

March 23, 2016

**RESCIND BOARD REPORT 02-1023-PO01
AND ADOPT A NEW BILINGUAL EDUCATION POLICY**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board rescind Board Report 02-1023-PO01 and adopt a new Bilingual Education Policy.

PURPOSE: The purpose of this policy is to ensure that students in Pre-Kindergarten through grade 12 whose home language is not English have equity in education and language acquisition opportunities through the District's Bilingual Education Services.

The Board acknowledges that cultural identity is inseparable from language and recognizes bilingualism as a desirable goal and a reflection of cultural heritage. This Policy further strengthens the Board's commitment to recognize students' home languages and cultures as assets to build upon and to support academic success while they acquire English in preparation for success in college, career, and life.

The Board is committed to bilingual education as an effective vehicle for providing English Learners (ELs) with a full measure of access to an equitable educational opportunity as required by federal and state law.

This policy specifies Dual Language Education as a program model option for delivering bilingual education services, and the Board recognizes Dual Language Education as an effective model for building bilingualism and biliteracy in students.

This policy reflects the Board's emphasis on:

- Services for English Learners which are aligned to federal and state legal standards,
- Clarity and guidance on effective instructional design for English Learners,
- Research-based instructional practices for English Learners, and
- Meaningful parental participation in Bilingual Education Services.

POLICY TEXT:

1. APPLICABILITY:

This policy applies to all grades Pre-Kindergarten through 12 and to all Chicago Public Schools (CPS) Elementary and High Schools regardless of whether the school is currently serving English Learners. For purposes of this policy, "English Learners" means students, whether born in the United States or born elsewhere, whose home language background is a language other than English and whose proficiency in speaking, reading, writing, or understanding English may be insufficient to allow them (a) the ability to meet the State's proficient level of achievement on state assessments; (b) the ability to successfully achieve in classrooms where the language of instruction is English; or (c) the opportunity to participate fully in the school setting.

2. IDENTIFICATION OF ENGLISH LEARNERS UPON SCHOOL ENROLLMENT:

A. Home Language Survey: Every student, Pre-Kindergarten through grade 12, newly enrolling in a CPS District school or any of the District's Pre-Kindergarten programs must complete a Home Language Survey.

B. EL Screening and Placement: Every student whose Home Language Survey response includes "yes" to one or more of the questions must be screened for English language proficiency to determine eligibility and placement in Bilingual Education Services. For K-12 grade level students, screening shall utilize the state-prescribed screener. For Pre-K students, screening shall utilize the screener specified in the Bilingual Education Handbook. All students enrolled in Pre-Kindergarten whose Home Language Survey response includes "yes," must be rescreened upon enrollment in Kindergarten. A student shall be deemed eligible for enrollment in Bilingual Education Services based on his or her screening results.

C. Incoming Transfer Students: Program eligibility and placement of transfer students shall be based on the most recent state-prescribed English language proficiency assessment from the transferring school district if available AND only if the score was obtained during the current or previous school year. If assessment scores are not available or are available but out-of-date, eligibility and placement shall be based on the state-prescribed Screener results from the transferring school district, provided that the score was obtained within the previous 12 months. A student shall be re-screened if no valid screener results are provided by the transferring school district.

D. Parent/Guardian Requests: The parent/guardian of any student within the District who has not been identified as an English Learner has the right to request that the student be considered for placement in Bilingual Education Services. If this request is made, the school must screen and place the student in an appropriate program based on the student's screening results.

3. BILINGUAL EDUCATION SERVICES ENROLLMENT AND DURATION OF PARTICIPATION:

A. Enrollment, Participation, and Transition: An English Learner shall be enrolled and participate in Bilingual Education Services until such time as the student achieves a level of English language proficiency on the state-prescribed assessment that enables the student to perform successfully in classes in which instruction is only conducted in English. ELs must be assessed annually with the state-prescribed English language proficiency assessment to monitor their progress in listening, speaking, reading, and writing. A student shall be transitioned from the Bilingual Education Services when he or she has demonstrated a level of English language proficiency at or above the state-designated exit criteria, as provided in the Bilingual Education Handbook.

