



2026 Five Year Rule Review

*Compiled by
Oregon's Secretary of State's Rules Publication Unit
January 2, 2026*



Agency 5-Year Rule Review Report

Pursuant to ORS 183.405

January 2026

BACKGROUND AND INTRODUCTION

The Oregon Board of Physical Therapy (OBPT) is pleased to submit this report to the Secretary of State as directed by ORS 183.405. Paper copies of this report may be obtained from OBPT Rules Coordinator, 800 NE Oregon St, Suite 407, Portland, Oregon, 97232.

ORS 183.405 requires all state agencies to review newly adopted rules not later than five years after adopting the rule, with the purpose of analyzing the impacts of each rule. Specifically, the report must determine:

- Whether the rule had the intended effect;
- Whether the anticipated fiscal impact of the rule was underestimated or overestimated;
- Whether subsequent changes in the law require that the rule be repealed or amended;
- Whether there is continued need for the rule; and
- What impacts the rule has had on small businesses.

Exemptions

Under ORS 183.405 (5) and (6), this rule review does not apply to the amendment or repeal of a rule, rules that are adopted to implement court orders or the settlement of civil proceedings, rules that adopt federal laws or rules by reference, rules adopted to implement legislatively approved fee changes, or rules adopted to correct errors or omissions.

2026 OBPT AGENCY REPORT – REVIEW OF RULES ADOPTED IN 2021

In this report, OBPT is submitting rule reviews for rules adopted in **2021**. The final report will be sent to any rule advisory committee that aided in the adoption of a rule subject to review, and to the Secretary of State for inclusion in the comprehensive report to the Oregon Legislative Assembly.

ADMINISTRATIVE RULE AUTHORITY

The Oregon Board of Physical Therapy administrative rules are included in the following chapters:

Chapter 848: Oregon Board of Physical Therapy

AGENCY RULE REVIEW REPORT UNDER ORS 183.405

Agency, Board, Commission, or Council Name Oregon Board of Physical Therapy

Rule Number (OAR 123-123-1234) OAR 848-005-0015

Date Adopted 02/11/2021

Date of Review 01/27/2026

Advisory Committee Used? Yes No

If yes, identify members.

1. Did the rule achieve its intended effect? Yes No

a. What was the intended effect?

To align board member compensation with requirements created in revisions to ORS 292.495; add definitions for board business.

b. How did the rule succeed or fail in achieving this effect?

The rule succeeded in the desired effect; board member compensation for OBPT was aligned with requirements in the revised ORS 292.495.

2. Was the fiscal impact statement: underestimated overestimated just about right unknown?

a. What was the estimated fiscal impact?

The fiscal impact was based on the updated definition of board business and allocation of full day of pay; the amount of board member compensation was aligned with the Federal per diem and the currently published amount at the time was used for budget purposes.

b. What was the actual fiscal impact?

Consistent with budgeted amounts.

c. If the answer to question 2 is unknown, briefly explain why.

3. Have subsequent changes in the law required the rule be repealed or amended? Yes No
a. If yes, explain.

4. Is the rule still needed? Yes No
a. Explain why or why not.

The rule makes clear the requirements for board member compensation.

5. Does the rule have an impact on small business? Yes No
a. If yes, what are the impacts?

-END OF REPORT-

OREGON ADMINISTRATIVE RULES
5-YEAR RULE REVIEW
ORS 183.405

Filing Caption:

ODDS: Child Foster Homes - Eligibility for Medicaid Service Payment (COVID-19)

Adopted Rules:

411-346-0250	Foster Provider Eligibility for Medicaid Service Payment
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Adoption Date: 3/1/2021

Review Date: 2/11/2026

Reviewer's Name: Christina Hartman, Rules and Policy Analyst

What was the intended effect?

OAR 411-346-0250, about foster provider eligibility for Medicaid service payment, was adopted to:

- Allow for attendant care in an acute care hospital when authorized in a child's Individual Support Plan; and
- Codify expectations for service payment claims.

Has each rule had the intended effect? Yes

Was the anticipated fiscal impact underestimated? No

Was the anticipated fiscal impact overestimated? No

Have subsequent changes in the law required the rules to be amended or repealed?

Permanent 6/1/2024

Temporary 1/23/2025 – 7/21/2025

Permanent 7/15/2025

Is there a continued need for these rules? Yes

What impact have the rules had on small businesses as defined in ORS 183.310?

The rule has had a positive impact on child foster home providers, most of which may be considered a small business as defined in ORS 183.310. Child foster home providers can claim and receive payment for a day of service when supporting an individual in their care during hospitalization.

Was an Administrative Rule Advisory Committee (RAC) consulted? No.
ODDS was granted an exception on the use of a RAC by the ODHS Administrative Rules Program Coordinator.

In place of a RAC, ODDS provided extensive communication about the rule at the following:

- Hospital attendant care webinar.
- Case management entity COVID-19 communication webinars.
- COVID-19 community partner calls.
- COVID-19 provider calls.
- Community Developmental Disabilities Program (CDDP) and Brokerage meetings.
- CDDP Licensor and Certifier calls.
- Vision Advisory Committee meetings.

Report approved by: Julie Van Nette
Date: 2/12/2026



Agency Rule Review Report
Under ORS 183.405

Rule Number	123-674-6885
Rule Title	Additional Conditions with Deferral
Date Adopted	08/12/2020
Date of Review	01/27/2026
Rule Reviewed By	Michael Held
Action	<input type="checkbox"/> Amend <input type="checkbox"/> Repeal <input checked="" type="checkbox"/> No Change

Was an Administrative Rule Advisory Committee used for prior rulemaking?

Yes

No

If yes, identify members: n/a

1. Has the rule achieved its intended effect?

Yes

No

a. What was the intended effect?

- i. Clarify source for population data for big-metro urban zones
- ii. Clarify treatment of tips in relation to employee income
- iii. Clarify inclusion of otherwise ineligible activities that might be performed through a call center or ecommerce given expanding online capabilities.
- iv. Clarify further what an eligible call center may and may not include
- v. Clarify that it this does not allow the headquarters of legal, marketing, financial, or similar to act as a base for providing ineligible services to third parties.
- vi. Emphasize and specify documents and distribution for enterprise zone authorizations
- vii. Clarify and specify matters respective to amending information in an application for authorization in an enterprise zone, especially if already approved.
- viii. Technical clarifications regarding implications of local sponsor resolution waivers to normal enterprise zone employment requirements.
- ix. Correct references in opening for sale or leasing of qualified property that can continue exemption.

- x. Clarify sever-ability of qualified property and that it does not allow for application for authorization midway through construction of a building and break out elements for qualifying heavy machinery modifications.
- xi. Restructure rule to distinguish concepts better regarding non/exemption of already assessed
- xii. Addresses several issues with qualified enterprise zone property exempt for construction in process.
- xiii. Include waiver requirements as general disqualifying event
- xiv. Remove language and deal elsewhere with local additional conditions to be imposed on businesses, for which the law does not set forth such local authority, with an exemption deferral during recession,
- xv. Address specifically the apparent allowance of additional sponsor conditions on an enterprise zone business's receiving a recession-based deferral of its exemption.
- xvi. Increase minimum—minimums that after 20+ years seem to make curing a legal noncompliance unduly prohibitive for an enterprise zone business and remove double negative.
- xvii. Fix syntax and then other housekeeping
- xviii. Specifically describes what may be happening before zone designation and still allow for qualification of related property for exemption.
- xix. Clean up certain matters for how authorizations may be handled and exemptions on property allowed after an enterprise zone terminates, or if the site of property is inadvertently removed by a boundary change to the zone.
- xx. Delete extra space and otherwise improve guidelines for grand-fathered business firm exemptions after enterprise zone termination.

b. How did the rule succeed or fail in achieving this effect?

- i. Generally, the rule achieved the aims and objectives of the rules amended. There remain some technical clarifications in rules related to Standard Exemption on Taxable Enterprise Zone Property, but the above amendments had the intended effect they aimed to achieve.

2. Use the fiscal impact statement information shown in the original adoption of the rule.

a. What was the estimated fiscal impact?

The rule is not estimated to impose a fiscal impact.

b. What was the actual fiscal impact?

c. Was the fiscal impact statement:

Underestimated

Overestimated

Correct

Unknown. If you check this, briefly explain why it is unknown:

3. Have subsequent changes in the law required the rule to be repealed or amended?

Yes

No

If 'yes' please explain: The passage of HB 2009 (2003) and HB 2451 (2025) have resulted in additional rule changes, primarily related to program transparency matters.

4. Is the rule still needed?

Yes

No

Explain:

5. What impact does the rule have on small businesses?

a. The impact of the rule on small businesses is negligible and intended to help businesses better navigate and access enterprise zone program benefits.

Agency Review of Rules Report - 2025

ORS 183.405

February 1, 2026



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CHAPTER 423: YOUTH DEVELOPMENT DIVISION

In 2020, the Oregon Department of Education adopted 7 administrative rules in Chapter 423, detailed and reviewed by filing below.

FILING CAPTION: Youth Development Council Rules: Reengagement Grant

ADOPT: 423-160-0001, 423-160-0003, 423-160-0005, 423-160-0007, 423-160-0009, 423-160-0011, 423-160-0013

Rule Number:

423-160-0001

Rule Title:

YDD Council: Reengagement Grant Definitions

Did the rule achieve its intended effect?

Yes. The Youth Development Council is directed by the Legislature to administer and coordinate the statewide youth reengagement system described in ORS 417.859. These rules establish the statewide reengagement system and the youth reengagement grant program.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule – as this rule establishes definitions.

Has there been changes in the law that require the rule be amended or repealed?

Yes. This rule was updated on April 26, 2023 to update some definitions.

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule may have an impact on small businesses – particularly community-based organizations that may consider definitions associated with the grants relating to this rule.

Is there continued need for the rule?

This rule is needed to guide the Youth Development Division’s reengagement grant definitions.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

423-160-0003

Rule Title:

YDD Reengagement Grant: Establishment

Did the rule achieve its intended effect?

Yes. This rule established the reengagement grant, and states the purpose of the Statewide Youth Reengagement system.

Was the fiscal impact of the rule overestimated or underestimated?

There is not an estimate for the impact for this rule as there is not a quantifiable financial component to this rule, as this rule establishes a grant.

Has there been changes in the law that require the rule be amended or repealed?

No. There have not been changes to law that require changes in the notice for rulemaking.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes, continuation of the rule is necessary to provide the purpose and establishment of Youth Development Division (YDD) reengagement grants.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

423-160-0005

Rule Title:

Eligibility for Enrollment in a Reengagement Program

Did the rule achieve its intended effect?

Yes. This rule established eligibility for the enrollment in a reengagement program.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact of this rule was as expected (no change beyond what was already anticipated with bill passage and normally appropriated for program operations in our budget).

Has there been changes in the law that require the rule be amended or repealed?

The rule was updated on April 26, 2023 to provide clarification on the eligibility for enrollment in a reengagement program.

Has this rule had an impact on small businesses? If so, what were the impacts?

There may be a small business impact for a business that is eligible and seeks to participate in the reengagement program.

Is there continued need for the rule?

Yes, continuation of the rule is necessary to state the eligibility for enrollment in the reengagement program.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

423-160-0007

Rule Title:

Eligibility to Provide a Reengagement Program

Did the rule achieve its intended effect?

Yes. This rule established eligibility requirements to provide reengagement program services.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact of this rule was as expected (no change beyond what was already anticipated with bill passage and normally appropriated for program operations in our budget).

Has there been changes in the law that require the rule be amended or repealed?

No. The rule received a minor statute correction on February 24, 2021 to correct the title.

Has this rule had an impact on small businesses? If so, what were the impacts?

