

**EDUCATION FOR ENGLISH LANGUAGE LEARNERS**

The Board of Education intends to provide English language 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.

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 and adequately supported in order to 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 encourage parent and community involvement in the development, implementation, and evaluation of English language development programs. In addition, to support students' English language development, the Superintendent or designee may provide an adult literacy training program for parents/guardians and community members that leads to English fluency.

**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 administrative regulation.

**Placement of English Learners**

Students who are English language learners shall be educated through "sheltered English immersion" or "structured English immersion," as defined in law and administrative regulation, during a temporary transition period 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 the curriculum and presentation designed for students who are learning the language. (Education Code 305, 306)

For purposes of determining the amount of instruction conducted in English in the structured English immersion classroom, "nearly all" shall be defined as follows:

At least 50% of the instruction in classroom that contain English Learners identified as Beginning and/or Early Intermediate; at least 75% of the instruction in classroom that contain English Learners identified at the Intermediate level and at least 90% of the instruction in

**EDUCATION FOR ENGLISH LANGUAGE LEARNERS** (continued)

classroom that contain English Learners identified at the Early Advanced and/or Advanced levels on the CELDT.

When an English language 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 developed 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. (Education Code 305-306; 5 CCR 11301)

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

1. Score of basic or higher on Language Arts portion of the California Standards Test
2. Score of Early Advanced overall and a score of Intermediate or higher in listening and speaking, reading, and writing on latest CELDT test
3. Passing majority of academic subject classes with a grade of "C" or higher

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. (5 CCR 11301)

#### Two-Way Dual Immersion Program

San Rafael offers a research-based K-12 biliteracy program designed to engage children in academic work in both Spanish and English leading to mastery of grade-level academic standards, and to high levels of biliterate proficiency -- setting our elementary school students on the path towards achieving a California State Seal of Biliteracy upon high school graduation. We have selected this model because:

- National research has demonstrated it is a strong approach to developing English literacy
- We value the home language and children's connection to family and heritage and want our students to feel pride about being bilingual and being able to participate fully in multiple language and cultural communities
- Biliterate people have more opportunities in the labor market, including increased opportunity throughout the globe
- Bilingual and bi-cultural people are bridge builders across language and cultural groups

The Two-Way Dual Language Immersion program allows English learners and English proficient students to receive instruction in English and a target language in the same classroom

## **EDUCATION FOR ENGLISH LANGUAGE LEARNERS** (continued)

to develop academic proficiency in both languages beginning in kindergarten for a minimum of nine years. Students are taught literacy and academic content in both English and a partner language. The language goals are full bilingualism and biliteracy in English and a partner language; students study language arts and other academic content (math, science, social studies, arts) in both languages over the course of the program. The target language (Spanish) is used for instruction at all grades; the program lasts 9 years and is supported K-12 through world language instructional programs at the high school level. Goals also include high levels of academic achievement and an appreciation of diverse cultures.

### *Key Features*

- Both English learners and English proficient students are mixed in the same classroom to promote bilingualism, biliteracy, and multiculturalism.
- Students are held to the same high academic performance standards as other students in the district and are provided with standards-based curriculum implementing the Common Core State Standards, Next Generation Science Standards and other grade-level standards.
- The two languages are kept separate to ensure the integrity and rigor of each language system, and students are engaged in academic study in both languages every day.
- Heterogeneous and homogeneous grouping strategies are used to promote language development and develop literacy skills in English and the target language.

### *Instructional Approach:*

- Integration of the SEAL (Sobrato Early Academic Language) instructional approach—ensuring research-based and language-intensive education.
- Specially Designed Academic Instruction in English/Spanish (SDAIE/S), sheltering techniques, and scaffolding strategies
- Cooperative learning
- Science and social studies-based integrated, thematic units enacting the Common Core State Standards
- Student-centered pedagogy
- Strong family-school connection and engagement

### *Classroom Composition:*

The K-8 Two-Way Dual Language program is open for enrollment in preschool, Transitional Kindergarten, and Kindergarten through eighth grade to all Spanish-speaking children— those who are English learners, as well as any child whose home language is Spanish (this includes I-FEP students and reclassified students). In addition, up to 50% of the class enrollment in these grades may be English proficient students—which includes native English speakers with little or

## **EDUCATION FOR ENGLISH LANGUAGE LEARNERS** (continued)

no Spanish language skills. However, no less than 50% of the class enrollment will be native speakers of Spanish. English learners must have an approved parental exception waiver signed by parents for enrollment in the 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. (Education Code 310-311)

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 educational development. (5 CCR 11309)

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 decision in writing to the Board. The Board may consider the matter at its next regular Board meeting. The Board may decide not to hear the appeal, in which case the Superintendent's decision shall be final. 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 the progress of English learners towards proficiency in English, the number and percentage of English learners reclassified as fluent English proficient, the number and percentage of English learners who are or at risk of being classified as long-term English learners, the achievement of English learners on standards-based tests in core curricular areas, and 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.

**EDUCATION FOR ENGLISH LANGUAGE LEARNERS** (continued)

Legal Reference:

**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

**EDUCATION FOR ENGLISH LANGUAGE LEARNERS** (continued)

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>

Policy SAN RAFAEL CITY SCHOOL DISTRICT  
adopted: December 8, 2008 San Rafael, California  
revised: May 19, 2014