

Executive Numbered Memo 002-2008-09 - Promoting, Retaining and Exiting English Language Learners

August 13, 2008

TO: All School District Superintendents

RE: Promoting, Retaining and Exiting English Language Learners from English Language Development Program

The Oregon Department of Education (ODE) has developed policies around promoting, retaining, and exiting English Language Learners (also known as Limited English Proficient students) from the districts' English Language Development (ELD) program.

English Language Proficiency (ELP) standards are presented in steps of sequential skills called proficiency levels. Students in the ELD instructional programs, aligned to the ELP standards, shall be expected to move through the progressive achievement continuum at a rate that allows them to become proficient within a legitimate period of time, generally five years. Some students may achieve proficiency in less than five years while others may need additional time.

The following are guidelines for school districts to follow in their decisions to retain, promote, or exit ELLs from the ELD program:

- The English Language Proficiency Assessment (ELPA) will be the primary state measure for determining ELL students' English language proficiency. Students who achieve a level of "Advanced" on ELPA are generally considered to be proficient, and the vast majority of this group of students will exit the ELD programs. Districts must enter an exit date on the NCLB Spring LEP collection for each student who exits the program. All exited student records are submitted to the LEP collection under Category 1C – Exited. Category 1C records are the only indicator of exited students used in the calculation of AMAOs and the AYP for the ELL subgroup.
- Districts may, on a case-by-case basis, annually evaluate ELPA results and local evidence for individual students. In some cases, this evaluation may indicate that some students may need additional instruction in English Language Development and may need to remain in the ELD program in spite of having achieved a level of "Advanced" on the ELPA. In order to receive additional state funding for ELLs retained in the ELD program under these circumstances, districts must comply with two laws:

ORS 327.013 (7) (a) (B) - allows an additional .5 to be added to the average daily membership (ADM) funding calculation "for each student in average daily membership eligible for and enrolled in an English as a Second Language program under ORS 336.079"; and

OAR 581-023-0100 - To be eligible to receive that funding, district programs must meet the criteria set out in OAR 581-023-0100 (4) (a) (B).

- Districts have the option to promote ELLs before students have achieved a level of “Advanced” on ELPA. This decision requires special considerations. A school team must consider multiple factors indicating the student has already demonstrated that h/she can benefit fully from instruction in the regular education program without assistance from the ELD program.
- Districts must notify parents when either (a) a student is recommended to be retained in the ELD program even after achieving an “Advanced” level on ELPA or (b) a student is recommended to be promoted out of the ELD program prior to achieving the “Advanced” level on ELPA. Title III law requires that districts include parents as active participants throughout the process.

Please contact Carmen West at 503-947-5669 or Brad Capener at 503-947-5860 should you have any questions or need further information.