

Administrative Regulation

INSTRUCTION

Education For English Language Learners

Definitions

The definitions of the terms used for English Learner's Program (Education Code 300-340) are as follows: (Education Code 306)

“English learner” means 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 Limited English Proficiency or LEP child.

“English language classroom” means 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.

1. “English language mainstream classroom” means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English.
2. “English immersion” means an English language acquisition process for children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language.

Identification and Assessment

Upon enrollment, each student's primary language shall be determined. Within thirty days of their initial enrollment, students who are identified as having a primary language other than English shall be assessed for English proficiency in comprehension, speaking, reading, and writing. Within ninety 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. Students in grades K-2 may be assessed only in aural comprehension and speaking. The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments.

The Superintendent or designee shall send a notification of the results of English proficiency assessments to all parents/guardians of students who are assessed, whether the student is designated fluent English proficient or limited English proficient. Parents/guardians also shall be notified of the result of any reassessments.

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 the district will place each individual English learner student in English immersion until the child is redesignated as fluent English proficient as

defined below or until the child's parent or guardian asks the district to move the child into an English language mainstream classroom.

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

1. Demonstrated English language proficiency comparable to that of the district's average native English language speakers.
2. Performed at standard in other areas of the core curriculum.

English language learners shall be redesignated 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. This proficiency shall be assessed by means of the following criteria:

- a. Teacher evaluation of the student's English language proficiency and curriculum mastery shows that the student is at or above grade level.
- b. Objective assessment of the student's English comprehension, speaking proficiency and writing skills are at or above the district standard.
- c. Parental opinion during a redesignation interview where parents ask to move the child into an English language mainstream classroom.
- d. Objective data on the student's academic performance in English demonstrate the student is at or above the district standard.

The Superintendent or designee shall provide subsequent monitoring and support of redesignated students.

Parental Exception Waivers

The district may approve a Parental Exception Waiver to transfer a student out of an English language classroom to a bilingual program in a district of the parents/guardians choice only under the following criteria established by the State of California:

1. The district will give parents/guardians a full written description of the sheltered/ structured English immersion program, the alternative course of study and educational opportunities available to the student, and the educational materials that will be used in each program. The district will also provide this information orally upon the parents/ guardians' request.

2. Parents/guardians may request a waiver for the current school year by personally submitting a parental exception waiver application to the school. Parents/guardians may submit applications at any time. Applications will be available at each school and in the district office.
3. A designated administrator in Education Services will review each waiver application for compliance with state criteria for waivers as stated below:
 - a. Children who already know English.
A child's English standardized test scores must be at or above the state average for the child's grade level or above the 5th grade.
 - b. Students ten (10) years of age or older.
 - c. Children with special needs.
District must determine that the child's physical, emotional, psychological or educational needs will be better achieved through an alternative program.

The Superintendent shall review and approve the recommendations of the EL Director regarding children with special needs.

4. The district will consider a request for a waiver and transfer of students from English language classrooms to a bilingual program in a district of the parent's/guardian's choice. Upon approval of the waiver the district will grant an interdistrict transfer.
5. The district shall act on a waiver application within 20 instructional days after the parents/guardians submit the application to the school principal, or for children under ten (10) years of age, within ten (10) instructional days after the end of the initial 30-day assessment period.
6. English learners under ten (10) years of age will participate in a sheltered/structured English immersion program for at least 30 calendar days while the district assesses the student's English proficiency and also determines whether the student has special needs.
7. Approved parental exception waivers are effective for the current school year only. The district will re-enroll a student in an English language classroom only if the parents/guardians do not object.
8. If the district denies the waiver request, the Superintendent, or designee, shall give the parents/guardians a written statement of the reasons for the denial and of the parents/guardians' right to appeal.
9. Parents/guardians may appeal the Superintendent's decision denying a waiver request to the Board of Trustees by filing a complaint under the district's Complaint Procedures, Board Policy 1312.5.

10. The Superintendent or designee will inform English learners' parents/guardians about the opportunity to apply for parental exception waivers under Policy and state law. Primary languages shall be used as necessary to fully inform parents/guardians.

The Superintendent, or designee, will give copies of this Policy and applicable state regulations to parents/guardians who request them.

Advisory Committees

The district has established the district English Learner Advisory Committee as the parent/guardian advisory committee. It provides the advisory functions specified in law. Parents/guardians of English language learners shall constitute committee membership in at least the same percentage as their children represent of the total number of students in the school.

Primary Language Use

Berryessa Union School district encourages all participants in the educational process to use English as much as possible when speaking with English learner children in order to encourage and reinforce students' English use. Students' primary languages may be used in non-instructional settings and in instructional settings to ensure that students understand safety issues, school procedures, important messages, and lesson content.

School administrators, teachers, aides, and volunteers in classrooms utilizing the English immersion process may use students' primary language to introduce new students to the school setting, including facilities, personnel, and school and classroom safety rules and procedures; to teach students school and classroom rules and procedures; to preview and review lessons; to assess learning to teach specialized vocabulary; to inform students about emergencies; to give students important information and to send important messages to students' parents and guardians; to communicate with parents and guardians about students' progress, school events, and other topics; and to provide parents and guardians with information they need to help students with homework.

Students in classrooms utilizing the English immersion process may use their primary languages to talk socially among themselves and may read and write in languages other than English during free time.

School administrators, teachers, aides, volunteers, and students may use students' primary languages before and after school, during recess and lunch breaks, at Back to School Nights, in parent/guardian conferences, and in other non-instructional settings.

Approved: January 19, 1999

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