



Board of Trustees Policy

ENGLISH AS A SECOND LANGUAGE PROGRAM POLICY

Purpose:

In accordance with the Board of Trustees' ("Board") philosophy to provide a quality educational program to all students, the Roberto Clemente Charter School ("Charter School") shall provide an appropriately planned instructional program for identified students whose dominant language is not English. When the Every Student Succeeds Act (ESSA) was signed on December 10, 2015, reauthorizing the Elementary and Secondary Education Act of 1965 (which was amended by the No Child Left Behind Act of 2001), it changed the terminology to identify such students as English Learners (ELs). English Learners ("ELs") are the students who require English as a Second Language ("ESL") service by the Charter School.

The purpose of the program shall be to increase the English language proficiency of ELs so they can attain the state academic standards within the ESL program setting as well as within the regular classroom environment, to provide equal opportunities for ELs to participate in extra-curricular activities, and to provide the cultural, social and emotional supports for ELs to adapt to this new cultural setting.

Authority:

The Board declares its policy to provide an equal opportunity for all students, including ELs, to achieve their maximum potential through the curriculum, instruction, and programs offered in the Charter School. At no time shall the Charter School, including the Board, permit, condone, encourage or facilitate discrimination against students during the course of recruitment, admissions and enrollment, instruction, counseling and daily interactions with Charter School faculty and staff. Equal Education Opportunity Act, 20 U.S.C.A. § 1703; Title VI, Civil Rights Act of 1964, 42 U.S.C.A. § 2000d, et seq.

Definition:

ESSA defines an "English learner" as an individual who, among other things, has difficulties in speaking, reading, writing, or understanding the English language to the extent that it may be sufficient to deny the individual the ability to meet challenging state academic standards. The term "English learner," when used with respect to an individual, means an individual – (A) who is aged 3 through 21; (B) who is enrolled or preparing to enroll in an elementary school or secondary school; (C)(i) who was not born in the United States or whose native language is a language other than English; (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying



areas; and (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual – (i) the ability to meet the challenging State academic standards; (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society. (ESEA Section 8101(20)).

ELs are from diverse linguistic and cultural backgrounds. The Charter School must equip them with the skills to function, compete, and prosper in American society. EL students must develop academic skills along with their general program peers while also learning English. As EL students are in transition from their native language to English, the emphasis must be on developing academic skills that comply with Pennsylvania State Standards.

Responsibility:

The Charter School shall adopt an instructional program for each EL student for the purpose of facilitating the student's achievement of English proficiency and academic standards ("ESL Program"). 22 Pa. Code. § 4.26. All students who may be ELs must be assessed within the first thirty (30) calendar days of enrollment at the Charter School, or within fourteen (14) calendar days of mid-year transfer. The CEO and building principals shall implement and supervise an ESL Program that meets the legal requirements for ESL Program compliance under federal and Pennsylvania law, especially:

1. Based on an educational theory recognized as sound by some experts in the field or considered by experts as a legitimate experimental strategy;
2. Reasonably calculated, including provisions for resources and personnel, to implement the theory effectively; and
3. Evaluated and adjusted where needed to ensure language barriers are actually being overcome.

20 U.S.C.A. § 6812. The ESL program will come under the direction of the CEO. The CEO and building principals will be responsible for the assurance of the implementation of the program and that proper Charter School policies and procedures are being followed. The CEO and the building principals will be responsible for informing Charter School staff with instructional strategies and cultural needs of students who will receive ESL instruction. ESL teaching resource materials will be



obtained by the building principals and will be made available for reference for both program and non-program teachers.

All teachers instructing within the ESL Program shall hold the requisite certification and endorsements required by Pennsylvania law. Bilingual teachers must demonstrate academic language proficiency both in English and in the language of instruction. 22 Pa. Code §403; 20 U.S.C.A. §6826.

Language Instruction Educational Programs (“LIEPs”) The Charter school must:

- Use Title III funds for effective approaches and methodologies for teaching ELs (ESEA Section 3115(a));
- Increase the English proficiency of ELs by providing effective language instruction educational programs that meet the needs of ELs and demonstrate success in increasing (A) English language proficiency; and (B) student academic achievement (ESEA Section 3115(c)(1));
- Use Title III funds in ways that build its capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards (ESEA Section 3113(b)(3)(E)); and
- Include in its local plans for a Title III subgrant a description of the effective programs and activities that will be provided, including language instruction educational programs (ESEA Section 3116(b)(1)).

ESL Program:

The goals of the Charter School’s ESL Program are to assist the EL students in using English, per 20 U.S.C.A. §6812:

1. to communicate in social settings;
2. to achieve academically in all content areas; and
3. in socially and culturally appropriate ways.

