

ELL bill (HB 3499, section 3) and Proposed ELL rules (dated 10/12/2015) Crosswalk

SECTION 3. (1) The Department of Education shall convene a work group related to English language learner programs. (2) The work group must consist of educators, parents, community stakeholders, experts on English language learner policy and experts in collecting and analyzing data. The department shall solicit recommendations for membership from organizations that represent educators, administrators, school district boards and parents when determining membership of the work group.

<p>HB 3499 (Section 3 in focus)</p> <p>(3) The work group shall identify the following:</p>	<p>Proposed ELL Rules (dated 10/12/2015)</p>	<p>ELL Workgroup Feedback and Questions from 11/10/2015</p>
<p>(a) Criteria for determining if a school district is:</p> <p>(A) Not meeting objectives and the needs of students eligible for and enrolled in an English language learner program, taking into account the specific learning challenges and demographics of the students; or</p> <p>(B) In need of targeted assistance.</p>	<p>581- 020-0606 District Eligibility and Selection (pg. 5)</p> <p>(1) To be eligible for selection as a ELL Improvement or Targeted District:</p> <p>(a) The district must have enrolled 20 or more English Language Learners on a date specified by the Department;</p> <p>(b) The district must not have been identified for district improvement in another state program; and</p> <p>(c) The district must have at least one school which has not been identified for school improvement in another state or federal programs and which has enrolled 20 or more English Language Learners on a date specified by the Department.</p> <p>(2) A public charter school is not eligible for selection as a ELL Improvement or target district. However, a public charter school may be selected by the Department as a school within an identified ELL Improvement or target district for interventions and technical assistance.</p> <p>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)</p> <p>581-020-0609 District Selection (pg 5-7)</p> <p>(1) The Department shall identify school districts as districts in need of improvement if the district has demonstrated a history of low performance as compared to other districts relating to ELL students.</p> <p>(2) The Department shall identify school districts from each of the following categories:</p>	

	<p>(a) Large Districts with 500 or more English Language Learners on a date specified by the Department.</p> <p>(b) Medium Districts with at least 100 but less than 500 English Language Learners on a date specified by the Department.</p> <p>(c) Small Districts with at least 20 but less than 100 English Language Learners on a date specified by the Department.</p> <p>(3) The Department shall consider the following data in identifying the school districts in need of improvement:</p> <p>(a) The average 5 year graduation rate for current and former ELL students for two consecutive years;</p> <p>(b) The growth in the percentage from year to year of current and former ELL students in grades 5 and 8 who meet or exceed benchmarks in reading and mathematics as measured by a statewide standardized assessment; and</p> <p>(c) The growth in the percentage of kindergarten through Grade 5 ELL students who meet or exceed benchmarks on the English Language Proficiency Exam (ELPA).</p> <p>(4) The Department shall also consider how the district compares to other districts with similar characteristics by considering the following demographic information of students enrolled in the district schools in making this comparison:</p> <p>(a) The percentage of students in the district that are identified as from historically underserved groups;</p> <p>(b) Percentage of students in families who are economically disadvantaged; and</p> <p>(c) Percentage of ever ELL students who attend college after graduation from the district.</p> <p>(5) To be considered for identification as in need of improvement a district must have been identified as being in the bottom 25 percent of all districts with 20 or more English Language Learners based on the data and demographic information described in this rule.</p> <p>(6) After identifying potential districts in need of improvement, the Department may adjust the list of districts:</p> <p>(a) To achieve geographic diversity of school districts;</p>	
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(b) Based on the percentage of ELL students identified as needing special education;

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

(d) Based on changes of leadership within the district or other promising district improvement efforts;

(e) 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

(f) Based on available funding.

(7) The Department shall identify districts in need of improvement from each of the following categories:

(a) Large Districts with 500 or more English Language Learners on a date specified by the Department.

(b) Medium Districts with at least 100 but less than 500 English Language Learners on a date specified by the Department.

(c) Small Districts with at least 20 but less than 100 English Language Learners on a date specified by the Department.

