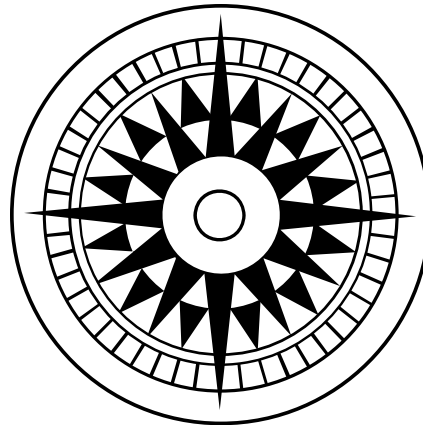




PART 228 TRANSITIONAL BILINGUAL EDUCATION



Revisions effective July 26, 2010





Purpose and Applicability

Section 228.5

- a) **This Part establishes requirements for school districts' provision of services to students in preschool** through grade 12 who have been identified as limited English proficient in accordance with Article 14C of the School Code
- b) The requirements of Article 14C of the School Code and **this Part shall apply to every school district in Illinois, regardless of whether the district chooses to seek funding** pursuant to Section 228.50 of this Part.



228.10 Definitions

Language Background Other Than English

The home language of a student in preschool, kindergarten or any of grades 1 through 12, whether born in the United States or born elsewhere, is other than English or that the student **comes from a home where a language other than English is spoken, by the student, or by his or her parents or legal guardians, or by anyone who resides in the student's household.**



228.10 Definitions

Home Language

The language normally used in the home by the student and/or by the student's parents or legal guardians

Preschool for ELL students





228.10 Definitions

Definition of Preschool

- “**Preschool Program**” means instruction provided to children who are ages 3 up to but not including those of kindergarten enrollment age . . . in **any program administered by a school district**, regardless of whether the program is provided in an attendance center or a non-school-based facility.



228.10 Definitions

Preschool Screening


“Prescribed Screening Procedures” means the procedures that a school district determines to be appropriate to assess a preschool student’s level of English language proficiency (minimally in the domains of speaking and listening), in order to determine whether the student is eligible to receive bilingual education services. The procedures may include, without limitation, established screening instruments or other procedures, provided that they are research-based.



228.10 Definitions

Preschool Screening

- Be age and developmentally appropriate;
- Be culturally and linguistically appropriate for the children being screened;
- Include one or more observations using culturally and linguistically appropriate tools;
- Use multiple measures and methods (e.g., home language assessments; verbal and nonverbal procedures; various activities, settings, and personal interactions);
- Involve family by seeking information and insight to help guide the screening process without involving them in the formal assessment or interpretation of results; and
- Involve staff who are knowledgeable about preschool education, child development, and first and second language acquisition.



228.15(a) Identification of Eligible Students Home Language Survey

- Each school district shall administer a home language survey with respect to each student in **preschool**, kindergarten or any of grades 1 through 12 who is entering the district's schools or **any of the district's preschool programs** for the first time



228.15(a) Identification of Eligible Students Home Language Survey

- The survey should be administered as part of the enrollment process or **for preschool programs, by the first day the student commences participation in the program.**



228.15(e) Identification of Eligible Students Preschool Screening

- The district shall screen the English language proficiency of each student identified through the home language survey as having a language background other than English by using the prescribed screening instrument applicable to the student's grade level (i.e., kindergarten or any of grades 1 through 12) **or the prescribed screening procedures identified by the preschool program.**



228.15(e) Identification of Eligible Students Preschool Screening

This screening shall take place within 30 days either after the student's enrollment in the district or, **for preschool programs, after the student commences participation in the program.**



228.15(e)(4)(A) Identification of Eligible Students Preschool Screening

For preschool programs using a screening procedure other than an established assessment tool where “proficiency” is defined as part of the instrument, “proficiency” is the point at which performance identifies a child as proficient in English, as set forth in the program’s proposed screening process.



228.15(e)(4)(B) Identification of Eligible Students Preschool Screening

For any preschool student who scores at the “proficient” level, the school district may consider additional indicators such as teachers’ evaluations of performance, samples of a student’s work, or information received from family members and school personnel in order to determine whether the student’s proficiency in English is limited and the student is eligible for services.



228.25 Program Options

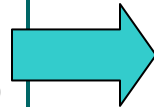
TBE or TPI

- *When an attendance center has an enrollment of 20 or more limited English proficient students of the same language classification the school district must establish a TBE program*
- *When an attendance center has an enrollment of 19 or fewer students of limited English proficiency of any single language classification other than English . . . If the district elects not to provide a TBE program, the district shall provide a locally determined TPI program.*

228.25(a)(3) Program Options, Placement Enrollment by Grade

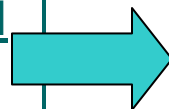
For determination of the type of program to be offered at an attendance center, enrollment for K-12 is handled separately from enrollment for Preschool.