The CEO and the building principals implement and supervise the ESL Program, and further ensure that the ESL Program meets the legal requirements for ESL program compliance. The CEO and the building principals, in conjunction with appropriate certified ESL teachers, shall develop and disseminate written procedures regarding the ESL Program. The procedures shall include, but will not be limited to, the following:

1. Detailed program goals;
2. Student enrollment/transfer procedures (i.e., Home Language Survey);



3. Assessment procedures within thirty (30) calendar days of enrollment or within fourteen (14) calendar days of mid-year transfer for program entrance, measuring progress in gaining English proficiency, and program exiting;
4. Accommodations for EL students in the general education classroom;
5. Grading policies; and
6. List of resources, including support agencies and interpreters.

20 U.S.C.A. § 6826. The ESL Program shall include daily instruction for EL students, supporting the ESL Program's goals, and will receive curriculum aligned with Pennsylvania standards. 22 Pa. Code. § 4.26. Language instruction shall correspond to each EL student's English proficiency level, which shall include both direct language instruction and adaptation of instruction in all content classes. The exact hours of direct language instruction will be determined based on each EL student's needs. All ESL instruction shall be part of each EL student's daily schedule, and will not interfere with or prohibit each EL student's instruction in all grade level content classes.

All EL students will be placed in appropriate grade level content classes. Each EL student will receive instruction in all content areas, as other students in the class. Each EL student will receive additional supplemental support and instruction from ESL teachers periodically for Language Arts class and for necessary content area classes. An ESL teacher will assist the classroom teacher in identifying and implementing teaching strategies that will help each EL student achieve academic success in the classroom comparable to their non-EL peers.

The Pennsylvania English Language Proficiency Standards shall be incorporated in both ESL instruction and grade level content classes.

The success of the ESL program will be measured by: EL students increasing scores within their level of the program; EL students testing to the next level of the program; and EL students testing out of the program as evidenced by yearly WIDA English Language Proficiency Standards testing. Success will also be measured by an increase in academic scores on a content area standardized test. 22 Pa. Code § 403; 20 U.S.C.A. § 6841.

Attendance policies will be the same for EL students as for English-speaking students.

The Student Handbook will clearly state the Charter School's policy and expectations regarding the ESL Program.



Enrollment of EL Students:

EL students and families shall be provided translation and interpretation services to the extent needed to assist with the enrollment process. All students seeking first time enrollment in the Charter School shall be given a Home Language Survey in accordance with requirements of the U.S. Department of Education's Office for Civil Rights. Enrollment of a student may not be delayed in order to administer the Home Language Survey. The completed survey shall be filed in each student's permanent record folder through graduation. 22 Pa. Code § 11.11(e).

Based on the Home Language Survey responses, each student shall be assessed for potential placement in an ESL Program within thirty (30) calendar days of school or within fourteen (14) calendar days of enrollment if a student enrolls after the first day of school.

Identification & Placement of EL Students:

Entry Criteria

The Charter School will use the WIDA Screener to assess newly enrolled students for placement in the ESL program. The WIDA Screener results will be one indicator for placement in the ESL program. Additional criteria for placement in the ESL program include: educational and cultural backgrounds, interviews with families, and native language literacy. Other indicators shall include current or previous grades, performance on state assessments, and Charter School-based formative or summative assessments. This ESL-Program eligibility criterion is aligned with requirements established by the Pennsylvania Department of Education.

Student placement in the ESL Program and designated instruction time (WIDA levels of English language proficiency: 1. Entering, 2. Beginning, 3. Developing, 4. Expanding, 5. Bridging and 6. Reaching) will comply with program guidelines and will be based upon the instructional need of each EL student. Instructional placement will be age and grade appropriate.

Parents may request an EL student to be excused from the ESL Program if the instruction conflicts with the family's religious beliefs, or for any reason and must be made clear to the EL's Parents. 22 Pa. Code § 4.4(d)(3).

All EL students shall have access to and should be encouraged to participate in all Charter School educational programs, opportunities, and extracurricular activities available. Equal Education Opportunity Act, 20 U.S.C.A. § 1703; Title VI, Civil Rights Act of 1964, 42 U.S.C.A. § 2000d, et seq.



Notifications to Parent(s)/Guardian(s) of ELs:

Title I requires that every LEA that uses funds under either Title I or Title III for services to ELs must provide a parent with notification that outlines their child's identification as an EL and placement in an LIEP. (ESEA Section 1112(e)(3)).

