

TRANSITIONAL BILINGUAL EDUCATION: Program Requirements

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Introduction

This session will discuss minimum statutory and regulatory requirements governing personnel qualifications and program services for limited-English proficient students in Illinois public schools

Purpose of this Presentation

- To acquaint school personnel with the contents of the state law establishing program services for limited-English proficient (LEP) students.
- To review program requirements set forth in the rules and regulations for Transitional Bilingual Education programs (TBE/TPI).
- To explain Bilingual/ESL certification requirements and application procedures.

Relevant Data

- Illinois ranks 5th in the nation with respect to LEP population.
- Public schools reported 127,303 LEP students in the fall of 1998.
- Approximately 270 school districts have applied for TBE/TPI program approval this year.

Agenda

- Bilingual Education in Illinois: Historical Perspective (15 minutes)
- The Legal Mandate: Article 14C of the School Code (30 minutes)
- The Rules and Regulations Governing Transitional Bilingual Education Programs (90 minutes)
- Current Bilingual/ESL Certification Requirements (30 minutes)

Overview

- Schools must provide the means for LEP students to benefit from classroom instruction.
- Statutes and regulations set minimum program standards for all LEP students in public schools.
- Certification requirements define eligibility for employment in TBE/TPI programs.

Definitions

- “Transitional Bilingual Education Program” means a full- or part-time program of instruction via English and the students’ home language, required of schools with 20 or more students of the same non-English language classification, inclusive of Kindergarten.

Definitions

- “Transitional Program of Instruction” means a program required of schools with 1-19 LEP students of the same non-English language background, offering instruction in English and in the native language to the extent necessary based on an individual student assessment.

Definitions

- “Home Language” means the language normally used in the by the student and/or by the student’s parents/legal guardians/primary caretakers.

Definitions

- “Students of Non-English Language Background” means students whose native language is not English, or who come from homes where a language other than English is spoken in daily interaction, either by the students themselves or by their parents/legal guardians/primary caretakers.

Definitions

- “Limited-English Proficient (LEP) Students” means non-English language background students whose listening, speaking, reading or writing proficiency in English is below the average proficiency of their native-English speaking counterparts, based on an individual student language assessment.

Definitions

- “Individual Student Language Assessment” means a formalized procedure to determine proficiency in listening, speaking and, beginning in 2nd grade, reading and writing, and which makes use of, with few exceptions, state approved nationally normed language proficiency tests.

Definitions

- “English as a Second Language (ESL)” means specialized instruction to assist LEP students in attaining full proficiency in listening comprehension, speaking, reading and writing of the English language. ESL is not to be confused with English language arts as taught to native speakers of English.

Historical Perspective

- Bilingual education programs operated in Illinois on a grants-in-aid basis before 1976.
- They had to adhere to guidelines rather than rules and regulations.
- Schools developed objectives for each of seven state bilingual education goals.
- LEP and other students could participate and receive instruction in two languages.

Bilingual Education Mandate

- The General Assembly approved the law establishing Transitional Bilingual Education in 1973.
- It allowed a three year phase-in period to promulgate rules and regulations and determine bilingual teacher certification requirements.
- Transitional Bilingual Education was implemented beginning July 1, 1976.

Article 14C-3 of the School Code of Illinois

- Calls for the establishment of Transitional Bilingual Education in Illinois.
- Requires annual reporting of LEP students enrollment (public school bilingual census).
- Defines conditions for TBE and TPI.
- Provides for annual examinations.
- Sets program participation timelines and exit conditions.

Article 14C of the School Code

- It requires a transitional bilingual education program if, at the beginning of the school year, there are 20 or more LEP students of the same language group (inclusive of Kg.) in a building.
- It allows for such programs if there are fewer LEP students.

Article 14C - TPI Amendment

- It requires a Transitional Program of Instruction (TPI) if a) the school has fewer than 20 LEP students of the same language group, and b) it elects not to provide a transitional bilingual education (TBE) program.
- It provides for native language instruction “to the extent necessary.”