There may be a small business impact for a business that is eligible and seeks to participate in the reengagement program.

Is there continued need for the rule?

Yes, continuation of the rule is necessary to identify the eligibility to provide a reengagement program

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

423-160-0009

Rule Title:

Designation of Reengagement Programs as Participants in a Statewide Youth Reengagement System

Did the rule achieve its intended effect?

Yes. ORS 417.859 directs the Youth Development Division to develop and administer a statewide youth reengagement system to provide appropriate educational opportunities and

access to services for eligible youths. This rule outlines a process to assess an entity offering Reengagement Services on criteria established by the Youth Development Division.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact of this rule was as expected (no change beyond what was already anticipated with bill passage and normally appropriated for program operations in our budget).

Has there been changes in the law that require the rule be amended or repealed?

No. The rule had a statute minor correction on February 24, 2023 to correct the rule title.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes, continuation of the rule is necessary by law to establish a process by which the Youth Development Division administer a statewide youth reengagement program.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

423-160-0011

Rule Title:

Reengagement Program Grants

Did the rule achieve its intended effect?

Yes. This rule established a process for the Youth Development Division (YDD) to issue grants for the purpose of funding reengagement programs.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact of this rule was as expected (no change beyond what was already anticipated with bill passage and normally appropriated for program operations in our budget).

Has there been changes in the law that require the rule be amended or repealed?

No. This rule had a statute minor correction in 2021 and 2022.

Has this rule had an impact on small businesses? If so, what were the impacts?

There may be a small business impact for a business that is eligible and seeks to participate in the reengagement program.

Is there continued need for the rule?

Yes, continuation of the rule is necessary to direct the Youth Development Division to implement funding for reengagement programs.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

423-160-0013

Rule Title:

Reengagement Grant Reporting

Did the rule achieve its intended effect?

Yes. This rule established reporting requirements for the reengagement grant.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact of this rule was as expected (no change beyond what was already anticipated with bill passage and normally appropriated for program operations in our budget).

Has there been changes in the law that require the rule be amended or repealed?

No. The rule had a statute minor correction on February 24, 2021.

Has this rule had an impact on small businesses? If so, what were the impacts?

There may be a small business impact for a business that is eligible and seeks to participate in the reengagement program.

Is there continued need for the rule?

Yes, continuation of the rule is necessary to require reporting from recipients of the reengagement grants.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

CHAPTER 581: OREGON DEPARTMENT OF EDUCATION

In 2020, the Oregon Department of Education adopted 60 administrative rules in Chapter 581, detailed and reviewed by filing below.

FILING CAPTION: SSA Summer Grant Program

ADOPT: 581-017-0620, 581-017-0623, 581-017-0626, 581-017-0629, 581-017-0632, 581-017-0635

Rule Number:

581-017-0620

Rule Title:

Definitions: SSA Summer Program Grant

Did the rule achieve its intended effect?

Yes. This Oregon Administrative Rule (OAR) established definitions for Summer Programs for Title I Schools from the Statewide Education Initiatives Account. The grant program is more commonly referred to as the Student Success Act (SSA) Summer Program Grant or SSA Summer Program.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions.

Has there been changes in the law that require the rule be amended or repealed?

This rule was amended as of 2021. The rule was amended to provide updated terms relating to the SSA Summer Program Grant. The SSA program was not funded for the 2025-2027 biennium, but the enabling statute was not repealed. There is no need for changes to the rule as the program is dormant at this time.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes, The SSA program was not funded for the 2025-2027 biennium, but the enabling statute was not repealed. So, the rule will remain in place until/unless the statute changes or is repealed. Continuation of the rule is necessary to provide definitions relating to the SSA Summer Program.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0623

Rule Title:

Eligibility: SSA Summer Program Grant

Did the rule achieve its intended effect?

Yes. This rule establishes eligibility for the SSA Summer Program Grant.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact has carried out with an accurate estimate, as eligible schools have received funds.

Has there been changes in the law that require the rule be amended or repealed?

This rule was amended as of 2021. The rule was amended to provide clarity on SSA Summer Program eligibility.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes, continuation of the rule is necessary to determine SSA Summer Program eligibility.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0626

Rule Title:

Funding: SSA Summer Program Grant

Did the rule achieve its intended effect?

This rule has been repealed as of October 26, 2021.

Rule Number:

581-017-0629

Rule Title:

Funding: SSA Summer Program Grant

Did the rule achieve its intended effect?

Yes. This rule describes how funding from the SSA Summer Program Grant is allocated.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact has carried out with an accurate estimate, as eligible schools have received funds.

Has there been changes in the law that require the rule be amended or repealed?

This rule was amended as of 2021. The rule was amended to clarify SSA Summer Program needs.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes, continuation of the rule is necessary for eligible partners to understand how the SSA Summer Program Grant is funded.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0632

Rule Title:

Program Requirements: SSA Summer Program Grant

Did the rule achieve its intended effect?

Yes. This rule sets the program requirements for the SSA Summer Program Grant.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact has carried out with an accurate estimate, as eligible schools have received funds.

Has there been changes in the law that require the rule be amended or repealed?

This rule was updated in 2021 to clarify the program requirements.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes, continuation of the rule is necessary for grant recipients to refer to program requirements.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0635

Rule Title:

Reporting: SSA Summer Program Grant

Did the rule achieve its intended effect?

Yes. This rule requires grant recipients to provide a report on the grant as determined by the Oregon Department of Education.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact is implemented as expected. Grant recipients provide reports annually as required by rule.

Has there been changes in the law that require the rule be amended or repealed?

This rule does not need to be updated at this time.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. This rule sets the requirement that grant recipients need to provide annual reports on the grant.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Student Investment Account

ADOPT: 581-014-0001, 581-014-0004, 581-014-0007

Rule Number:

581-014-0001

Rule Title:

Definitions for Student Investment Account

Did the rule achieve its intended effect?

Yes. The rule provides definitions for the Student Investment Account (SIA).

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as the rule provides definitions.

Has there been changes in the law that require the rule be amended or repealed?

This rule was amended in 2020, 2022, 2024, and the Oregon Department of Education (ODE) intends to amend this rule again. With the passing of the Education Accountability Act (SB 141) the definitions used in the rules for that legislation (581-003-0001) also apply to SIA and those rules do reference their applicability to OAR 581-014-0001 to 5814-014-9999. As a result, ODE intends to amend this rule again and remove duplicative rule language in the SIA definitions and leave SIA specific definitions.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. While the rules need to be updated to align with the Education Accountability Act there will still be a need for SIA specific definitions in rule.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-014-0004

Rule Title:

Fund Administration for Student Investment Account

Did the rule achieve its intended effect?

Yes. This rule establishes fund administration for the Student Investment Account.

Was the fiscal impact of the rule overestimated or underestimated?

The estimated fiscal impact of this rule was accurate. Any amendments to this rule have not resulted in any changes to the fiscal impact. ODE continues to administer the grant with associated positions that were established with the SIA and distribute grant in aid as allotted in the legislatively approved budgets

Has there been changes in the law that require the rule be amended or repealed?

This rule was amended in 2020, 2021, 2023, 2024, and 2025. An amendment will be needed to revise part (4) If a school district has an ADMw of 50 or less, it will receive an allocation based on an ADMw of 50. HB 3037 (2025) removed this language from the corresponding ORS and updated it to read that “the State Board of Education may establish a minimum grant amount for a state-funded grant when the grant is awarded to a small ADM school district.”

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. Fund recipients need to refer to this rule to understand the fund administration mechanisms of the Student Investment Account.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State’s Oregon Administrative Rule website linked here.](#)

Rule Number:

581-014-0007

Rule Title:

Charter School Eligibility for Student Investment Account

Did the rule achieve its intended effect?

Yes. This rule clarifies charter school eligibility for the Student Investment Account.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact for this rule was accurately estimated. Although there are slight shifts in the eligibility of public charters each biennium, it has not resulted in changes to the estimated fiscal impact.

Has there been changes in the law that require the rule be amended or repealed?

This rule was amended in 2020 and 2023. No further updates are expected at this time.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. This rule informs charter schools in Oregon on which schools are eligible for the Student Investment Account.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State’s Oregon Administrative Rule website linked here.](#)

FILING CAPTION: School Safety and Prevention System

ADOPT: 581-029-0001

Rule Number:

581-029-0001

Rule Title:

School Safety and Prevention System

Did the rule achieve its intended effect?

No. The OAR includes definitions of new terms within the OAR that apply to the School Safety and Prevention System (the System) but does not include specific language to the components and areas of work within System.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact of this rule was underestimated. Shortly after implementation of the program in 2020, it was determined by the ODE Safe and Inclusive Schools team and the School Safety and Prevention Specialists who were hired through the program funding, the need for school safety, school violence prevention, and youth suicide prevention was greater than could be accommodated/supported. Currently, the program is still working to meet the school safety needs throughout the state with current funding for the School Safety and Prevention Specialists.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed. A statute minor correction was filed in 2021.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. There are requirements in statute relating to school safety, and this rule names definitions and requirements for schools to reference.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Student Success Act School Nutrition Rules

ADOPT: 581-051-0600, 581-051-0605, 581-051-0610, 581-051-0615

Rule Number:

581-051-0600

Rule Title:

Breakfast After the Bell Requirement and Exemption Process

Did the rule achieve its intended effect?

Yes. This rule was part of the implementation process of HB 3427 (2019) and names definitions and requirements relating to a Breakfast-After-the-Bell requirements.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact was neither over or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

The rule was amended in 2022. The amendment updates what data is to be used in the determination for which school districts are required to provide breakfast after the beginning of the school day.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. The Breakfast-After-the-Bell program is still in operation and school districts need to continue to refer to this rule.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-051-0605

Rule Title:

Breakfast After the Bell Equipment Grant

Did the rule achieve its intended effect?

Yes. This rule establishes the grant program for Breakfast-After-the-Bell as part of the bill implementation for HB 3427 (2019).

Was the fiscal impact of the rule overestimated or underestimated?

The overall impact of the number of required sites, equipment needs and cost associated with those needs were underestimated in the statute. The minimal grant received fails to outweigh the effort and time required from grantees through the grant process.

Has there been changes in the law that require the rule be amended or repealed?

There has not been a change in law that requires the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. The grant program for Breakfast-After-the-Bell continues to be in effect. Therefore, school districts need to continue to refer to this rule.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-051-0610

Rule Title:

Community Eligibility Provision Incentive Reimbursement Program

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact was neither over or underestimated. The variability of participation in the program at the sponsor and student level makes estimation difficult; however, thus far estimates have maintained the program.

Has there been changes in the law that require the rule be amended or repealed?

This rule was amended in 2023 and 2024. In both instances, the rule was updated to reflect the federal rate of reimbursement.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. This rule is needed for school districts to refer to state and federal requirements relating to the Community Eligibility Provision Incentive Reimbursement Program.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-051-0615

Rule Title:

Expanded Income Eligibility Group Reimbursement Program

Did the rule achieve its intended effect?

Yes. This rule established the requirements relating to the Expanded Income Eligibility Group Reimbursement Program. This rule is part of the bill implementation of HB 3427 (2019) and HB 2536 (2022).

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact was neither over or underestimated. The variability of participation in the program at the sponsor and student level makes estimation difficult; however, thus far estimates have maintained the program.

Has there been changes in the law that require the rule be amended or repealed?

This rule was amended in 2022. The amendment updated what data is to be used in the determination for which school districts are required to provide breakfast after the beginning of the school day.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. As the Breakfast-After-the-Bell requirements are in effect, exemption processes need to be named as circumstances arise requiring an exemption process.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Suicide Prevention Plan

ADOPT: 581-022-2510

Rule Number:

581-022-2510

Rule Title:

Suicide Prevention Plan

Did the rule achieve its intended effect?

