

Oregon State Board of Education

May 19, 2016

<p>SUBJECT: Arco Iris Charter School Waiver Request for Priority Enrollment of Students with Prior Spanish Language Immersion Experience STAFF NAME & OFFICE: Kate Pattison & Cindy Hunt, Office of the Deputy Superintendent of Public Instruction</p> <p>SUMMARY: The Arco Iris Charter School is requesting a waiver to allow enrollment priority to be given to middle school students enrolling from Spanish Language Immersion elementary school programs.</p> <p><input type="checkbox"/> New Rule <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input type="checkbox"/> Consent Agenda</p> <p><input type="checkbox"/> First Reading</p> <p><input checked="" type="checkbox"/> Action (Adoption)</p> <p><input type="checkbox"/> Information</p>
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BACKGROUND

The State Board of Education has the authority to waive certain statutes for public charter schools to allow additional flexibility (ORS 338.025 and -OAR 581-026-0130). Oregon Department of Education staff receives and reviews the waiver requests using the State Board approved process for public charter school waivers.

Arco Iris Spanish Immersion School is a public charter school in Beaverton, Oregon, featuring Spanish immersion and Singapore Math, a highly acclaimed mathematics program. The mission is to foster an increased academic ability that includes students becoming bilingual, bi-literate and multi-cultural so that they are fully prepared for college, career, and citizenship. Arco Iris opened in 2010 and currently serves about 240 students in grades 1-8.

The school is requesting to give priority enrollment to new students entering grades 6-8 who were enrolled in a Spanish immersion program. Arco Iris is requesting a waiver with this criteria, rather than using a language proficiency test because the school is too new to have a reliable data set showing the range of the typical middle school student from Arco Iris. Further, the designation of “native speaker” introduces subjectivity into the criteria. The school feels that this is the most objective way to help maintain the integrity of the language immersion environment in their school. This is the first time the State Board will consider an enrollment waiver for this type of request.

The Arco Iris waiver request complies with the requirements in the process published by the Department. The Beaverton School District has been notified of the request and does not have any objections. When evaluating the request against the criteria in statute, the Department considered the information included in the letter, information in the 2013-14 and 2014-15 school report cards, and additional information provided by the charter school. The charter school is prepared to maintain records and data to provide future information on the specific effect of this waiver if approved.

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SUMMARY OF PREVIOUS BOARD ACTION

The State Board approved a waiver for teachers, employees, and board members in May 2013.

POLICY ISSUE OR CONCERNS (IF APPLICABLE)

Does the Arco Iris Spanish Immersion School waiver request to grant priority enrollment to middle school students with prior elementary Spanish immersion program experience enhance the equitable access by underserved families to the public education of their choice and extend the equitable access to public support by all students? The Department concludes that providing this waiver will enhance equitable access to underserved families to the school of their choice. The school is one of the only two public Spanish Immersion middle school options in the Beaverton School District and outperforms the district and other schools in the state with similar demographics. This waiver may provide greater access to a quality school of choice for students whose native language is Spanish and students who are pursuing biliteracy. The Department also recognizes that the Spanish language immersion program's success is supported by student enrollment that progresses through all consecutive grades with teachers who can provide high quality instruction in Spanish. The school has outperformed the district, like-schools, and the state average in all content areas in all historically underserved populations. This waiver may continue to strengthen the overall quality of the program and allow more students in the area to have access to a high quality school of choice. Because the Department is only recommending the allow students who have prior public school Spanish language immersion experience, there may be more chances that underserved families will have access to this public program.

Does the Arco Iris Spanish Immersion School waiver request to grant priority enrollment to middle school students with prior elementary Spanish immersion program experience promote the development of programs by providers and permit high quality programs of unusual cost? The Department concludes that providing this waiver supports the school in achieving its mission to offer a Spanish immersion program with rigorous mathematic curriculum. By allowing students with prior Spanish language immersion program experience to have priority enrollment, the overall program may be strengthened by maintaining the integrity of the Spanish language immersion program and increasing the percentage of students who can participate in higher-level learning in Spanish. Since the school will ensure it is a small percentage of the students who will benefit from this priority, the potential unintended consequences are limited. The school has a demonstrated record of academic achievement and improving achievement for historically underserved students.

CHANGED SINCE LAST BOARD MEETING?

- N/A; first read—hasn't been before board
 No; same as last month
 Yes - As follows: The Department has separated the two waiver requests and this is only for the middle school students with prior experience in a Spanish language immersion program.

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EFFECT OF A "YES" OR "NO" VOTE

If "YES" – The Arco Iris Charter School will be allowed to offer priority enrollment to middle school students enrolling from Spanish Language Immersion elementary school programs where at least 50% of the instruction is in Spanish. This would be effective for the 2017-18 school year and last throughout the duration of their charter contract beginning July 1, 2016.

If "NO" – The Arco Iris Charter School will NOT be allowed to offer priority enrollment to middle school students enrolling from Spanish Language Immersion elementary school programs.

STAFF RECOMMENDATION

Approve Approve next month No recommendation at this time

Hearing Date:

Prompted by:

State law changes Federal law changes other

Staff recommends approving the Arco Iris Charter School to be allowed to offer priority enrollment to middle school students enrolling from public Spanish Language Immersion elementary school programs (where at least 50% of the instruction is in Spanish). The total number of students given any priority enrollment shall not to exceed 10% of the total school enrollment. This waiver would first apply to the 2017-18 school year and continue throughout the duration of the charter contract beginning July 1, 2016.

ATTACHMENTS

Attachment 1: Arco Iris Middle School Waiver.pdf

Attachment 2: Arco Iris BSD Letter.pdf

Attachment 3: ArcoIris-1314-ReportCard.pdf

Attachment 4: ArcoIris-1415-ReportCard.pdf

Attachment 5: Arco Iris Waiver Emails.doc