

Guidelines for ADMr and ESL ADMw Spending

In 1974, the Supreme Court ruled that identical education does not constitute equal education under the Civil Rights Act of 1964. The court ruled that the district must take affirmative steps to overcome educational barriers faced by the non-English speaking Chinese students in the district. [414 U.S. 563 (1974)].

Language Proficiency refers to the degree to which the student exhibits control over the use of language, including the measurement of expressive and receptive language skills in the areas of phonology, syntax, vocabulary, and semantics and including the areas of pragmatics or language use within various domains or social circumstances. Proficiency in a language is judged independently and does not imply a lack of proficiency in another language. In the State of Oregon, the law specifies “special English courses” as the required core class for English language learners to achieve English language proficiency.

The following table includes the guidelines from ORS regarding Aggregated Days Membership regular (ADMr) and Aggregated Days Membership weighted (ADMw), and examples of the programs and activities that are supported by these guidelines. The purpose of this table is to guidelines with as many examples as possible for business staff, ESL staff, and superintendents of school districts in the determination of how to use ADMr and ADMw funds appropriately.

Activities and PBAM coding Categories	Aggregated Days Membership regular (ADMr) (1.0) funding	Aggregated Days Membership weighted (ADMw) for ELLs (0.5) funding
Definition of ADM regular and ADM weighted	327.006 Definitions for State School Fund distributions (1) “Aggregate days membership” means the sum of days present and absent, according to the rules of the State Board of Education, of all resident pupils when school is actually in session during a certain period.	<u>ORAR 581-23-100 Eligibility Criteria for Student Weighting for Purposes of State School Fund Distribution.</u> ORS 327.013 (ii) 0.5 for each student in average daily membership eligible for and enrolled in an English as a second language program under ORS 336.079.
Definition of Core Classes and special English courses	<u>ORAR 581-022-1210 District Curriculum</u> (1) Each school district shall provide a planned K-12	<u>Oregon Revised Statutes - ORS 336.079 Special English courses for certain children.</u> Specific courses to teach

instructional program.

(2) The planned K-12 instructional program shall include the following:

(a) Common Curriculum Goals and academic content standards to include:

(A) English;

(B) Mathematics;

(C) Science;

(D) Social Science (including history, geography, economics and civics);

(E) The Arts;

(F) Second Languages;

(G) Health Education; and

(H) Physical Education.

(b) Additional Common Curriculum Goals for technology.

(c) Essential Learning Skills, as contained in the Common Curriculum Goals and academic content standards;

(d) Career-related learning standards, as contained in the Common Curriculum Goals and academic content standards; and

(e) Career education that may include career and technical education.

(3) The school district shall also provide instruction in other areas identified in chapter 581, division 022 of the Oregon Administrative Rules, including:

(a) Infectious diseases, including AIDS/HIV and Hepatitis B;

(b) Prevention education in drugs and alcohol; and

(c) Emergency plans and safety programs.

(4) The school district is also accountable to provide

speaking, reading and writing of the English language shall be provided at kindergarten and each grade level to those children who are unable to profit from classes taught in English. Such courses shall be taught to such a level in school as may be required until children are able to profit from classes conducted in English. [1971 c.326 §3; 1993 c.45 §77].

(4) Pursuant to ORS 327.013(7)(a)(B), the resident school districts shall receive an additional .5 times the ADM of all eligible students enrolled in an English as a Second Language program. To be eligible, a student must be in the ADM of the school district in grades K through 12 and be a language minority student attending English as a Second Language (ESL) classes in a program which meets basic U.S. Department of Education, Office of Civil Rights guidelines. These guidelines provide for:

(a) A systematic procedure for identifying students who may need ESL classes, and for assessing their language acquisition and academic needs;

(b) A planned program for ESL and academic development, using instructional methodologies recognized as effective with language minority students;

(c) Instruction by credentialed staff and trained in instructional strategies that are effective with second language learners and language minority students;

instruction in compliance with requirements set forth in **ORS Chapter 336**, Conduct of Schools Generally.

581-022-0405 Career Education

Each school district shall implement plans for career education for Grades K through 12, as part of its comprehensive guidance and counseling program, based on the Oregon Department of Education’s “Framework for Comprehensive Guidance and Counseling Programs for Pre-Kindergarten through Twelfth Grade.” Career education curriculum is part of the overall comprehensive guidance and counseling curriculum, written to address Essential Skills, Education Plan and Education Profile and the four interrelated student development domains: academic, career, personal/social, and community involvement.

(d) Adequate equipment and instructional materials;
(e) Evaluation of program effectiveness in preparing ESL students for academic success in the mainstream curriculum.

Title VI (of the Civil Rights Act of 1964) 34 CFR 100.3

(a) General. No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program to which this part applies.

(b) Specific (i) Deny an individual any service, financial aid or other benefit provided under the program.

Language of instruction and bilingual education

336.074 Teaching in English required; exceptions. Instruction in all subjects in public, private and parochial schools shall be conducted primarily in English, except:

(1) Instruction in foreign languages.

