

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Governing Board intends to provide English language learners 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 program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers in the regular course of study.

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

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

The Superintendent or designee shall maintain procedures which provide for the identification, assessment and placement of English language learners and for their redesignation based on criteria adopted by the Board and specified in administrative regulations.

To evaluate program effectiveness, the Superintendent or designee shall regularly examine program results, including reports of the English language learners' academic achievement, their progress towards proficiency in English and the progress of students who have been redesignated as fluent English proficient. The Superintendent or designee shall annually report these findings to the Board and shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

(cf. 6190 - Evaluation of the Instructional Program)

Type of Instruction

Students who are English language learners shall be educated through "sheltered English immersion" or "structured English immersion" 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)

The district has defined the term "nearly all" as follows:

Classes will be conducted in English with primary language support for clarification and support as needed and available.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

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 or any locally developed assessments and using other criteria developed by the district, 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; 5 CCR 11301)

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

- CELDT overall of Early Advanced or Advanced
- Meet District Benchmark reading levels (Grades 2-8)
- District Writing Assessment at Grade Level
- Classroom Performance in Reading, Writing, Math, Science and Social Studies is at grade level

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6171 - Title I Programs)

Upon the request of his/her parent/guardian, a student shall be placed in an English language mainstream classroom. (5 CCR 11301)

Parental Exception Waivers

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

Parent/guardian requests for waivers from Education Code 305 regarding placement in a sheltered English immersion program shall be granted in accordance with law and administrative regulation.

Legal Reference: (see next page)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Legal Reference:

EDUCATION CODE

300-340 English language education for immigrant children

430-446 English Learner and Immigrant Pupil Federal Conformity Act

33308.5 CDE guidelines not binding

44253.5-44253.10 Certification for bilingual-cross-cultural competence

48985 Notices to parents in language other than English

51101 Rights of parents to information

51101.1 Rights for parents of English learners

52130-52135 Impacted languages act of 1984

52160-52178 Bilingual Bicultural Act

52180-52186 Bilingual teacher training assistance program

54000-54028 Programs for disadvantaged children

60810-60812 Assessment of language development

62001-62005.5 Evaluation and sunset of programs

CODE OF REGULATIONS, TITLE 5

4320 Determination of funding to support program to overcome the linguistic difficulties of English learners

11300-11316 English Language 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

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

Casteneda v. Pickard, (5th Cir. 1981) 648 F.2d 989

ATTORNEY GENERAL OPINIONS

83 *Ops.Cal.Atty.Gen.* 40 (2000)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines for Reclassification of English Learners, September 2002

Accommodations for the California English Language Development Test, Revised 8/13/01

WEB SITES

CDE: <http://www.cde.ca.gov>

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

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**Definitions**

English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a limited English proficient or LEP child. (Education Code 306)

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

Sheltered English immersion or *structured English immersion* means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

Identification and Assessment

Upon enrollment, each student's primary language shall be determined through use of a home language survey. (5 CCR 11307)

Within 30 calendar days of their initial enrollment, students who are identified as having a primary language other than English, as determined by the home language survey, and for whom there is no record of results from an English language development test shall be assessed using the California English Language Development Test (CELDT). (5 CCR 11511)

All students shall have sufficient time to complete the CELDT as provided in the directions for test administration. (5 CCR 11516)

Any student with a disability shall take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. (5 CCR 11516.5)

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The district shall notify parents/guardians of their child's results on the CELDT within 30 calendar days. (5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

Within 90 days of initial enrollment, students identified as having limited English proficiency shall be further assessed for primary language proficiency in comprehension, speaking, reading and writing. The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments. (former Education Code 52164.1, 62002)

Before students are enrolled in a program for English language learners, parents/guardians shall receive information about the program and their opportunities for parental involvement. This information shall include the fact that an individual student's participation in the program is voluntary on the part of the parent/guardian. (Education Code 52173)

Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. The notice shall include all of the following: (Education Code 440; 20 USC 6312)