(8) After identifying the list of districts in need of improvement, the Department shall notify the identified districts and require the districts to submit an application to determine which districts will be ELL improvement districts and which will be targeted districts and to determine which schools within the districts will be identified for improvement efforts. The department shall request information from the district to determine:

(a) Whether a district will be a ELL improvement or target district;

(b) Which schools within the district will be identified for improvement efforts based on a district needs and assets assessment for supporting ELL students; and

(c) What the district's improvement plan will be if selected to be an ELL improvement or target district.

(9) (a) The Department shall consider the information received from the district under subsection (8) of this rule when identifying districts as ELL improvement or target districts and when identifying which schools in the district will be identified for improvement efforts.

(b) The Department shall attempt to achieve an identification of

	<p>elementary, middle or high schools within identified improvement districts that is proportionately as equal as possible to the proportion of ELL students enrolled in elementary, middle and high schools statewide.</p> <p>(10) Data used by the Department to identify school districts may be from different school years but must be the best data available as identified by the Department.</p> <p>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)</p>	
<p>(b) Information necessary for school districts to include in an annual report on student progress indicators for students eligible for and enrolled in an English language learner program for the purpose of determining if a school district is:</p> <p>(A) Not meeting objectives and the needs of students eligible for and enrolled in an English language learner program, taking into account the specific learning challenges and demographics of the students; or</p> <p>(B) In need of targeted assistance.</p>		
<p>(c) Technical assistance that the department will provide to a school district that is:</p> <p>(A) Not meeting objectives and the needs of students eligible for and enrolled in</p>	<p>581-020-0612 ELL Improvement Districts (pg. 7)</p> <p>(1) After a ELL Improvement District is identified, the Department shall select up to three schools within each large district, up to two schools within each medium district and one school within each small district for interventions and targeted assistance.</p> <p>(2) The Department shall identify the specific interventions and targeted</p>	

<p>an English language learner program, taking into account the specific learning challenges and demographics of the students; or</p> <p>(B) In need of targeted assistance.</p>	<p>assistance to be provided to ELL Improvement districts which may include grant funds.</p> <p>(3) The Department, in consultation with the ELL Improvement district, shall establish the expected growth in student progress indicators, and the expected benchmarks for student progress indicators, for English language learners of the district.</p> <p>(4) The Department, in consultation with the ELL Improvement district, 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 a ELL Improvement district.</p> <p>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)</p> <p>581-020-0615 Target Districts (pg. 8)</p> <p>(1) The Department shall identify the targeted assistance to be provided to target districts.</p> <p>(2) The Department shall provide targeted assistance for fours year after the school district has been identified as a target district.</p> <p>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)</p>	
<p>(d) Guidelines for how the department shall direct a school district on how to expend moneys received under ORS 327.013 (1)(c)(A)(ii) if the school district is:</p> <p>(A) Not meeting objectives and the needs of students eligible for and enrolled in an English language learner</p>	<p>581-020-0603 Program (pg. 4)</p> <p>(1) The Department of Education through the ELL District and School Improvement program shall:</p> <p>(a) Improve ELL student outcomes including high school graduation rates and English language proficiency.</p> <p>(b) Identify school districts that are not meeting objectives and the needs of students eligible for and enrolled in an English language learner program, taking into account the specific learning challenges and demographics of the students.</p> <p>(c) Provide technical assistance and interventions to identified school</p>	

<p>program, taking into account the specific learning challenges and demographics of the students; or</p> <p>(B) In need of targeted assistance.</p>	<p>districts.</p> <p>(d) Ensure that identified ELL improvement and target districts achieve expected growth in student progress indicators, and the expected benchmarks for student progress indicators that an identified district is expected to within four years of identification.</p> <p>(e) In consultation with ELL improvement and target districts design and implement an accountability system of progressive interventions for the school districts.</p> <p>(f) Direct the school district 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.</p>	
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... (a) Related to the work of the work group as described in subsection (3) of this section no later than January 1, 2016.