

LODI UNIFIED SCHOOL DISTRICT

Policy 6174

Instruction

Education for English Language Learners

The Board of Education intends to provide English learners with challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible while facilitating student achievement in the district's regular course of study.

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

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with state content standards. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, and assist students in accessing the full educational program.

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 Superintendent or designee shall provide to teachers, administrators, and other school staff research-based professional development that is designed 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.

The Superintendent or designee shall encourage parent and community involvement in the development, implementation, and evaluation of English language development programs.

Identification and Assessment

The Superintendent or designee shall maintain procedures which provide for the accurate identification of English learners and an assessment of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.

Once identified as English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on administrative regulation criteria specified.

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 allowable testing variations in accordance with 5 CCR 853.5 and 853.7. 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.

Placement of English Learners

Students who are English learners shall be educated through “sheltered English immersion” or “structured English immersion,” as defined in law during a temporary transition period not normally intended to exceed one year. Nearly all of the classroom instruction in the district’s structured English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language.

"Nearly all," for the purpose of determining the amount of instruction to be conducted in English, means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

When an English learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education, any district assessments, and/or other criteria adopted by the Board, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is overwhelmingly in English.

An English learner has acquired a “reasonable level of English proficiency when he/he has achieved the following:

Intermediate or expanding level of English proficiency as measured by the CELDT or any successor test.

At any time during the school year, the parent/guardian of an English learner may have his/her child moved into an English language mainstream program.

Parental Exception Waivers

When allowed by law, the parent/guardian of an English learner may submit a request that his/her child be exempted from placement in a structured English immersion program and instead be placed in a class where he/she is taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law.

Each waiver request shall be considered on its individual merits with deference given to parental preference for student placement.

A waiver request shall be granted in accordance with law unless the principal and educational staff have determined that an alternative program would not be better suited to the student's overall education development.

Program Evaluation

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. number and percentage of English learners reclassified as fluent English proficient
3. number and percentage of English learners who are or are at risk of being classified as long-term English learners
4. achievement of English learners on standards-based tests in core-curricular areas
5. progress towards any other goals for English learners identified in the district's LCAP
6. comparison of current data with data from at least the previous year.

The Superintendent or designee also shall provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Legal References:

EDUCATION CODE

300-340 English language education

430-446 English Learner and Immigrant Pupil Federal Conformity Act

33050 State Board of Education waiver authority

44253.1-44253.11 Qualifications for teaching English learners

48985 Notices to parents in language other than English

51101-51101.1 Rights of parents

52130-52135 Impacted Languages Act of 1984

52160-52178 Bilingual Bicultural Act

60200.7 Suspension of state instructional materials adoptions

60605.87 Supplemental instructional materials, English language development

60810-60812 Assessment of language development

62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

11300-11316 English learner education

11510-11517 California English Language Development Test

UNITED STATES CODE, TITLE 20

1701-1705 Equal Educational Opportunities Act

6312 Local education agency plans

6801-6871 Title III, Language instruction for limited English proficient and immigrant students

7012 Parental notification

COURT DECISIONS

Valeria G. v. Wilson, (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)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California English Language Development Test (CELDT): 2012-13

CELDT Information Guide, 2012

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

Matrix of Test Variations, Accommodations, and Modifications for
Administration of California Statewide Assessments

U.S. DEPARTMENT OF EDUCATION NONREGULATORY
GUIDANCE

Assessment and Accountability for Recently Arrived and Former
Limited English Proficient (LEP) Students, May 2007

WEB SITES

California Department of Education: <http://www.cde.ca.gov/sp/el>

U.S. Department of Education: <http://www.ed.gov>

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Policy

adopted: 12/08/98 (renumbered from 6172)

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