

Sacramento City USD

Board Policy

Education For English Language Learners

BP 6174

Instruction

The Governing Board intends to provide English Language Learners with a challenging core curriculum and instruction that develop proficiency in English as rapidly and effectively as possible in order to assist students in becoming productive members of our society.

The Program for English Language Learner shall be based on sound instructional theory, comply with state and federal requirements, and it shall be adequately supported so that English Language Learner can achieve results at the same academic level as their native English-proficient peers. The Superintendent or designee shall ensure that program models implemented at school conform to those defined in administrative regulations, or have received approval to be implemented.

To ensure that the district is using sound methods that effectively serve the needs of English Language Learners, the Superintendent or designee shall annually examine program results, including reports of the students' academic achievement and their progress towards proficiency in English. The Superintendent shall ensure that schools compile data on programs and student achievement in order determine program effectiveness.

(cf. 4112.22/4212.22 - Staff Teaching Students of Limited-English Proficiency)

(cf. 6190 - Evaluation of the Instructional Program)

The Superintendent or designee shall maintain procedures which provide for the identification, assessment and placement of English Language Learners and for their redesignation based on criteria adopted by the Board and specified in administrative regulations. The Superintendent or designee shall maintain procedures which provide for the notification of parents of the results of initial identification, the placement of students in English Language Classrooms, their rights to seek a Parent Exception Waiver for placement in Alternative Programs (Education Code 310), and the annual achievement and redesignation results.

Students who are English Learners shall be placed in an English Language Classroom where nearly all of the instruction shall be provided in English. (Education Code 305, 306) by teachers who hold appropriate authorizations. Students who do not have a reasonable level of English proficiency, as determined by one of the state-approved instruments, shall receive instruction through Structured English Immersion for a period not normally intended to exceed one year. This type of instruction shall include English Language Development and sheltered content instruction. Support in the primary language of these students may be provided by the teacher or a bilingual instructional aide.

An English Language Learner shall be transferred from a structured English immersion classroom

to an English language mainstream classroom when the student has acquired a reasonable level of English proficiency when the student as measured by any of the state-designated assessments approved by the California Department of Education. In this setting all instruction shall be provided in English and shall include English Language Development and sheltered content instruction appropriate to the diagnosed needs of the students.

Students who are English Learners who are placed in Alternative Bilingual Programs by parent request and established pursuant to Education Code 311, shall be provided instruction in a designated language other than English, provided by teachers who hold appropriate authorizations. This type of instruction shall include English Language Development, instruction in the core curriculum in the designated language, and sheltered English instruction in accordance with Administrative Regulations.

(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6171 - Title I Programs)

Parental Exception Waivers

Parent/guardian requests for waivers from Education Code 305 shall be granted in accordance with law and administrative regulation.

The principal shall consider all waiver requests made pursuant to Education Code 311(c) and shall forward such requests to the Superintendent or designee for final action. For students with special needs, as determined by their parents/guardians, principals and other educational staff shall assume that the facts justifying the request attested by the parent/guardian are a true representation of the child's condition. All such waiver requests shall be granted unless: (1) the principal and educational staff determine that the alternative program requested by the parent/guardian would not be better suited for the overall educational development of the student, or (2) the program requested by the parent/guardian is not offered at the school.

When evaluating a waiver request pursuant to Education Code 311(a) for students who already know English and other waiver requests for those students for whom standardized assessment data are not available, other equivalent assessment measures shall be used. These equivalent measures will include district curriculum-embedded assessments, district standards and teacher evaluations.

If the waiver requested by the parent/guardian is granted, and less than 20 students at the same school receive a waiver, the student shall be allowed to transfer to another public school in which such a class is offered. (Education Code 310)

Students wishing to transfer shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

When 20 or more waivers are granted per grade level at a school, that school shall be required to implement an Alternative Bilingual Program. If less than 20 students at the same school and at

the same grade level receive the waiver, the student(s) shall be allowed to transfer to another school in which such a program is offered.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5117.1 - Interdistrict Attendance Agreements)

(cf. 5117.2 - Alternative Interdistrict Attendance Program)

If the Superintendent or designee denies the waiver request, he/she shall provide a written justification to the parent/guardian describing the reasons for the denial. A parent/guardian may appeal the Superintendent's decision in writing to the Board. The Board may consider the matter at its next regular Board meeting. The Superintendent shall send the Board's decision to the parent/guardian within seven working days.

Legal Reference:

EDUCATION CODE

300-340 English language education for immigrant children

33308.5 CDE guidelines not binding

44253.5-44253.10 Certification for bilingual-cross-cultural competence

48985 Notices to parents in language other than English

52130-52135 Impacted languages act of 1984

52160-52178 Bilingual Bicultural Act especially:

52164.6 Reclassification criteria

52169 Requirements for establishment of program

52171 Evaluations of student progress

52171.6 Annual report to legislature

52177 Administration of article

52180-52186 Bilingual teacher training assistance program

54000-54028 Programs for disadvantaged children

62000-62005.5 Evaluation and sunseting of programs

CODE OF REGULATIONS, TITLE 5

4320 Determination of funding to support program to overcome the linguistic difficulties of English learners

11300-11316 English Language Learner Education

UNITED STATES CODE, TITLE 20

1701-1705 Equal Educational Opportunities Act

COURT DECISIONS

Valeria G. v. Wilson, C-98-2252-CAL (July, 1998)

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

Casteneda v. Pickard, (5th Cir. 1981) 648 F.2d 989

Management Resources:

CDE PROGRAM ADVISORIES

0408.98 Policy for English Language Learners

0125.90 Procedures for requesting guidance from the US Department of Education

0515.89 Limited English Proficient Programs

CSBA ADVISORIES

0812.98 Proposition 227 Advisory

WEB SITES

CDE: <http://www.cde.ca.gov>

CSBA: <http://www.csba.org>.

Policy SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

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