1. The reason for the student's classification as English language learner
2. The level of English proficiency
3. A description of the program for English language development instruction, including a description of all of the following:
 - a. The manner in which the program will meet the educational strengths and needs of the student
 - b. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards
 - c. The specific exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for English language learner students
 - d. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

4. Information regarding a parent/guardian's option to decline to allow the student to become enrolled in the program or to choose to allow the student to become enrolled in an alternative program
5. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered

Parent/guardians also shall be notified of the results of any reassessments. (Education Code 52164.3)

Parental Exception Waivers

At the beginning of each school year, parents/guardians shall be informed of the placement of their children in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)

A parent/guardian may request that the district waive the requirements of Education Code 305, pertaining to the placement of a student in a structured English immersion program if the one of the following circumstances exists:

1. Students who already know English: The student already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading and writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth-grade average, whichever is lower. (Education Code 311(a))
2. Older students: The student is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills. (Education Code 311(b))
3. Students with special needs: The student already has been placed, for a period of not less than 30 calendar days during that school year, in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the student has special physical, emotional, psychological or educational needs and that an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311(c))

The parent/guardian shall personally visit the school to apply for the waiver. (Education Code 310)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Upon request for a waiver, the Superintendent or designee shall provide to the parents/guardians: (Education Code 310, 311; 5 CCR 11309)

1. A full written description, and a spoken description upon request, of the intent and content of the structured English immersion program, any alternative courses of study and all educational opportunities offered by the district and available to the student, and the educational materials to be used in the different educational program choices
2. For a request for waiver pursuant to Education Code 311(c) for students with special needs, notification that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the Superintendent must approve the waiver pursuant to Governing Board guidelines

Pursuant to Education Code 311(b) and 311(c), the principal and educational staff may recommend a waiver to a parent/guardian for a student 10 years or older and a student with special needs. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (5 CCR 11309)

When evaluating waiver requests pursuant to Education Code 311(a) for students who already know English and other waiver requests for those students for whom standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include local assessments, local standards and teacher evaluations.

Parental exception waivers pursuant to Education Code 311(b) for students 10 years or older shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)

Parental exception waivers pursuant to Education Code 311(c) for students with special needs shall be granted if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The principal shall consider all waiver requests made pursuant to Education Code 311(c) for students with special needs and shall submit a rationale of the decision regarding the waiver to the Superintendent or designee. When determining whether or not to recommend the approval of the waiver request, the principal shall assume that the facts justifying the request attested by the parent/guardian are a true representation of the child's condition.

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

The principal or designee shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311(c) for students with special needs shall not be acted upon during the 30-day placement in an English language classroom. These waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)

All parental exception waivers shall be granted unless the principal and educational staff have determined that an alternative program offered at the school would not be better suited for the overall educational development of the student. (5 CCR 11309)

Individual schools in which 20 students or more of a given grade level receive a waiver shall be required to offer such a class; otherwise they must allow the students to transfer to a public school in which such a class is offered. (Education Code 310)

Students wishing to transfer shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)

In cases where a parental exception waiver pursuant to Education Code 311(b) or (c) is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English language learners for the purposes of overcoming language barriers until the English language learners have: (5 CCR 11302)

1. Demonstrated English language proficiency comparable to that of the district's average native English language speakers
2. Recouped any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English language learners shall be redesignated as fluent English proficient when they are able to comprehend, speak, read and write English well enough to receive instruction in the regular program and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

The following measures shall be used to determine whether an English language learner shall be reclassified as fluent English proficient: (5 CCR 11303)

1. Assessment of English language proficiency utilizing the CELDT as the primary criterion, and objective assessment of the student's English reading and writing skills
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions
3. Parent/guardian opinion and consultation during a redesignation interview

Parents/guardians shall receive notice and a description of the redesignation process, including notice of their right to participate in the process. Parent/guardian participation in the process shall be encouraged.