Yes. This rule was part of the bill implementation of SB 52 (2019). SB 52 requires school districts to adopt a comprehensive plan on student suicide prevention for students in grades K-12.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact of this rule was estimated accurately. The fiscal impact from this rule created the administrative tasks for school districts to spend labor hours creating a Youth Suicide Prevention Plan and to post that plan for public access.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

No, this rule has no impact on small businesses.

Is there continued need for the rule?

Yes. SB 52 continues to require school districts to create and implement a Youth Suicide Prevention Plan.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: YDD Reengagement Rules

ADOPT: 581-017-0651, 581-017-0653, 581-017-0655

Rule Number:

581-017-0651

Rule Title:

Reengagement Grants: Definitions

Did the rule achieve its intended effect?

Yes. This rule establishes the definitions for the Reengagement Grant program implemented by the Youth Development Division (YDD).

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions relating to a grant.

Has there been changes in the law that require the rule be amended or repealed?

There are no changes in law requiring these rules to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule may have an impact on small businesses that may be eligible to participate in the YDD reengagement program.

Is there continued need for the rule?

Yes. This rule establishes the definitions for the Youth Development Division reengagement grant program.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0653

Rule Title:

Reengagement Grants: Fund and Grant Administration

Did the rule achieve its intended effect?

Yes. The purpose of the rule names the requirements relating to the grant administration for the reengagement grants.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact for this rule was neither overestimated or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

For small businesses that apply and receive reengagement grants, this rule would impact that small business by informing their understanding on how the reengagement grants are funded and administered.

Is there continued need for the rule?

This rule is still needed.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0655

Rule Title:

Reengagement Grants: Funding Criteria

Did the rule achieve its intended effect?

Yes. This rule establishes the funding criteria for the Youth Development Division (YDD) funding criteria.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact for this rule was neither overestimated or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

For small businesses that apply and receive reengagement grants, this rule would impact that small business by informing their understanding on how the reengagement grants are funded and administered.

Is there continued need for the rule?

This rule is still needed.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Competitive Oregon Farm-to-School Program Technical Assistant Grants

ADOPT: 581-017-0448

Rule Number:

581-017-0448

Rule Title:

Competitive Oregon Farm-to-School Program Technical Assistance Grants

Did the rule achieve its intended effect?

This rule was repealed as of November 15, 2023.

FILING CAPTION: Grants to Support English Language Learners

ADOPT: 581-020-0600, 581-020-0601, 581-020-0606, 581-020-0626

Rule Number:

581-020-0600

Rule Title:

Definitions

Did the rule achieve its intended effect?

Yes. This rule establishes the definitions for a grant program to support English Language Learners, established by ORS 327.344.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions relating to a grant.

Has there been changes in the law that require the rule be amended or repealed?

There is not a change in law that requires the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule does not have an impact on small businesses.

Is there continued need for the rule?

Yes. This grant is still in effect and therefore needs definitions established.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-020-0601

Rule Title:

Statewide English Language Learner Program Account

Did the rule achieve its intended effect?

Yes. This rule clarifies the use of a Statewide English Language Learner Program Account.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact for this rule was neither overestimated or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not an impact on small businesses.

Is there continued need for the rule?

Yes. This rule is needed to clarify how the Statewide English Language Learner Program Account may be used.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-020-0606

Rule Title:

ELL District and School Improvement: District Eligibility and Selection

Did the rule achieve its intended effect?

Yes. This rule establishes the eligibility and selection process for school districts to receive a English Language Learner grant.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact for this rule was neither overestimated or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule does not have an impact on small businesses.

Is there continued need for the rule?

Yes. This grant is still in effect. This rule helps districts understand how to become eligible for this grant, and, how selection for grant distribution is made.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-020-0626

Rule Title:

Statewide English Learner Plan Grants and Investments

Did the rule achieve its intended effect?

Yes. This rule clarifies that the Oregon Department of Education (ODE) may award grants and make other investments to implement the Statewide English Learner Plan.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact for this rule was neither overestimated or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not an impact on small businesses.

Is there continued need for the rule?

Yes. This rule not only clarifies ODE's grant authority, but also requires ODE to notify stakeholders to request process and due dates for guidelines and application forms.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Accelerated College Credit Instructor Grant Program

ADOPT: 581-017-0640, 581-017-0642, 581-017-0644, 581-017-0646, 581-017-0648, 581-017-0650

Rule Number:

581-017-0640

Rule Title:

Accelerated College Credit Instructor Grant Program: Definitions

Did the rule achieve its intended effect?

This rule was repealed on February 13, 2025. A new rule relating to the definitions for the Accelerated College Credit Instructor Grant Program has been filed as [OAR 581-017-0935](#).

Rule Number:

581-017-0642

Rule Title:

Accelerated College Credit Instructor Grant Program: Eligibility

Did the rule achieve its intended effect?

This rule was repealed on February 13, 2025. A new rule relating to the eligibility for the Accelerated College Credit Instructor Grant Program has been filed as [OAR 581-017-0945](#).

Rule Number:

581-017-0644

Rule Title:

Accelerated College Credit Instructor Grant Program: Purpose

Did the rule achieve its intended effect?

This rule was repealed on February 13, 2025, as rules relating to the Accelerated College Credit Grant program from 2020 were repealed, and new iterations of similar rules were created in

April 2025 for greater program clarity. Please visit OARs 581-017-0935 through 0950 for more information.

Rule Number:

581-017-0646

Rule Title:

Accelerated College Credit Instructor Grant Program: Criteria

Did the rule achieve its intended effect?

This rule was repealed on February 13, 2025, as rules relating to the Accelerated College Credit Grant program from 2020 were repealed, and new iterations of similar rules were created in April 2025 for greater program clarity. Please visit OARs 581-017-0935 through 0950 for more information.

Rule Number:

581-017-0648

Rule Title:

Accelerated College Credit Instructor Grant Program: Funding

Did the rule achieve its intended effect?

This rule was repealed on February 13, 2025, as rules relating to the Accelerated College Credit Grant program from 2020 were repealed, and new iterations of similar rules were created in April 2025 for greater program clarity. Please visit OARs 581-017-0935 through 0950 for more information.

Rule Number:

581-017-0650

Rule Title:

Accelerated College Credit Instructor Grant Program: Funding

Did the rule achieve its intended effect?

This rule was repealed on February 13, 2025, as rules relating to the Accelerated College Credit Grant program from 2020 were repealed, and new iterations of similar rules were created in April 2025 for greater program clarity. Please visit OARs 581-017-0935 through 0950 for more information.

FILING CAPTION: Registration of Private Alternative Programs/Schools

ADOPT: 581-021-0072

Rule Number:

581-021-0072

Rule Title:

Registration of Private Alternative Programs/Schools

Did the rule achieve its intended effect?

Yes. ORS 336.625 directs the State Board of Education to adopt a process for registering private alternative education programs including requirements and laws applicable to private alternative education programs.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact for this rule was neither overestimated or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

There is not a change in law that requires the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses impacted are smaller private schools or small businesses that operate private alternative programs.

Is there continued need for the rule?

Yes. ORS 336.625 is still on file, which is the statute authority of this rule. This rule provides clarity on registration and the renewal process for registration. This rule also clarifies which rules and statutes relating to education that impacts private schools and programs.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Early Indicator and Intervention System

ADOPT: 581-017-0660, 581-017-0663, 581-017-0666, 581-017-0669, 581-017-0672

Rule Number:

581-017-0660

Rule Title:

Early Indicator and Intervention System: Definitions

Did the rule achieve its intended effect?

Yes. This rule establishes the definitions for the Early Indicator and Intervention System in association with ORS 327.367, which includes a grant program.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions relating to a grant.

Has there been changes in the law that require the rule be amended or repealed?

This rule will be amended in 2026 as part of bill implementation for HB 3037 (2025).

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule does not have an impact on small businesses.

Is there continued need for the rule?

Yes. This grant is still in effect and therefore needs definitions established.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0663

Rule Title:

Early Indicator and Intervention System: Eligibility

Did the rule achieve its intended effect?

Yes. This rule clarifies that school districts, public charter schools, consortia of school districts and public charter schools are eligible to receive the Early Indicator and Intervention System Grant.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact for this rule, as it names grant eligibility.

Has there been changes in the law that require the rule be amended or repealed?

This rule will be amended in 2026 as part of bill implementation for HB 3037 (2025).

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not an impact on small businesses.

Is there continued need for the rule?

Yes. This rule is needed to clarify eligibility for the Early Indicator and Intervention System Grant.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0666

Rule Title:

Early Indicator and Intervention System: Criteria

Did the rule achieve its intended effect?

Yes. This rule clarifies the process for eligible grant recipients to request the Early Indicator and Intervention Grant each biennium for which grant funds are available. This rule also names what an Early Indicator and Intervention System may include.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact of this rule was estimated accurately, as the fiscal impact indicates that grant recipients will have the administrative procedure to prepare a grant request to the ODE.

Has there been changes in the law that require the rule be amended or repealed?

This rule will be amended in 2026 as part of bill implementation for HB 3037 (2025).

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule does not have an impact on small businesses.

Is there continued need for the rule?

Yes. This rule clarifies what grant recipients can expect from the Oregon Department of Education (ODE) in running the Early Indicator and Intervention Grant.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0669

Rule Title:

Early Indicator and Intervention System: Funding

Did the rule achieve its intended effect?

Yes. This rule clarifies that the Oregon Department of Education (ODE) determines grant amounts, and, establishes a grant formula for eligible grant recipients.

Was the fiscal impact of the rule overestimated or underestimated?

This rule restates statute, which establishes a limitation of \$3 per Regular Average Daily Membership (ADMr) to the Early Indicator and Intervention Systems (EIS) Grant in Aid allocations to districts. This limitation did not allow ODE to fully expend all EIS grant funds named in the Legislatively Approved Budget. Therefore, this rule underestimated the fiscal benefit of the EIS grant.

Has there been changes in the law that require the rule be amended or repealed?

This rule will be amended in 2026 as part of bill implementation for HB 3037 (2025) to address the issue described above.

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not an impact on small businesses.

Is there continued need for the rule?

Yes. This rule helps grant recipients how often the ODE will determine funds for grant recipients, and what the grant funding formula is.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0672

Rule Title:

Early Indicator and Intervention System: Reporting

Did the rule achieve its intended effect?

Yes. This rule clarifies that grant recipients need to report on the grant as informed by the Oregon Department of Education (ODE).

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact of this rule was estimated accurately, as the fiscal impact indicates that grant recipients will have the administrative procedure to report to the ODE on use of the grant.

Has there been changes in the law that require the rule be amended or repealed?

This rule will be amended in 2026 as part of bill implementation for HB 3037 (2025).

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not an impact on small businesses.

Is there continued need for the rule?

Yes. This rule clarifies that grant recipients need to report on the grant as informed by the ODE.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Sexual Conduct Investigations and Abuse Notifications

ADOPT: 581-055-0001, 581-055-0004, 581-055-0007, 581-055-0011, 581-055-0014, 581-055-0017

Rule Number:

581-055-0001

Rule Title:

Sexual Conduct Investigations and Abuse Notifications: Definitions

Did the rule achieve its intended effect?

Yes. This rule establishes the definitions for sexual conduct investigations and abuse of minors in schools. This rule is in association with ORS 339.391.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions relating to a grant.

Have there been changes in the law that require the rule be amended or repealed?

Yes, this rule will be amended in 2026. Amending the rule is necessary due to statutory changes to key terms that occurred during the 2021 session (SB 242: “sexual conduct”), 2024 session (HB 4160: “student”), and 2025 session (SB 867: “education provider”).

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule does not have an impact on small businesses.

Is there continued need for the rule?

