Illinois State Board of Education

Professional Development Modules: English Learner Tool Kit
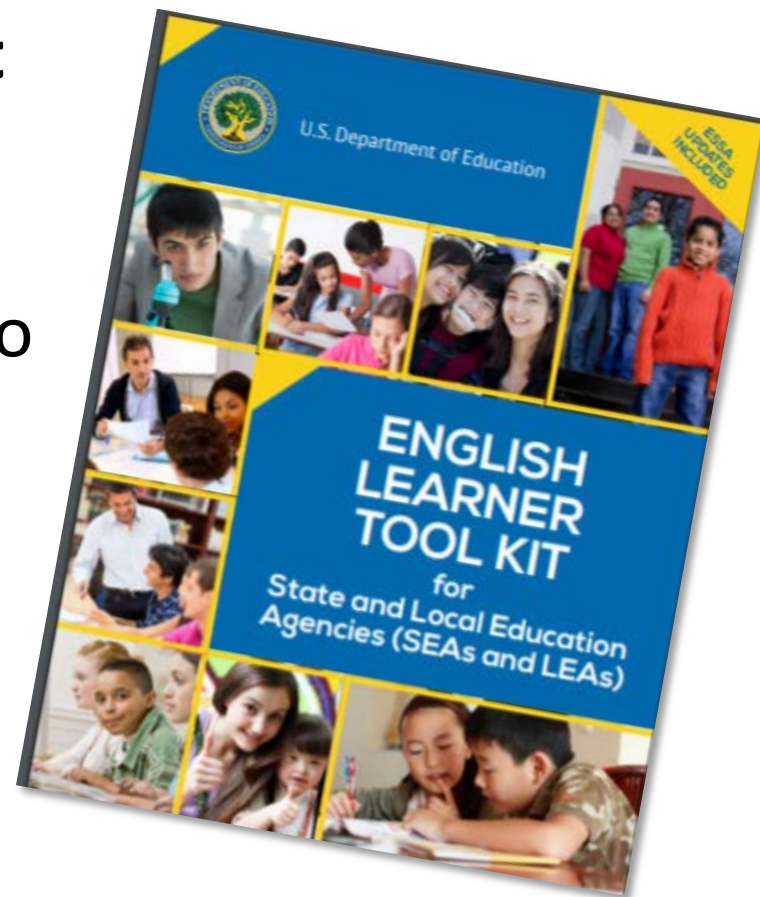
Chapter 2—Language Assistance Programs

[presenter]

[date]

Purpose

The **Professional Development Modules: English Learner Tool Kit** is a series of presentations intended to provide guidance to help local education leaders meet their legal obligations to English learners (ELs) and enhance existing EL practices to meet the needs of all EL students, parents, and families.

Illinois State Board of Education

English Learner Tool Kit Topics

1. Identifying All ELs
2. **Language Assistance Programs**
3. Staffing and Supports
4. Meaningful Access
5. Inclusive Environment
6. ELs With Disabilities
7. ELs Who Opt Out of Programs

8. Monitoring and Exiting EL Programs
9. Evaluation of EL Programs
10. Ensuring Meaningful Communication With Limited-English-Proficient Parents

Whole Child • Whole School • Whole Community

Significant Legal History

- Title VI of the Civil Rights Act, 1964

  - Prohibits discrimination on the grounds of race, color, or national origin by recipients of federal financial assistance.

  - The Title VI regulatory requirements have been legally interpreted to prohibit **denial of equal access to education** because of a language minority student's limited proficiency in English.

Significant Legal History

□ *Lau v. Nichols* Court Case, 1974

- ❏ Case dealt with San Francisco school system's failure to provide English language instruction to 1,800 students of Chinese ancestry.

- ❏ U.S. Supreme Court unanimously ruled that a lack of supplemental instruction for ELs denies them a **meaningful** opportunity to participate in education programs, which violates the Civil Rights Act of 1964.

Significant Legal History

- Equal Educational Opportunities Act (EEOA), 1974

  - Prohibits states from denying equal educational opportunity to an individual on account of his or her race, color, sex, or national origin.

  - The statute specifically prohibits states from **denying equal educational** opportunity by the failure of an education agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs.

"There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education."

—*Justice William Douglas*

Legal Obligations

□ U.S. Department of Education's Office of Civil Rights (OCR) and the U.S. Department of Justice (DOJ) share enforcement authority.

□ Issued joint guidance in 2015 to help states, districts, and schools meet legal obligations to ELs.

□ Guidance identifies 10 common civil rights issues for ELs.

Providing a Language Assistance Program

English Learner Tool Kit

Chapter 2: Providing English Learners With a Language Assistance Program

KEY POINTS

- EL services and programs must be educationally sound in theory and effective in practice.

- EL programs must be designed to enable ELs to attain both English proficiency and parity of participation in the standard instructional program within a reasonable length of time.

- LEAs must offer EL services and programs, until ELs are proficient in English and can participate meaningfully in educational programs without EL support.

- Additionally, LEAs must provide appropriate special education services to ELs with disabilities who are found to be eligible for special education and related services.

English Learner Tool Kit

Chapter 2: Tools and Resources for Providing English Learners With a Language Assistance Program

KEY POINTS:

- EL services and programs must be educationally sound in theory and effective in practice.

- EL programs must enable ELs to attain English proficiency and parity of participation in standard instructional program in a reasonable length of time.

- Local education agencies (LEAs) must offer EL services and programs until ELs are proficient in English and can participate meaningfully in education programs without EL supports.

