

**Russell Byers Charter School
1911 Arch Street
Philadelphia, PA 19103-1403**

Board of Trustees Policy

English as a Second Language/Bilingual Program Policy

Purpose:

In accordance with the Russell Byers Charter School (the “Charter School”) Board of Trustee’s (“Board”) philosophy to provide a quality educational program to all students, the Charter School shall provide an appropriately planned instructional program for identified students whose dominant language is not English (“English as Second Language students”).

The purpose of the program shall be to increase the English language proficiency of English as Second Language students 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 English as Second Language students to participate in extra curricular activities, and to provide the cultural, social and emotional supports for English as Second Language students to adapt to this new cultural setting.

The Board declares it to be their policy to provide an equal opportunity for all students, including English as Second Language students, 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:

English as Second Language students (“ESL students”) are from diverse linguistic and cultural backgrounds. The Charter School must equip them with the skills to function, compete, and prosper in American society. ESL students must develop academic skills along with their general program peers while also learning English. As ESL 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 ESL student for the purpose of facilitating the student's achievement of English proficiency and academic standards ("ESL Program"). 22 Pa. Code. § 4.26. The CEO and the director of the ESL Program ("ESL Director") shall implement and supervise an ESL Program that meets the legal requirements for ESL Program compliance under federal and Pennsylvania law:

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.

No Child Left Behind Act, 20 U.S.C.A. § 6812. The ESL program will come under the direction of the ESL Director. The ESL Director 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 ESL Director 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 ESL Director and kept in his/her office 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; No Child Left Behind Act, 20 U.S.C.A. § 6826.

ESL Program

The goals of the Charter School's ESL Program are to assist the ESL students in using English, per the No Child Left Behind Act, 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 ESL Director shall 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 ESL Director, 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 procedures (i.e., Home Language Survey);
3. Assessment procedures for program entrance, measuring progress in gaining English proficiency, and program exiting;
4. Accommodations for ESL students in the general education classroom;
5. Grading policies; and
6. List of resources, including support agencies and interpreters.

No Child Left Behind Act, 20 U.S.C.A. § 6826. The ESL Program shall include daily instruction for ESL 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 ESL 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 ESL student's needs. All ESL instruction shall be part of each ESL student's daily schedule, and will not interfere with or prohibit each ESL student's instruction in all grade level content classes.

ESL students will be placed in all appropriate grade level content classes. Each ESL student will receive instruction in all content areas, as other students in the class. Each ESL 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 ESL student achieve academic success in the classroom. During the initial period of language acquisition and development, the Charter School may grade the ESL student on a pass/fail basis.

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

Program Goals and Objectives

The Charter School has developed the following goals and objectives for the ESL Program.

Goal 1: To use English to communicate in social settings.

Objective: By the end of the school year, ESL students will improve and increase their ability to use English to participate in social

interactions. This will be evidenced by observation of ESL students in cooperative learning activities, playground interactions and personal conversation.

Objective: By the end of the school year, ESL students will improve and increase their ability to interact, through and with spoken and written English for personal expression and enjoyment. This will be evidenced by personal writing journals and book choice with reading log.

Goal 2: To use English to achieve academically in all content areas.

Objective: By the end of the school year, ESL students will improve and increase their ability to use English to interact in the classroom, evidenced by conversations with ESL teachers, observations of students in cooperative group settings, and observations of students in social interactions, report cards and test results.

Objective: By the end of the school year, ESL students will improve and increase their ability to use English to obtain, construct and provide subject matter information in spoken and written form. This will be evidenced by an increase in standardized testing content area scores, a portfolio of ESL student work, and ESL teachers' observations of the ESL students' ability to pose questions and have discussions in content area classes.

Goal 3: To use English in socially and culturally appropriate ways.

Objective: By the end of the school year, ESL students will improve and increase their ability to use the appropriate language variety, register, and genre according to the audience, purpose and setting. This will be evidenced by ESL student academic presentations, observations of ESL students' social conversations with peers, and conversations with ESL teachers.

Objective: By the end of the school year, ESL students will improve and increase their ability to use nonverbal communication appropriate to audience, purpose and setting. This will be evidenced by observations of ESL students by ESL teachers.

The success of the ESL program will be measured by: ESL students increasing scores within their level of the program; ESL students testing to the next level of the program; and ESL students testing out of the program as evidenced by yearly English proficiency testing. Success will also be measured by an increase in academic scores on a content

area standardized test. 22 Pa. Code § 403; No Child Left Behind Act, 20 U.S.C.A. § 6841. The ESL Director will also look at student portfolios and ESL teacher narratives to demonstrate progress of each ESL student.