4. Comparison of performance in basic skills, including performance on the English-Language Arts section of the California Common Core Standards assessment
5. Objective data on the student's academic performance in English

The Superintendent or designee shall provide subsequent monitoring and support for redesignated students, including but not limited to monitoring the performance of redesignated students in the core curriculum in comparison with their native-English speaking peers, monitoring the rate of redesignation, and ensuring correct classification and placement.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The Superintendent or designee shall develop a process to monitor the effectiveness of the district's program for English language learners. The district's program shall be modified as needed to help ensure language and academic success for each English language learner.

Advisory Committees

At the district level when there are more than 50 English language learners in the district and at each school with more than 20 English language learners, parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law. (5 CCR 11308)

Parents/guardians of English language learners shall constitute committee membership in at least the same percentage as their children represent of the total number of students in the school. (Education Code 52176)

The district's English language advisory committee shall advise the Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
7. Review of and comments on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

In order to assist advisory members in carrying out their responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

Regulation
approved:

SAN CARLOS ELEMENTARY SCHOOL DISTRICT
San Carlos, California

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

**PARENTAL EXCEPTION WAIVER
EDUCATION CODE 311(a): Children who know English**

Name: _____ Grade: _____

School: _____ Date of Birth: _____

Language Designation: _____

My child possesses good English language skills and for that reason I request a waiver of the school's Structured/Sheltered English language program. I understand that the objective for my child is to be taught English as rapidly and effectively as possible.

I have personally visited the school to apply for this waiver.

I have been provided a full written description of: the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

For School Use Only:

Child's English standardized test scores: Scores must be at or above the state average for the child's grade level or above the 5th grade average:

Waiver Granted/Denied: _____ Date: _____

Signature: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

**PARENTAL EXCEPTION WAIVER
EDUCATION CODE 311(b): Children age 10 or older**

Name: _____ Grade: _____

School: _____ Date of Birth: _____

Language Designation: _____

My child is 10 years of age or older and I believe that an alternate course of study is better suited to my child's rapid acquisition of English. For that reason, I request a waiver of the school's Structured/Sheltered English language program. I understand that the objective for my child is to be taught English as rapidly and effectively as possible.

I have personally visited the school to apply for this waiver.

I have been provided a full written description of: the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

For School Use Only:

Waiver Granted/Denied: _____ Date: _____

Signature: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**PARENTAL EXCEPTION WAIVER
EDUCATION CODE 311(c): Children with Special Needs**

Name: _____ Grade: _____

School: _____ Date of Birth: _____

Language Designation: _____

I believe that my child has special needs and that an alternate course of study is better suited to his/her educational development. (Check all that apply and provide a brief statement)

☐ Educational Needs ☐ Physical Needs ☐ Emotional/Psychological Needs

Therefore, I request a waiver of the school's Structured/Sheltered English language program. I understand that the objective for my child is to be taught English as rapidly and effectively as possible. I have personally visited the school to apply for this waiver.

I understand that my child must be placed in an English language classroom for 30 calendar days and that this waiver will be considered by the Superintendent pursuant to Board-established guidelines.

I have been provided a full written description of: the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

For School Use Only:

Waiver Granted/Denied: _____ Date: _____

Signature: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**Solicitud de Excepción Pedido por los Padres
Código de Educación 311(a): Niños que saben inglés**

Nombre: _____ Grado: _____

Escuela: _____ Fecha de nacimiento: _____

Idioma natal: _____

Mi hijo(a) posee buenas habilidades del idioma inglés y por esa razón yo solicito una excepción del Programa de Inmersión al Inglés Estructurado. Comprendo que el objetivo para mi hijo(a) debe ser el que se le enseñe inglés lo más rápido y efectivamente posible.

Yo visité personalmente la escuela de mi hijo(a) para solicitar esta excepción.

