

Testimony on HB 3499
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I am happy to see that educators of ELL students will have a voice in policy recommendations. However, I am concerned about some of the charges of the committee. I would propose adding some type of charge that would deal with successful practices, implementing the Statewide ELL Plan, and closing the opportunity gap in a non-punitive way.

SECTION 1. (1) The Department of Education shall convene an advisory group that consists of school district board members, educators, parents and community stakeholders identified by the Superintendent of Public Instruction.

The advisory group should include Title III Directors as part of the educator representation. They are the ones most familiar with the spending, program implementation, and barriers to success. I attended a caucus meeting at the COSA ELL conference this month where Title III Directors were advocating for a voice. They have periodic webinars through the ODE, but said they are muted during the webinars and the meetings don't provide for the interactivity needed. I am personally not interested in being on the advisory board, but I think the meetings should be held at a time when educators can at least call in to listen or participate, with minutes being kept, and enough transparency for public monitoring.

(2) The advisory group shall: (a) Develop uniform budget coding requirements and uniform reporting requirements to provide budget transparency for the spending of moneys received by school districts as provided by ORS 327.013 (1)(c)(A)(ii) for students in average daily membership eligible for and enrolled in an English language learner program under ORS 336.079.

I am very excited about the coding being tightened up. Maybe we will find out that indeed districts are not hoarding money and are appropriately spending.

(b) Identify information necessary to determine if a school district has low-performing outcomes for students who are eligible for and enrolled in an English language learner program under ORS 336.079.

If you are using AMAO data then all districts will have low-performing outcomes as measured by proficiency (not growth) on the OAKS. Now with Smarter Balanced on the way with its dismal predicted passing rates for ELL students, how will this be measured?

(c) Identify technical assistance that the department may provide if a school district is determined to have low-performing outcomes and identify funding restrictions that the Superintendent of Public Instruction may impose on the school district.

Funding restrictions? Wouldn't a low performing district need additional funding? Is technical assistance to mean doing more with less in a sea of rising expectations?

(d) Identify methods to provide ongoing support to students of the school district who no longer are eligible for or enrolled in an English language learner program under ORS 336.079.

The current paper-only autopsy approach to monitoring needs to be transformed into providing actual services during this important transition time.

SECTION 6. (1) Funding for students enrolled in English language learner programs shall be distributed as provided in this section. (2) For purposes of State School Fund distributions made under ORS 327.013 (1)(c)(A)(ii), a student qualifies for English language learner program funding if: (a) The student is eligible for and enrolled in an English language learner program under ORS 336.079 and the student: (A) Has been enrolled in the program for no more than seven years total, if the student began the program with low language proficiency, as determined according to standards adopted by the State Board of Education based on the results of an assessment identified by the State Board of Education by rule; or (B) Has been enrolled in the program for no more than four years total, if the student began the program with moderate language proficiency, as determined according to standards adopted by the State Board of Education based on the results of an assessment identified by the State Board of Education by rule; or (b) The student had been

I'm against funding formulas that put students into a box, fail to provide a transition for students not being successful, and assume that English proficiency is measured by one summative test. The waiver here does nothing to soften the blow to this reduction in support. The COSA ELL workgroup was in agreement not to have the expiring weighted formula were they not? Yet, it re-appears in so many places. I am trying to get data that would show that we indeed have a reason to take such a move.

I would like to continue to be involved in making this a better bill so that my ELL students can have the support they need to be successful.