

Marion County Board of Education			
Monitoring: Review: Annually, in November	Descriptor Term: English Learners	Descriptor Code: 4.207	Issued Date: 09/25/17
		Rescinds: 4.207	Issued: 11/14/02

If the inability to speak and understand the English language excludes a student from effective participation in the educational programs offered by the district, the district shall take reasonable actions to provide the student equal access to its programs. Students who are English learners (“EL”) shall be identified, assessed, and provided appropriate services. No child shall be admitted to or excluded from any program or extra-curricular activity based on the student’s surname or EL status.¹

The director of schools shall evaluate the effectiveness of the district’s language assistance programs to ensure EL students will acquire English proficiency and the ability to participate in the standard instructional program within a reasonable period of time. Retention of English learner (EL) students shall not be based solely upon level of English language proficiency (Section I, Part G, Guidelines to Satisfy Legal Requirements of Lau v. Nichols). Retention policies for EL students should not be based on one specific piece of data alone or any sole criterion.

ENGLISH LANGUAGE INSTRUCTION PROGRAM

The board directs the administration to develop and implement language instruction programs that:²

1. Appropriately identify EL students in a timely, valid, and reliable manner.
2. Determine the appropriate instructional environment for EL students.
3. Provide EL students with a language assistance program that is educationally sound and proven successful.
4. Annually assess the English proficiency of EL students and monitor the progress of students in order to determine their readiness for standard instructional program.
5. Monitor the progress of students that have exited the EL program.

PARENTAL NOTIFICATION³

Parents of EL students shall be given notice of, and information regarding, the instructional program within the first thirty (30) days of the school year, or within the first two weeks of a student being placed in a language instruction educational program (LIEP). At a minimum, the notice will include the following:³

1. The reason for identifying the child as an EL student;
2. The child’s level of English language proficiency, including how the level was assessed, and the status of the child’s academic achievement;
3. Methods of instruction used in the program, methods of instruction in other available programs, and how they differ;

4. How the program meets the educational strengths and needs of the student, and how the program will help the student reach English language proficiency and meet academic standards;
5. Program exit requirements, rate of transition to a standard instructional program classroom, and expected rate of high school graduation;
6. How the program meets the goals of an EL student with an IEP; and
7. Information on the parents' right to withdraw the student from the program or choose another program or method of instruction if available.

Parental involvement will be encouraged and parents will be regularly apprised of their child's progress.⁴

Legal References

1. Elementary and Secondary Education Act, as amended by ESSA (Pub. L. 114-95), § 1112(e)(3)(D)
2. Elementary and Secondary Education Act, as amended by ESSA (Pub. L. 114-95), § 3113(b)(3)(B)
3. Elementary and Secondary Education Act, as amended by ESSA (Pub. L. 114-95), § 1112(e)(3)(A)
4. Elementary and Secondary Education Act, as amended by ESSA (Pub. L. 114-95), § 1112(e)(3)(C)