methods
- (More slides in hand to help you in spokesperson role)



Scenarios

1. School closure (parents)
2. Sex offender moves into neighborhood (parents)
3. New health center at high school (media, students, parents, community)
4. More homeless families in district (partners)



Crisis/issue (scenario prep)

- Do the right thing!
- Plan. Put principles into practice.
- Gather your team.
- Select a spokesperson.
- Feed the spokesperson.
- Get message out. (Staff, secretaries, students, parents, key contacts, clients, students, beyond.)
- How will you reach people beyond the media? (Letters, meet w/ staff/community, web, email, etc.)
- How will you listen, engage?
- (Pick a person to make up details, answer questions)



Presentation:

- Explain your strategic plan
- What are your key messages?
- Ready for your main audience. Who?
- Who are your other audiences?
- How will you reach them?
- How will you listen and adjust
- How will you engage, help all participate
- Role play



Close

- What did you learn?
- Playing field wrap
- Questions



Spokespeople for exercise: Honesty is the Best Policy

Be honest!

(Once integrity is lost, it can't be replaced.)

If you don't know, say so.

Admit error...go on to corrective action.

Rarely does a 1 day story change public opinion.



Bridging Statements

- "The most important point is..."
- "What we really need to focus on is..."
- "It reminds me of..."



Be Prepared! Your Message!

- Be Positive, Constructive AND Informative
- Prepare themes in advance
- Answer Honestly & Bridge to Themes





Prepare Your Message

- Use the message in all communications.
- Internal and external



Secrets to being quoted, remembered

- Speak in plain English (No Jargon)
- Change your pace/tempo
- Speak Slowly and Distinctly

Simplify, simplify, simplify!

- Use a real-life example
- Pick one part of the question and answer that
- Use a short list



Sticky Situations-any audience

- Surprise Questions
- Answer a question with a question
- Narrow your language
- Answering the Question from Hell
Pause...sometimes what you don't say is more important than what you do say! Don't worry about dead air



Some no nos

- Never lie. Say that you can't answer that right now and explain why
- Don't say "no comment" ... or "off the record"
- Don't lose it. Keep your cool
- Don't run away. It makes you look guilty
- Don't get drawn into another's agenda
- Don't get off message. Say only what you want to say.
