

Updated by CH on 12/8/16⁽²⁾

English Language Learners District and School Improvement

581-020-0600

Definitions

The following definitions apply to OAR 581-020-0600 to 581-020-~~0615~~0624:

~~(1)~~ ⁽¹⁾ “Current ELL student” means a student who is enrolled as in an English language learner program in Oregon during the school year.

~~(2)~~ ⁽²⁾ “ELL Target District” means a district selected for technical assistance under OAR 581-020-0609.

~~(4)~~ ⁽³⁾ “ELL Transformation District” means a district selected for technical assistance and progressive interventions under OAR 581-020-0609.

(2) “English language learner” or “ELL” means a student who has limited English language proficiency because English is not the native language of the student or the student comes from an environment where a language other than English has had a significant impact on the student’s level of English language proficiency.

(3) “Former ELL student” means a student who was previously enrolled in an English language learner program in Oregon.

(4) “Percentage of students in poverty” means the percentage of students in poverty using the number of students in poverty as calculated under OAR 581-023-0102 for purposes of calculation of the State School Fund distribution.

(5) “School district” means a common or union high school district.

Stat. Auth.: Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

Stats. Implemented: ORS 339.079 and Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

581-020-0603

Program

(1) The Department of Education through the ELL District and School Improvement program shall:

(a) Improve ELL student progress indicators including high school graduation rates and English language proficiency.

(b) Identify school districts that are not meeting objectives and the needs of ELL students, taking into account the specific learning challenges and demographics of the students.

(c) Collaborate with selected districts to better meet objectives and the needs of ELL students.

(d) Partner with identified ELL transformation and target districts, to ensure that those districts achieve expected growth in student progress indicators, and the expected benchmarks for student progress indicators that an identified district is expected to meet within four years of identification.

(e) In consultation with ELL transformation and target districts design and implement an accountability system of progressive interventions for the school districts.

(f) Direct transformation and target school districts on how to expend moneys received under ORS 327.013(1)(c)(A)(ii) (ELL weight) for up to three years, for identified districts that have not met the expected growth in student progress indicators, and the expected benchmarks for student progress indicators. ~~The direction on expenditure of moneys for school districts identified as ELL transformation or target districts in 2016 will first apply to monies received by those school districts from the ELL weight on or after July 1, 2020.~~

(2) The Department of Education shall identify school districts that are:

(a) ELL transformation districts that are in need of progressive interventions and technical assistance; and

(b) ELL target districts that are in need of technical assistance.

(3) If a school district is identified as an ELL transformation or target district the district shall remain as such for four years.

Stat. Auth.: Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

Stats. Implemented: ORS 339.079 and Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

581-020-0606

District Eligibility and Selection

(1) To be eligible for selection as an ELL transformation or target district, a district must have enrolled 20 or more English Language Learners on a date specified by the Department. School districts with fewer than 20 English Language Learners will be eligible for other regionally based services and supports provided by the Department.

(2) A public charter school is not eligible for selection as an ELL transformation or target district. However, a public charter school may be selected by the Department as a school within an identified ELL transformation or target district for interventions and technical assistance.

Stat. Auth.: Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

Stats. Implemented: ORS 339.079 and Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

581-020-0609

District Selection

(1) The Department shall identify school districts that are not meeting objectives and needs of ELL students, taking into consideration the specific learning challenges and demographics of the students. The Department shall consider whether the district has demonstrated a history of not meeting objectives and needs of ELL students as compared to other districts relating to ELL students.

(2) To identify school districts that are not meeting objectives and needs of ELL students, the Department shall consider the following student progress indicators in identifying the school districts in need of improvement:

(a) The cohort 5 year graduation rate for current and former ELL students;

(b) The academic growth of current and former ELL students in grades 6, 7 and 8 as measured by statewide standardized assessments;

(c) The growth in language acquisition of current ELL students in grades 1 through 8 as measured by the English Language Proficiency Assessment (ELPA);

(d) The growth in language acquisition of current ELL students in grades 10 through 12, combined as measured by the English Language Proficiency Assessment (ELPA); and
(e) Percentage of former ELL students who enroll in a post-secondary [institutions](#) [institution](#) after graduation from the district.

