

October 9, 2015

Dear Deputy Superintendent Noor,

On behalf of the Oregon Alliance for Education Equity, the Coalition of Communities of Color and signatory organizations, we would like to share our recommendations related to the draft rules for HB 3499 on ELL district improvement. Our groups have led the effort to win unanimous support for HB 3499 from the legislature and Governor, and our recommendations are aligned with the core purpose and intent of the legislation.

The majority of our recommendations revolve around themes of accountability, data and oversight. With that, we strongly urge the Oregon Department of Education to make the following revisions to the draft rules before they are submitted for first reading to the State Board of Education:

I. Provide clarity around district accountability and school selection.

1. The rules should provide guidelines for how the Department will direct and hold districts' accountable for ELL student progress. Under the "Program" section, we recommend that the Department:
 - a. Define each district's responsibility to make significant improvements within four years; and
 - b. Outline the Department's role in directing districts on how to spend their 0.5 ELL allocation, as required by law.
2. The rules need to provide clear and robust guidelines for how districts select the schools that need intervention support for ELL students. The draft rules that were shared with our workgroup did not cover how districts would select schools in need of ELL support. As the Department drafts that portion of the rules, we recommend that the Department:
 - a. Develop a streamlined, common application for districts to complete when they are selecting the specific schools that need targeted support; and
 - b. Require that each identified district conduct a school needs and assets assessment for supporting ELL language learners.

II. Define the "Long-term ELL" subgroup in the rules and disaggregate the "Ever ELL" data.

1. The rules should include a definition of “Long-term ELL.” We propose the following definition: “Any ELL student in grades 6-12 who has been eligible for, and enrolled in, an English language development (ELD) program for six or more years, or has scored at the same level of English proficiency for three or more years.”
2. The “Ever ELL” data also needs to be disaggregated in the following ways: Long-term ELL students, current ELL students, and former ELL students—that way the Department and school districts have a more accurate picture of how ELL students are performing academically. These data will also help the Department and identified districts target funding, support, and interventions where they are needed most.

III. Build in community engagement oversight.

1. The rules should establish an Oversight Committee where community stakeholders can monitor and provide ongoing oversight over the implementation of HB 3499 and the spending of ELL funding. Some of the duties of the Oversight Committee should include, but not be limited to:
 - a. Helping review which districts are ultimately selected as “target” districts and “focus” districts; and
 - b. Overseeing the development, and reporting of, improvement metrics agreed upon by the Department and districts.

IV. Track the progress of ELL students in all districts, regardless of the size of the district.

1. There are data approaches including aggregating data over multiple years that can ensure the Department meets privacy while still providing critical information on the outcomes to inform improvement planning and support.

V. Reconsider how districts are labeled—so that these labels are not confused with federal or other state labels for accountability.

VI. Ensure that both the ELL policy and budget workgroups have an opportunity to streamline their work.

We really appreciate the opportunity to share our recommended changes to the draft rules. On that note, we have also included an attachment with this letter that features our recommended revisions to the draft rules.

We look forward to working with the Department and the State Board more to ensure that all children in our state receive a high-quality education.

Thank you again for your time and all of your hard work.

Sincerely,

Joseph Santos-Lyons
Asian Pacific American Network of Oregon (APANO)

Toya Fick
Stand for Children Oregon

Kayse Jama
Center for Intercultural Organizing

Carmem Rubio
Latino Network

Ramon Ramirez
Pineros y Campesinos Unidos (PCUN)

Nkenge Harmon Johnson
Urban League of Portland

Julia Meier
Coalition of Communities of Color

Matt Morton
Native American Youth & Family Center (NAYA)

Jason Trombley
Oregon Alliance for Education Equity

Abinnet Haile
IRCO Africa House

Annalivia Palazzo-Angulo
Salem/Keizer Coalition for Equality

Kylie Grunow
Chalkboard Project

Jesse Beason
Northwest Health Foundation

Alan Hipolito
Verde

David Anitok
Oregon Marshallese Community

Joe Enlet
COFA Alliance National Network

Sophorn Cheang
IRCO Asian Family Center

Victor Merced
Hacienda Community Development Corporation

Bridget Cooke
Adelante Mujeres

Virginia Luka
Micronesia Islander Community

Kali Ladd-Thorne
Kairos PDX