B. Monitoring Transitioned Students: The principal shall ensure the monitoring and documentation of progress made by students in meeting the state academic standards following their transition to the General Program of Instruction as specified in the Bilingual Education Handbook. If academic evidence later suggests that a transferred student is still in need of English language support, the student may be re-enrolled into Bilingual Education Services.

4. PARENT/GUARDIAN NOTIFICATION:

The principal shall ensure that the required annual Bilingual Education Services eligibility notices, as provided in the Bilingual Education Handbook, are issued to the parents/guardians no later than 30 calendar days after the beginning of the school year (or within 14 calendar days of enrollment for students who enroll after the 30th calendar day from the first day of school). The annual notifications will include information required in 105 ILCS 5/14C and will be provided in both English and the parent/guardian's preferred language.

5. BILINGUAL EDUCATION SERVICES REFUSAL OR WITHDRAWAL BY PARENT/GUARDIAN:

A. Program Refusal: A parent/guardian may elect to refuse enrollment of his or her child in the Bilingual Education Program after the child is determined to be eligible but before the child has received any Bilingual Education Services.

B. Program Withdrawal: A parent/guardian may elect to withdraw his or her child from receiving Bilingual Education Services at any time during the child's participation in the program.

C. Procedure for Program Refusal or Withdrawal from Bilingual Education Services: A parent/guardian requesting a refusal or withdrawal must submit a handwritten, signed, and dated request to the school. The principal or designee shall ensure that, upon receipt of such request, he or she schedules a conference with the parent/guardian to review: (i) the reasons for the refusal or withdrawal, (ii) the student's English language proficiency level scores, academic progress, and teacher input, AND (iii) the requirement for the student to continue to take the state-prescribed English language proficiency assessment each year until the student meets the state-designated exit criteria. The principal or designee shall follow the procedures for parent/guardian refusal and/or withdrawal found in the Bilingual Education Handbook, including the handling of requests where the parent/guardian fails to participate in a conference.

D. Procedure for Re-enrollment in Bilingual Education Services: English Learners whose parents/guardians have previously refused or withdrawn enrollment from Bilingual Education Services may be re-enrolled upon request after the parent/guardian submits a handwritten, signed, and dated request to the school.

E. Monitoring Progress of Students Refused or Withdrawn: Schools must monitor the academic progress of all students whose parent/guardian has refused or withdrawn his or her child's enrollment from Bilingual Education Services and ensure such students continue to have access to appropriate English Learner supports as set out in the Bilingual Education Handbook.

6. BILINGUAL EDUCATION PROGRAMS AND REQUIREMENTS:

A. General: In order to maintain compliance with statutory requirements for serving English Learners, schools shall establish and maintain one or more of the following Bilingual Education programs:

- **Transitional Bilingual Education (TBE):** This bilingual program model provides native language instruction and English as a Second Language (ESL) instruction for ELs. TBE programs must provide native language and English instruction in core content areas, including Language Arts, Social Science, Science, and Math. English as a Second Language must be provided daily, with proper modifications and accommodations to help meet the language needs of the students. Instruction must also include the history and culture of the native land and the United States. The TBE program is provided to a student on either a full-time or part-time basis as determined by the student's attainment on the state-established English language proficiency level and other characteristics as defined in the state criteria. Instruction in a TBE program must be aligned to all adopted Illinois Content and Language Standards.
- **Transitional Program of Instruction (TPI):** This program model provides ESL instruction in core content areas for ELs. A TPI must provide ESL instruction daily with proper modifications and accommodations to help meet the language needs of ELs. ELs must receive scaffolding and, when possible, native language support during instruction in core content areas, including Language Arts, Social Science, Science, and Math. Instruction should include the history and culture of the native land and of the United States. Instruction in a TPI must be aligned to all adopted Illinois Content and Language Standards
- **Dual Language Education (DLE):** This program model provides both English Learners and native-English-speaking students with instruction in both English and another language with the goal of all students becoming bilingual and biliterate. The DLE program may be offered in a one-way immersion setting serving English Learners who are all from the same language classification or in a two-way immersion setting comprised of English Learners from one language classification and native-English-speaking students.

