

Brawley Union High School District

ENGLISH LANGUAGE LEARNER PROGRAM

MASTER PLAN

Approved by the BUHSD Board of Trustees _____

I. Definition

A. English Learner: A child who does not speak English or whose native language is not English and who is not currently able to perform in the mainstream classroom at a proficient level of English.

II. Educational Goals for English Language Learners

A. English Learner Program Goals:

1. English learners will be provided with a challenging core curriculum and instruction that develops proficiency in English as they progress through high school.
2. The district's program will be based on sound instructional theory and will be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers.
3. To ensure that the district's instructional programs are effectively serving the needs of English language learners, the results of the program will be annually examined, including reports of the students' academic achievement and their progress towards proficiency in English. The Title III Team will assist in compiling data on services for English language learners in order to determine program effectiveness.
4. It is the district's goal to prepare and support English learners to meet state and graduation requirements. English learners acquire English and learn grade-level academic content simultaneously. The core courses reflect curricular lessons, materials, and teaching strategies that are designed for the English proficiency levels (Beginning through Advanced). Specially Designed Academic Instruction in English (SDAIE) strategies and primary language in Spanish are also used to ensure that English Learners are mastering grade-level core content state standards.
5. It is the district's goal to prepare and support English learners in meeting local, state, and federal requirements for the purposes of graduating with a high school diploma.

III. English Learner Program Descriptions

A. Definitions:

1. **Transitional Bilingual Education Program (Alternative Program):** Students will receive a structured program of English Language Development as well as academic instruction in their primary language. As a student's fluency in English increases, the number of core subjects taught in the primary language decreases (i.e., science, math, and social science).
2. **Structured English Immersion Program:** Students will receive English Language Development as well as nearly all classroom instruction in English, with the curriculum and presentation designed for children who are learning the language. For Early Intermediate and Intermediate English learners, the Structured English Immersion Program will be accompanied by several core classes taught with a higher percentage of primary language instruction. For Intermediate and Early Advanced English learners the Structured English Immersion Program may be accompanied by core classes taught in English with language support as needed.

3. English Language Mainstream Program: Students will receive all instruction in classrooms in which the students are native English language speakers or already have acquired reasonable fluency in English. English-Language Arts mainstream classes provide language support as needed.

B. Instructional Program Guidelines: The following are the specific guidelines for the three instructional program options provided by the district.

1. Transitional Bilingual Education Program (Alternative Program): This program is designed for the English learner with less than reasonable fluency. The student will receive a structured program of English Language Development as well as academic instruction in their primary language in other content areas (i.e., science, math, social science). As a student's fluency in English increases, the number of subjects taught in the primary language decreases. The transitional program is specifically designed for students learning English and consists of a multi-level structured program to develop fluency and academic skills in English-Language Arts. The English Language Development (ELD) instruction will build the student's ability to listen, speak, read, write and comprehend in English.

The placement in the Transitional Bilingual Program depends on the amount of time the student has attended U.S. schools and his/her California English Language Development Test (CELDT) scores. The English learner (Beginner) may be placed in Intensive English A with Support (ELD classes) and other core courses taught in the primary language.

2. Structured English Immersion Program: This program is designed for the English learner with less than reasonable fluency. The student will receive English Language Development as well as nearly all classroom instruction in English with the curriculum and presentation designed for students who are learning the English language. The English learner will receive ELD instruction that accompanies the English-Language Arts core or ELD curriculum program.

The English learner (Early Intermediate and Intermediate) may be placed in the following courses: Transitional English I and Support, Transitional English II or English I with Bilingual Support (ELD classes). These courses may be accompanied by Intensive English B that provides CAHSEE preparation. The ELD classes designed for the Early Intermediate and Intermediate student may be accompanied by core courses in the primary language or in English with language support.

The English learner (Intermediate through Early Advanced), in grade 9 and 10, may be placed in English I with Support (SEI) or English II with Support (SEI) if he/she demonstrates a level of Basic (314) or below on the California Standards Test (CST) for English-Language Arts. The student will receive instruction in English with language support. The English learner will be placed in content area courses (i.e., math, science, social science) with English-only instruction using SDAIE strategies in the classroom. Desert Valley High School will embed ELD support in the English Support class for the English learner (Intermediate through Early Advanced).

3. English Language Mainstream Program: This program is designed for the English learner with reasonable fluency. The English learner (Early Advanced through Advanced) who demonstrates a Basic (315) or above on the CST for English-language arts may be placed in the English Mainstream Program. The student will receive all classroom instruction with students who are native English language speakers or already have acquired reasonable fluency in English. The student will be mainstreamed for English-Language Arts and the other content area courses (i.e., science, math, social science) with Cross Cultural Language and Academic Development (CLAD) certified teachers who implement SDAIE strategies for support. The English learner will receive a grade level standards based instruction with district and state adopted curriculum, textbooks, and materials. The student continues to receive English language support in the mainstream setting until he/she meets district criteria for reclassification to Fluent English Proficient (FEP).