Yes. This rule is needed to implement ORS 339.391. Establishing definitions relating to sexual conduct and abuse of minors are needed in order to clarify and assist the investigation process as the need arises.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State’s Oregon Administrative Rule website linked here.](#)

Rule Number:

581-055-0004

Rule Title:

Sexual Conduct Investigations by the Department of Education

Did the rule achieve its intended effect?

Yes. This rule clarifies the Oregon Department of Education (ODE)’s role in sexual conduct investigations that are conducted by the ODE.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule

Have there been changes in the law that require the rule be amended or repealed?

No. However, this rule will be amended in 2026 to streamline ODE's procedures regarding sexual conduct investigations.

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not a small business impact.

Is there continued need for the rule?

Yes. This rule is needed to clarify ODE involvement and handling of sexual conduct investigations.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-055-0007

Rule Title:

Sexual Conduct Final Reports by the Department of Education

Did the rule achieve its intended effect?

Yes. This rule clarifies what Oregonians may expect from the Oregon Department of Education (ODE) when completing final reports relating to sexual conduct.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule.

Have there been changes in the law that require the rule be amended or repealed?

Yes, this rule will be amended in 2026. Amending the rule is necessary due to statutory changes to ORS 339.391 that occurred during the 2021 session (SB 51: notifications to legal guardians

and regulatory boards), 2023 session (SB 215: notifications to both parents and legal guardians), and 2025 session (SB 867: notifications to reporters).

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not a small business impact.

Is there continued need for the rule?

Yes. This rule clarifies what would be in a final report relating to sexual conduct.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-055-0011

Rule Title:

Appeal of Matters Asserted

Did the rule achieve its intended effect?

Yes. This rule clarifies that the Oregon Department of Education (ODE) shall send notice of a right to appeal from a final order relating to sexual conduct.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule.

Have there been changes in the law that require the rule be amended or repealed?

No. However, this rule will be amended in 2026 to streamline ODE's procedures regarding sexual conduct investigations.

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not a small business impact.

Is there continued need for the rule?

Yes. This rule clarifies that final orders may be appealed and that the ODE must name the right to appeal as well as the procedure.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-055-0014

Rule Title:

Confidentiality of Documents, Materials, and Reports

Did the rule achieve its intended effect?

Yes. This rule clarifies that documents and materials relating to sexual conduct investigations are classified, and names exceptions to classifications.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule.

Has there been changes in the law that require the rule be amended or repealed?

Yes, this rule will be amended in 2026. Amending the rule is necessary due to statutory changes to ORS 339.391 that occurred during the 2021 session (SB 51: 75-year retention period) and 2023 session (SB 218: record sharing with TSPC).

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not an impact on small businesses.

Is there continued need for the rule?

Yes. Statute names that documents, materials, and reports are confidential with exceptions, and this rule clarifies what is redacted and which situations may arise where confidentiality is lifted.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-055-0017

Rule Title:

Notice of Abuse from the Department of Human Services

Did the rule achieve its intended effect?

Yes. This rule clarifies procedures following the Oregon Department of Education (ODE) receiving notice from the Oregon Department of Human Services (ODHS) of a report of suspected abuse pursuant to ORS 419B.019.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule.

Has there been changes in the law that require the rule be amended or repealed?

Yes, this rule will be repealed in 2026. During the 2021 session, SB 51 was passed, which modified ODE's reporting obligations to education providers regarding ODHS abuse notifications under ORS 339.391. Under SB 155 (2019), ODE was obligated to notify education providers of ODHS abuse reports that ODE received. Under SB 51 (2021), ODE's notification obligation was no longer mandatory, but permissive. ODHS subsequently modified its procedures to directly notify education providers of ODHS abuse reports, so there is no longer a need for ODE to facilitate notifications between ODHS and education providers.

Has this rule had an impact on small businesses? If so, what were the impacts?

There is not an impact on small businesses.

Is there continued need for the rule?

No, this rule will be repealed in 2026.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Competitive Oregon Farm-to-School Program Procurement Grant

ADOPT: 581-017-0711, 581-017-0714, 581-017-0717, 581-017-0720, 581-017-0723, 581-017-0726

Rule Number:

581-017-0711

Rule Title:

Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: Definitions

Did the rule achieve its intended effect?

Yes. This rule establishes the definitions for the Competitive Oregon Farm-to-School Grant.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions relating to a grant.

Has there been changes in the law that require the rule be amended or repealed?

This rule was updated in 2022. There are no further changes in law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule may be referred to by small businesses that could be recipients of the Competitive Oregon Farm-to-School Grant.

Is there continued need for the rule?

Yes. This rule is needed to implement ORS 336.431. Establishing definitions relating to grants is important for alignment for grant terms.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0714

Rule Title:

Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: Establishment

Did the rule achieve its intended effect?

Yes. This rule clarifies the purpose of the Competitive Oregon Farm-to-School Grant.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact was neither over or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

This rule was updated in 2022. There are no further changes in law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule may be referred to by small businesses that could be recipients of the Competitive Oregon Farm-to-School Grant.

Is there continued need for the rule?

Yes. This rule is needed to implement ORS 336.431. This rule specifies the need for foods produced in relation to this grant must be produced in the State of Oregon.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0717

Rule Title:

Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: Eligibility

Did the rule achieve its intended effect?

Yes. This rule clarifies the eligibility process to receive an Oregon Farm-to-School Grant.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact was neither over or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

This rule was updated in 2022. There are no further changes in law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule may be referred to by small businesses that could be recipients of the Competitive Oregon Farm-to-School Grant.

Is there continued need for the rule?

Yes. This rule helps Oregonians understand what they need to do to qualify to be recipient of the Oregon Farm-to-School Grant.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0720

Rule Title:

Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: Criteria

Did the rule achieve its intended effect?

Yes. This rule charges the Oregon Department of Education (ODE) to establish a request for applications (RFA) solicitation and approval process that's conducted per biennium, for the Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact was neither over or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

This rule was updated in 2022. There are no further changes in law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule may be referred to by small businesses that could be recipients of the Competitive Oregon Farm-to-School Grant.

Is there continued need for the rule?

Yes. This grant is still in practice, therefore Oregonians interested to participate in the RFA process will understand the criteria and process that occurs each biennium to pursue this grant.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0723

Rule Title:

Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: Funding

Did the rule achieve its intended effect?

Yes. This rule intended to explain what the funding for the grant may pay for, as well as what it cannot pay for. This rule also explains other mechanisms and purposes of the grant funds.

Was the fiscal impact of the rule overestimated or underestimated?

Fiscal impact was neither over or underestimated for this rule.

Has there been changes in the law that require the rule be amended or repealed?

This rule was updated in 2022. There are no further changes in law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Fiscal impact was neither over or underestimated for this rule.

Is there continued need for the rule?

Yes. This rule helps grant recipients understand allowable and unallowable uses of the grant.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0726

Rule Title:

Competitive Oregon Farm-to-School Program Procurement Grant for Reimbursement of Oregon Foods: Reporting

Did the rule achieve its intended effect?

Yes. The Oregon Department of Education (ODE) is required to publish performance measures for recipients of the grant, and is responsible to provide grant recipients with templates for interim and final grant reports.

Was the fiscal impact of the rule overestimated or underestimated?

Fiscal impact was neither over or underestimated for this rule.

Has there been changes in the law that require the rule be amended or repealed?

This rule was updated in 2022. There are no further changes in law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

This rule may be referred to by small businesses that could be recipients of the Competitive Oregon Farm-to-School Grant.

Is there continued need for the rule?

Yes. This rule helps grant recipients understand that ODE will publish information based on the responses from their reports, and, it helps grant recipients understand that they will receive templates to complete their reports.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Waiver

ADOPT: 581-053-0012

Rule Number:

581-053-0012

Rule Title:

Waiver

Did the rule achieve its intended effect?

Yes. This rule allowed an extension of waived requirements to allow for driver programs facing the hardships to extend the validity of ODE-issued credentials that expire during the declared state of emergency and school closure. The impacts of the COVID-19 disease on commercial driver programs associated with schools, including those employing school bus drivers and school activity vehicles, include excessive difficulty in satisfying the requirements for ODE-issued credentials

Was the fiscal impact of the rule overestimated or underestimated?

No significant fiscal impact had been identified related to this proposal. In a similar vein to the decision to continue to pay school district employees during the school closure, this proposal allowed transportation operations that districts depend upon to function while they recover from the difficulties of the pandemic. Such a concession allowed an overall reduction of cost to the State School Fund, as it is more expensive and difficult to recruit new employees than it is to retain and develop the employees that exist.

Has there been changes in the law that require the rule be amended or repealed?

This rule should be repealed as January 31, 2021, has passed, which was the date listed for the end of the enforceability of this rule.

Has this rule had an impact on small businesses? If so, what were the impacts?

Contracted school bus services are paid as eligible expenses by school districts, and due to some confusion on this matter, some companies lost contracts or laid off employees unnecessarily. At this time, most contracted providers appear to have an ordinary level of staffing and recruitment.

Is there continued need for the rule?

There is no need for this rule to continue to be on file and ODE will work to repeal this rule.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Latino/a/x and Indigenous Student Success Plan Grant Program

ADOPT: 581-017-0693, 581-017-0696, 581-017-0699, 581-017-0702, 581-017-0705, 581-017-0708

Rule Number:

581-017-0693

Rule Title:

Latino/a/x and Indigenous* Student Success Plan Grant Program: Definitions

(*Indigenous Mexican, Central American, South American, Caribbean)

Did the rule achieve its intended effect?

Yes. This rule establishes the definitions for the Latino/a/x and Indigenous* Student Success Plan Grant Program.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions relating to a grant.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses that have received grant funds need to spend these funds as per the Latino/a/x and Indigenous* Student Success Plan as well as the SSP Grant Guidance.

Is there continued need for the rule?

Yes. This rule is needed to implement ORS 329.845. Establishing definitions relating to grants is important for alignment for grant terms.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0696

Rule Title:

Latino/a/x and Indigenous* Student Success Plan Grant Program: Establishment

(*Indigenous Mexican, Central American, South American, Caribbean)

Did the rule achieve its intended effect?

Yes. This rule clarifies the eligibility process to receive a Latino/a/x and Indigenous* Student Success Plan Grant.

Was the fiscal impact of the rule overestimated or underestimated?

If an organization receives Latino/a/x and Indigenous* Student Success Plan grant funds, then that organization must address the criteria from this rule. The fiscal impact of the rule was underestimated as in Oregon for the 2024-25 school year, the number of Hispanic/Latino students in Oregon grew by 2.17% from the previous year to 141,114. This number comprised 26.4% of the statewide student population and includes 49,543 Hispanic/Latino students who are Current English Learners.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses that have received grant funds need to spend these funds as per the Latino/a/x and Indigenous* Student Success Plan as well as the SSP Grant Guidance.

Is there continued need for the rule?

Yes. This rule makes the establishment of the Latino/a/x and Indigenous* Student Success Plan Grant Program and its purpose clear.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State’s Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0699

Rule Title:

Latino/a/x and Indigenous* Student Success Plan Grant Program: Eligibility
(*Indigenous Mexican, Central American, South American, Caribbean)

Did the rule achieve its intended effect?

Yes. This rule clarifies the eligibility process to receive a Latino/a/x and Indigenous* Student Success Plan Grant.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions relating to a grant.

Has there been changes in the law that require the rule be amended or repealed?

This rule was updated in 2022 for greater program clarity. There have not been additional changes in the law that require the rule be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses that have received grant funds need to spend these funds as per the Latino/a/x and Indigenous* Student Success Plan as well as the SSP Grant Guidance.

Is there continued need for the rule?

