

Instruction

**EDUCATION FOR ENGLISH LEARNERS**

The Chula Vista Elementary School District prohibits discrimination, harassment, intimidation and bullying based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; the perception of one or more of such characteristics, or association with a person or group with one or more of these actual or perceived characteristics in any program, practice or activity it conducts.

Each child is viewed as an individual of great worth who brings with him/her a uniqueness that is highly valued. We believe that celebrating and acknowledging a child's native language nurtures feelings of acceptance and valuing of self and family.

The District provides English Learners (ELs) with challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible in order to assist students in accessing the full educational program and achieving the District's academic standards. The District's language acquisition programs and instructional services shall be based on research-based instructional strategies and shall be adequately supported so that ELs can achieve results at the same academic level as their English-proficient peers in the regular course of study.

The District shall identify in its Local Control and Accountability Plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for ELs.

*(cf. 3100 - Budget)*

In establishing the District's language acquisition instructional programs and services for ELs, the Superintendent/designee shall consult with parents/guardians and the community during the LCAP development process. He/she shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing language acquisition instructional programs and services for ELs. (Education Code 305).

The Superintendent/designee shall maintain procedures which provide for the careful identification, assessment, and placement of ELs and for their reclassification based on criteria adopted by the Board and specified in administrative regulations.

The Superintendent/designee shall ensure that all staff employed to teach ELs possess the appropriate authorization from the Commission on Teacher Credentialing.

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**EDUCATION FOR ENGLISH LEARNERS** (continued)

The District shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of ELs and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for ELs. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

*(cf. 4131 - Professional Development)*

To evaluate program effectiveness, the Superintendent and designated staff shall regularly examine program results, including reports of the ELs' academic achievement, their progress towards proficiency in English, and the progress of students who have been reclassified fluent English proficient (R-FEP). The Superintendent and designated staff shall annually report these findings to the Board.

The District's reclassification procedures include a comprehensive set of specific criteria that the student must attain before being reclassified from an EL to an R-FEP student. Parental communication is an integral part of the reclassification process. The specific reclassification criteria can be found in Administrative Regulation 6174.

*(cf. 6190 – Evaluation of the Instructional Program)*

Language acquisition instructional services are educational programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. The language acquisition instructional services provided to students shall be informed by research and shall lead to grade-level proficiency and academic achievement in both English and another language. (Education Code 306).

The District shall offer Structured English Immersion (SEI) instructional services to all ELs to ensure ELs have access to the core academic content standards, including the English language development standards, and become proficient in English. SEI services provide nearly all classroom instruction in English, but with curriculum and presentation designed for students who are learning English. (Education Code 305-306)

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**EDUCATION FOR ENGLISH LEARNERS** (continued)

The District may offer a Dual Language Immersion Instructional Program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.

Parents/guardians of ELs may choose a language acquisition instructional program that best suits their child. To the extent possible, any language acquisition instructional program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310)

Parents/guardians of ELs shall be notified of the language instructional program and instructional services of their child on an annual basis and have a right to decline or opt their child out of EL services. Regardless of the language acquisition instructional program all ELs, at minimum, will receive daily Designated and Integrated English Language Development.

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on language acquisition programs and instructional services for ELs available to students enrolled in the District, including, but not limited to, a description of each program. (Education Code 310).

Legal Reference:

EDUCATION CODE

300-340 English language education, especially:  
305-310 Language acquisition programs  
313-313.5 Assessment of English proficiency  
430-446 English Learner and Immigrant Pupil Federal Conformity Act  
42238.02-42238.03 Local control funding formula  
44253.1-44253.11 Qualifications for teaching English Learners  
48980 Parental notifications  
48985 Notices to parents in language other than English  
52052 Numerically significant student subgroups  
52060-52077 Local Control and Accountability Plan  
52130-52135 Impacted Languages Act of 1984  
52160-52178 Bilingual Bicultural Act  
56305 CDE manual on English Learners with Disabilities  
60603 Definition, recently arrived English Learner  
60605.87 Supplemental instructional materials, English language development  
60640 California Assessment of Student Performance and Progress  
60810-60812 Assessment of language development

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**EDUCATION FOR ENGLISH LEARNERS (continued)**

62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

853.5-853.7 Test administration; universal tools, designated supports, and accommodations

11300-11316 English Learner Education

11510-11517 California English Language Development Test

UNITED STATES CODE, TITLE 20

1412 Individuals with Disabilities Education Act; state eligibility

1701-1705 Equal Educational Opportunities Act

6311 Title I state plan

6312 Title I local education agency plans

6801-7014 Title III, Language instruction for English Learners and immigrant students

7801 Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Discrimination prohibited

200.16 Assessment of English Learners

COURT DECISIONS

Valeria G. v. Wilson, (2002) 307 F.3d 1036

California Teachers Association v. State Board of Education et al., (9<sup>th</sup> Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4<sup>th</sup> 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

CSBA PUBLICATIONS

English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016

English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015

Academic Criterion for Reclassification, CDE Correspondence, August 11, 2014

English-Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014

Common Core State Standards for Mathematics, rev. 2013

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, 2013

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 PUBLICATIONS

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017

English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016

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**EDUCATION FOR ENGLISH LEARNERS (continued)**

English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

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

WEB SITES

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

California Association for Bilingual Education: <http://www.gocabe.org>

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

National Clearinghouse for English Language Acquisition: <http://www.ncela.us>

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

Policy

Adopted: 11/13/90

Revised: 01/20/04

Revised: 10/11/17

Revised: 03/07/18

Revised: 09/12/18

Revised: 11/09/22

CHULA VISTA ELEMENTARY SCHOOL DISTRICT  
Chula Vista, CA