Attendance policies will be the same for ESL 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 ESL Students:

ESL 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. A student will be exempt from assessment if the student meets two of the following three criteria:

1. Final grades of B or better in core subject areas (mathematics, language arts, science and social studies);
2. Scores on Charter School assessments that are comparable to the basic performance level on the annual Pennsylvania System of School Assessment ("PSSA"); or
3. Scores of basic in reading, writing and mathematics on the PSSA or the equivalent assessment from another state.

Identification & Placement of ESL Students:

Entry Criteria

The Charter School will use the WIDA-ACCESS Placement Test (W-APT) to assess newly enrolled students for placement in the ESL program. The W-APT results will be one indicator for placement in the ESL program. 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 (Beginner, Intermediate, Advanced) will comply with program guidelines and will be based upon

the instructional need of each ESL student. Instructional placement will be age and grade appropriate.

Parents may request an ESL student to be excused from the ESL Program if the instruction conflicts with the family's religious beliefs. 22 Pa. Code § 4.4(d)(3).

All ESL 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.

Exit Criteria

The exit criteria for ESL students is intended to establish valid and reliable evidence of a student's English language proficiency to exit from the ESL Program, in accordance with requirements established by the Pennsylvania Department of Education. ESL students may exit the ESL Program if they meet exit criteria provided under applicable federal and state laws and regulations.

Once an ESL student exits the ESL Program, he/she will be monitored for two years. During that time, the ESL Director will maintain bi-weekly contact with the classroom teacher to monitor the student's progress. Monitoring efforts will also include periodic review of grades. At the end of each year, the student progress will be evaluated, using the PSSA and Charter School assessments, to determine if the student is maintaining or demonstrates growth in language skills. Students will be placed back into the ESL Program if evidence does not support maintenance or growth of language skills.

Assessment of ESL Students

In accordance with Pennsylvania academic standards and Charter School academic standards, the Charter School will monitor the progress of ESL students and will provide appropriate accommodations within the content areas to ensure achievement of the academic standards and curricular goals. 22 Pa. Code § 403; No Child Left Behind Act, 20 U.S.C.A. § 6842. The ESL Director will oversee the review, both annual and periodic, of ESL students.

Pennsylvania's assessments shall be administered to all ESL students annually to measure progress and determine each ESL student's English language proficiency for each language domain (Reading, Writing, Speaking and Listening/Understanding). Each designated ESL teacher will complete the annual grading and evaluation process for ESL students (English, Reading and Language Arts). Other considerations will include ESL student portfolios and teacher narratives regarding observations of each ESL student. Students with immigrant status who have lived in the United States for less than one year are exempt from participating in the PSSA and local assessments.

Throughout the course of the year, individual student progress will be evaluated on a continuous basis with each ESL teacher and the classroom teacher. Each teacher will modify ESL students' learning plans to ensure academic success for each ESL student.

A standardized form will be kept in each ESL student's permanent record folder through graduation. The form shall identify the date, level, and English proficiency score upon entering the ESL Program; report(s) of progress toward ESL Program goals; and academic standardized test scores. A narrative from the designated ESL teacher, regarding each ESL student's progress toward satisfying the ESL Program objectives, will also be part of the data collection and review process.

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

ESL Students with Disabilities

All ESL students shall be eligible for special education services. All procedures for the screening, evaluation, IEP, and the provision of services and/or instruction for ESL students must be in compliance with governing state and federal laws and regulations.

The IEP team for an ESL student shall include either the ESL Director or an appropriate ESL teacher, or at a minimum, the IEP team shall receive input from either the ESL Director or the appropriate ESL teacher when appropriate. The IEP team for an ESL student shall consider the need for ESL instruction as it addresses the ESL student's needs related to the provision of Free Appropriate Public Education. In determining an ESL student's needs, the IEP team shall consider both special education services and ESL instruction simultaneously. Special education services do not replace ESL instruction.

ESL students receiving special education services must submit to Pennsylvania's annual assessments. Each ESL student may participate in assessments through the use of one or more state-approved accommodations appropriate to his/her disability. The IEP team may make decisions regarding assessment accommodations for ESL students with disabilities, considering the following:

1. Accommodations must not invalidate the results of the assessment;
2. Accommodations may be used for the entire assessment or only for part/parts of the assessment;
3. Determinations of any accommodation must be:

- Based on a student's disability;
- Made by the student's entire IEP team;
- Properly documented in the student's IEP; and
- Properly coded on the assessment.

Communications with ESL Parents/Guardians

Communications with ESL 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). No Child Left Behind Act, 20 U.S.C.A. § 7012.

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 _____ of _____, 2014

Laurada Byers, Interim Board Chair