(3) The Department shall also consider the needs of the district by considering learning challenges and demographic information of students enrolled in the district including but not limited to:

(a) The percentage of current and former ELL students as a percent of all students in the district;

(b) The percentage of all students in poverty as calculated using the district small area income and poverty estimate (SAIPE);

(c) The percentage of current and former ELL students who are economically disadvantaged;

(d) The percentage of current and former ELL students who are mobile;

(e) The percentage of current and former ELL students who are homeless;

(f) The percentage of current and former ELL students who are migrant students;

(g) The percentage of current and former ELL students who are recent arrivers to Oregon; and

(h) The number of unique home languages of current and former ELL students.

(4) After identifying potential districts based on student progress indicators that are not meeting objectives and needs of ELL students, the Department may adjust the list of districts:

(a) To achieve geographic diversity of school districts;

(b) Based on the percentage of current ELL students identified as needing special education;

(c) Based on data trends identified by the Department related to a school district;

(d) Based on programs for ELL students within the district which have been shown to either improve high school graduation rates or English language proficiency; and

(e) Based on available funding.

(5) After identifying the districts that are not meeting objectives and needs of ELL students, the Department shall further identify the districts as:

(a) ELL transformation districts; or

(b) ELL target districts.

(6) The Department may use the demonstrated commitment level of a district's superintendent and board as a factor in determining whether the district is an ELL transformation or ELL target district.

(7) Data used by the Department to identify school districts may be from different school years but must [bybe](#) the best data available as identified by the Department.

Stat. Auth.: Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

Stats. Implemented: ORS 339.079 and Section 3, chapter 604, Oregon Laws 2015

(Enrolled House Bill 3499)

581-020-0612

ELL Transformation Districts

[\(1\)](#) The Department, in consultation with an ELL transformation district, shall:

~~(1)(a)~~ Select specific schools within the district for interventions and targeted assistance.

~~(2)(b)~~ Identify the specific interventions and technical assistance to be provided to ELL transformation districts which may include grant funds.

~~(3)(c)~~ Establish the expected growth in student progress indicators, and the expected benchmarks for student progress indicators, for all English language learners of the district.

~~(4)(d)~~ ~~Shall~~ Design and implement an accountability system of progressive interventions for the school district which will be provided for four years after the district has been identified as an ELL transformation district.

(2) ELL Transformation Districts shall engage with the Department in an evaluation of the district's programs for ELL students. The evaluation must be as described in OAR 581-020-0613.

Stat. Auth.: Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)
Stats. Implemented: ORS 339.079 and Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

581-020-0613 (new rule) **Transformation District Technical Assistance**

(1) The Department of Education shall provide The technical assistance provided by the Department to ELL Transformation Districts. The technical assistance must include an evaluation of the district's programs for ELL students using an approved and evidence-based needs assessment. The needs assessment will examine the root causes impacting student's performance and program quality and effectiveness. The evaluation must include, but not be limited to program design, program model, instructional delivery strategies, curriculum, assessment, staff qualifications, staff training on culturally responsive instructional pedagogy and practices, and the level of engagement with ELL families and community.

(2) The technical assistance shall have the following phases which may be repeated as necessary:

- (a) Phase 1: Identify and evaluate local district needs.
- (b) Phase 2: Identify interventions and assistance.
- (c) Phase 3: Plan for implementation and monitoring.
- (d) Phase 4: Implement and monitor.
- (e) Phase 5: Review, reflect and adjust.

~~(3)~~ The technical assistance must be within the following framework:

(a) Include the application of an Equity Lens identified by the Department;

(b) Be in collaboration with the school district;

(c) Be based on a district needs assessment;

(d) Be based upon district and state data;

(e) Be individualized based on district needs and areas identified for improvement;

(f) ~~Be~~ Include culturally responsive -evidence-based practices;

- (g) Include ~~C~~culturally responsive promising practices;
- (h) Consider the ELL students' specific learning challenges, backgrounds and demographics of the district;
- (i) Include an examination of school district expenditures of federal and state funds for ELL students; ~~and~~
- (j) Identify district improvement goals including expected growth in student progress indicators and the expected benchmarks to meet those goals; ~~and~~
- (k) Be consistent with other state and federal laws.

- (43) The technical assistance process must include engagement with:
- (a) District administrators, teachers, ELL directors and other school district staff;
 - (b) Improvement and instructional coaches;
 - (c) ParentsFamilies of ELL students; and
 - (d) Community stakeholders which may include culturally specific community based organizations and federally recognized tribes.