C. English Learner Support:

1. The EL student is provided with academic support to enhance his/her acquisition of English and/or success in high school.

- a. Placement with a classroom teacher who has completed CLAD/Bilingual Cross Cultural Language and Academic Development (BCLAD) certification.
- b. After school tutoring available in the tutoring center.
- c. Assistance by a para-educator who may be assigned to the classroom.
- d. Supplementary instructional materials to support learning the content and/or English.
- e. Academic advisement and counseling intervention.
- f. Teacher/Counselor/Parent intervention conferences.
- g. CAHSEE intervention offered after school or Saturday sessions.
- h. Migrant Program services if the student is eligible.
- i. Regional Occupational Program services.
- j. Student Study Team (SST) for intervention.
- k. Academic support during the tutorial period embedded in the school day.
- l. Academic support from the Special Education Program or Section 504 if services apply to the student.

D. District English Language Learner Placement Criteria: Each student’s needs are considered for individual placement.

Program 1	Program 2		Program 3
Transitional English (Alternative Program)	Structured English Immersion		English Mainstream
CELDT: Beginning Years in U.S. schools: 0-2 years	CELDT: Early Intermediate and Intermediate Years in U.S. schools: 2-5 years	CELDT: Intermediate and Early Advanced CST: Basic (314) – Far Below Basic *Must meet CELDT and CST criteria	CELDT: Early Advanced and Advanced CST: Basic (315) and above
Intensive English A / Support- One year course (two class periods)	Transitional English I / Support- One year course (two class periods) Transitional English II- One year course (one class period) Intensive English B- Semester course / CAHSEE preparation English 1 with Bilingual Support- One year course (one class period)	English I / Support (SEI)- language instruction embedded English II / Support (SEI)- language instruction embedded English courses consist of English only instruction with language support DVHS English Support class – This course will be offered for English learners at Desert Valley High School	English Mainstream: English I English I with Support English II English II with Support English III English IV English courses consist of English only instruction with language support
Core subject courses with primary language instruction (i.e., Bilingual World Cultures, Bilingual Algebra, Bilingual Biology).	Core subject courses with primary language instruction (i.e., Bilingual World Cultures, Bilingual Algebra, Bilingual Biology).	Core subject courses with English Only Instruction, SDAIE strategies embedded for language support (i.e., World Cultures, Algebra 1).	Core subject courses with English Only Instruction, SDAIE strategies embedded for language support (i.e., World Cultures, Algebra 1).

Note: An English learner may voluntarily transfer to DVHS unless if he/she demonstrates a proficiency level of Intermediate and above, or if placement is determined appropriate through an English learner conference including the BUHS Administrator, English teacher, Counselor, EL Support Staff, student, and parent.

Accelerated Pathway

English Language Learners placed in Program 1 who enter the BUHS District in the 11th grade, may accelerate through the ELL Placement Criteria, based on teacher recommendation. The Title III Team recommends the following placement:

Year 1 (2 Courses)	Year 2 (2 Courses)
<ul style="list-style-type: none"> • Intensive English A /Support • Transitional English I / Support 	<ul style="list-style-type: none"> • Transitional English II • English I with bilingual support

The Accelerated Pathway is an option for the English learner who enters the district in grade 11 and demonstrates a level of Beginning through Early Intermediate. The student may follow the Accelerated Pathway with ELD teacher recommendation.

E. Program Modification: The Title III Team will meet a minimum of twice per semester to evaluate the English Learner Program. The Title III Team will advise school sites in the development of the Master Schedule and services pertinent to the English Learner Program.

IV. Identification / Assessment / Parent Notification

A. Identification: Upon enrollment, each student's identification and language proficiency will be determined.

1. Home Language Survey: The parents/guardians of each student will complete a Home Language Survey (HLS) at the time of enrollment. The student whose survey indicates a primary language other than English on questions 1 through 3 will be assessed for language proficiency.

2. Initial Identification: The student who initially scores (overall) at an Early Advanced or Advanced on the CELDT in listening, speaking, reading and writing, he/she is classified as Initial Fluent English Proficient (IFEP), and placed in mainstream English classrooms. The student must demonstrate a proficiency level of Intermediate or above in each domain of the CELDT. The student classified as IFEP is not placed in the English Learner Program.

The student who scores at the higher Intermediate level on the CELDT and who has other objective assessment information to support their CELDT score, he/she may also be classified as IFEP and placed in mainstream classrooms; this determination is made by the English Learner Program coordinator in consultation with the Title III Team.

The student who scores at the lower Intermediate level or below on the CELDT is considered Limited English Proficient and is classified as English Learner. The student is placed in either Program 1 (Transitional English) or Program 2 (Sheltered English Immersion).