Yes. This rule helps Oregonians understand what they need to do to qualify to be recipient of the Latino/a/x and Indigenous* Student Success Plan Grant.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0702

Rule Title:

Latino/a/x and Indigenous* Student Success Plan Grant Program: Criteria

(*Indigenous Mexican, Central American, South American, Caribbean)

Did the rule achieve its intended effect?

Yes. This rule charges the Oregon Department of Education (ODE) award grants to eligible entities, and names what the criterion of awarding are.

Was the fiscal impact of the rule overestimated or underestimated?

If an organization receives Latino/a/x and Indigenous* Student Success Plan grant funds, then that organization must address the criteria from this rule. The fiscal impact of the rule was underestimated as in Oregon for the 2024-25 school year, the number of Hispanic/Latino students in Oregon grew by 2.17% from the previous year to 141,114. This number comprised 26.4% of the statewide student population and includes 49,543 Hispanic/Latino students who are Current English Learners.

Has there been changes in the law that require the rule be amended or repealed?

There have not been additional changes in the law that require the rule be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses that have received grant funds need to spend these funds as per the Latino/a/x and Indigenous* Student Success Plan as well as the SSP Grant Guidance.

Is there continued need for the rule?

Yes. This grant is still in practice and therefore this rule is still needed to inform the public what the criterion of becoming a grant recipient entails.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0705

Rule Title:

Latino/a/x and Indigenous* Student Success Plan Grant Program: Funding

(*Indigenous Mexican, Central American, South American, Caribbean)

Did the rule achieve its intended effect?

Yes. This rule clarifies the disbursement process of the Latino/a/x and Indigenous* Student Success Plan Grant Program.

Was the fiscal impact of the rule overestimated or underestimated?

If an organization receives Latino/a/x and Indigenous* Student Success Plan grant funds, then that organization must address the criteria from this rule. The fiscal impact of the rule was underestimated as in Oregon for the 2024-25 school year, the number of Hispanic/Latino students in Oregon grew by 2.17% from the previous year to 141,114. This number comprised 26.4% of the statewide student population and includes 49,543 Hispanic/Latino students who are Current English Learners.

Has there been changes in the law that require the rule be amended or repealed?

The rule was updated in 2022 for improved grant program clarity. There have not been additional changes in the law that require the rule be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Grantees that are small businesses and have received grant funds need to spend these funds as per the Latino/a/x and Indigenous* Student Success Plan as well as the SSP Grant Guidance.

Is there continued need for the rule?

Yes. This grant is still in practice and therefore this rule is still needed to inform the public how the grant funding is applied.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State’s Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0708

Rule Title:

Latino/a/x and Indigenous* Student Success Plan Grant Program: Reporting

(*Indigenous Mexican, Central American, South American, Caribbean)

Did the rule achieve its intended effect?

Yes. The Oregon Department of Education (ODE) is charged to collect reporting on use of the grant funds from grant recipients, therefore, charges grant recipients to provide reports.

Was the fiscal impact of the rule overestimated or underestimated?

If an organization receives Latino/a/x and Indigenous* Student Success Plan grant funds, then that organization must address the criteria from this rule. The fiscal impact of the rule was underestimated as in Oregon for the 2024-25 school year, the number of Hispanic/Latino students in Oregon grew by 2.17% from the previous year to 141,114. This number comprised 26.4% of the statewide student population and includes 49,543 Hispanic/Latino students who are Current English Learners.

Has there been changes in the law that require the rule be amended or repealed?

The rule was updated in 2022 for improved grant program clarity. There have not been additional changes in the law that require the rule be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Grantees that are small businesses and have received grant funds need to spend these funds as per the Latino/a/x and Indigenous* Student Success Plan as well as the SSP Grant Guidance.

Is there continued need for the rule?

Yes. This grant is still in practice and therefore this rule is still needed to inform the public how the grant funding is applied.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: Student Absences

ADOPT: 581-021-0081

Rule Number:

581-021-0081

Rule Title:

Student Absences

Did the rule achieve its intended effect?

Yes. ORS 339.065 directs school administrators to track and monitor student absences. This rules establish the policy for absence documentation, absence recording, and the school response to a student absence.

Was the fiscal impact of the rule overestimated or underestimated?

The fiscal impact for this rule was neither overestimated or underestimated.

Has there been changes in the law that require the rule be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

There has not been an impact on small businesses.

Is there continued need for the rule?

Yes. This rule references several statutes in relation to student absences and names requirements relating to student absences.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

FILING CAPTION: American Indian/Alaska Native Student Success Plan Grant Program

ADOPT: 581-017-0675, 581-017-0678, 581-017-0681, 581-017-0684, 581-017-0687, 581-017-0690

Rule Number:

581-017-0675

Rule Title:

American Indian/Alaska Native Student Success Plan Grant Program: Definitions

Did the rule achieve its intended effect?

Yes. This rule establishes the definitions for the American Indian/Alaska Native Student Success Plan Grant Program.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions relating to a grant.

Have there been changes in the law that require the rule to be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses (in addition to Tribes, community organizations, and other partners) receiving grant funds may be impacted. This impact is positive as this rule involves grants.

Is there continued need for the rule?

Yes. This rule is needed to implement ORS 329.843. Establishing definitions relating to grants is important for alignment of grant terms.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0678

Rule Title:

American Indian/Alaska Native Student Success Plan Grant Program: Establishment

Did the rule achieve its intended effect?

Yes. This rule clarifies the purpose of the American Indian/Alaska Native Student Success Plan Grant Program.

Was the fiscal impact of the rule overestimated or underestimated?

If an organization receives American Indian/Alaska Native (AI/AN) Student Success Plan grant funding, then that organization must address the criteria from this rule. The fiscal impact of the rule was underestimated as we have expanded the recognition of AI/AN students to include AI/AN+, meaning a self/family identified Native student with more than one cultural affiliation. AI/AN student groups make up smaller proportions of total student enrollment (1.1% or 6,150 statewide) compared to the AI/AN Inclusive expanded student groups (7.48% statewide, 40,943 students). The impact of the OIE grants is falling short by 34,793 students with the current funding.

Have there been changes in the law that require the rule to be amended or repealed?

There have not been changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses (in addition to Tribes, community organizations, and other partners) receiving grant funds may be impacted. This impact is positive as this rule involves grants.

Is there continued need for the rule?

Yes. This rule makes the establishment of the American Indian/Alaska Native Student Success Plan Grant Program and its purpose clear.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0681

Rule Title:

American Indian/Alaska Native Student Success Plan Grant Program: Eligibility

Did the rule achieve its intended effect?

Yes. This rule clarifies the eligibility process to receive an American Indian/Alaska Native Student Success Plan Grant.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes eligibility relating to a grant.

Have there been changes in the law that require the rule to be amended or repealed?

This rule was updated in 2022 for greater program clarity. There have not been additional changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses (in addition to Tribes, community organizations, and other partners) receiving grant funds may be impacted. This impact is positive as this rule involves grants.

Is there continued need for the rule?

Yes. This rule helps Oregonians understand what they need to do to qualify to be recipient of the American Indian/Alaska Native Student Success Plan Grant.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0684

Rule Title:

American Indian/Alaska Native Student Success Plan Grant Program: Criteria

Did the rule achieve its intended effect?

Yes. This rule charges the Oregon Department of Education (ODE) award grants to eligible entities, and names the criteria of awarding are.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes funding criteria relating to a grant.

Have there been changes in the law that require the rule to be amended or repealed?

There have not been additional changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses (in addition to Tribes, community organizations, and other partners) receiving grant funds may be impacted. This impact is positive as this rule involves grants.

Is there continued need for the rule?

Yes. This grant is still in practice and therefore this rule is still needed to inform the public what the criterion of becoming a grant recipient entail.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0687

Rule Title:

American Indian/Alaska Native Student Success Plan Grant Program: Funding

Did the rule achieve its intended effect?

Yes. This rule clarifies the disbursement process of the American Indian/Alaska Native Student Success Plan Grant Program.

Was the fiscal impact of the rule overestimated or underestimated?

Since the 2013-2014 school year, the AI/AN Graduation Rate has improved from 53% to up to 95% in some areas of Oregon. Additional funding would be helpful to continue the upward trend of persistence and graduation rates. Additionally, AI/AN student groups make up smaller proportions of total student enrollment (1.1% or 6,150 statewide) compared to the AI/AN Inclusive expanded student groups (7.48% statewide, 40,943 students).

The impact of the OIE grants is falling short by 34,793 students based upon the current funding.

Have there been changes in the law that require the rule to be amended or repealed?

The rule was updated in 2021 for improved grant program clarity. There have not been additional changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses (in addition to Tribes, community organizations, and other partners) receiving grant funds may be impacted. This impact is positive as this rule involves grants.

Is there continued need for the rule?

Yes. This grant is still in practice and therefore this rule is still needed to inform the public how the grant funding is applied.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

Rule Number:

581-017-0690

Rule Title:

American Indian/Alaska Native Student Success Plan Grant Program: Reporting

Did the rule achieve its intended effect?

Yes. The Oregon Department of Education (ODE) is charged to collect reporting on use of the grant funds from grant recipients; therefore, charges grant recipients to provide reports.

Was the fiscal impact of the rule overestimated or underestimated?

There is not a fiscal impact associated with this rule, as this rule establishes definitions relating to a grant.

Have there been changes in the law that require the rule to be amended or repealed?

There have not been additional changes in the law that require the rule to be amended or repealed.

Has this rule had an impact on small businesses? If so, what were the impacts?

Small businesses (in addition to Tribes, community organizations, and other partners) receiving grant funds may be impacted. This impact is positive as this rule involves grants.

Is there continued need for the rule?

Yes. This grant is still in practice, and therefore this rule is still needed to inform the public how the grant program outcomes are to be reported.

Rule Link:

[You may find a link to the currently filed rule on the Secretary of State's Oregon Administrative Rule website linked here.](#)

CHAPTER 586: FAIR DISMISSAL APPEALS BOARD

In 2020, the Fair Dismissal Appeals Board adopted 0 administrative rules in Chapter 586.



OREGON HOUSING *and*
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Report to the Secretary of State: Five-Year Rule Review (January 2021 – December 2021)

Report Point of Contact: [Jaci Davis](#), Lead Administrative Rules Coordinator

Submission Date: Jan. 16, 2025

Review of 2021

[ORS 183.405](#) requires all state agencies to make a reporting of all rulemakings that adopted rules in the fifth calendar year prior to date. The purpose of the review is to determine the rules' alignment with original intent, applicability, and anticipated fiscal impact. OHCS strives to make necessary rule amendments as the need arises. The appendices of this report detail the status of those rules.

This report would include all rules adopted by the Oregon Housing and Community Services (OHCS) for the 2021 calendar year. From Jan. 1, 2021, to Dec. 31, 2021, OHCS adopted a total of zero rules and therefore does not have any rules to review in this report. A copy of this report will be available on the OHCS website and can be requested by contacting Jaci Davis at Jaci.Davis@hcs.oregon.gov.



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302
(503) 947-6300
FAX: (503) 947-6330

DATE: January 29, 2026
TO: Oregon Secretary of State
FROM: Roxie Borisch, Rules Coordinator
Oregon Department of Fish and Wildlife
RE: 5-Year Rules Review Report: Review Year: 2020



ORS 183.405 requires state agencies to review a rule not later than five years after adoption. The attached report represents review year January 1, 2020, through December 31, 2020.

