ENGLISH AS A SECOND LANGUAGE (ESL)

These regulations are to assist the district to comply with Title VI of Civil Rights Act of 1964, Subpart B-National Origin Discrimination in Elementary and Secondary Education.

The legislation is applicable to programs that receive financial assistance from federal funds. The purpose is to assure equal and effective participation in education programs and activities by students with a primary language other than English, or students with limited proficiency in English.

The district is obligated to determine the student proficiency in English, assess the language skills and provide adequate service.

IDENTIFICATION

1. The school census form and the student registration form shall ask appropriate questions about language(s) spoken in the home other than English.
   
a. Personnel registering students to enter the schools should be alert to indications of difficulty with the English language. Be certain the form is properly filled out and IF THERE IS DIFFICULTY COMMUNICATING SEEK ASSISTANCE AS DIRECTED or USE THE DISTRICT LANGUAGE DIRECTORY TO SEEK SOMEONE FLUENT IN THE LANGUAGE TO ASSIST.

2. The Director of Student Services will arrange for notice to the parent(s)/guardian(s) of those considered to be in need of service and proceed to have the students English proficiency assessed.
   
a. The test shall be suitable for the age of the student and compare the language skills of the student with those of the typical native English-speaking student of the same age.

3. Based on the initial test outcomes the Director of Student Services shall establish the appropriate educational program.

4. Within five (5) days the parent(s)/guardian(s) shall be advised of the proposed grade placement and the services to be provided. The explanation is to be given so the parent fully understands the placement and services offered and the consequences of refusal. They should be advised of the purpose of the transitional education program, advised they may visit classes and/or hold conferences with school personnel and the right to withdraw at any time upon written notification to school officials.

   Parent(s)/guardian(s) should be advised of the Continuous Adult Education ESL programs offered by the district although no "pressure" should be brought to bear concerning attendance.

5. Instruction may be terminated when testing indicates the student is no longer of limited proficiency in English, or after two (2) years the student is English superior or after five (5) years of instruction.
Definitions:

"English superior" refers to limited English proficient students whose ability to speak and understand English is clearly superior to their ability to speak and understand the primary language.

"Limited-English-Proficient" refers to students with a primary language other than English who have such difficulty with the English language that the opportunity to participate effectively in school may be denied when English is the exclusive language of instruction.

"Primary-language-superior" refers to limited-English proficient students whose ability to speak and understand their primary language is clearly superior to their ability to speak and understand English.