Initial notification should include:

- 1) Detailed description of the LIEP as outlined in the BEC, including a description of its intended benefits for children and an explanation of its effectiveness (this description should include information on screening, identification, and placement of ELs)
- 2) Description of the EL identification process and the reason that their child was identified as an EL
- 3) Their child's current English proficiency level and a description of what that means
- 4) Information explaining their right to refuse enrollment of their child in the LIEP

Annual notification should include:

- 1) Notification of their child's continued participation in the LIEP
- 2) Description of the LIEP including its intended benefits for their children and an explanation of its effectiveness
- 3) Notification of their right to refuse services as outlined in the BEC
- 4) Description of any Title III supplemental services being offered (if applicable)
- 5) Notification of their right to refuse Title III supplemental services (if applicable)

The initial notification must be provided no later than thirty (30) calendar days after the beginning of the school year or within the first fourteen (14) calendar days of placement in an LIEP for students who enroll after the start of the school year. (ESEA Section 1112(e)(3)(A), 1112(e)(3)(B)). The notice and information provided must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand. (ESEA Section 1112(e)(4)).

Communications with EL Parents/Guardians:

Communications with EL parents and/or guardians must be in the parents' / guardians' preferred language and mode of communication. The Charter School will provide interpretation services (written and/or oral, depending on the preferred mode of communication). 20 U.S.C.A. § 7012.



Assessment of EL Students:

In accordance with Pennsylvania academic standards and Charter School academic standards, the Charter School will monitor the progress of EL students and will provide appropriate accommodations within the content areas to ensure achievement of the academic standards and curricular goals. 22 Pa. Code § 403; 20 U.S.C.A. § 6842.

Pennsylvania's assessments shall be administered to all EL students annually to measure progress and determine each EL student's English language proficiency for each language domain (Reading, Writing, Speaking and Listening). Other considerations will include EL student portfolios and teacher narratives regarding observations of each EL student.

An EL student may not be retained in a grade level based solely on his/her lack of English language proficiency. Before an EL student is retained in a grade, the building principals must demonstrate that all appropriate modifications were made to instruction and assessment in order to allow the EL student's meaningful access to the grade level content curriculum as well as to promote ESL instruction.

Required Exit Criteria

- 1) 4.5 or higher on ACCESS for ELs Composite (overall) Score.
- 2) At least one (1) ESL teacher recommendation for reclassification (exit) and one (1) content teacher. In the absence of an ESL teacher, two (2) recommendations for reclassification (exit) from two (2) different content teachers will be accepted.

Once an EL student exits the ESL Program, he/she will be monitored for two years. The law requires the Charter School to maintain a description of the progress made by children in meeting challenging State academic content and student academic achievement standards for each of the two years after such children are no longer receiving services. Such monitoring of students shall begin as soon as the student exits an ESL program. For students who exit a program at the end of the school year, monitoring will begin the following school year. The progress of the exited EL student will be monitored at quarterly intervals throughout the academic year, utilizing collaborative conversations regarding progress monitoring of the exited EL students between content and ESL teacher.

During the two -year monitoring period, any student encountering academic difficulty that is determined to be because of English language proficiency skills may be re-designated and returned to an ESL education program. However, such re-designation should only occur after collaboration between the ESL teacher and content teachers has



ensured that effective and appropriate core curriculum instruction, including differentiation and interventions has been implemented. Content and ESL teacher input is critical in determining whether re-designation is the appropriate support to enable the former EL to succeed.

Former ELs must be reported to the state as such for a period of four years after reclassification.

EL Students with Disabilities

All EL students shall be eligible for special education services. All procedures for the screening, evaluation, IEP, and the provision of services and/or instruction for EL students must be in compliance with governing state and federal laws and regulations. However, the Charter School, as LEA, must ensure that their program is effective before referring the child for evaluation.

The IEP team for an EL student shall consider the need for ESL instruction as it addresses the EL student's needs related to the provision of a Free and Appropriate Public Education. In determining an EL student's needs, the IEP team shall consider both special education services and ESL instruction simultaneously. Special education services do not replace ESL instruction. LEAs must not identify or determine that ELs are students with disabilities because of their limited English language proficiency.

ELs with IEPs may receive both ESL instruction and special education services simultaneously. The IEP must be developed by the IEP Team, which should include the ESL teacher as a member, or at a minimum, information provided by the ESL teacher to the IEP team.

Professional development for teachers:

The professional development provided by the Charter School need not be limited to teachers who teach exclusively ELs, but may be provided to all teachers who have ELs in their classrooms, to enable them to teach those ELs more effectively.



TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this day ___15th_____ of __October_____, 2024

DR. LYNN COLUMBA
President

ALEX ROLÓN
Secretary