

# ***William S. Hart Union HSD***

## ***Board Policy***

### ***Education for English Learners***

***BP 6174***

#### ***Instruction***

***The Governing Board intends to provide 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.***

***English learners shall be provided differentiated English language development instruction which is 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.***

***(cf. 6011 - Academic Standards)***

***(cf. 6141 - Curriculum Development and Evaluation)***

***(cf. 6161.1 - Selection and Evaluation of Instructional Materials)***

***(cf. 6161.11 - Supplementary Instructional Materials)***

***(cf. 6171 - Title I Programs)***

***An English learner shall not be denied enrollment in any of the following: (Education Code 60811.8)***

- 1. Courses in the core curriculum areas of English /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***
- 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, on the sole basis of the student's classification as an English learner***

***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 newcomer 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 and to enable the student to participate in the standard instructional program within a reasonable length of time after the student enters the school system.***

***(cf. 0415 - Equity)***

*(cf. 6141.4 - International Baccalaureate Program)*  
*(cf. 6141.5 - Advanced Placement)*

*The district shall identify in its local control and accountability plan (LCAP) goals specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.*

*(cf. 0460 - Local Control and Accountability Plan)*  
*(cf. 3100 - Budget)*

*The Superintendent or designee shall encourage parent/guardian 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.*

*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 6020 - Parent Involvement)*

#### *Staff Qualifications and Training*

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

*(cf. 4112.22 - Staff Teaching English Learners)*

*The district shall provide effective professional development to teachers, administrators, and other school personnel to improve the instruction and assessment of English learners, and to enhance staff's ability to understand English learners diverse needs. Staff development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)*

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

#### *Identification and Assessment*

*The Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency using the state's English Language Proficiency Assessments for California (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.*

*Once identified as an English learner, a student shall be annually assessed for language proficiency until the student is reclassified based on criteria specified in the accompanying*

*administrative regulation.*

*In addition, English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be 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. English learners who 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)*

*(cf. 6162.51 - State Academic Achievement Tests)*

### *Reclassification*

*When an English learner is determined based on state and district reclassification 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 classroom.*

### *Language Acquisition Programs*

*The district shall offer research-based language acquisition programs that are 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 (SEI) program which includes designated and integrated English language development. In the SEI program, nearly all of the classroom instruction shall be provided in English, with additional primary language support as appropriate and available for clarification, explanation, and support as needed, with curriculum and instruction designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)*

*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)*

*(cf. 5145.6 - Parental Notifications)*

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

1. *Progress of English learners towards proficiency in English*
2. *The number and percentage of English learners reclassified as fluent English proficient*
3. *The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1*
4. *The achievement of English learners on standards-based tests in core curricular areas*
5. *Progress toward any other goals for English learners identified in the district's LCAP*
6. *A comparison of current data with data from the previous year in regard to items #1-5 above*
7. *Regular reports from the district English learner advisory committee*

***Legal Reference:***

***EDUCATION CODE***

***300-340 English language education, especially:***

***305-310 Language acquisition programs***

***313-313.5 Assessment of English proficiency***

***430-446 English Learner and Immigrant Pupil Federal Conformity Act***

***33050 State Board of Education waiver authority***

***42238.02-42238.03 Local control funding formula***

***44253.1-44253.11 Qualifications for teaching English learners***

***48980 Parental notifications***

***48985 Notices to parents in language other than English***

***52052 Accountability; numerically significant student subgroups***

***52060-52077 Local control and accountability plan***

***52160-52178 Bilingual Bicultural Act***

***56305 CDE manual on English learners with disabilities***

***60603 Definition, recently arrived English learner***

***60640 California Assessment of Student Performance and Progress***

***60811-60812 Assessment of English language development***

***62002.5 Continuation of advisory committee after program sunsets***

***CODE OF REGULATIONS, TITLE 5***

***854.1-854.3 CAASPP and universal tools, designated supports, and accommodations***

***854.9 CASSPP and unlisted resources for students with disabilities***

***11300-11316 English learner education***

***11517.6-11519.5 English Language Proficiency Assessments for California***

***UNITED STATES CODE, TITLE 20***

***1412 Individuals with Disabilities Education Act; state eligibility***

***1701-1705 Equal Educational Opportunities Act***

***6311 Title I state plan***

*6312 Title I local education agency plans*

*6801-7014 Title III, language instruction for English learners and immigrant students*

*7801 Definitions*

**CODE OF FEDERAL REGULATIONS, TITLE 34**

*100.3 Discrimination prohibited*

*200.16 Assessment of English learners*

**COURT DECISIONS**

*Valeria O. v. Davis, (2002) 307 F.3d 1036*

*California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141*

*McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196*

*Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698*

**ATTORNEY GENERAL OPINIONS**

*83 Ops.Cal.Atty.Gen. 40 (2000)*

**WILLIAM S. HART UNION HIGH SCHOOL DISTRICT**

*Policy adopted: 08/11/93 Santa Clarita, California*

*Revised: 01/31/96*

*Revised: 04/28/99*

*Revised:*