20 or more **K-12** ELLs
of one language group



K-12 TBE

20 or more **Preschool**
ELLs of one language
group



Preschool TBE



228.30(b)(1) Establishment of Programs Student-Teacher Ratio

- 90% ratio applies to K-12 only
- Preschool programs established pursuant to Section 2-3.71 of the School Code that provide bilingual education services shall meet the requirements of 23 Ill. Adm. Code 235.30(d) (Early Childhood Block Grant) rather than requirements of this subsection.



228.35(c) Personnel Qualifications Preschool Programs

- Each teacher in a preschool program shall meet the certification requirements of the Early Childhood Block Grant.
- By July 1, 2014, each teacher in a preschool program also shall meet the applicable requirements for bilingual/ESL depending on the assignment.
- Noncertificated staff employed to assist in instruction in a preschool program shall meet the requirements of the Early Childhood Block Grant.



ANNUAL ASSESSMENT

No annual English language proficiency testing required for preschool

Screening for K-12

- Kindergarten
- Transfer Students





228.15(e) Identification of Eligible Students Kindergarten Screening

For kindergarten, all students identified through the home language survey, including students previously screened when enrolled in preschool, must be screened using the prescribed screening instrument for kindergarten.



228.15(e)(1) Identification of Eligible Students

Screening of Transfer Students

The prescribed screening instrument does not need to be administered to a student who, in his or her previous school district:

1. has been screened and identified as English language proficient; or
2. has met the State exit requirements by scoring “proficient” on the ACCESS for ELLs®; or



228.15(e)(1) Identification of Eligible Students

Screening of Transfer Students

3. Meets all of the following:
 - resides in a home where a language other than English is spoken, and
 - has not been screened or identified as a student with limited English proficiency, and
 - has been enrolled in the general program of instruction in the school he or she has previously attended, and



228.15(e)(1) Identification of Eligible Students

Screening of Transfer Students

- has been performing at or above grade level as evidenced by having
 - met or exceeded the Illinois Learning Standards in reading and math on the student's most recent State assessment or,
 - for students for whom State assessment scores are not available, a nationally normed standardized test
 - assessment not administered with accommodations for LEP students
 - student had been enrolled in any of the grades in which the State assessment is required to be administered



228.15(e)(2) Identification of Eligible Students

Screening of Transfer Students

For purposes of eligibility and placement, a district must rely upon a student's score attained on the English language proficiency assessment (ACCESS for ELLS®) if available from another school district or another state, provided that the score was achieved no more than 12 months prior to the district's need to assess the student's proficiency in English.



228.15(e)(3) Identification of Eligible Students

Screening of Transfer Students

If ACCESS for ELLS® results are not available then a district must rely upon a student's score on the prescribed screening instrument if available from another school district or another state for the purposes of eligibility and placement for students entering any of grades 1 through 12, if the student's score on the prescribed screening instrument was achieved no more than 12 months prior to the district's need to assess the student's proficiency in English.




228.15(e)(4) Identification of Eligible Students

Program Placement

Each student whose score on the prescribed screening instrument or procedures, as applicable, is identified as not “proficient” as defined by the State Superintendent of Education shall be considered to have limited English proficiency and therefore to be eligible for, **and shall be placed into a program of**, bilingual education services.


Part -time TBE Programs





228.30(c)(3)(A)
Establishment of Programs
Part-time Program

Beginning July 1, 2011, evidence of sufficient proficiency to benefit from a part-time TBE program shall be achievement of the minimum score to be used for this purpose set by the State Superintendent




228.30(c)(3)(A)

Establishment of Programs

Part-time Program

- The State Superintendent shall inform districts of the minimum score to be used and post the minimum score on the State Board's website.
- If the minimum score changes, the State Superintendent shall inform school districts no later than July 1 of the scores to be used and modify the State Board's website



228.30(c)(3)(B)
Establishment of Programs
Part-time Program

Preschool programs shall use as evidence of sufficient proficiency either a minimum score for an established screening instrument or a minimum level of performance documented through established screening procedures.