- LEAs must provide appropriate special education services to ELs with disabilities who are eligible for special education and related services.

Illinois Requirements

Illinois State Requirements

Bilingual education is mandated for all Illinois public schools that serve EL students.

- **Illinois School Code**
- **Illinois Administrative Code**

Program Models

Transitional Bilingual Education (TBE)	Transitional Program of Instruction (TPI)
• Required when 20 or more students share the same home language in a school building • May be offered when fewer than 20 students share the same home language*	• May be offered instead of TBE when 19 or fewer students share the same home language in a school building*

* Preschool counted separately.

Transitional Bilingual Education

Full Time

☐ English and home language instruction in core subjects:

- ❑ Language arts
- ❑ Math
- ❑ Science
- ❑ Social studies

☐ English as a second language (ESL) instruction

☐ ELs with disabilities must be provided both the language assistance and disability-related services to which they are entitled under federal law.

Examples of TBE Program Models

TBE Full Time

One-way or

two-way

dual language

Self-contained
TBE

Transitional Bilingual Education

Part Time

☐ Components of the full-time program selected for each student is based on an assessment of the student's linguistic and educational needs

☐ Daily instruction in the student's home language (as determined by the student's needs) and English

☐ ESL instruction

Examples of TBE Program Models

TBE Part Time

Transitional program in English (self-contained)

Sheltered instruction and ESL (self-contained)*

Transitional program in English (pull-out/push-in)

Sheltered instruction and ESL (differentiation/pull-out/push-in)*

*Home language support must be available to the extent necessary.

Transitional Program of Instruction

- ESL instruction

- Native language support or instruction, to the extent necessary

- Components of TBE services, as needed

Examples of TPI Program Models

Transitional program in English (self-contained)

Sheltered instruction and ESL (self-contained)*

Transitional program in English (pull-out/push-in)

Sheltered instruction and ESL (differentiation/pull-out/push-in)*

*Home language support must be available to the extent necessary.

Pause and Reflect

- On which educational theory(ies) are our program options based?

- How are placement in an EL program and provision of services informed by a student's English proficiency level and education background?

- How do we ensure that students in our TBE program are receiving native language supports?

- Do we have qualified staff to implement our EL program(s)?

Pause and Reflect

☐ How are our school and district services and programs providing intensive instruction for those furthest from English proficiency?

☐ How are ELs at the highest levels of the program continuing to receive services until they meet English proficiency?

☐ What additional EL services and programs are available for ELs who have not made expected progress?

☐ What criteria are we using to evaluate our program and determine if it is meeting its goals?

Additional Resources
to Consider
From the English Learner Tool Kit

Language Assistance Program Tools

Tool #1

Guiding Questions to Learn About Your English Learner Population

Assists districts and school leadership in discussing and learning about their EL populations, including subpopulations, and helps teachers frame these discussions.

Language Assistance Program Tools

Tool #2

Long-Term English Learners

☐ Assists district and school leadership in becoming knowledgeable about the diversity of the EL enrollment and the implications and needs of long-term ELs.

☐ Considers the implications of the diversity for program design, implementation, and instructional practices.

Language Assistance Program Tools

Tool #3

Research-Based Considerations

Offers broad-based considerations for reform efforts regarding EL services and programs in two categories: contextual and strategic/instructional.

Language Assistance Program Tools

Tool #4

English Learner Program Chart

☐ Includes a brief overview of EL program options.

☐ Assists district and school leaders in examining EL program options, including program goals and languages used in instruction.

Background Resources

☐ Fact sheet on the responsibilities of school districts

☐ Fact sheet answering common questions about the rights of limited-English-proficient parents and guardians

☐ Original OCR/DOJ guidance in the "Dear Colleague" letter

☐ Translations into multiple languages

☐ All available at: https://www2.ed.gov/about/offices/list/ocr/ellresources.html

☐ Companion tool kit from the U.S. Department of Education's Office of English Language Acquisition: https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html

Further Reading

Espinosa, L. M. (2013, August). *PreK-3rd: Challenging common myths about dual language learners* (PreK-3rd Policy to Action Brief No. 10). New York, NY: Foundation for Child Development. Retrieved from https://www.fcd-us.org/prek-3rd-challenging-common-myths-about-dual-language-learners-an-update-to-the-seminal-2008-report/

Fortune, T. W., & Christian, D. (2012, October). *Dual language immersion education: State of the states.* Introduction to Panel Presentation at Immersion 2012: Bridging Contexts for a Multilingual World, St. Paul, MN. Retrieved from http://carla.umn.edu/conferences/past/immersion2012/handouts/StateoftheStates.ppt.pdf

Howard, E. R., Sugarman, J., Christian, D., Lindholm-Leary, K. J., & Rogers, D. (2007). *Guiding principles for dual language education* (2nd ed.). Washington, DC: Center for Applied Linguistics. Retrieved from http://www.cal.org/ndlf/pdfs/guiding-principles-for-dual-language-education.pdf

Moughamian, A. C., Rivera, M. O., & Francis, D. J. (2009). *Instructional models and strategies for teaching English language learners.* Portsmouth, NH: RMC Research Corporation, Center on Instruction. Retrieved from http://files.eric.ed.gov/fulltext/ED517794.pdf

Vialpando, J., Yedlin, J., Linse, C., Harrington, M., & Cannon, G. (2005). *Educating English language learners: Implementing instructional practices.* Washington, DC: National Council of La Raza. Retrieved from https://www.brown.edu/academics/education-alliance/sites/brown.edu.academics.education-alliance/files/publications/edells_impinstprct.pdf