

# Senate Bill 1564

Sponsored by Senator ROBLAN (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

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; creating new provisions;  
3 amending ORS 327.016 and 336.079; repealing section 7, chapter 604, Oregon Laws 2015; and  
4 declaring an emergency.

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

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

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

9 (a) Identifies the total amounts that are:

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

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

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

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

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

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

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

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

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

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

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

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

30 *[(c) Comply with the form and content requirements for the report that are prescribed by the De-*

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 *partment of Education.]*

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

6 *[(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.]*  
 8 **summary of the two most recent reports prepared under subsection (1) of this section.**

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

11 **SECTION 3. The Department of Education shall prepare the first report described in ORS**  
 12 **327.016 by June 30, 2016.**

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

14 336.079. (1) As used in this section, “English language learner” means a student who:

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

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

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

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

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

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

30 (A) Not meeting objectives and the needs of students eligible for and enrolled in an English  
 31 language learner program, taking into account the specific learning challenges and demographics  
 32 of the students; or

33 (B) In need of targeted assistance.

34 (b) The department, in consultation with a school district identified under paragraph (a) of this  
 35 subsection, shall establish the expected growth in student progress indicators, and the expected  
 36 benchmarks for student progress indicators, for English language learners of the school district. The  
 37 interventions shall be provided for four years after the school district has been identified.

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

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

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

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

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

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