228.30(c)(3)(C)

Establishment of Programs





Part-time Program

District staff also shall consider the student's score and his or her proficiency in the home language; prior performance, if any, in coursework taught exclusively in English; current academic performance; and other relevant factors such as age, disability, and cultural background

English Proficient Definition and Student Exit



Student's English Language Proficiency Level

<i>Test Section</i>	1 – Entering	2 – Beginning	3 – Developing	4 – Expanding	5 – Bridging	6 – Reaching
Listening 						
Speaking 						
Reading 						
Writing 						
Comprehension^A (Listening and Reading)						
Overall Score^B (Listening, Speaking, Reading and Writing)						



228.25(b)(2) Assessment

State English Proficiency Definition

The State Superintendent shall determine and post on the State Board's website no later than September 1, 2010 the composite score and the literacy score that will be used to determine whether a student is identified as "proficient". Should the minimum scores be modified, the State Superintendent shall inform school districts no later than July 1 of the scores to be used and modify the State Board's website accordingly.



228.25(b)(2)(A) Assessment

State English Proficiency Definition

- Each student whose score on the English language proficiency assessment is identified as “proficient” **shall** exit the program of bilingual education services, subject to the provisions of Section 14C-3 of the School Code [105 ILCS 5/14C-3].
- Each student whose score is identified as “proficient” shall no longer be identified as limited English proficient.



Exit Criteria Posted on ISBE Web


What proficiency level score does a student have to obtain to be considered English language proficient?

As of January 1, 2010, students who obtain an overall composite proficiency level of 4.8 as well as a 4.2 composite literacy (reading/writing) proficiency level on the annually administered state approved English language proficiency test, ACCESS for ELLs[®], are to be considered English language proficient.

http://www.isbe.net/bilingual/htmls/access_faq.htm#4

Counting Three Years in the Program





228.40(b)(1)(2) Students' Participation

- If a student participates in a TBE or TPI in preschool or kindergarten, then that participation does not count towards the three-year total.
- If a student exits a program after three years and is not proficient in English, then the school district shall meet the requirements of Section 228.27

Language Acquisition Services

**for Certain Students Exiting
the Program**





228.27 Language Acquisition Services for Certain Students Exiting the Program

- Plan required for districts that opt to exit non-English proficient students from TBE/TPI program after 3 years as allowed under School Code (14C-3)
- Plan documents actions taken to meet obligations under Section 1703(f) of the EEOA

Spanish Language Arts & English Proficiency Standards





228.30(b)(4) Establishment of Programs Spanish Language Arts Standards

Beginning with the 2012-13 school year, instruction in Spanish language arts, where provided, shall be aligned to the standards.

Application must include:

- description of steps to be taken to align curriculum (2011-12)
- a description of methods to be used to measure and monitor students' progress with respect to the standards (2012-13 and beyond) [228.50(b)(4)(D)]



228.35(e)(5) Establishment of Programs Spanish Language Arts Standards

Beginning in the 2012-13 school year, each district that operates either a TBE or a TPI program for students of Spanish language background in kindergarten and any of grades 1 through 12 shall **provide annually at least one training session related to the implementation of the Spanish language arts standards for staff members of that program who are providing instruction in the Spanish language arts.**



228.30(c)(1)(C) Establishment of Programs English Proficiency Standards

Instruction in English as a second language must align to the “English Language Proficiency Standards for English Language Learners in PreKindergarten through Grade 12”



228.30(a)(6) Establishment of Programs Preschool and Summer School

A school district that offers a summer school program or preschool program shall provide transitional bilingual education programs or transitional programs of instruction for students having limited English proficiency in accordance with Article 14C and this Part.

Administrator and Reporting Requirements





228.35(d)(3) Personnel Qualifications Administrators with under 200 Students

A TBE or TPI program director in a district with fewer than 200 TBE/TPI students is exempt from all but the requirement for an administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate, provided that he or she annually completes a minimum of two hours of professional development specifically designed to address the needs of students with limited English proficiency.



228.35(d)(3) Personnel Qualifications Administrators with under 200 Students

- Beginning in the 2012-13 school year, a **minimum of eight hours of professional development shall be required.**
- **An assurance that this requirement has been met shall be provided annually in a school district's application.**
- **Documentation for this professional development activity shall be made available to a representative of the State Board of Education upon request.**



228.40(c)(1)(B) Records Progress Reports

- Progress reports shall indicate when the student has successfully completed requirements for transition from the program into the general program of instruction **if that information has not been reported separately in writing to the parents or legal guardian.**



228.40 Records Reports

- **Annual Student Report:** Each district must submit electronically the information requested by the State Superintendent using the Student Information System no later than June 30 of each year.
- Each district also must complete the **Program Delivery Report**, provided by the State Superintendent of Education, in which information on each program is compiled.



228.20 Student Language Classification Data SIS Reporting

Every school district shall update its individual student records in the Student Information System (SIS).