

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

March 8, 2011

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Policy 6:160- English Language Learners

This policy has been revised to reflect changes in the way the district develops and maintains ELL programs. The title has been changed from "Bilingual Programs" to "English Language Learners". There are 8 required components of any program listed as well as a parent involvement statement. Legal references and cross references are updated.

We can use this as our first reading and place this on the consent agenda for next time.

## Instruction

### English Language Learners <sup>1</sup>

The District offers opportunities for resident English Language Learners to develop high levels of academic attainment in English and to meet the same academic content and student academic achievement standards that all children are expected to attain. The Superintendent or designee shall develop and maintain a program for English Language Learners that will:

1. Assist all English Language Learners to achieve English proficiency, facilitate effective communication in English, and encourage their full participation in school activities and programs as well as promote participation by the parents/guardians of English Language Learners. <sup>2</sup>
2. Appropriately identify students with limited English-speaking ability. <sup>3</sup>
3. Comply with State law regarding the Transitional Bilingual Educational Program (TBE) or Transitional Program of Instruction (TPI), whichever is applicable. <sup>4</sup>
4. Comply with any applicable State and federal requirements for the receipt of grant money for English Language Learners and programs to serve them. <sup>5</sup>
5. Determine the appropriate instructional program and environment for English Language Learners. <sup>6</sup>
6. Annually assess the English proficiency of English Language Learners and monitor their progress in order to determine their readiness for a mainstream classroom environment. <sup>7</sup>

**The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.**

<sup>1</sup> State or federal law controls this policy's content. The assessment and accountability provisions in NCLB and State law include limited English proficient students (20 U.S.C. §6312-6319 and 34 C.F.R. Part 200). NCLB also provides funding to support schools' efforts to help children who are limited English proficient "develop high levels of academic attainment in English and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet," (20 U.S.C. §6801 *et seq.*). Reimbursement for programs is contingent on the submission and approval of a program plan and request for reimbursement in accordance with the requirements in 105 ILCS 5/14C-12 and 23 Ill.Admin.Code Part 228. This policy uses "English Language Learners" (ELL) rather than "Limited English Proficient" – the labels are interchangeable for the purpose of this policy.

For purposes of this policy, *English Language Learners* is synonymous with the State law definition of "children of limited English-speaking ability," that is, all children in grades pre-K through 12 who, (1) were not born in the U. S., whose home language is a language other than English, and who are incapable of performing ordinary class work in English; or (2) were born in the U. S. of parents possessing no or limited English-speaking ability and who are incapable of performing ordinary class work in English (105 ILCS 5/14C-2, as amended by P.A. 95-793; 23 Ill.Admin.Code §228.10).

<sup>2</sup> This policy's first sentence and the first numbered paragraph both allow a school board to consider the goals for its English Language Learners programs; a board should amend the sample policy accordingly.

<sup>3</sup> Districts must administer a home language survey to each student entering the district's schools for the first time for the purpose of identifying students of non-English background (23 Ill.Admin.Code §228.15). ISBE's website contains useful information about communicating with parents/guardians, including sample Home Language Surveys and program letters in many languages ([www.isbe.net/bilingual/htmls/tbe\\_tpi.htm](http://www.isbe.net/bilingual/htmls/tbe_tpi.htm)).

For purposes of identifying students eligible to receive special education, districts must administer non-discriminatory procedures to English Language Learners coming from homes in which a language other than English is used (105 ILCS 5/14-8.02).

<sup>4</sup> 105 ILCS 5/14C-3 and 23 Ill.Admin.Code §228.25.

<sup>5</sup> 20 U.S.C. §§6312-6319 and 6801 *et seq.*; 34 C.F.R. Part 200; 105 ILCS 5/14C-1 *et seq.*; and 23 Ill.Admin.Code Part 228.

<sup>6</sup> 23 Ill.Admin.Code §228.25.

7. Include English Language Learners, to the extent required by State and federal law, in the District's student assessment program to measure their achievement in reading/language arts and mathematics. <sup>8</sup>
8. Provide information to the parents/guardians of English Language Learners about: (1) the reasons for their child's identification, (2) their child's level of English proficiency, (3) the method of instruction to be used, (4) how the program will meet their child's needs, (5) specific exit requirements of the program, (6) how the program will meet their child's individualized education program, if applicable, and (7) information on parent/guardian rights. Parents/guardians will be regularly apprised of their child's progress and involvement will be encouraged. <sup>9</sup>

Parent Involvement <sup>10</sup>

Parents/guardians of English Language Learners will be: (1) given an opportunity to provide input to the program, and (2) provided notification regarding their child's placement in, and information about, the District's English Language Learners programs.

LEGAL REF.: 20 U.S.C. §§6312-6319 and 6801.  
34 C.F.R. Part 200.  
105 ILCS 5/14C-1 et seq.  
23 Ill.Admin.Code Part 228.

CROSS REF.: 6:15 (School Accountability), 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program)

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<sup>7</sup> 23 Ill.Admin.Code §228.15(c).

<sup>8</sup> 34 C.F.R. Part 200.

<sup>9</sup> 20 U.S.C. §7012(a) and 23 Ill.Admin.Code §228.40.

<sup>10</sup> 20 U.S.C. §7012(e) and 23 Ill.Admin.Code Part 228.

## **Instruction**

### **Bilingual Education**

The District shall provide a transitional bilingual educational program for students whose native language is other than English. The program shall recognize the student's primary language and culture as educational assets and seek to develop the necessary proficiency in English to provide the student access to the regular educational program.

LEGAL REF.: 105 ILCS 5/14C-1 et seq.  
23 Ill. Admin. Code § 1.240 and Part 228.

ADOPTED: May 20, 2002