Se me ha entregado una completa descripción por escrito de: el propósito y el contenido del Programa de Inmersión al Inglés Estructurado; cualquier otro curso de estudio ofrecido por el distrito creado para estar al alcance de mi hijo(a); todas las oportunidades educativas ofrecidas por el distrito creadas para estar al alcance de mi hijo(a); y de los materiales educativos para ser usados en las diferentes opciones de programas educativos.

Entiendo que debo solicitar esta excepción anualmente, cada año escolar.

Firma de Padre/Madre o tutor dativo: _____ Fecha: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: _____

Para uso exclusivo de la escuela:

Calificaciones del examen uniforme de inglés: Las calificaciones deben estar al nivel o arriba del promedio del estado para el grado al que corresponde el niño o arriba del promedio de quinto grado:

Excepción otorgada/negada: _____ Fecha: _____

Firma: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**Solicitud de Excepción Pedido por los Padres
Código de Educación 311(b): Niños de 10 años de edad o mayor**

Nombre: _____ Grado: _____

Escuela: _____ Fecha de nacimiento: _____

Idioma natal: _____

Mi hijo(a) tiene, o es mayor de, 10 años de edad y creo que un curso alternativo es el más adecuado para dar a mi hijo(a) una pronta enseñanza del inglés. Por esa razón solicito una excepción del Programa de Inmersión al Inglés Estructurado. Comprendo que el objetivo para mi hijo(a) es que se le enseñe inglés lo más rápido y efectivamente posible.

Yo personalmente visité la escuela de mi hijo(a) para solicitar esta excepción.

Se me ha entregado una completa descripción por escrito de: el propósito y el contenido del Programa de Inmersión al Inglés Estructurado; cualquier otro curso de estudio ofrecido por el distrito creado para estar al alcance de mi hijo(a); todas las oportunidades educativas ofrecidas por el distrito creadas para estar al alcance de mi hijo(a); y de los materiales educativos para ser usados en las diferentes opciones de programas educativos.

Entiendo que debo solicitar esta excepción anualmente, cada año escolar.

Firma de Padre/Madre o tutor dativo: _____ Fecha: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: _____

Para uso exclusivo de la escuela:

Calificaciones del examen uniforme de inglés: Las calificaciones deben estar al nivel o arriba del promedio del estado para el grado al que corresponde el niño o arriba del promedio de quinto grado:

Excepción otorgada/negada: _____ Fecha: _____

Firma: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**Solicitud de Pedido por los Padres
Código de Educación 311(c): Niños que requieren de educación especial**

Nombre: _____ Grado: _____

Escuela: _____ Fecha de nacimiento: _____

Idioma natal: _____

Mi hijo(a) requiere educación especial y creo que un curso alternativo es el más adecuado para su desarrollo educativo.
(Marque todo lo que corresponda a su hijo(a) y dé una explicación breve)

_____ Necesidades educativas _____ Necesidades físicas _____ Necesidades emocionales y psicológicas

Solicito una excepción del Programa de Inmersión al Inglés Estructurado. Comprendo que el objetivo para mi hijo(a) es que se le enseñe inglés lo más rápido y efectivamente posible. Yo personalmente visité la escuela de mi hijo(a) para solicitar esta excepción.

Comprendo que mi hijo(a) será colocado en un salón de instrucción de inglés por 30 días del calendario escolar y que esta excepción será considerada por el superintendente escolar de acuerdo a las guías establecidas por la mesa directiva escolar.

Se me ha entregado una completa descripción por escrito de: el propósito y el contenido del Programa de Inmersión al Inglés Estructurado; cualquier otro curso de estudio ofrecido por el distrito creado para estar al alcance de mi hijo(a); todas las oportunidades educativas ofrecidas por el distrito creadas para estar al alcance de mi hijo(a); y de los materiales educativos para ser usados en las diferentes opciones de programas educativos.

Entiendo que debo solicitar esta excepción anualmente, cada año escolar.