The following ten rule reviews are attached:

- 635-055-0036 Golden Eagle
- 635-900-0001 Purpose of the Climate and Ocean Change Policy
- 635-900-0003 Key Assumptions of the Climate and Ocean Change Policy
- 635-900-0005 Goals of the Climate and Ocean Change Policy
- 635-900-0007 Implementation of the Climate and Ocean Change Policy
- 635-900-0010 Statewide Coordination of a Climate and Ocean Change Response
- 635-900-0013 Climate and Ocean Change Key Coordination Projects
- 635-900-0015 Climate and Ocean Change Science Principles
- 635-900-0017 Climate and Ocean Change Key Species and Habitat Management Principles
- 935-900-0020 Climate and Ocean Change Key Operations Principles



OREGON DEPARTMENT OF FISH & WILDLIFE 5-YEAR RULES REVIEW INFORMATION

ORS 183.405

Review Year: January 1, 2020 through December 31, 2020

Submitted: January 30, 2026

Review of New Rules

Agencies must review new rules, with some exceptions, within five years of adoption. ORS 183.405. Although this requirement applies only to new rules, agencies should as a practical matter conduct an on-going review of all administrative rules to ensure that rules remain viable. Agency rules may also require periodic review of all rules.

ORS 183.405 requires agencies to review a rule not later than five years after adopting it. The requirement for review does not apply to:

- Rules already in existence as of January 1, 2006, or for which notice of proposed rule making was delivered to the Secretary of State before January 1, 2006;
- The amendment or repeal of a rule, but does apply to the adoption of new rules;
- Any rules that are required by a court order or settlement or a civil proceeding, ORS 183.405(4);
- Any rules adopting a federal law or rule by reference, ORS 183.405(5)(b);
- Any rules adopted to implement legislatively approved fee changes, ORS 183.405(5)(c); and
- Any rules adopted to correct errors or omissions, ORS 183.405(5)(d).

When an agency reviews a new rule under this provision, the agency must consider five specific factors:

1. Has the rule had its intended effect?
2. Did the agency overestimate or underestimate the rule's fiscal impact?
3. Do subsequent changes in the law require a change in the rule?
4. Does the rule continue to be necessary?
5. What impact does the rule have on small business?

Note: A YES answer to any of the above questions requires an explanation.

See Next Page for Reviews

Staff Review

Division/Rule Number	635-055-0036
Rule Name	Golden Eagle
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action;JSESSIONID_OARD=5pMyOR3cZS6I1i9-PRbIPkEdZStjl8MF-o7aXzpwq44TeJBU9AGC!1679948853?ruleVrsnRsn=267814
Year Adopted	2020
Staff Contact	Martin Nugent

Questions: Note: A YES answer to any of the following questions requires an explanation.

1. Has the rule had its intended effect?
Yes, the rule (OAR 635-055-0036) allows a permitted Oregon resident master falconer to be considered in the annual national allocation procedure to obtain and possess a golden eagle for the purposes of falconry. With limited opportunity qualified falconers are entered into a lottery each year for legal possession of a Golden Eagle. This rule allows qualified Oregon master falconer to participate in the national process.
2. Did the agency overestimate or underestimate the rule's fiscal impact?
No. Costs associated with this process are directly related to expenses incurred by the falconer.
3. Do subsequent changes in the law require a change in the rule?
No, not unless the federal regulations or policies change.
4. Does the rule continue to be necessary?
Yes, as long as the federal opportunity and National Flyway Council's participation continues, and there is interest among Oregon master falconers.
5. What impact does the rule have on small business?
None

Name: Martin J. Nugent, Endangered Species Coordinator
Date: 12/19/25

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director
Date: 1/29/26

Staff Review

Division/Rule Number	635-900-0001
Rule Name	Purpose of the Climate and Ocean Change Policy
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=271568
Year Adopted	2020
Staff Contact	Davia Palmeri

Questions: Note: A YES answer to any of the following questions requires an explanation.

6. Has the rule had its intended effect?
Yes, the rule intended to direct the department to prepare for and respond to the impacts of a changing climate and ocean on fish, wildlife, their habitats and the Departments operations. We can demonstrate myriad successful outcomes under this direction, but there is still a lot of positive outcomes ahead.
7. Did the agency overestimate or underestimate the rule's fiscal impact?
No
8. Do subsequent changes in the law require a change in the rule?
No
9. Does the rule continue to be necessary?
Yes, Oregon's fish, wildlife, their habitats and the Departments infrastructure continue to be negatively impacted by a changing climate and ocean. This rule continues to be needed to ensure the Department is adequately preparing and responding within existing capacity.
10. What impact does the rule have on small business?
It does not.

Name: Davia Palmeri, Strategic Advisor & Federal Policy Director

Date: 12/12/2025

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director

Date: 1/29/26

Staff Review

Division/Rule Number	635-900-0003
Rule Name	Key Assumptions of the Climate and Ocean Change Policy
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=271570
Year Adopted	2020
Staff Contact	Davia Palmeri

Questions: Note: A YES answer to any of the following questions requires an explanation.

1. Has the rule had its intended effect?
Yes, the rule provides the foundation of urgency for the Department to plan for and take action to address the impacts of the changing climate and ocean on fish, wildlife, and their habitats.
2. Did the agency overestimate or underestimate the rule's fiscal impact?
No
3. Do subsequent changes in the law require a change in the rule?
No
4. Does the rule continue to be necessary?
Yes, the rule lays out the observed and expected impacts of the changing climate and ocean, which are much longer term than five years.
5. What impact does the rule have on small business?
None.

Name: Davia Palmeri, Strategic Advisor & Federal Policy Director

Date: 12/12/2025

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director

Date: 1/29/26

Staff Review

Division/Rule Number	635-900-0005
Rule Name	Goals of the Climate and Ocean Change Policy
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=271571
Year Adopted	2020
Staff Contact & Program	Davia Palmeri

Questions: Note: A YES answer to any of the following questions requires an explanation.

1. Has the rule had its intended effect?
Yes, the goals have provided a framework to ensure the departments science and monitoring are informing the risks to fish, wildlife, and their habitats, and providing information about areas to focus limited resources. Additionally, the Department has worked consistently with other agencies to advance coordinated statewide leadership. The recently signed Governor's Executive Order 25-26 makes significant progress towards attaining this goal. The goal has also provided a framework and direction to incorporate information about the changing climate into ODFW outreach. Last, the Department is making progress on reducing its carbon footprint in the operation of its facilities (e.g., addition of solar) and carbon storage on state lands.
2. Did the agency overestimate or underestimate the rule's fiscal impact?
No
3. Do subsequent changes in the law require a change in the rule?
No
4. Does the rule continue to be necessary?
Yes, consideration of the impacts of the changing climate and ocean continues to be necessary and relevant.
5. What impact does the rule have on small business?
None

Name: Davia Palmeri, Strategic Advisor & Federal Policy Director

Date: 12/12/2025

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director

Date: 1/29/26

Staff Review

Division/Rule Number	635-900-0007
Rule Name	Implementation of the Climate and Ocean Change Policy
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=271572
Year Adopted	2020
Staff Contact	Davia Palmeri

Questions: Note: A YES answer to any of the following questions requires an explanation.

1. Has the rule had its intended effect?
Yes, the department has followed the guidance for implementation of the Climate and Ocean Change Policy.
2. Did the agency overestimate or underestimate the rule's fiscal impact?
No
3. Do subsequent changes in the law require a change in the rule?
No
4. Does the rule continue to be necessary?
Yes, implementation of this rule is intended to guide the department's work for the foreseeable future.
5. What impact does the rule have on small business?
None

Name: Davia Palmeri, Strategic Advisor & Federal Policy Director

Date: 12/12/2025

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director

Date: 1/29/26

Staff Review

Division/Rule Number	635-900-0010
Rule Name	Statewide Coordination of a Climate and Ocean Change Response
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=271574
Year Adopted	2020
Staff Contact	Davia Palmeri

Questions: Note: A YES answer to any of the following questions requires an explanation.

1. Has the rule had its intended effect?
Yes, the department has continued to lead across natural resources agencies to prepare for and respond to the impacts of the changing climate and ocean.
2. Did the agency overestimate or underestimate the rule's fiscal impact?
No
3. Do subsequent changes in the law require a change in the rule?
No
4. Does the rule continue to be necessary?
Yes, leadership on climate resilience will be necessary for many generations.
5. What impact does the rule have on small business?
None

Name: Davia Palmeri, Strategic Advisor & Federal Policy Director

Date: 12/12/2025

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director

Date: 1/29/26

Staff Review

Division/Rule Number	635-900-0013
Rule Name	Climate and Ocean Change Key Coordination Projects
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=271577
Year Adopted	2020
Staff Contact	Davia Palmeri

Questions: Note: A YES answer to any of the following questions requires an explanation.

1. Has the rule had its intended effect?
Yes, the department continues to coordinate widely on preparing for and responding to the impacts of the changing climate and ocean.
2. Did the agency overestimate or underestimate the rule's fiscal impact?
No
3. Do subsequent changes in the law require a change in the rule?
No
4. Does the rule continue to be necessary?
Yes, coordination will be a long term need for climate resilience.
5. What impact does the rule have on small business?
None

Name: Davia Palmeri, Strategic Advisor & Federal Policy Director

Date: 12/12/2025

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director

Date: 1/29/26

Staff Review

Division/Rule Number	635-900-0015
Rule Name	Climate and Ocean Change Science Principles
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=271579
Year Adopted	2020
Staff Contact	Davia Palmeri

Questions: Note: A YES answer to any of the following questions requires an explanation.

1. Has the rule had its intended effect?
Yes, the rule has provided direction to ODFW staff on how to design and implement science programs.
2. Did the agency overestimate or underestimate the rule's fiscal impact?
No
3. Do subsequent changes in the law require a change in the rule?
No
4. Does the rule continue to be necessary?
Yes, these principles remain relevant and will be impactful for many years.
5. What impact does the rule have on small business?
None

Name: Davia Palmeri, Strategic Advisor & Federal Policy Director

Date: 12/12/2025

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director

Date: 1/29/26

Staff Review

Division/Rule Number	635-900-0017
Rule Name	Climate and Ocean Change Key Species and Habitat Management Principles
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=271580
Year Adopted	2020
Staff Contact	Davia Palmeri

Questions: Note: A YES answer to any of the following questions requires an explanation.

1. Has the rule had its intended effect?
Yes, the department has followed these principles across the agency and uses these principles to evaluate and prioritize work.
2. Did the agency overestimate or underestimate the rule's fiscal impact?
No
3. Do subsequent changes in the law require a change in the rule?
No
4. Does the rule continue to be necessary?
Yes, these principles will guide the department's work for the foreseeable future.
5. What impact does the rule have on small business?
None

Name: Davia Palmeri, Strategic Advisor & Federal Policy Director

Date: 12/12/2025

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director

Date: 1/29/26

Staff Review

Division/Rule Number	635-900-0020
Rule Name	Climate and Ocean Change Key Operations Principles
Link to Rule	https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=271581
Year Adopted	2020
Staff Contact	Davia Palmeri

Questions: Note: A YES answer to any of the following questions requires an explanation.

