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Explanatory Statement – Initiative 19/Ballot Measure 58

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Ballot Measure 58 amends Oregon statute to prohibit teaching non-English speaking public school students in a language that is not English for more than one to two years. Presently, local school districts are required to provide programs based on research for the learning of English as nonnative speakers. Those programs now are provided until such time as students are assessed as “English proficient.”

Under the measure, students who do not understand English may attend English immersion classes for a limited time before being taught only in English. English immersion is not defined by the measure and will require the Oregon legislature to determine what comprises English immersion and what effect that definition will have on instruction in the non-English language. Further, the legislature will have to address the effect of this measure on compliance with relevant federal laws.

Students entering a public school in kindergarten through grade 4 may attend English immersion classes for no more than one year. Students entering a public school in grades 5 through 8 may attend English immersion classes for no more than one and one-half years. Students entering a public school in grades 9 through 12 may attend English immersion classes for no more than two years. After one to two years, English language learners will be mainstreamed, regardless of whether they are English-proficient.

Students enrolled in an English as a second language (ESL) class on the effective date of the measure who still are not English proficient must begin English immersion classes in the 2009-2010 school year. This requirement does not apply to students who will begin grade 11 or 12 in the 2009-2010 school year. Students enrolled in an ESL class on the effective date of the measure may attend English immersion classes for no more than the period of time allowed for students who did not attend an ESL class.

English speaking students who are studying a foreign language may be taught that language for more than two years under the measure.

We the undersigned submit the text under “Explanatory Statement” according to ORS 251.215(3):

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SECRETARY OF THE STATE
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