

EDUCATION FOR ENGLISH LEARNERS

The Board intends to provide students who are identified as English learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the District's regular course of study. To accomplish these goals, all instruction will be in English with daily English language development lessons tailored to students' varying levels of English proficiency.

Access and Equity

Students designated as English learners shall be provided differentiated English language development instruction targeted to their English proficiency level. Such instruction shall be based on sound instructional theory, be aligned with state content standards, emphasize inquiry-based learning and critical thinking skills, and be integrated across all subject areas.

No middle or high school student who is designated as an English learner shall be denied enrollment solely on the basis of the student's designation as an English learner: (Education Code 60811.8)

1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history-social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion

However, an English learner may be denied participation in any such course if the student has been enrolled in a school in the United States for less than 12 months or is enrolled in a program designed to develop the basic English skills of newly arrived immigrant students, and the course of study provided to the student is designed to remedy academic deficits incurred during participation and to enable the student to attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. A full course load of courses specified in item #1 above.
3. Other courses that meet the "a-g" course requirements for college admission or are advanced courses such as honors or Advanced Placement courses.

The District will implement a program, which utilizes student identification, student placement options, appropriate teacher assignment, and the maintenance of clear re-designation criteria program and progress monitoring. Related parental notifications shall be provided in accordance with law (Education Code §52164.1).

Identification and Assessment

In accordance with Education Code §52164.1(a), a home language survey will be used with all students at the time of initial enrollment in the District to determine a student's experience and exposure to languages other than English. For students who have a home language or primary language other than English, District staff will assess students within 30 calendar days of enrollment to determine language proficiency using the state's English Language Proficiency Assessment (ELPAC). To oversee test administration, the Superintendent or designee shall annually designate a District ELPAC coordinator and a site coordinator for each test site in accordance with 5 CCR 11518.40-11518.45

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Parents/guardians will be notified of the student proficiency level or initial fluent English-proficient status. Parents will be provided information about the program options for their child.

Once identified as an English learner, a student shall be annually assessed for language proficiency until the student is re-designated based on criteria specified in the accompanying administrative regulation.

In addition, a student who is an English learner shall have academic achievement in English/Language Arts, mathematics, science, and any additional subject required by law, assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5 CCR 854.1-854.3. Students who are English learners and are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 854.1-854.3)

Language Acquisition Programs

The District shall offer research-based language acquisition programs designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. (Education Code 306; 5 CCR 11300) At a minimum, the District shall offer a structured English immersion program, which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309) For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, “nearly all” means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

In addition, language acquisition programs offered by the District may include, but are not limited to, the following: (Education Code 305-306)

1. Language immersion programs that include Two-Way Immersion (TWI) and Mandarin Immersion Program (MIP) that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding
2. A transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards

The District's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

In establishing the District's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the local control and accountability plan (LCAP) development process. The Superintendent or designee shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

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At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the District, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (Education Code 310; 5 CCR 11310)

Whenever a student is identified as an English learner based on the results of the ELPAC, the student's parents/guardians may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310; 5 CCR 11311)

Staff Qualification and Professional Development

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

The District shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

Reclassification

When an English learner is determined based on state and district re-designation criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream program

Program Evaluation

To evaluate the effectiveness of the District's educational program for students who are English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of students designated as English learners towards proficiency in English
2. The number and percentage of students designated as English learners who are re-designated as fluent English proficient
3. The number and percentage of students designated English learners who are or are at risk of being designated as long-term English learners in accordance with Education Code 313.1
4. The achievement of students designated as English learners on standards-based tests in core curricular areas

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5. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR 11309
6. Progress toward any other goals for students designated as English learners identified in the district's LCAP
7. A comparison of current data with data from at least the previous year in regard to items #1-6 above
8. A comparison of data between the different language acquisition programs offered by the district

The District shall identify in its LCAP goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners. The Superintendent or designee shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

The Superintendent or designee shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners. The Superintendent or designee may also provide an English development literacy training program for parents/guardians and community members so that they may better support students' English language development.

*Legal Reference:*EDUCATION CODE*44253.5-44253.7 Certification for bilingual-cross-cultural competence**48985 Notices to parents in language other than English**52015 Components of school improvement plan**52060-52065 Native American Indian education program**52130-52136 Impacted languages act of 1984**52160-52178.4 Bilingual-Bicultural Act of 1976**52180-52186 Bilingual teacher training assistance program**54000-54041 Programs for disadvantaged children**62000-62005.5 Evaluation and sunseting of programs*CODE OF REGULATIONS, TITLE 5*4300-4320 Bilingual education program requirements*20 UNITED STATES CODE, 1701-1704*Casteneda v. Pickard (5th Cir. 1981) 648 F.2d 989**Teresa P. et al v. Berkeley Unified School District et al, (2114189) 724 F.Supp.717*Improving America's Schools Act, 199 Title VII*54440 - Migrant Children, Legislative Intent**34441-54445 - Emergency Immigrant Education Program**34 Code of Federal Regulations, 201.1, 201.12, 201.30 - 201.32, 204.10, 204.22, 204.32, 204.64*

Policy

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CAPISTRANO UNIFIED SCHOOL DISTRICT

San Juan Capistrano, California