

**Date:** December 9, 2015

**To:** Oregon Department of Education and Oregon State Board of Education Members

**From:** Jim Torrey and Wei-Wei Lou

**Re:** Proposed rules around English Language Learner Revenue & Expenditure Report Criteria/OAR 581-023-0250

As professionals who are committed to ensuring that students across Oregon have access to high quality education opportunities, we are glad that the Oregon legislature, the Oregon Department of Education, the State Board of Education and stakeholders from across the state have come together to work on improving programs & supports for Oregon's English learner students.

We write to you now to express our thoughts and concerns regarding the work of the HB 3499/ESL Finance Workgroup and the proposed rule for the OR State Board of Education. We have been grateful to participate as members of the ESL Finance Group, yet we are disappointed that the state board of education action on the proposed rule is set for tomorrow, and we are not yet satisfied that the charge of the group has been met.

As we read the legislation, HB 3499, the group is required to develop for the OR Department of Education and the State Board of Education the following items:

*SECTION 1. (1) The Department of Education shall convene an advisory group to develop **uniform budget coding requirements and uniform reporting requirements** to provide budget transparency for the spending of moneys received by school districts as provided by ORS 327.013 (1)(c)(A)(ii) for students in average daily membership eligible for and enrolled in an English language learner program under ORS 336.079.S*

Given the intent of the legislation, to provide increased clarity for administrators in districts and transparency to district leaders and other stakeholders on expenditures, we feel that the current draft rule merely completes a first step, a good first step, but a first step nonetheless. The current rule states:

*(4) School Districts shall report expenditures for ELL students using the following codes from the PBAM: a. General Fund (Fund 100) b. English Language Learner Programs (Function 1291) c. Supplemental costs for ELL students and Limited English Proficiency Programs (Area of Responsibility 280 to be used with functions other than 1291)*

This language provides clarity on the **where** to code expenditures for English language learner programs but not **what** to code as these expenditures. In order to fully realize the clarity & transparency intended by the legislation, we feel the ELL Finance work group needs to develop

more extensive guidance for districts on what qualifies as expenditures for English language learner programs.

As a group, we have identified an initial list of problematic areas with regard to accounting and coding we currently struggle with:

- Translation and Interpretation Services
- Multicultural/Language Liaisons - both District and Building level
- Cross Program Collaboration Effort (SPED, Title I, ELL)
- Sheltered Staffing/Mainstream Teachers
- Technology to support administration of ELPA (computers and headphones)
- ELD Administration
- Monitoring Year 1 and Year 2 Reclassified ELL Student Progress Requirement

We understand that a group, convened by ODE, will be updating the Program Budgeting and Accounting Manual (PBAM) in early 2016 and that this is a possible place for the development of more extensive, and needed, guidance on coding expenditures of ESL programs. We urge the SBOE to include in this rule a requirement that the PBAM work group convenes in January 2016 to develop guidance on ESL expenditures and we welcome the opportunity to join this group and provide our particular insight and expertise in the development of quality guidance.

Regards,

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