Article 14C - Language Classification

- It requires public schools to annually report, by language classification, age and grade level or equivalent, the number of all non-English language background students enrolled and the number of those students who are LEP.

Section 14C-4

- It prescribes enrollment procedures, including timelines, notification format and rights of parents.
- It establishes conditions allowing parents to withdraw students from the program.

Section 14C-5

- It provides for the establishment of joint programs.
- It allows for the enrollment of non-resident students and the payment of tuition by the student's home district.

Sections 14C-6 and 7

- The following areas are addressed:
 - grade level placement
 - conditions for multi-level grouping
 - facilities where the program is to be located
 - LEP student integration within the general education program
 - access to extracurricular activities.

Section 14C-8

- Sets forth the conditions for issuance of the Transitional Bilingual Certificate.
- Directs the ISBE to make recommendations for bilingual and ESL teacher qualifications to take effect 8/15/85.

Section 14C-9

- Addresses the issue of eligibility for tenure in the case of teachers who only hold a Transitional Bilingual Certificate.
- Provides for minimum salaries that are comparable to those paid other teachers.

Sections 14C-10 and 11

- Makes provision for parent and community participation in transitional bilingual education programs through the establishment of parent advisory committees.
- Allows for the establishment of preschool and summer school programs.

Section 14C-12

- Sets forth criteria and procedures for the reimbursement of approved program excess costs.

Section 14C-13

- Calls for the creation of a state Advisory Council on Bilingual Education:
 - Membership of 17 individuals serving terms of either 2, 3 or 6 years
 - Members appointed by State Supt. of Education

Rules and Regulations

- 23 Illinois Administrative Code Part 228, Transitional Bilingual Education
- First adopted May 28, 1976.
- Amended for the first time March 23, 1987.
- Amended again December 18, 1992.

Section 228.15: Identification

- *Home Language Survey* - Required at enrollment time for **all** students new to the district.
- It must include at least two questions:
 - Is a language other than English spoken in the home and, if so, which language?
 - Does the student speak a language other than English and, if so, which language?

Section 228.15 (b)(c)(d) - Home Language Survey

- It must be administered in English and, if feasible, in the student's home language (if other than English).
- It must provide a space for the parent/legal guardian to sign.
- The completed form must be placed in the student's temporary record.

228.15 (f)(g): Assessment

- Students with home language surveys showing the presence of a non-English language must have an individual language proficiency assessment within four weeks of enrollment in the district.
- It must assess oral proficiency (listening and speaking) and, for grades 2 and above, reading and writing proficiency.

228.15 (f)(g): Assessment

- *Instruments* - Must be nationally normed English language proficiency tests.
- *Eligibility Criteria* - A score at or below the 50th percentile or its equivalent in oral proficiency, reading or writing denotes limited English proficiency and eligibility for bilingual education services.

228.15 (f)(g): Assessment

- *Other Indicators to Determine Eligibility:*
 - Results of locally developed or criterion referenced tests
 - Performance evaluations by teachers,
 - Student's work samples
 - Information from family members and school personnel

228.15 (f)(g): Assessment

- *Other Indicators Must Be Considered If:*
 - The student scored at or above the 50th percentile or its equivalent on a nationally normed English language proficiency test, or
 - The student was unable to take such a test.

228.15 (f)(g): Assessment

- *The Student Is Program Eligible If:*

After a review of the preceding evidence,

- he/she is judged unable to succeed in English-only classes, or

- he/she performs more than 1 year behind the average performance of English-proficient age/grade level peers in a required subject (e.g., math, science, social studies).

228.20: Public School Bilingual Census

- Schools must annually report, by home language, age/grade/achievement level:
 - The number of non-English background students, as identified by the home language survey, and
 - The number of the above students whose assessment results show they are LEP

228.25(d): Annual Examination

- Requires all participants to have an annual English proficiency assessment: listening, speaking and, in grades 2 and above, reading and writing skills must be tested.
- Schools may employ the same nationally normed English language proficiency tests used to identify LEP students.