(5) The Department shall ensure that staff contracted to provide technical assistance to districts have the appropriate ELL program knowledge, experience and background to effectively support the implementation of the district's programs for ELL students including culturally responsive pedagogy and practices.

Stat. Auth.: Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)
 Stats. Implemented: ORS 339.079 and Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

581-020-0615

ELLTarget Districts

The Department shall identify the:

- (4)-(1) ELL Target Districts must perform an evaluation of the district's programs for ELL students using an approved and evidence-based needs assessment. The needs assessment will examine the root causes impacting student's performance and program quality and effectiveness. The evaluation must include, but not be limited to, program design, program model, instructional delivery strategies, curriculum, assessment, staff qualifications, staff training on culturally responsive instructional pedagogy and practices, and the level of engagement with ELL families and community.
- (2) The Department shall identify ~~T~~the technical assistance to be provided to ELL target districts. The technical assistance shall include but not be limited to assistance with conducting the evaluation of the district's programs.
- (3) If resources are available after providing technical assistance to ELL Transformation District, the Department may provide individualized technical assistance to the ELL Target Districts. The individual technical assistance must be consistent with OAR 581-020-0613.

~~(2)~~(4) The Department shall ~~E~~establish the expected growth in student progress indicators, and the expected benchmarks for student progress indicators, for all English language learners of the district.

(5) If resources are available after providing grant funds to ELL Transformation Districts, the Department may provide grant funds to ELL Target Districts.

Stat. Auth.: Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)
Stats. Implemented: ORS 339.079 and Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

581-020-0621 (new rule) **District Expenditure of Moneys**

- (1) The Department shall direct transformation and target school districts on how to expend all moneys received under ORS 327.013(1)(c)(A)(ii) (ELL weight) for up to three years, for identified districts that have not met the expected growth in student progress indicators, and the expected benchmarks for student progress indicators that were identified for the school district.
- (2) If a school district meets or exceeds the expected growth in student progress indicators and the expected benchmarks for student progress indicators, then the Department may no longer direct the expenditure to State School Fund moneys under this section for that school district.
- (3) The Department shall utilize the following framework to direct the expenditure of moneys under this section. The expenditure direction must be:
 - (a) Individualized for each district based on state and district data and the district improvement work from the previous four years;
 - (b) Aligned with evidence-based practices;
 - (c) Focused on supporting the district in meeting expected growth in student progress indicators and the expected benchmarks for student progress indicators identified for the school district;
 - (d) Be Communicated to the district in writing and communicate to the district the specific direction of expenditures and the rationale for that direction;
 - ~~(d)~~(e) Sent to the district prior to March 1 before the fiscal year to which it applies; and
 - ~~(e)~~(f) Be reviewed at least annually.
- (4) The Department may utilize the district and community engagement process established as part of the technical assistance process to receive feedback on the expenditure direction.
- (5) The school district shall communicate to stakeholders about the expenditure direction as follows:
 - (a) In at least one community forum;
 - (b) In a letter to parents of ELL students who are enrolled in the district; and
 - ~~(a)~~(c) By posting information about the expenditure direction on the district's website.

~~(4)~~(6) The direction on expenditure of moneys for school districts identified as ELL transformation or target districts in 2016 will first apply to moneys received by those school districts from the ELL weight on or after July 1, 2020.

Stat. Auth.: Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)
Stats. Implemented: ORS 339.079 and Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)

581-020-0624 (new rule)

Best Practices and Promising Practices for ELL Students

- (1) The Department shall create an online resource bank for sharing national, state and local best practices and promising practices in serving ELL students and engaging ~~parents~~families of ELL students. The best practices and promising practices must be culturally responsive.
- (2) The online resource bank shall include resources for best practices and promising practices ~~that are evidence-based and culturally responsive which~~ and should address at a minimum:
 - (a) The provision of support for students who are in grades 6 to 12 and have been identified as ELL students for six or more years;
 - (b) The provision of support for students who are former ELL students;
 - (c) Engagement of parents~~families~~ and delivering essential notifications relating to ELL programs; and
 - (d) Identification of students who are eligible to be enrolled as ELL students.
- (3) The statewide plan to support ELL students shall be included with the online resource bank.

Stat. Auth.: Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)
Stats. Implemented: ORS 339.079 and Section 3, chapter 604, Oregon Laws 2015 (Enrolled House Bill 3499)