B. Bilingual Education Programs Offered at Each School:

1. Each school shall provide for grades K-12:
 - (a) A Transitional Bilingual Educational (TBE) Program when the school has an enrollment of 20 or more English Learners of the same language classification across all grades K-12.
 - (b) A Transitional Program of Instruction (TPI) when the school has an enrollment of 19 or fewer English Learners of the same language classification across all grades K-12.
2. Each school serving Pre-Kindergarten students shall provide:
 - (a) A Transitional Bilingual Educational (TBE) Program when the school has 20 or more ELs of the same language classification enrolled in the school's Pre-Kindergarten program.
 - (b) A Transitional Program of Instruction (TPI) when the school has an enrollment of 19 or fewer ELs of the same language classification enrolled in the school's Pre-Kindergarten program.

C. Staffing and Qualifications: The Principal shall ensure that all teachers who are programmed to instruct ELs (in TBE, TPI, or DLE Bilingual Education Services) hold the appropriate Professional Educator License (PEL, formerly Type 03, 04, 09, or 10) with a Bilingual and/or ESL Endorsement/Approval and the appropriate content area endorsements. Teachers specifically assigned to Bilingual Education Services must hold the appropriate PEL and endorsement(s)/approval(s) for their program model. CPS teachers holding an Educator License with Stipulations (ELS) Transitional Bilingual (formerly Type 29 certificates) who satisfy the requirements to become qualified have to complete an approved program to qualify for receipt of the appropriate endorsement/approval within five years from the date they receive the ELS Transitional Bilingual. The principal shall ensure the school is adequately staffed to serve all English Learners enrolled.

D. Grading Protocol for English Learners: The Board has high expectations for all students regardless of the language they speak and their cultural background. No English Learner shall receive a failing grade due to limited English proficiency. A failing grade must be based solely on the English Learner's level of academic performance in the appropriate bilingual education programs, if the student's academic language dominance is proven to be in his or her home language.

7. ENGLISH LEARNERS WITH DISABILITIES:

A. IEP Evaluation: The principal or designee shall ensure that the language(s) used to evaluate a child to determine eligibility for an Individualized Education Program (IEP) shall be consistent with the child's native language or other mode of communication. If the language use pattern involves two or more languages or modes of communication, the student shall be evaluated by qualified specialists using each of the languages or modes of communication used by the student.

B. IEP and Related Services: The IEPs developed and implemented should reflect the linguistic, cultural, and instructional needs of students and, to the maximum extent appropriate, students will be placed in non-restrictive environments which provide for integration with nondisabled peers in bilingual classrooms. Bilingual or ESL endorsed personnel will participate in all IEP meeting(s) for English Learners.

8. PARENTAL INVOLVEMENT:

A. Bilingual Advisory Committee (BAC) of the Local School Council (LSC): In accordance with 105 ILCS 5/34-2.2(f), each LSC of a school that provides bilingual education shall create a BAC or recognize an existing BAC as a standing committee. The Chair and a majority of the members of the Bilingual Advisory Committee shall be parents/guardians of students in the school's Bilingual Education Services. The parents/guardians on the advisory committee shall be selected by parents/guardians of students in the Bilingual Education Services, and the committee shall select a Chair. The advisory committee for each secondary school shall include at least one full-time bilingual education student. The BAC shall serve only in an advisory capacity to the LSC.

