

Date: December 10, 2015

To: Deputy Superintendent Noor, Chair Summer, Vice Chair Martinez, Second Vice Chair Bowen, Board Member Henry, Board Member Veliz, and Board Member Colonna

From: Oregon Alliance for Education Equity

Re: Proposed rules on ELL Revenue and Expenditure Report Criteria (OAR 581-023-0250)

Dear Deputy Superintendent Noor and State Board of Education Members,

Thank you again for the opportunity to provide feedback on the proposed ELL rules. As members of the Oregon Alliance for Education Equity—the leading coalition of communities of color, immigrants and refugees who are directly affected by K-12 English Language Learner programs—we worked hard with many other stakeholders to pass HB 3499 unanimously (90-0). Our members continue to engage in the rulemaking process to ensure that the law is implemented well.

We write this letter to provide our feedback on the rules regarding ELL Revenue and Expenditure Report Criteria (OAR 581-023-0250) because we want these rules to meet the spirit of the law. We have also submitted another letter that comments on the proposed rules related to ELL District and School Improvement (OAR 581-020-0600 to 0615).

The current draft rules are an important first step at creating uniform coding and reporting guidelines. However, even with this current proposal, we still remain concerned about not having enough criteria or guidance on what goes into the ESL codes. The current ESL codes in the accounting manual are still not descriptive enough and we hear from district partners that confusion exists around what can/should (versus can't/shouldn't) be coded as ESL expenditure.

Here are some examples (that were shared by Title III Directors) where confusion continues to exist around coding and accounting:

- Translation and interpretation
- Multicultural/Language Liaisons - both at the district and building level
- Cross Program Collaboration Effort (SPED, Title I, ELL)
- Sheltered Staffing/Mainstream Teachers
- Technology to support administration of English Language Proficiency Assessments
- English Language Development Administration

The current draft rule does not help address those concerns.

We must have clear criteria and guidance on what goes into the ESL codes in order to better understand how ESL revenue is being spent.

We have been notified that ODE will hold a Program Budgeting and Accounting Manual (PBAM) Committee meeting in January 2016 to review and update the codes.

With that, we strongly recommend that the State Board add language in the rule that directs the PBAM Committee to develop (and continue to update) guidance and criteria around what goes into the ESL expenditure codes whenever the Committee meets to review and update the manual.

We also think that key stakeholders like teachers, Title III directors, school board directors, superintendents and community members should be invited to participate in the upcoming PBAM meetings in order to provide input and guidance on the manual and criteria.

Once again, we thank you for your time and leadership on this issue. Please reach out with any additional questions or feedback.

Sincerely,

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Stand for Children Oregon

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