

CHAPTER 21

AN ACT

SB 1564

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

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

SECTION 1. ORS 327.016 is amended to read:
327.016. (1) *[Each school district]* **The Department of Education** shall prepare an annual report that:

(a) Identifies the total amounts that are:

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

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

(C) Expended as described in subparagraph (B) of this paragraph by category of expenditure, as identified and defined by the State Board of Education by rule.

(b) Summarizes the progress for *[a]* **each** school district on meeting objectives and the needs of students eligible for and enrolled in an English language learner program.

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

(A) The average number of years students have been enrolled in an English language learner program;

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

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

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

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

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

(b) **Be provided to each school district board by September 1 of each year and made available at the school district's main office and on the school district's website; and**

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

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

[(3) Notwithstanding subsection (2)(a) of this section and pursuant to rules adopted by the State Board of Education, the Superintendent of Public Instruc-

tion may waive a reporting date or specify an alternative date for filing the report if a human-created disaster or a natural disaster affects the ability of the school district to file a report by the specified date.]

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

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

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

SECTION 4. ORS 336.079 is amended to read:
336.079. (1) As used in this section, "English language learner" means a student who:

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

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

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

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

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

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

(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

(B) In need of targeted assistance.

(b) The department, in consultation with a school district identified under paragraph (a) of this subsection, shall establish the expected growth in student progress indicators, and the expected benchmarks for student progress indicators, for English

language learners of the school district. The interventions shall be provided for four years after the school district has been identified.

(c) The department, in consultation with a school district identified under paragraph (a)(A) of this subsection, shall design and implement an accountability system of progressive interventions for the school district. The interventions shall be provided for four years after the school district has been identified.

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

(e) If a school district has been identified under paragraph (a) of this subsection for four years and

has not met the expected growth in student progress indicators, and the expected benchmarks for student progress indicators, established under paragraph (b) of this subsection, the department shall direct the school district on how to expend moneys received under ORS 327.013 (1)(c)(A)(ii) for up to three years.

SECTION 5. This 2016 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect on its passage.

Approved by the Governor March 3, 2016

Filed in the office of Secretary of State March 3, 2016

Effective date March 3, 2016
