

Instruction

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Definitions

English language learner is defined as a child who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a limited English proficient or LEP child. (Education Code 306)

English language classroom is defined as a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom is defined as a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

Sheltered English immersion or structured English immersion means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

Bilingual education/native language instruction is defined as a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

Identification and Assessment

Upon enrollment, each student's primary language shall be determined through use of a home language survey. (5 CCR 4304)

Within 30 calendar days of their initial enrollment, students who are identified as having a primary language other than English, as determined by the home language survey, and for whom there is no record of results from an English language development test shall be assessed using the California English Language Development Test (CELDT). (5 CCR 11511)

All students shall have sufficient time to complete the CELDT as provided in the directions for test administration. (5 CCR 11516)

Any student with a disability shall take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. (5 CCR 11516.5)

The District shall notify parents/guardians of their child's results on the CELDT within 30 calendar days. (5 CCR 11511.5)

Within 90 days of initial enrollment, students identified as having limited English proficiency shall be further assessed for primary language proficiency in comprehension, speaking, reading and writing when test personnel is available for that primary language. The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments. (former Education Code 52164.1, 62002)

Before students are enrolled in a program for English language learners, parents/guardians shall receive information about the program and their opportunities for parental involvement. This information shall include the fact that an individual student's participation in the program is voluntary on the part of the parent/guardian. (Education Code 52173)

Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. The notice shall include all of the following: (Education Code 440; P.L. 107-110, Section 1112)

1. The reason for the student's classification as English language learner
2. The level of English proficiency
3. A description of the program for English language development instruction, including a description of all of the following:
 - The manner in which the program will meet the educational strengths and needs of the student;
 - The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards;
 - The specific exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for English language learner students, and the expected rate of graduation from secondary school if Title I funds are used for students in secondary schools; and
 - Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP.
4. Information regarding a parent/guardian's option to decline to allow the student to become enrolled in the program or to choose to allow the student to become enrolled in an alternative program
5. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered

Parent/guardians also shall be notified of the results of any reassessments. (Education Code 52164.3)

Parental Exception Waivers

At the beginning of each school year, parents/guardians shall be informed of the placement of their children in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11303)

A parent/guardian may request that the District waive the requirements of Education Code 305, pertaining to the placement of a student in a structured English immersion program if the one of the following circumstances exists:

1. Students who already know English: The student already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading and writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth-grade average, whichever is lower. (Education Code 311(a))
2. Older students: The student is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills. (Education Code 311(b))

According to the CDE, for a special education student, the IEP determines placement of that student, and therefore a waiver pursuant to this section is not required.

The principal or designee shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311(c) (Students with Special Needs) shall not be acted upon during the 30-day placement in an English language classroom. These waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11303)

When evaluating waiver requests for students who already know English pursuant to Education Code 311(a) (Students who already know English) and other waiver requests for those students for who standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include local assessments, local standards, and teacher evaluations.

Parental exception waivers pursuant to Education Code 311(b) (Students 10 Years or Older) shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)

Parental exception waivers pursuant to Education Code 311(c) (Students with Special Needs) shall be granted if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

The principal shall consider all waiver requests made pursuant to Education Code 311(c) for students with special needs and shall submit a rationale of the decision regarding the waiver to the Superintendent or designee.

(Education Code 310) For all waiver requests, parental exception waivers shall be granted unless the principal and educational staff have determined that an alternative program offered at the school would not be better suited for the overall educational development of the student. (5 CCR 11303)

The parent/guardian shall personally visit the school to apply for parental exception waivers.

Each waiver shall be considered on its individual merit with great deference given to parental preference for student placement.

In cases where a parental exception waiver is denied, the parent/guardian shall be informed in writing of the reason for the denial and, if relevant, any procedures that exist to appeal the decision to the Board. (5 CCR 11303)

Reclassification

The District shall continue to provide additional and appropriate educational services to English language learners for the purposes of overcoming language barriers until the English language learners have: (5 CCR 11302)

1. Demonstrated English language proficiency comparable to that of the District's average native English language speakers
2. Recouped any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English language learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read and write English well enough to receive instruction in the regular program and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

The following criteria shall be used to determine whether an English language learner shall be reclassified as fluent English proficient:

1. Assessment of English language proficiency, utilizing the California English Language Development Test as the primary criterion, and objective assessment of the student's English reading and writing skills

2. Teacher evaluation of the student's English language proficiency and curriculum mastery

Other staff with direct responsibility for teaching or placement decisions may also participate in the reclassification process.

3. Parent/guardian opinion and consultation

Parents/guardians shall receive notice and a description of the reclassification process, including notice of their right to participate in the process. Parent/guardian participation in the process shall be encouraged.

4. Comparison of performance in basic skills, including performance on the English-Language Arts section of the California Standards Test. Students must have achieved a score of proficient or advanced on this assessment

5. Objective data on the student's academic performance in English

The Superintendent or designee shall provide subsequent monitoring and support for reclassified students, including but not limited to monitoring the performance of reclassified students in the core curriculum in comparison with their native-English speaking peers, monitoring the rate of reclassification, and ensuring correct classification and placement.

The Superintendent or designee shall develop a process to monitor the effectiveness of the District's program for English language learners. The District's program shall be modified as needed to help ensure language and academic success for each English language learner.

Advisory Committees

When there are more than 50 English language learners in the District, and more than 20 English language learners at any school, parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law.

The District's English language advisory committee shall advise the Board on at least the following tasks:

1. The timetable for and development of a District master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The district-wide needs assessment
3. Establishment of a District program, goals and objectives for programs and services for English learners

4. Administration of the language census
5. Review of and comments on the written notification of initial enrollment as required in the Coordinated Compliance Review (CCR)
6. Review of and comment on the District's reclassification procedures

The Superintendent or designee shall ensure that committee members receive appropriate training and materials to help the members carry out their responsibilities.

Cross Reference	Policy 5181	Special Education Students
	Policy 5200	Student Accommodation Plan
	Policy 6200	School Improvement Program
	Policy 1200	Appointed Advisory Groups
	Policy 1250	Parent Involvement
	Policy 6210	School Based Coordinated Program
	Policy 5191.1	Intra-District Attendance

ADOPTED: 06/03/03

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PLEASANTON UNIFIED SCHOOL DISTRICT

PLEASANTON, CALIFORNIA