Firma de Padre/Madre o tutor dativo: _____ Fecha: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: _____

Para uso exclusivo de la escuela:

Calificaciones del examen uniforme de inglés: Las calificaciones deben estar al nivel o arriba del promedio del estado para el grado al que corresponde el niño o arriba del promedio de quinto grado:

Excepción otorgada/negada: _____ Fecha: _____

Firma: _____

SUMMER LEARNING PROGRAMS

The Governing Board recognizes that an extended break from the instructional program may result in significant learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills and make academic progress.

Summer programs offered by the district shall be aligned with the district's local control and accountability plan (LCAP), other applicable district and school plans, and the educational program provided during the school year. When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3552 - Summer Meal Program)

(cf. 5030 - Student Wellness)

(cf. 5141.6 - School Health Services)

(cf. 5148 - Child Care and Development Program)

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6143 - Courses of Study)

Summer School

The Superintendent or designee, with Board approval, may establish summer school day and/or evening classes.

(cf. 5148.2 - Before/After School Program)

(cf. 6171 - Title I Programs)

(cf. 6175 - Migrant Education Program)

The district's summer school program may be used to provide supplemental instruction to students needing remediation and/or enrichment in core academic subjects.

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6179 - Supplemental Instruction)

Enrollment Priorities

As appropriate, priority for enrollment in summer school programs shall be given to district students who:

1. Have been retained or are at risk of being retained at their grade level

(cf. 5123 - Promotion/Acceleration/Retention)

2. Demonstrate academic deficiencies in core curriculum areas

SUMMER LEARNING PROGRAMS (continued)

(cf. 0460 - Local Control and Accountability Plan)

3. Are in targeted student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program

Attendance

Because summer courses cover extensive instructional content in a relatively short time period, consistent class attendance is crucial.

Students who have more than three excused absences, or one unexcused absence, may not receive credit for their summer session class(es), unless they make-up missed work in accordance with law, Board policy, and administrative regulation.

(cf. 5113 - Absences and Excuses)

(cf. 6154 - Homework/Makeup Work)

Rotation of School Sites

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to accommodate the maintenance needs of district schools.

The Superintendent or designee shall annually report to the Board on summer school enrollment in the current year and previous year for the program as a whole and disaggregated by grade level, school that the students attend during the regular school year, and student population. In addition, he/she may report on the extent to which students successfully achieved the outcomes established for the program.

Additional Summer Learning Opportunities

The Superintendent or designee may collaborate with parents/guardians, city and county agencies, community organizations, child care providers, and/or other interested persons to develop, implement, and build awareness of organized activities that support summer learning.

(cf. 1020 - Youth Services)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 1700 - Relations Between Private Industry and the Schools)

Strategies to support summer learning may include, but are not limited to:

1. Providing information to students and parents/guardians about summer reading programs scheduled to be conducted by public libraries or community organizations
2. Collaborating with the local parks and recreation agency and/or community organizations to provide day camps, sports programs, or other opportunities for physical education and activity

SUMMER LEARNING PROGRAMS (continued)

(cf. 1330.1 - Joint Use Agreements)

1. Collaborating with workforce development agencies, businesses, and community organizations to provide summer job training opportunities that include an academic component

(cf. 3260 - Fees and Charges)

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work-Based Learning)

4. Encouraging reading in the home, such as providing lists of recommended reading to students and parents/guardians, establishing a target number of books or pages, and providing prizes for achievement of reading goals

(cf. 6020 - Parent Involvement)

5. Conducting occasional, interactive "fun days" during the summer to provide activities related to art, music, science, technology, mathematics, environmental science, multicultural education, debate, or other subjects

6. Arranging opportunities for community service

(cf. 6142.4 - Service Learning/Community Service Classes)

Legal Reference: (see next page)

SUMMER LEARNING PROGRAMS (continued)

Legal Reference:

EDUCATION CODE

8482-8484.6 *After School Education and Safety Program*
8484.7-8484.9 *21st Century Community Learning Centers*
37252-37254.1 *Supplemental instruction*
39837 *Transportation to summer employment programs*
41505-41508 *Pupil Retention Block Grant*
41976.5 *Summer school programs, substantially disabled persons or graduating high school seniors*
42238.01-42238.07 *Local control funding formula*
42238.8 *Revenue limit per unit of average daily attendance*
48070-48070.5 *Promotion and retention*
51210 *Areas of study for elementary schools*
51220 *Areas of study for grades 1-6*
51730-51732 *Powers of governing boards (authorization for elementary summer school classes)*
52060-52077 *Local control and accountability plan*
54444.3 *Summer program for migrant students*
56345 *Extended-year program for special education students*
58700-58702 *Credit towards summer school apportionments for tutoring and homework assistance*
58806 *Summer school apportionments*
60851 *Supplemental instruction toward exit examination*

CODE OF REGULATIONS, TITLE 5

3043 *Extended school year, special education students*
11470-11472 *Summer school*

UNITED STATES CODE, TITLE 20

6311-6322 *Improving basic programs for disadvantaged students*
7171-7176 *21st Century Community Learning Centers*

Management Resources:

CSBA PUBLICATIONS

Summer Learning and Wellness Resource Guide
School's Out, Now What? How Summer Programs Are Improving Student Learning and Wellness, Policy Brief, April 2013

NATIONAL SUMMER LEARNING ASSOCIATION PUBLICATIONS

Healthy Summers for Kids: Turning Risk into Opportunity, May 2012
New Vision for Summer School, 2010

RAND CORPORATION PUBLICATIONS

Making Summer Count: How Summer Programs Can Boost Children's Learning, 2011

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
National Summer Learning Association: <http://www.summerlearning.org>
Partnership for Children and Youth: <http://partnerforchildren.org>
RAND Corporation: <http://www.rand.org>
Summer Matters: <http://summermatters2you.net>

SUPPLEMENTAL INSTRUCTION

The Governing Board recognizes that high-quality supplemental instructional programs can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills. The district shall offer programs of direct, systematic, and intensive supplemental instruction to meet student educational needs.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 5148.2 - Before/After School Programs)

(cf. 5149 - At-Risk Students)

(cf. 6011 - Academic Standards)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

(cf. 6164.5 - Student Success Teams)

Supplemental instruction may be offered outside the regular school day, including during the summer, before school, after school, on Saturday, and/or during intersessions. It may also be provided during the regular school day provided it does not supplant the student's instruction in the core curriculum areas or physical education.

(cf. 5148.2 - Before/After School Programs)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

Supplemental instruction shall be offered to:

1. Eligible students from low-income families whenever the district or a district school receiving federal Title I funds has been identified by the California Department of Education for program improvement for two or more consecutive years (20 USC 6316)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

2. Students who have been recommended for retention at their current grade level or are at risk of retention (Education Code 48070.5)

(cf. 5123 - Promotion/Acceleration/Retention)

3. Students in grades 7-8 who do not demonstrate "sufficient progress" toward passing the state exit examination required for high school graduation (Education Code 60851)

"Sufficient progress" shall be determined based on a student's results on state assessments administered pursuant to Education Code 60640-60649 and the minimum levels of proficiency recommended by the State Board of Education.

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 5121 - Grades/Evaluation of Student Achievement)

SUPPLEMENTAL INSTRUCTION (continued)

The curriculum of the supplemental instructional program shall reflect state academic content standards to the extent that the district curriculum is aligned with those state standards, and shall be designed to assist students to succeed on the exit exam. (Education Code 60851)

In addition, contingent on the district budget and local control and accountability plan (LCAP), supplemental instruction may be offered to students who:

1. Based on state assessment results, grades, or other indicators, demonstrate academic deficiencies in core curriculum areas that may jeopardize their attainment of academic standards
2. Are in targeted student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

(cf. 3553 - Free and Reduced-Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Language Learners)

3. Desire enrichment in core academic areas, visual and performing arts, physical education, or other subjects as approved by the Board

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6143 - Courses of Study)

(cf. 6172 - Gifted and Talented Student Program)

As appropriate, supplemental instruction may be provided through a classroom setting, individual or small group instruction, technology-based instruction, and/or an arrangement with a community or other external service provider.

