

**Shelby County Board of Education**  
**LIMITED ENGLISH PROFICIENT/ENGLISH**  
**LANGUAGE LEARNERS**

**5016**

**Issued Date: 05/28/13**  
**Effective: 07/01/13**

**I. PURPOSE**

To ensure that children who are limited English proficient, including immigrant children and youth, attain English proficiency, develop high levels of academic attainment in English, and have the opportunity to meet the same challenging State academic content and student achievement standards as all children are expected to meet.

**II. SCOPE**

This policy applies to all non-English language background (NELB) students ages 3-21 including those whose proficiency in understanding, speaking, reading, or writing English may be limited.

**III. DEFINITIONS**

- A. Non-English Language Background (NELB): Refers to a student whose linguistic background, such as country of birth or home environment, includes a language other than English.
- B. Limited English Proficiency (LEP) or English Language Learner (ELL): Limited English Proficiency is based on the assessment of three language skill areas: Reading, Writing, and Oral language. English Language Learner is a current designation which refers to an NELB student whose English proficiency in listening, speaking, reading, and writing (LSRW) is below that of grade-and age-level peers.
- C. English as a Second Language (ESL): a term used to denote the District's second language acquisition instruction and education program.

## **IV. POLICY STATEMENT**

The Board recognizes the need to provide equal educational opportunities for all students in the District. Therefore, if the inability to understand, speak, read, or write the English language excludes a student from effective participation in the educational programs offered by the District, the District shall take appropriate action to rectify the English language deficiency in order to provide the student equal access to its programs.<sup>1</sup>

The Board shall develop and periodically update a local plan for providing ESL services for students whose native or dominant language is not English. The plan for implementation of appropriate instruction and ESL services for students who have limited English proficiency shall be in accordance with the current Rules, Regulations, and Minimum Standards of the State Board of Education, and state, and federal law.<sup>2</sup> The Board directs the Superintendent to develop and implement the language instruction program. Every attempt will be made to integrate non-English speakers into the regular English speaking population whenever possible.

## **V. RESPONSIBILITY**

The Superintendent (or designee) is responsible for administering this policy and for ensuring that this policy conforms with applicable law and State Board of Education English as a Second Language Programs.

Legal References:

1. PL 107-110 Title III Part A § 3102
2. PL 107-110 Title III Part A § 3116
3. PL 107-110 Title III Part A § 1112 (g) & (4)

## **LIMITED ENGLISH PROFICIENT/ENGLISH LANGUAGE LEARNERS**

### **Language Instruction Program**

The language instruction program developed by the Superintendent should include components that:

1. Effectively identify and assess non-English language background (NELB) students who have a primary or home language other than English and determine the students' level of proficiency in understanding, speaking, reading, or writing English. Students who are limited in any of the language skill areas are designated as English Language Learners (ELL).
2. Determine the appropriate instructional environment for NELB/ELL students.
3. Ensure age appropriate grade level placement and prohibit retention based solely on the lack of English language skills.
4. Provide comparable classroom space, resources, and personnel for the effective instruction of English to speakers of other languages.
5. To conform to State requirements, conduct an annual summative assessment of English language proficiency for each student designated as an English Language Learner.
6. Monitor the progress of students (for two additional years) whose assessment scores of English proficiency have enabled them to exit ESL classes in order to determine their readiness for transition to the mainstream classroom environment.
7. Provide parents with notice of and information regarding the instructional program, academic progress, and documents related to No Child Left Behind (NCLB) as required by law. Parental involvement is strongly encouraged.<sup>3</sup>
8. Comply with anti-discriminatory policies and include components that do not result in inappropriate placement of ELLs in, or exclusion from, special opportunity programs, activities, or resources based on English language proficiency or national origin.

## **English as Second Language Service (ESL) Delivery**

1. All schools serving ESL students must follow the same intake model for Non-English language background students. The intake model must include registration, identification, assessment and placement of students from non-English speaking backgrounds.
2. Within the school system's constraints, the District shall strive to maintain a ratio of one (1) ESL teacher for every 40 English learners in the District.
3. The District may offer ESL services to student through various means, including, but not limited to, offering services in all schools where ESL students are placed, offering services using itinerant staff, providing regional or area centers for service provision.
4. There may be a mixture of service delivery models, depending on school language and case load at each school (e.g., pull-out model, assigned ESL class, or assigned ESL content class)
5. Staffing and placement of ESL teachers must originate from the ESL office as services cannot be determined at each school until language needs, case loads, and state language scores are reviewed. At the elementary level an effective, endorsed, highly qualified ESL teacher must provide direct service one to two hours per day for pre-functional, beginning, and intermediate ELL.
6. All schools serving ESL students must have language support plans (LSP) for all English learners.