(2) Instruction may be conducted in more than one language in order that pupils whose native language is other than English can develop bilingual skills to make an early and effective transition to English and benefit from

336.081 Opportunity to qualify to assist non-English-speaking students. (1) All school districts providing courses pursuant to ORS 336.079 shall afford the licensed personnel of that district that are assigned to perform teaching duties for such courses an opportunity to qualify to assist non-English-speaking students to learn English at no cost to the personnel.

(2) Nothing in this section prevents a district from employing licensed personnel

	increased educational opportunities. [1971 c.326 §2]	who are qualified to teach courses under ORS 336.079. [Formerly 342.609]
Language assistance services—<u>New coded in the 2000 category need to be developed by PBAM Committee</u>	Language assistance services for language minority students & families for parent meetings, discipline meetings, IEP meetings, special education referral events, parent and teacher conferences, discipline meetings, communication on school and district issues and topics, boundary changes, bond development, inclement weather, school closures, nutrition services notices, transportation issues and notices,	Not applicable
Staffing—<u>in the 1000 category</u>	Classroom teachers who offer sheltered instruction in (A) English; (B) Mathematics; (C) Science; (D) Social Science (including history, geography, economics and civics); (E) The Arts; (F) Second Languages; (G) Health Education; and (H) Physical Education. (b) Additional Common Curriculum Goals for technology. Staff providing special education assistance to dually identified ELLs. Staff providing language assistance services for language minority students and families	1) ELD teachers and/or language coaches (classified and licensed salaries and benefits) 2) PD for Language Development Instruction 3) PD for explicit Sheltering/Scaffolding Instruction 4) Ongoing support meetings for ELD staff 5) ELD instruction materials with curriculum and supplies 6) Newcomer instructional materials Resources such as language dictionaries for students and staff 7) Specific language interventions 8) Technology and software that support language instruction and language intervention
Assessment—<u>in the 1000 category</u>	Technology that supports ELPA testing administration, headsets for ELPA testing administration; ESL eligibility	ELD assessment materials to support ELD curriculum and assessment

	identification assessment manuals, CD players, computers, headsets, and testing sheets;	
Professional development on assessment—<i>in the 1000 category</i>	Professional development to train teachers and staff on how to administer ELPA and ESL eligibility identification assessment.	Not applicable
Professional development on instruction	Professional development to train classroom teachers on sheltered instruction strategies in (A) English; (B) Mathematics; (C) Science; (D) Social Science (including history, geography, economics and civics); (E) The Arts; (F) Second Languages; (G) Health Education; and (H) Physical Education. (b) Additional Common Curriculum Goals for technology.	Professional development for ELD teachers
Support services—in the 2000 category	Supporting services for ELLs and former ELLs, i.e., social services for language minority parents, academic and social support for former ELLs on Year 1 Monitoring and Year 2 Monitoring status, staff providing multi-cultural and multi-lingual services to students and families, and parent outreach and communication.	ESL intake team to enroll new ELLs
Transportation—<i>in the 2000 category</i>	Transportation for Newcomer students and ELLs to attend the program for the year	Not applicable
Facilities—<i>in the 2000</i>	Facilities such as school	Not applicable

<u>category</u>	buildings, utilities, custodians, principals, secretaries, PE teachers, music teachers, reading specialists, intervention specialists, counselors, and instructional assistants.	
<u>Utilities—in the 2000 category</u>	Utility expenses for school buildings, school grounds, regular transportation, play ground staff, cafeteria staff, counselors, and administrators	Not applicable

The following provides frequently asked questions and answers that address specifics regarding ESL weighted funding:

1. Is the expenditure a direct instructional service with the intention of assisting an ELL student(s) in acquiring the English language, such as an ELD class?
 - a. If yes, use 1291 funds; b. If no, consider 129x funds.
2. Is the expenditure an instructional service for an ELL student that is not direct instruction of an ELL student(s) in acquiring English language intervention?
 - a. If yes, use 129x funds; b. If no, consider 129x funds.
3. Is the expenditure an intervention service for an ELL student to acquire the English language?
 - a. If yes, use 1291 funds; b. If no, consider 129x funds.
4. If no to questions 1, 2, & 3, the expense cannot be coded to 1291 or 129x. Go to next question.
5. Is the expenditure for translation or interpretation services?
 - a. If yes, use function 21xx (to be created); b. If no, consider other funds.
6. Is the expenditure a support available to all students?
 - a. If yes, use non-1291 or 129x funds; b. If no, investigate.
7. Is the expenditure a support service for ELL students to access core content?
 - a. If yes, use non-1291 or 129x funds; b. If no, investigate.
8. Is the expenditure a support service for ELL students to access extra-curricula activities?
 - a. If yes, use non-1291 or 129x funds; b. If no, investigate.
9. Is the service a support that all students can access?
 - a. If, yes, use appropriate 2000 funds; b. If no, investigate.
10. Is a student's native language used for the student to learn mathematics, science, social studies, and other core classes?
 - a. If yes, use non-1291 funds; b. If no, investigate.