(cf. 1020 - Youth Services)

When determined to be necessary by the principal or designee, a student may be required to participate in a supplemental instruction. In such cases, written parent/guardian consent shall be obtained for the student's participation.

SUPPLEMENTAL INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37223 Weekend classes

37252-37254.1 Supplemental instruction, summer school

41505-41508 Pupil Retention Block Grant

42238.01-42238.07 Local control funding formula

46100 Length of school day

48070-48070.5 Promotion and retention

48200 Compulsory education

48985 Translation of notices

51210-51212 Courses of study, elementary schools

51220-51228 Courses of study, secondary schools

52060-52077 Local control and accountability plan

60603 Definitions, core curriculum areas

60640-60649 California Assessment of Student Performance and Progress

CODE OF REGULATIONS, TITLE 5

11470-11472 Summer school

UNITED STATES CODE, TITLE 20

6316 Program improvement schools and districts

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Supplemental Educational Services, January 14, 2009

Creating Strong Supplemental Educational Services Programs, May 2004

WEB SITES

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

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

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

SUPPLEMENTAL INSTRUCTION

Supplemental instructional programs shall be offered outside the regular school day. Such programs may be offered during the summer, before school, after school, on Saturday, and/or during intersessions. (Education Code 37252, 37252.2, 37252.8, 37253)

(cf. 5148.2 - Before/After School Programs)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer School)

Supplemental Instruction Based on Retention or Academic Deficiencies

Students in grades 2-8 who have been retained or recommended for retention shall be eligible for supplemental instruction under the following circumstances: (Education Code 37252.2)

1. For the purposes of this program, a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade.

To the extent that the district provides supplemental instruction to students in grades 2-6 who are identified as being at risk of retention or as having deficiencies in mathematics, reading, or written expression, those students also shall be subject to the provisions set forth in item #1 above. (Education Code 37252.8)

The Superintendent or designee shall seek the active involvement of parents/guardians and classroom teachers in the development and implementation of supplemental instructional programs. (Education Code 37252.2, 37252.8)

An intensive remedial program in reading or written expression shall, as needed, include instruction in phonemic awareness, systematic explicit phonics and decoding, word attack skills, spelling and vocabulary, explicit instruction of reading comprehension, writing, and study skills. (Education Code 37252.2, 37252.8)

(cf. 6142.91 - Reading/Language Arts Instruction)

HOME AND HOSPITAL INSTRUCTION

A student with a temporary disability which makes school attendance impossible or inadvisable shall receive individual instruction in the student's home or in a hospital or other residential health facility, excluding state hospitals. This instruction applies to students incurring a physical, mental or emotional disability after which they can reasonably be expected to return to regular day classes or an alternative education program without special intervention. It does not apply to students identified as individuals with exceptional needs pursuant to Education Code 56026. (Education Code 48206.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

The district shall offer one hour of instruction for every day of instruction offered by the district in the regular education program. No student shall be credited with more than five days of attendance per calendar week or credited with more than the total number of calendar days that regular classes are offered by the district in any fiscal year. (Education Code 48200, 48206.3)

Insofar as possible, the teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

The Superintendent or designee may require verification through any reasonable means that the student requires home instruction. In addition, this verification shall also state that the disabling condition will not expose the teacher to a contagious disease that can be transmitted through casual contact. Home or hospital instruction shall not be denied to students with Hepatitis B, herpes or HIV/AIDS, as long as the home or hospital practices current preventive protocol as determined by the U.S. Centers for Disease Control.

Parental Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians that: (Education Code 48208, 48980)

1. Individual instruction is available for temporarily disabled students as prescribed by Education Code 48206.3.
2. If a student becomes temporarily disabled, it is the parent/guardian's responsibility to notify the receiving district of the student's presence in a qualifying hospital.