1. Has the rule had its intended effect?
Yes, the department has pursued multiple new facilities that meet the demands of these principles and developed a comprehensive hatchery resilience analysis to understand the long-term sustainability of hatchery operations.
2. Did the agency overestimate or underestimate the rule's fiscal impact?
No
3. Do subsequent changes in the law require a change in the rule?
No
4. Does the rule continue to be necessary?
Yes, it remains relevant to continue pursuing reduced greenhouse gas emissions.
5. What impact does the rule have on small business?
None

Name: Davia Palmeri, Strategic Advisor & Federal Policy Director

Date: 12/12/2025

DIRECTOR'S OFFICE REVIEW:

Name: Shaun Clements, ODFW Deputy Director

Date: 1/29/26

OSBN Board Rule Activities Report

Administrative Rules Review – Jan. 2021 through Dec. 2021
 (pursuant to ORS 183.405-review not later than five years after adoption of rule)

OAR NUMBER	ADOPTED DATE	REVIEW	DATE OF RULE REVIEW	DESCRIPTION – REASON/NEED FOR RULE
851-001-0009	08/01/2021 BN 15-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	The adoption is to move civil penalty rules from the RN practice rules to OAR 851-001 for clarity and compliance with statutory language authorizing civil penalty levy according to a schedule.
851-001-0122	08/01/2021 BN 15-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	The adoption is to align criminal background check processes with statutory language, DAS policy, and on advice from AAG based upon current case law and "nexus to nursing."
851-001-0150	01/01/2021 BN 4-2020	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Made temporary rules permanent. Adoption of administrative rule is to assure compliance with the Governor's Executive Order 20-03 to describe possible disciplinary actions for violation of the Governor's declared emergency.
851-021-0018	01/01/2021 BN 7-2020	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	Revisions to rules regarding Nursing Education Program Standards for Licensure as Practical or Registered Nurses. The adoption of this section adds NCLEX® standards and relocation from OAR 851-021-0025. The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 7/1/25. Content was relocated to OAR 851-021-0070.
851-021-0080	01/01/2021 BN 7-2020	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	Revisions to rules regarding Nursing Education Program Standards for Licensure as Practical or Registered Nurses. Adoption of rule creates standards for Re-Entry Programs

				The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 7/1/25.
851-031-0001	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules.
851-031-0015	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input checked="" type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules. The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 1/1/26.
851-031-0021	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input checked="" type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules. The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 1/1/26.
851-031-0026	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input checked="" type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules. The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 1/1/26.
851-031-0027	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input checked="" type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules. The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 1/1/26.
851-031-0032	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules. The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 1/1/26.

851-031-0039	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules.
851-031-0048	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules.
851-031-0051	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules.
851-031-0055	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules
851-031-0061	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Adopting new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules.</p> <p>The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 1/1/26.</p>
851-031-0065	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules.</p> <p>The rule achieved its intended effect at the time of adoption. However, this specific rule is scheduled to be repealed in 2026.</p>
851-031-0075	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules.</p> <p>The rule achieved its intended effect at the time of adoption. This rule will be considered for removal at the next revision.</p>

851-031-0087	07/01/2021 BN 6-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Adopted new language to clarify changes in international testing for licensure candidates. Language reflects stakeholder feedback to clarify licensing process by amending specific rules.
851-049-0000	08/01/2021 BN 17-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>Adopt new division related to standards for licensed nurse protocol development and utilization.</p> <p>Identifies authorities of Board to determine scope of nursing practice. Identifies that the practice of nursing includes executing medical orders. Identifies acceptable levels of safe nursing practice for the RN, and for the LPN who encounter a medical order for a treatment or medication that contains inclusion or exclusion criteria that has been pre-identified by the prescriber. Identifies that as defined by OAR 851-006, a medical order for a treatment or a medication that contains inclusion or exclusion criteria pre-identified by the prescriber is a protocol.</p>
851-049-0005	08/01/2021 BN 17-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>Adopt new division related to standards for licensed nurse protocol development and utilization.</p> <p>Identifies acceptable levels of safe nursing practice for the RN who practices in an environment where a protocol is used in the execution of a medical order for a client and responsibilities for participation in protocol development.</p>
851-049-0010	08/01/2021 BN 17-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>Adopt new division related to standards for licensed nurse protocol development and utilization.</p> <p>Identifies acceptable levels of safe nursing practice for the RN who utilizes a protocol in the execution of a medical order.</p>
851-049-0015	08/01/2021 BN 17-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>Adopt new division related to standards for licensed nurse protocol development and utilization.</p> <p>Identifies acceptable levels of safe nursing practice for the LPN who accepts an assignment to execute a medical order contained within a protocol.</p>
851-049-0020	08/01/2021 BN 17-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact?	1/21/2026	Adopt new division related to standards for licensed nurse protocol development and utilization.

		<input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?		Identifies acceptable levels of safe nursing practice for the RN and the LPN who communicate a prescriber's reauthorization of a client's prescription to a pharmacy.
851-049-0025	08/01/2021 BN 17-2021	<input type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Adopt new division related to standards for licensed nurse protocol development and utilization.</p> <p>Identifies acceptable levels of safe nursing practice for the RN who dispenses medication in a setting certified by the Board of Pharmacy as a Community Health Clinic</p> <p>This rule on responsibilities related to RN dispensing is no longer needed. Repeal of the rule will be reviewed in 2026 it only serves to cite Board of Pharmacy OAR chapter 855, division 043 practitioner dispensing rules on the activity of RN dispensing. OSBN does not regulate the RN dispensing.</p>
851-051-0020	07/01/2021 BN 11-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards of education programs preparing advanced practice nurses for license.</p> <p>The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 7/1/25. Content was relocated to OAR 851-021.</p>
851-051-0030	07/01/2021 BN 11-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards of education programs preparing advanced practice nurses for license.</p> <p>The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 7/1/25. Content was relocated to OAR 851-021.</p>
851-051-0040	07/01/2021 BN 11-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards of education programs preparing advanced practice nurses for license.</p>

				The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 7/1/25. Content was relocated to OAR 851-021.
851-051-0050	07/01/2021 BN 11-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards of education programs preparing advanced practice nurses for license.</p> <p>The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 7/1/25. Content was relocated to OAR 851-021.</p>
851-051-0060	07/01/2021 BN 11-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards of education programs preparing advanced practice nurses for license.</p> <p>The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective 7/1/24.</p>
851-053-0005	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input checked="" type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p> <p>Since adoption, Division 53 has been fully repealed, with licensure requirements consolidated with later rulemaking. A 5-year review is no longer applicable. Replace rule chapters applicable to all APRNs.</p>
851-053-0015	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input checked="" type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p> <p>Since adoption, Division 53 has been fully repealed, with licensure requirements consolidated with later rulemaking. A 5-year review is no longer applicable. Replace rule chapters applicable to all APRNs.</p>
851-053-0020	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input checked="" type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p> <p>Since adoption, Division 53 has been fully repealed, with licensure requirements consolidated with later rulemaking. A 5-</p>

				year review is no longer applicable. Replace rule chapters applicable to all APRNs.
851-053-0025	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input checked="" type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p> <p>Since adoption, Division 53 has been fully repealed, with licensure requirements consolidated with later rulemaking. A 5-year review is no longer applicable. Replace rule chapters applicable to all APRNs.</p>
851-053-0030	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input checked="" type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	<p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p> <p>Since adoption, Division 53 has been fully repealed, with licensure requirements consolidated with later rulemaking. A 5-year review is no longer applicable. Replace rule chapters applicable to all APRNs.</p>
851-055-0000	07/01/2021 BN 13-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>The rule achieved its intended effect at the time of adoption and continued need for this rule remains. Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards of practice for advanced practice registered nurses.</p>
851-055-0010	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>The rule achieved its intended effect at the time of adoption and continued need for this rule remains. Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p>
851-055-0020	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>The rule achieved its intended effect at the time of adoption and continued need for this rule remains. Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p>
851-055-0030	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend?	1/21/2026	<p>The rule achieved its intended effect at the time of adoption and continued need for this rule remains. Replace rule chapters applicable to all APRNs.</p>

		<input checked="" type="checkbox"/> Continued need for rule?		Describes the standards for initial and renewal of NP, CNS, and CRNA licensure
851-055-0040	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	The rule achieved its intended effect at the time of adoption and continued need for this rule remains. Replace rule chapters applicable to all APRNs. Describes the standards for initial and renewal of NP, CNS, and CRNA licensure
851-055-0050	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	The rule achieved its intended effect at the time of adoption and continued need for this rule remains. Replace rule chapters applicable to all APRNs. Describes the standards for initial and renewal of NP, CNS, and CRNA licensure
851-055-0060	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input type="checkbox"/> Continued need for rule?	1/21/2026	Replace rule chapters applicable to all APRNs. Describes the standards for initial and renewal of NP, CNS, and CRNA licensure The rule achieved its intended effect at the time of adoption. However, this specific rule was repealed effective September 2023. The rule related to Criteria for National Certification Standards for APRNs which was redundant to language in Division 53 and therefore repealed.
851-055-0070	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Replace rule chapters applicable to all APRNs. Describes the standards for initial and renewal of NP, CNS, and CRNA licensure
851-055-0072	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Replace rule chapters applicable to all APRNs. Describes the standards for initial and renewal of NP, CNS, and CRNA licensure
851-055-0076	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	Replace rule chapters applicable to all APRNs. Describes the standards for initial and renewal of NP, CNS, and CRNA licensure

851-055-0078	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p>
851-055-0080	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p>
851-055-0090	07/01/2021 BN 12-2021	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>Replace rule chapters applicable to all APRNs.</p> <p>Describes the standards for initial and renewal of NP, CNS, and CRNA licensure</p>
851-061-0035	01/01/2021 BN 8-2020	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>The new section on periodical evaluation of nursing assistant or medication aide education programs is for consistency in rule language throughout the Nurse Practice Act. Introduction of the use of a rubric to guide the timing of the next survey site visit.</p> <p>Rule will be reviewed in 2026 for amendments to this rule to improve the process of evaluating nursing assistant/medication aide training programs.</p>
851-061-0123	01/01/2021 BN 8-2020	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>Relocation of current OAR 851-061-0110. The rule was amended 7/1/25, related to NA consolidation and changes to OAR 851-063.</p> <p>Rule will be reviewed in 2026 for amendments to this rule to update standards related to program records.</p>
851-061-0126	01/01/2021 BN 8-2020	<input checked="" type="checkbox"/> Did rule have intended effect? <input checked="" type="checkbox"/> Correct anticipated fiscal impact? <input type="checkbox"/> Laws to repeal or amend? <input checked="" type="checkbox"/> Continued need for rule?	1/21/2026	<p>Adoption of new section setting a standard for the program to have an evaluation plan.</p> <p>Rule will be reviewed in 2026 for amendments to this rule to update standards related to program self-evaluation.</p>

AGENCY RULE REVIEW REPORT UNDER ORS 183.405

Agency: Department of Public Safety Standards and Training (DPSST)

Rule Numbers: OAR 259-060-0310, 259-060-0320, 259-060-0350, 259-060-0360, 259-060-0370, and 259-060-0380

Date Adopted: January 1, 2021

Date of Review: December 15, 2025

1. Advisory Committee Used?

a. Yes No

b. If yes, identify members. Private Security and Investigator Policy Committee and Board on Public Safety Standards and Training

2. Did the rule achieve its intended effect?

a. Yes No

b. What was the intended effect? These rules were adopted to divide the interpretations, standards, and processes related to denial, suspension, or revocation of private security provider certifications and licenses into individual rules. Before adoption of these rules, all of the rule language was under OAR 259-060-0300. As a result, the single rule was complex. The division of one rule into six additional rules was intended to ease the complexity of reading and citing the rule language. The adoption of the rules included amendments to establish certification and license specific standards and to provide clear guidance regarding professional standards case review processes.

c. How did the rule succeed or fail in achieving this effect? The adoption of these rules reduced the complexity of OAR 259-060-0300 by transferring interpretations, standards, and processes for DPSST administration of denial, suspension, or revocation actions to separate rules. Also, through the adoption process, OAR 259-060-0310 and OAR 259-060-0320 were used to divide moral fitness standards based on the type of certification or license. OAR 259-060-0300 was maintained and defines grounds for denial, revocation or suspension of alarm monitor private security professional certifications. All other standards and processes were divided as follows:

- 259-060-0310 defines grounds for denial, revocation or suspension of unarmed or event and entertainment private security professional certifications
- 259-060-0320 defines grounds for denial, revocation or suspension of armed private security professional certification, private security instructor certifications, and manager licenses
- 259-060-0350 provides DPSST processes for reviewing cases
- 259-060-0360 provides processes for surrendering a private security provider certification or license
- 259-060-0370 defines emergency suspension processes for emotional fitness

- 259-060-0380 provides notice and contested case processes

3. Was the fiscal impact statement:

- underestimated or overestimated or just about right or unknown? (check one)
- What was the estimated fiscal impact? It was estimated that there were no fiscal or economic changes or new impacts that resulted from the adoption of these rules.
- What was the actual fiscal impact? No new fiscal impacts have been identified as resulting from the adoption of these rules.
- If the answer to question 2 is unknown, briefly explain why. N/A

4. Have subsequent changes in the law required the rule be repealed or amended? Yes No

- If yes, explain. N/A

5. Is the rule still needed? Yes No

- Explain why or why not. Each of these rules provide interpretation, standards, and processes that support DPSST's statutory authority and responsibility to deny, suspend, or revoke private security provider certifications and licenses. ORS 181A.870

6. Does the rule have an impact on small business? Yes No

- If yes, what are the impacts? DPSST identified that the majority of the private security industry operates small businesses and may be affected by the adoption of the rules. However, there were no impacts identified.

