

D R A F T

SUMMARY

Transfers reporting requirements related to English language learner programs from school districts to Department of Education.
Adjusts timelines for making reports.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to reporting requirements for English language learner programs;
3 creating new provisions; amending ORS 327.016 and 336.079; repealing
4 section 7, chapter 604, Oregon Laws 2015; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

5 **SECTION 1.** ORS 327.016 is amended to read:

6 327.016. (1) [*Each school district*] **The Department of Education** shall
7 prepare an annual report that:

8 (a) Identifies the total amounts that are:

9 (A) Allocated to [*the*] **each** school district from the State School Fund for
10 students eligible for and enrolled in an English language learner program
11 as provided by ORS 327.013 (1)(c)(A)(ii);

12 (B) Expended from the amounts identified in subparagraph (A) of this
13 paragraph for students in average daily membership who are eligible for and
14 enrolled in an English language learner program; and

15 (C) Expended as described in subparagraph (B) of this paragraph by cat-
16 egory of expenditure, as identified and defined by the State Board of Educa-
17 tion by rule.

18 (b) Summarizes the progress for [*a*] **each** school district on meeting ob-
19 jectives and the needs of students eligible for and enrolled in an English
20

1 language learner program.

2 (c) Provides information on *[student]* **the demographics of students in**
3 **English language learner programs in each school district**, including:

4 (A) The average number of years students have been enrolled in an Eng-
5 lish language learner program;

6 (B) The average number of years the students have attended their current
7 schools;

8 (C) The percentage of students who also receive special education and
9 related services; and

10 (D) Any other information *[required]* **identified** by the department *[of*
11 *Education]*.

12 (2) The report *[required]* **prepared** under subsection (1) of this section
13 must:

14 (a) Be *[filed with the Department of Education by September 1]* **made**
15 **available on the department's website by June 30** of each year; **and**

16 (b) Cover the school year ending *[on the preceding]* June 30 **of the prior**
17 **year.** *[; and]*

18 *[(c) Comply with the form and content requirements for the report that are*
19 *prescribed by the Department of Education.]*

20 *[(3) Notwithstanding subsection (2)(a) of this section and pursuant to rules*
21 *adopted by the State Board of Education, the Superintendent of Public In-*
22 *struction may waive a reporting date or specify an alternative date for filing*
23 *the report if a human-created disaster or a natural disaster affects the ability*
24 *of the school district to file a report by the specified date.]*

25 *[(4)]* **(3)** Prior to January 1 of each odd-numbered year, the department
26 *[of Education]* shall submit to the interim legislative committees on educa-
27 tion a *[report on the data collected under subsection (2) of this section. The*
28 *report must include the data collected for the preceding two school years.]*
29 **summary of the two most recent reports prepared under subsection (1)**
30 **of this section.**

31 **SECTION 2. Section 7, chapter 604, Oregon Laws 2015, is repealed.**

1 **SECTION 3. The Department of Education shall prepare the first**
2 **report described in ORS 327.016 by June 30, 2016.**

3 **SECTION 4.** ORS 336.079 is amended to read:

4 336.079. (1) As used in this section, “English language learner” means a
5 student who:

6 (a) Has limited English language proficiency because English is not the
7 native language of the student or the student comes from an environment
8 where a language other than English has had a significant impact on the
9 student’s level of English language proficiency; and

10 (b) Meets any other criteria established by the State Board of Education
11 by rule.

12 (2) Specific courses to teach speaking, reading and writing of the English
13 language shall be provided at kindergarten and each grade level to students
14 who are unable to benefit from classes taught in English. The courses shall
15 be taught at school until the students are able to benefit from classes con-
16 ducted in English.

17 (3) The Department of Education shall develop and implement a statewide
18 plan to support students eligible for and enrolled in an English language
19 learner program under this section.

20 (4) Each school district shall [*file a report related to students eligible for*
21 *and enrolled in an English language learner program as provided by*] **provide**
22 **to the department any information required by the department for the**
23 **purpose of preparing the report described in ORS 327.016.**

24 (5)(a) Based on the report [*received under subsection (4) of this section*]
25 **prepared as described in ORS 327.016**, the department shall identify school
26 districts that are:

27 (A) Not meeting objectives and the needs of students eligible for and en-
28 rolled in an English language learner program, taking into account the spe-
29 cific learning challenges and demographics of the students; or

30 (B) In need of targeted assistance.

31 (b) The department, in consultation with a school district identified under

1 paragraph (a) of this subsection, shall establish the expected growth in stu-
2 dent progress indicators, and the expected benchmarks for student progress
3 indicators, for English language learners of the school district. The inter-
4 ventions shall be provided for four years after the school district has been
5 identified.

6 (c) The department, in consultation with a school district identified under
7 paragraph (a)(A) of this subsection, shall design and implement an account-
8 ability system of progressive interventions for the school district. The inter-
9 ventions shall be provided for four years after the school district has been
10 identified.

11 (d) The department shall provide technical assistance to school districts
12 that have been identified under paragraph (a)(B) of this subsection. Techni-
13 cal assistance shall be provided for four years after the school district has
14 been identified.

15 (e) If a school district has been identified under paragraph (a) of this
16 subsection for four years and has not met the expected growth in student
17 progress indicators, and the expected benchmarks for student progress indi-
18 cators, established under paragraph (b) of this subsection, the department
19 shall direct the school district on how to expend moneys received under ORS
20 327.013 (1)(c)(A)(ii) for up to three years.

21 **SECTION 5. This 2016 Act being necessary for the immediate pres-**
22 **ervation of the public peace, health and safety, an emergency is de-**
23 **clared to exist, and this 2016 Act takes effect on its passage.**

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