HOME AND HOSPITAL INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

44865 Qualifications for home teachers

45031 Home teachers

48200 Minimum school day

48206.3 Pupils with temporary disabilities; individual instruction; definitions; computing average daily attendance

48206.5 Continuation of individual instruction programs for students with temp. disabilities

48207 Pupils with temporary disabilities in hospitals out- side of school district; compliance with residency requirements

48208 Presence of pupils with temporary disabilities in qualifying hospitals; notice by parents or guardians; commencement of individualized instruction

48980 Required notification of rights and availability of nutrition and individualized instruction programs

51800-51802 Employment of home teachers

CODE OF REGULATIONS, TITLE 5

421 Method of verification

423 Prolonged illness

EVALUATION OF THE INSTRUCTIONAL PROGRAM

The Governing Board recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the district's educational program in meeting district goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to improve student achievement.

(cf. 0200 - Goals for the School District)

(cf. 0500 - Accountability)

(cf. 6000 - Concepts and Roles)

(cf. 9000 - Role of the Board)

The Superintendent or designee shall provide the Board and the community with regular reports on student progress toward Board-established standards of expected achievement at each grade level in each area of study. In addition, he/she shall evaluate and report data for each district school and for every numerically significant subgroup of the student population, including, but not limited to, school and subgroup performance on statewide achievement indicators.

(cf. 0510 - School Accountability Report Card)

(cf. 0520.4 - Quality Education Investment Schools)

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

Based on these reports, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education that district students receive.

Categorical Program Monitoring

The Superintendent or designee shall cooperate with the California Department of Education (CDE) in the categorical program monitoring process to ensure that district categorical programs comply with federal and state laws and regulations. The Superintendent or designee shall report to the Board regarding the results of this monitoring process.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0420.1 - School-Based Program Coordination)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 5148 - Child Care and Development Programs)

(cf. 5148.1 - Child Care Services for Parenting Students)

(cf. 5148.2 - Before/After School Programs)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6171 - Title I Programs)

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

(cf. 6172 - Gifted and Talented Student Program)
(cf. 6173 - Education for Homeless Children)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work Experience Education)

On an ongoing basis, the Superintendent or designee shall conduct a district self-evaluation which may utilize tools developed by the district or the CDE to ensure compliance of district categorical programs with legal requirements.

Evaluation of Consolidated Categorical Programs

The Superintendent or designee and the Board shall annually determine whether the district's categorical programs funded through the state's consolidated application are supportive of the core curriculum and are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend for Board approval the specific, measurable criteria that shall be used at each school and at the district level. These criteria shall include, but not necessarily be limited to, progress toward goals contained in the school's single plan for student achievement and progress of the total student population and each numerically significant subgroup toward growth targets on the statewide Academic Performance Index.

(cf. 0420 - School Plans/Site Councils)

Legal Reference: (see next page)

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

Legal Reference:

EDUCATION CODE

33400-33407 Educational evaluations

35178.4 Notice of accreditation status

44662 Evaluation and assessment guidelines, certificated employee performance

48985 Compliance with translation of parental notifications

51041 Education program, evaluation and revisions

51226 Model curriculum standards

52050-52059 Public Schools Accountability Act

54650-54659 Education Improvement Incentive Program

62005.5 Failure to comply with purposes of funds

64000-64001 Consolidated application process

CODE OF REGULATIONS, TITLE 5

3930-3937 Program requirements

3942 Continuity of funding

UNITED STATES CODE, TITLE 20

6311 Adequate yearly progress

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Curriculum, 1996

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Ongoing Program Self-Evaluation Tools (OPSET)

Categorical Program Monitoring Instruments

WEB SITES

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

California Department of Education, Testing and Accountability: <http://www.cde.ca.gov/ta>

Western Association of Schools and Colleges (WASC), Accrediting Commission for Schools:
<http://www.acswasc.org>