228.25(d): Annual Examination

- Those scoring at or above the 50th percentile or its equivalent may exit.
- If a different test is used, the score for exit must be comparable to the 50th percentile score on the nationally normed English proficiency test used to identify LEP students.

228.30(a): PROGRAM COMPONENTS

- TBE - Full Time:
 - Math, science & social studies (in L1 and L2)
 - Subjects required by law or for graduation (in L1 and L2)
 - Native language arts
 - ESL
 - Native and US history and culture

- TBE - Part Time:
 - One or two courses
 - *IF English proficiency and performance in all-English courses are more than one year behind average of age/grade level peers in not more than 2 courses.*

228.30(a)(4): Duration of Program Participation

- Withdrawal prior to 3 years only if
 - Annual examination results meet/exceed 50th percentile, and
 - Parents/legal guardians approve in writing.
- May stay beyond 3 years
 - At district's discretion, and
 - If parents/legal guardians agree.

228.30(a)(4): Duration of Program Participation

- Those who exited prior to completion of 3 years may re-enroll for the balance, if district determines they have inadequate command of English, and
- Subject to approval from parents/legal guardians.

228.30(a)(5): Inclusion of Native English Speakers

- May be included in the program if all LEP students are served.

228.30(a)(6): Language Grouping

- Language groups may be mixed in classes other than ESL, provided that:
 - for each language group there is a bilingual teacher/assistant who speaks that language, and
 - each language group has materials in that language appropriate to the grade level/subject.

228.30(a)(8): Parent and Community Participation

- A district/cooperative with TBE must establish a bilingual parent advisory committee.
- A majority must be parents of children in the program.
- It must have representation of all languages served in TBE, to the extent possible.

228.30(a)(8): Parent and Community Participation

- Its purpose: to participate in the planning, operation and evaluation of the TBE program(s). It must:
 - Meet at least 4 times per year
 - Maintain all minutes on file with the district
 - Review district's annual program application to the ISBE.

228.30(b): Transitional Program of Instruction

- Program Components:

- Instruction via L1 to extent necessary
- District determines based on assessment, to help student keep up with peers

- Subject may include:

- ESL
- Native language arts
- Native and U.S. history and culture

- Duration: Until student meets/exceeds exit criteria

228.40(a)(1): Enrollment Notice

- Must be mailed within 10 days of program enrollment.
- Must be in English and the home language.
- Must use simple, nontechnical terms
- Must explain program's purpose, content and instructional method.

228.40(a)(1): Enrollment Notice

- Must inform parents/legal guardians of their right to an explanation of the program in a conference.
- Must inform them of their right to withdraw the student from the program when certain conditions are met.

228.40(a)(2): Withdrawal By Parents/Legal Guardians

- Within 30 days of enrollment notice receipt, or at the close of a semester
- Request must be in writing
- Must participate in a conference with school officials to become fully informed, in the native language, about the program.

228.40(b): Program Standards

- Course Credit: All courses count toward promotion/graduation requirements,
- ESL counts toward English graduation requirements, and
- Students who transfer are not to lose credit for time in the program.

228.40(b)(4): Standards

- Student-Teacher Ratio in Bilingual/ESL Classes: Must not exceed 90% of the average student-teacher ratio in regular classes at that school.

228.40(b)(5)(6): Standards

- Age/Grade Level Grouping: Placement must be in classes with students of about the same age/grade level; however,
- If different ages/grade levels are combined, instruction for each students **MUST** be appropriate to the each student's age/grade level, either through individualized programs or ability level grouping.

228.40(b)(7): Standards

- Program Facilities: Must be housed in regular public schools instead of separate.
- If not possible, must be comparable to regular facilities in district.
- District must submit written explanation in its annual application to the ISBE.

228.40(c): Staff Inservice

- District must develop annual plan involving all certificated and noncertificated program staff (and include in annual application).
- New staff: training in minimum program standards, district identification & assessment procedures, program design, & basic instruction techniques for teachers of LEP students.