B. Chicago Multilingual Parents Council (CMPC): The Board established the CMPC in accordance with Article 14C-10 which requires the district to establish a parent/guardian advisory committee to afford parents/guardians of English Learners the opportunity to express their views and which ensures that Bilingual Education Services are planned, operated, and evaluated with the involvement of, and in consultation with, parents/guardians of children served by the District's Bilingual Education Services. Membership on the CMPC is based on citywide elections as set forth in the bylaws of the CMPC.

9. OVERSIGHT:

The Office of Language and Cultural Education (OLCE) and the Department of Internal Audit and Compliance shall oversee implementation and compliance with this policy, federal and state law in doing so, shall:

- a. Provide technical assistance and support to assist schools with implementation of the policy and programming

- b. Assist schools in obtaining support services through various Central Office departments and Network offices
- c. Conduct periodic evaluations on school implementation of bilingual education services
- d. Monitor individual Bilingual Education Services refusal and withdrawal requests received from parents/guardians

10. BILINGUAL EDUCATION HANDBOOK:

The Chief Education Officer or designee is authorized to develop, issue, and update the Bilingual Education Handbook and any related guidelines, standards, and toolkits to ensure the effective implementation of this policy and compliance with federal and state law. The principal or designee shall ensure compliance with this policy and the requirements set out in the Bilingual Education Handbook including but not limited to those related to documentation, student data management, parent/guardian notices, timelines and deadlines, grading, and qualifying assessment exemptions.

11. DEFINITIONS:

Bilingual Education Services: A program of instruction designed to promote meaningful access to core content through Transitional Bilingual Education, Transitional Programs of Instruction, or Dual Language Education. English Learners are provided with tools, resources, and program structures to ensure that students are fully engaged in rigorous instruction preparing them for college, career, and life.

English as a Second Language: Specialized instruction designed to provide English Learners with focused language development in English in the domains of listening, speaking, reading, and writing.

Home Language: The language spoken within a student's home; spoken by the student, the parents, the siblings, and/or other family members; also referred to as Language Classification or Native Language.

General Program of Instruction: Pre-Kindergarten through grade 12 educational programs offered to all students.

Language Acquisition: The process in which students develop listening, speaking, reading, and writing language skills.

Language Classification: The language spoken within a student's home; spoken by the student, the parents, the siblings, and/or other family members; also referred to as Home Language or Native Language.

Native Language: The language spoken within a student's home; spoken by the student, the parents, the siblings, and/or other family members; also referred to as Language Classification or Home Language.

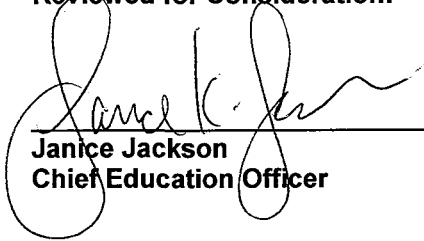
Native Language Instruction: Instruction (including instructional materials) provided in the native language of the ELs within the program.

Scaffolding: An instructional approach based on providing a step-by-step process for building students' ability to complete tasks on their own.

Transition: Process in which a student who satisfies English language proficiency requirements based on the state-prescribed assessment and is then enrolled in general program of instruction.


LEGAL REFERENCES: 105 ILCS 5/14C-1 et seq.; 105 ILCS 5/34-2.2(f) 23 Ill. Admin. Code §§ 1.240, 226.140, 226.150 and Part 228; 20 USC 6801 et seq.; Equal Educational Opportunities Act (EEOA) 20 United States Code 1703 et seq.

Reviewed for Consideration:




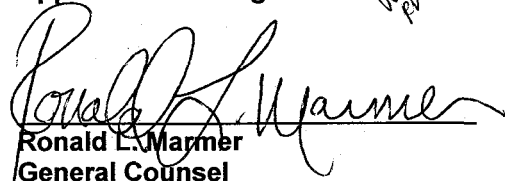
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