

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Except as provided in the Education Code, all students will be taught in English. Students who are English language learners will be educated through sheltered English immersion methods. The purpose of English immersion programs is to provide the student with a transition-learning experience that promotes the student's development of proficiency in English as rapidly and effectively as possible. Therefore, placement in such classes is regarded as temporary, and it is expected that the student will be moved into mainstream English-only classes as soon as it is determined that the student has acquired a reasonable level of English proficiency as measured by appropriate assessment instruments. Normally, a student would not be expected to remain in an English immersion class for more than one year.

For purposes of this regulation, the following definitions are applicable:

1. "English language learner" is a student who does not speak English or whose native language is not English and is therefore not currently able to perform ordinary classroom work in English. An English language learner may also be referred to as limited-English-proficient.
2. "English language classroom" or "mainstream English only classroom" is a classroom in which the language of instruction used by the teaching personnel is English.
3. "Sheltered English immersion" or "structured English immersion" means an English language acquisition classroom for students in which nearly all classroom instruction is in English and where the curriculum and instruction are designed for students who are learning the English language.

Identification and Assessment of Students

Upon enrollment in a District school, each student's primary language shall be determined. Within 30 days of their initial enrollment, students identified as having a primary language other than English shall be assessed for English proficiency in comprehension, speaking, reading, and writing. 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. Placement of limited or non-English speaking students in appropriate instructional programs or classrooms will be based on these assessments. The parents of the assessed students will be notified of the results of the English proficiency assessments.

Before students are enrolled in a program or class for English language learners, the parents/guardians shall receive information about the program/class and the opportunities for parent involvement. This information shall indicate that the individual student's participation in the program/class is voluntary.

Parental Exception Waivers

A parent/guardian may request that the District waive the requirements that English language learners shall be educated through sheltered English immersion classes. In doing this, the parent/guardian must demonstrate that one or more of the following circumstances exist:

1. The student already possesses good English language skills as measured by appropriate assessment instruments.
2. It is the informed belief of the school principal that an alternative course of study would be better suited to the student's rapid acquisition of basic English skills.
3. It is the informed belief of the school principal that the student has special physical, emotional, psychological, or educational needs that an alternate course of educational study would be better suited to the student's overall educational development.

At the beginning of each school year, parents/guardians will be informed of the placement of their student in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. To apply for the waiver, the parent/guardian shall personally visit the school.

Upon request for an application for a "Parental Exception Waiver," the principal shall provide to the parents/guardians a full written description of:

1. The intent and content of the structured English immersion program
2. Any alternative courses of study offered by the District and available to the student
3. All educational opportunities offered by the District and available to the student
4. The educational materials to be used in the different educational program choices

Upon request of the parent/guardian, a verbal explanation of items 1-4 above shall be provided also.

The principal or designee shall act upon a parental exception waiver request within 20 instructional days of submission to the principal. Parental exception waivers shall be granted unless the school principal and educational staff members have determined that an alternative program offered at the school would not be better suited for the overall educational development of the pupil. In cases where a parental exception waiver is denied because the student is older or the student has special needs, the parents and guardians must be informed in writing of the reason(s) for denial, and if relevant, advised of any procedures that exist to appeal the decision to the Board of Trustees.

Standard and Nonstandard Testing Accommodations

Any District student of limited English language proficiency who has been enrolled in a California public school for less than 12 months shall take the designated State achievement tests and standards-based achievement tests in English and any State-mandated tests in his/her primary language. Any English language learner enrolled in the District for less than 12 months may be tested with standard or nonstandard accommodations in accordance with the manuals or other

instructions provided by the test publisher. Nonstandard accommodations may include, but are not limited to, reading and translating the test instructions into the student's primary language and use of a bilingual dictionary. The same standard and nonstandard accommodations shall be available to all first-year English language learners. Accommodations shall not include translation of test passages or content.

Reference: Education Code Sections 305, 306, 310, 311, 6662.51, 52164, 52173;
Title 5, California Code of Regulations Section 853, 11303

Regulation approved: June 22, 1999; March 13, 2001