AGENCY RULE REVIEW REPORT UNDER ORS 183.405

Agency: Department of Public Safety Standards and Training (DPSST)

Rule Numbers: OAR 259-080-0005

Date Adopted: April 23, 2021

Date of Review: December 15, 2025

1. Advisory Committee Used?

a. Yes No

b. If yes, identify members. Corrections Policy Committee, Police Policy Committee, and Board on Public Safety Standards and Training

2. Did the rule achieve its intended effect?

a. Yes No

b. What was the intended effect? OAR 259-080-0005 was adopted to transfer the rules that designate the classifications of public safety personnel killed in the line of duty who may be honored at the memorial created pursuant to section 1, chapter 508, Oregon Laws 1987 to a separate and distinct rule. (ORS 181A.661) Before adoption of this rule, this information was located within OAR 259-008-0100, a multi-topic rule that addresses several different, miscellaneous functions of the Board and the Department. The adoption of the rule was also an opportunity to review and update the criteria, which had not been reviewed for many years.

3. How did the rule succeed or fail in achieving this effect? DPSST established a separate rule division to house the criteria for inclusion on the Oregon Fallen Law Enforcement Memorial. Adopting the stand-alone rule to house these criteria recognized the unique statutory authority for the Board to adopt this rule, as well as providing a better fit organizationally. These criteria were originally adopted with OAR Chapter 259 Division 8, relating the employment, training, and certification standards for criminal justice public safety professionals.

4. Was the fiscal impact statement:

a. underestimated or overestimated or just about right or unknown? (check one)

b. What was the estimated fiscal impact? It was estimated that there were no fiscal or economic changes or new impacts that resulted from the adoption of the rule.

c. What was the actual fiscal impact? No new fiscal impacts have been identified as resulting from the adoption of the rule.

d. If the answer to question 2 is unknown, briefly explain why. N/A

5. Have subsequent changes in the law required the rule be repealed or amended? ___ Yes No

a. If yes, explain. N/A

6. Is the rule still needed? Yes ___ No

a. Explain why or why not. This rule maintains the criteria for inclusion on the Oregon Fallen Law Enforcement Memorial. The Memorial is maintained by DPSST and the Board has the discretion to determine who is recognized on the Memorial.

7. Does the rule have an impact on small business? ___ Yes No

a. If yes, what are the impacts? N/A

AGENCY RULE REVIEW REPORT UNDER ORS 183.405

Agency: Department of Public Safety Standards and Training (DPSST)

Rule Numbers: OAR 259-008-0500

Date Adopted: November 1, 2021

Date of Review: December 15, 2025

1. Advisory Committee Used?

a. Yes No

b. If yes, identify members. Police Policy Committee and Board on Public Safety Standards and Training

2. Did the rule achieve its intended effect?

a. Yes No

b. What was the intended effect? OAR 259-008-0500 was adopted for implementation of House Bill 2162 (2021). HB 2162 established a requirement for Oregon law enforcement agencies with 35 or more sworn police officers to become accredited by an accrediting body and directed DPSST to adopt a rule for the purpose of designating which accrediting bodies a law enforcement agency in this state may use to obtain the required accreditation.

3. How did the rule succeed or fail in achieving this effect? The rule designates two accrediting bodies for Oregon law enforcement agencies to use when seeking accreditation.

4. Was the fiscal impact statement:

a. underestimated or overestimated or just about right or unknown? (check one)

b. What was the estimated fiscal impact? There were no fiscal impacts identified for DPSST, the public or small businesses. There was an indeterminate fiscal impact identified for the law enforcement agencies who were subject to the accreditation requirements.

c. What was the actual fiscal impact? There haven't been any fiscal impacts measured for DPSST. DPSST has not collected any data from law enforcement agencies related to the accreditation process.

d. If the answer to question 2 is unknown, briefly explain why. When this rule was adopted, DPSST identified that there was an indeterminate fiscal impact for law enforcement agencies employing 35 or more sworn police officers to comply with the accreditation requirements established by

House Bill 2162. DPSST estimated that the costs associated with the accreditation process would be affected by the criteria for accreditation (established by the accrediting body and outside the scope of the rule), the length of the accreditation process, staffing, and fees charged by the accrediting body. All of these factors could be further impacted by the size of the law enforcement agency.

5. Have subsequent changes in the law required the rule be repealed or amended? ___ Yes No

a. If yes, explain. N/A

6. Is the rule still needed? Yes ___ No

a. Explain why or why not. HB 2162, now ORS 181A.657, requires DPSST to implement the designation of approved accreditation bodies by rule. DPSST must maintain this rule unless there is a change to the statute.

7. Does the rule have an impact on small business? ___ Yes No

a. If yes, what are the impacts? N/A

5-Year Rule Review Report For Rules Newly Adopted in 2021 2/23/2026



Director: Michael Reese

The mission of the Oregon Department of Corrections is to protect communities, promote accountability, and transform lives.

BACKGROUND AND INTRODUCTION

The Oregon Department of Corrections (DOC) is pleased to submit this report to the Secretary of State as directed by ORS 183.405. Paper copies of this report may be obtained from DOC Rules Coordinator, 3723 Fairview Industrial Drive SE, Suite 200, Salem, Oregon 97302.

ORS 183.405 requires all state agencies to review newly adopted rules not later than five years after adopting the rule, with the purpose of analyzing the impacts of each rule. Specifically, the report must determine:

- Whether the rule had the intended effect;
- Whether the anticipated fiscal impact of the rule was underestimated or overestimated;
- Whether subsequent changes in the law require that the rule be repealed or amended;
- Whether there is continued need for the rule; and
- What impacts the rule has had on small businesses.

In this report, DOC is submitting rule reviews for rules adopted 2021.

The final report will be sent to the Small Business Rules Advisory Committee, to any rule advisory committee that aided in the adoption of a rule subject to review, and to the Secretary of State for inclusion in the comprehensive report to the Oregon Legislative Assembly.

EXEMPTIONS

Under ORS 183.405 (5) and (6), this rule review does not apply to the amendment or repeal of a rule, rules that are adopted to implement court orders or the settlement of civil proceedings, rules that adopt federal laws or rules by reference, rules adopted to implement legislatively approved fee changes, or rules adopted to correct errors or omissions.

RULE REVIEWS 2021

DOC adopted a total of 19 rules subject to review as described in ORS 183.405(1).

These rulemakings involved two rule divisions.

Rule(s)	Effective Date
291-066-0100	1/5/2021
291-066-0110	1/5/2021
291-066-0120	1/5/2021
291-066-0130	1/5/2021
291-066-0140	1/5/2021
291-066-0150	1/5/2021
291-066-0160	1/5/2021
291-066-0170	1/5/2021

291-066-0180	1/5/2021
291-066-0190	1/5/2021
291-066-0200	1/5/2021
291-066-0210	1/5/2021
291-066-0220	1/5/2021
291-066-0230	1/5/2021
291-066-0240	1/5/2021
291-066-0250	1/5/2021
291-066-0260	1/5/2021
291-066-0270	1/5/2021
291-100-0027	4/6/2021

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Division 066 Leave Revocation Hearings
Division 100 Sentence Computation



Rule Number(s):

- 291-066-0100 Authority, Purpose and Policy
- 291-066-0110 Definitions
- 291-066-0120 Revocation Hearing Requirement
- 291-066-0130 Method of hearings
- 291-066-0140 Rights at Hearings
- 291-066-0150 Waiver of Revocation Hearing
- 291-066-0160 Rejection of Waiver
- 291-066-0170 Revocation Hearings Process
- 291-066-0180 Representation/Ability to Pay Attorney Fees
- 291-066-0190 Witnesses
- 291-066-0200 Evidence
- 291-066-0210 Postponement
- 291-066-0220 Hearings Officer Findings
- 291-066-0230 Reopening Revocation Hearings
- 291-066-0240 Revocation Hearings Record
- 291-066-0250 Administrative Review of the Hearings Officer’s Findings
- 291-066-0260 Releasing Authority Final Order
- 291-066-0270 Continuance on Short-Term Transitional or Nonprison Leave

Date Adopted:	Date Review Due:	Date Review Completed:	Name of Reviewer:
1/5/2021	1/21/2026	1/15/2026	Jeremy Nofziger

-
- Advisory Committee Used
 - Advisory Committee Not Used

If yes, identify members. Members must be provided a copy of this completed form.

Intended Effect

1. Did the rule(s) achieve its intended effect? yes no

a. What was the intended effect of this rule(s) adoption?

This rule was implemented to set standards for conducting Leave Revocation Hearings prior to returning an AIC to ODOC custody.

b. How did the rule(s) succeed or fail in achieving this effect?

This rule has succeeded in setting standards for Leave Revocation Hearings. However, this rule needs to be updated to meet the current requirements of the ODOC.

Fiscal Impact

2. Was the fiscal impact statement (check one)

- underestimated
- overestimated
- just about right
- unknown

a. What was the estimated fiscal impact?

No Fiscal Impact.



b. What was the actual fiscal impact?

No Fiscal Impact.

c. If the answer to question 2 is unknown, briefly explain why.

3. Have subsequent changes in the law required the rule be repealed or amended? yes no

If yes, explain.

4. Is the rule still needed? yes no Explain.



Rule Number(s):
291-100-0027 Computing Sentences under ORS 137.320

Date Adopted: 4/6/2021	Date Review Due: 4/6/2026	Date Review Completed: 02/17/26	Name of Reviewer: Tosha Hickey/Jenn Shaw
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Advisory Committee Used
 Advisory Committee Not Used
If yes, identify members. Members must be provided a copy of this completed form.

Intended Effect

1. Did the rule(s) achieve its intended effect? yes no

a. What was the intended effect of this rule(s) adoption?

To clarify how the Department interprets judgments that impose consecutive sentences with ambiguous language that may result in an overall term of incarceration that may be different (or longer) than the parties and the Court intended.

b. How did the rule(s) succeed or fail in achieving this effect?

By clarifying the Department’s interpretation, the rule offers practical guidance for AICs, the Court, the parties, and other stakeholders seeking information or answers to questions as it relates to ambiguous consecutive language.

Fiscal Impact

2. Was the fiscal impact statement (check one)
 underestimated overestimated just about right unknown

a. What was the estimated fiscal impact? No impact

b. What was the actual fiscal impact? No impact

c. If the answer to question 2 is unknown, briefly explain why.

3. Have subsequent changes in the law required the rule be repealed or amended? yes no
If yes, explain.

4. Is the rule still needed? yes no Explain.

The rule clarifies the Department’s interpretation of ambiguous consecutive sentencing language, ensuring clear expectations, consistency, and compliance.