

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Governing Board intends to provide English language learners with challenging curriculum and instruction that develops proficiency in English as effectively and efficiently as possible in order to assist students in accessing the full educational program and achieving the district's academic standards

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.

The Board encourages staff to exchange information with other districts and the County Office of Education about programs, options, and strategies for English language learners that succeed under various demographic conditions.

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the state content standards and curriculum framework. 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.

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 an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in the accompanying administrative regulation.

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.

TYPE OF INSTRUCTION

Students who are English language learners shall be educated through "sheltered English Immersion" not normally intended to exceed one year. "Nearly all" of the classroom instruction in the district's sheltered English immersion program shall be in English, but with curriculum and presentation designed for students who are learning the language.

The district has defined the term “nearly all” as follows:

“Nearly all” as it pertains to the use of English in the sheltered immersion program is a minimum of seventy percent of the instructional day must be in English.

When an English language learner has acquired a reasonable level of English proficiency as measured by the California English Language Development Test (CELDT) he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in accordance with the district master plan for English language learners. Instruction in the English language mainstream program is “overwhelmingly” in English.

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

“Reasonable level of English proficiency” as it pertains to English language learners in the San Dieguito Union High School District is a California English Language Development Test (CELDT) overall proficiency level of Early Advanced and no lower than Intermediate in any one CELDT sub-test.

Upon request of her/his parent/guardian, a student shall be placed in an English language mainstream classroom.

PARENTAL EXCEPTION WAIVERS

At any time during the school year, the parent/guardian of an English language learner may have her/his child moved into an English language mainstream program. Parent/guardian requests for waivers from Education Code 305 regarding placement from a sheltered immersion program to placement in an alternative program shall be granted in accordance with the law and administrative regulation.

If the Superintendent or designee denies the waiver request, she/he 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. If the Board hears the appeal, the Superintendent shall send the Board’s decision to the parent/guardian within seven working days.

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. 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 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 REFERENCE

CALIFORNIA EDUCATION CODE

| | |
|-------------------|---|
| 300-340 | English language education |
| 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 |
| 48985 | Notices to parents in language other than English |
| 52052 | Academic Performance Index; numerically significant student subgroups |
| 52060-52077 | Local control and accountability plan |
| 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 |
| 60640 | California Assessment of Student Performance and Progress |
| 60810-60812 | Assessment of language development |
| 62005.5 | Continuation of advisory committee after program sunsets |

CODE OF REGULATIONS, TITLE

5

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| 853.5-853.7 | Test administration; universal tools, designated supports, and accommodations |
| 11300-11305 | English language education for immigrant children |
| 11510-11516 | California English Language Development Test |

UNITED STATES CODE, TITLE

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|-----------|---------------------------------|
| 1701-1705 | Equal Educational Opportunities |
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PUBLIC LAW 107-110

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| 6312 | Local education agency plans |
| 6801-6871 | Title III, Language instruction for limited English proficient and immigrant students |

COURT DECISIONS

Valeria G. v. Wilson, (9th Circuit) 2002 U.S. App. Lexis 20956
California Teachers Association et al. 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**

Academic Criterion for Reclassification, CDE Correspondence, August 11, 2014
California English Language Development Test (CELDT): 2013-14 CELDT Information Guide, 2013
English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014
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

WEBSITES

CDE: <http://www.cde.ca.gov>
CSBA: <http://www.csba.org>