

BILINGUAL-BICULTURAL EDUCATION/LIMITED ENGLISH PROFICIENCY

In accordance with the Board's philosophy to provide a quality educational program to all students, the district shall provide an appropriate planned instructional program for identified students whose dominant language is not English. The purpose of the program is to increase the English proficiency of eligible students so that they can attain the academic standards adopted by the Board and achieve academic success. Students who have limited English proficiency (LEP) will be identified, assessed and provided appropriate services, which may include bilingual/bicultural or English as a Second Language instruction.

The Superintendent or his/her designee shall implement and supervise an LEP program that ensures appropriate LEP instruction and complies with federal and state laws and regulations. Students shall have access to and be encouraged to participate in all academic and extracurricular activities of the district.

Students in limited-English proficiency programs shall receive instruction in the core curriculum through their primary language when possible and appropriate in order to sustain academic progress. Academic instruction provided in English shall, whenever necessary, be specially designed and presented so as to facilitate complete understanding of the total academic content. Students shall also receive instruction which promotes positive self-concepts and cross-cultural understanding.

(cf. 6141.3 - Multicultural Education)

Students who are taught core academic subjects in non-English- speaking classes shall spend as much time as possible in classrooms with students who speak fluent English.

The LEP program shall be designed to provide instruction that meets each student's individual needs, based on assessment of English proficiency in listening, speaking, reading and writing. Adequate content area support shall be provided while the student is learning English, to assure achievement of academic standards. Students participating in LEP programs shall be required, with accommodations, to meet established academic standards and graduation requirements adopted by the Board.

Identification and Placement

The Superintendent or designee shall maintain procedures which provide for the careful identification, assessment and placement of students of limited-English proficiency in accordance with state regulations and the district's service plan. On an annual basis, the district will administer an assessment of English proficiency to students who are or may be eligible for services.

BP 6174 (b)

BILINGUAL-BICULTURAL EDUCATION/LIMITED ENGLISH PROFICIENCY

An individual student's participation in the bilingual/bicultural program is voluntary on the part of the parent/guardian.

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

Standardized Assessment

Students identified as limited English proficient shall participate, either with or without an accommodation, in statewide student assessments. The [Superintendent/Chief School Administrator] or designee shall appoint a team that includes parents and teachers to determine the necessary accommodations for students with limited English proficiency. "Accommodations" include a change in the manner in which a test included in the statewide student assessment system is given to a student, and that does not alter what is measured by the assessment. The team will document the accommodation decision.

Reassignment

Students of limited-English proficiency shall be reassigned as fluent-English proficient when they have acquired the English language skills of comprehension, speaking, reading, and writing necessary to receive instruction and achieve academic progress in English only, at a level substantially equivalent to that of students of the same age or grade whose primary language is English. A student will remain eligible for services until the student:

1. is not assessed as an LEP student for two consecutive annual assessments of English proficiency; and
2. in the statewide assessment system, obtains a proficiency level of proficient or advanced on the subtests in reading and writing, or reading and language arts.

The Superintendent or designee shall provide subsequent monitoring and support of reassigned students.

Parent/Guardian and Community Involvement

The Board recognizes the need to involve parents/guardians and community members in the development, evaluation and improvement of district programs. The Superintendent or designee shall inform and involve parents/guardians and community members as required by law.

BILINGUAL-BICULTURAL EDUCATION/LIMITED ENGLISH PROFICIENCY

The district shall notify parents of students qualifying for LEP programs regarding the instructional program and parental options, as required by law. The notice should state the reasons for identifying the student as limited English proficient, including the student's level of proficiency and how the District determined that level. The student's overall academic achievement should also be included in the notice. The notice must describe the LEP program's instructional methods and explain how the student will transition from the program. Finally, the notice shall advise parents of their right to remove the child from the program, to choose an alternative program if available, and to obtain assistance in choosing a program. Parents will be regularly apprised of their student's progress. Communications with parents shall be in the language understood by the parents, whenever possible.

(cf. 1220 - Citizens Advisory Committees)

Program Evaluation

The Superintendent or designee shall establish procedures for the annual evaluation of bilingual-bicultural education programs in conformance with state and federal regulations.

When evaluating the adequacy of bilingual-bicultural education, the Board shall consider data which indicates the effectiveness of the programs in teaching English to students and in contributing to their academic achievement.

Legal Reference:

ALASKA STATUTES

14.30.400 Bilingual-bicultural education

ALASKA ADMINISTRATIVE CODE

4 AAC 06.775 Assessment of a student with limited English proficiency

4 AAC 34.010-4 AAC 34.090 Bilingual-bicultural education

UNITED STATES CODE

20 U.S.C. §§ 1702-03

Bilingual Education Act, 20 U.S.C. §§ 7401 et seq. as amended by the English Language Acquisition, Language Enhancement, and Academic Achievement Act, Title III, §§ 3001-3304 of HRI

NO CHILD LEFT BEHIND ACT, P.L. 107-110 (2002)

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

Teresa P. et al v. Berkeley Unified School District et al, 724 F.Supp. 698 (N.D. Cal. 1989)

Added 1/12

Reviewed 10/2015

Reviewed 3-2020

Reviewed 12/2022