228.40(c): Staff Inservice

- For experienced staff: Ongoing training at least twice yearly in one or more of these areas:
 - Current bilingual education research
 - Methods/techniques for teaching LEP students
 - Language assessment
 - Native and US history/culture issues
 - Issues related to LEP students with disabilities

228.40(f)(1): Report Cards

- To be issued the same way as those of all other students in the district
- To inform of progress in this and the general program
- To show if student met exit criteria
- To be in English and home language *unless parents/legal guardians waived it in writing* (Waiver to be kept on file)

228.40(f)(2): Annual Student Report

- Must be completed by all districts for each student served in the program.

228.40(f)(3): Records

- Records for each student in the program must include:
 - Program entry/exit information
 - Annual English proficiency examination results
 - Other assessment information (e.g., language, program entry/exit dates, grade level, attendance)
 - Documentation of conferences, written communication with parents/legal guardians

PROGRAM PERSONNEL

Bilingual Teachers -- Qualifications

Either hold:

- Transitional Bilingual Certificate (Type 29) valid for grades K-12, or
- Regular certificate appropriate to grade level and Bilingual Approval/Endorsement
- Must be endorsed in language of program

PROGRAM PERSONNEL

ESL Teachers -- Qualifications

Either hold:

- Regular certificate appropriate to grade level and ESL approval/endorsement, or
- Standard Special certificate (Type 10) endorsed for ESL

Bilingual Teachers

May teach:

- All subjects within the bilingual program, in L1 and L2, EXCEPT
- ESL, but it is limited to grades K-6.
- Need regular certification for grades 7-12 and ESL Approval/Endorsement to teach ESL beyond grade 6.

Bilingual Teachers

- Teachers with Transitional Bilingual Certificates may teach in all grades of the common school.
- Those with Bilingual Approval or Endorsement are restricted to the grade levels applicable to their regular certificate.

ESL Teachers

May teach:

- English as a Second Language at the grades levels for which their certificate is valid.

Transitional Bilingual Certificate (Type 29)

- Must show proficiency in English and another language, generally through ISBE examination.
- Must be legally present and eligible to work.
- Must have prior teacher certification or training in U.S. or another country; alternately, a B.A. degree or equivalent.

Transitional Bilingual Certificate (Type 29)

- Certificate valid for 6 years, with provision for one time two-year extension by Regional Superintendent.
- Extension granted upon evidence of enrollment in coursework toward certification and/or approval.
- Teachers eligible for tenure only in the year when they obtain regular certification.

Bilingual Approval Prerequisites

- Must have regular certificate.
- Must have completed 18 semester hours of coursework distributed among 5 prescribed areas.
- Must have 100 clock hours of clinical experiences in bilingual education program.
- Must have shown proficiency in English and another language.

ESL Approval Prerequisites

- Must have regular certificate.
- Must have completed 18 semester hours of coursework distributed among 5 prescribed areas.
- Must have 100 clock hours of clinical experiences in ESL program at K-12 level.

Bilingual/ESL Approval Areas

Bilingual

- Foundations of Bilingual Education
- Assessment of Bilingual Students
- Methods & Materials for LEP Students
- ESL Methods & Materials
- Cross-cultural Studies

ESL

- Theoretical Foundations of ESL
- Assessment of Bilingual Students
- Linguistics (L1 & L2 phonology & syntax)
- ESL Methods & Materials
- Cross-cultural Studies

ESL Certificate (Type 10)

- Must have completed teacher certification.
- Must have 32 semester hours in the field.
- Must have at least 2 semester hours of methods of teaching ESL.
- Must have covered the 5 areas required for ESL approval.
- Must pass Basic Skills and Subject Area tests.

Certification/Qualifications References

- Articles 14C-8 and 14C-9 of the School Code of Illinois (Transitional Bilingual Education)
- 23 Illinois Administrative Code (Bilingual Education Rules) Sections 228.10, 228.30(a)(7) and (b)(4)

Certification/Qualifications References

- 23 Illinois Administrative Code 25
(Certification)
- 23 Illinois Administrative Code 1.780,
1.781 and 1.782 (Public Schools
Evaluation, Recognition and Supervision)