B. Assessments: The following assessments will be used to determine English and primary language proficiency.

1. English Language Proficiency Assessments: California English Language Development Test (CELDT):

a. Within 30 calendar days of initial enrollment, each student whose home language is other than English will be assessed for English proficiency according to the CELDT.

b. The District will administer the CELDT within the annual testing window specified by the state (July 1 through October 31). If a student enters the district beyond the testing window, and the Home Language Survey indicates a language other than English, the student will be tested according to the CELDT.

c. An English learner with disabilities may participate in English language proficiency assessment using accommodations and/or modifications as specified in their Individualized Education Plan (IEP) or Section 504 Plan.

2. Primary Language Proficiency Assessment: Within 90 calendar days of initial enrollment a student who is new to the district and identified as having limited English proficiency will be further assessed for primary language proficiency. Any student identified as an English Learner by the CELDT will be administered a primary language assessment for listening, speaking, reading and writing.

Bilingual Syntax Measure II: Listening and speaking
District Developed Materials: Reading and writing

3. Student Profile: All information regarding identification, assessment, and instructional program placement is recorded in the District ELD Student Profile.

C. Parent/Guardian Notifications:

1. Initial Parent Notification: Within 30 calendar days, after the beginning of the school year (or during the school year, within two weeks of child being placed in program), the parents/guardians of an English learner are notified of the following: a) initial English language and primary language proficiency levels, b) how the child was assessed, c) the child's language designation, d) description of the district's program options, e) program placement, f) exit criteria, g) how the program will meet the needs of the child's IEP or Section 504 plan, and h) expected graduation rate.

a. If the student is identified as Initial Fluent English Proficient the parents/guardians are informed of their child's English language proficiency assessment results.

2. Annual Parent Notification: No later than 30 days after the beginning of the school year the parents/guardians of an English learner are informed annually of the following: a) English language and primary language proficiency level, b) how the child was assessed, c) the child's academic achievement, d) the child's language designation, e) descriptions of the district's program options, f) program placement, g) exit criteria, h) how the program will meet the needs of the child's IEP or Section 504 plan, and i) expected graduation rate.

a. If the student enters the district during the school year parents/guardians must be provided notification within two weeks of program placement.

3. Description of Program Placement Options: The Initial and Annual Parent Notification letters also include the description of program placement options. Parents/guardians of an English language learner will receive an explanation of the Alternative Program, Structured English Immersion Program, and English Language Mainstream Program.

4. Parental Exception Waiver: The initial and annual parent notification letters also include an explanation of the parental exception waiver for the Alternative Program.

5. District English Language Learner Program Reclassification Criteria: The Initial and Annual Parent Notification letters also include a description of the reclassification criteria for Fluent English Proficiency.

V. Annual Assessments The English learner will participate in the following assessments on an annual basis for the purpose of monitoring and evaluating the achievement of the student in the program:

A. CELDT: All English learners will be annually tested in the CELDT. Students will progress one level of proficiency for each year enrolled in the district's program for English learners.

B. Standardized Assessments: Unless exempted by a parental request, all students will participate in the STAR program of assessments, which includes the California Standards Test (CST) for all students in grades 9 through 11. A student in grades 9 through 11, with less than 12 months enrolled in U.S. schools at the time of testing will participate in the Standards Test in Spanish (STS). A student in grade 10 will participate in the administration of the California High School Exit Exam (CAHSEE) until he/she has satisfied the graduation requirement.

C. Meeting Grade Level Standards: Data collected at each school site (i.e., API, AYP, AMAOs) will indicate that English learners are achieving at parity with the overall level of students at the school or are making adequate progress toward the expected level of achievement as measured by performance benchmarks for each of the above assessments (i.e., CELDT, CST, and CAHSEE). EL data compiled will be reviewed by the individual school sites and the Title III Team.

VI. Performance Benchmarks The district has developed an Academic Performance Benchmarks matrix for English learners to evaluate their progress in achieving ELD standards and acquiring English proficiency. Each of the targets should be interpreted as

projected average times for a student in any given fluency level to pass to the next fluency level. It should be recognized that some students will move more quickly through these stages than others.

Academic Performance Benchmarks

CELDT Level	Beginning	Early Intermediate	Intermediate	Early Advanced	Advanced	Reclassified
1. ELD Rating	1	2	3	4	5	FEP status
2. Timeline based on students' ELD level at entry into district	1 st year	2 nd	3 rd	4 th		
		1 st	2 nd	3 rd	4 th	
			1 st	2 nd	3 rd	4 th
			1 st	2 nd	3 rd	4 th
3. EL Program Placement	Program 1	Program 1	Program 1 or Program 2	Program 2 or Program 3	Program 3	Mainstream setting
4. EL Academic Benchmarks	English learner must earn a C or better in his/her English courses each semester.					
	English learner must earn a 2.0 GPA or above each semester.					
5. California Standards Test (ELA)	Far Below Basic	Far Below Basic / Below Basic	Below Basic	Basic	Basic and Above Scaled Score > 315	
6. CAHSEE – ELA Grade 10, 11, 12	The English learner must earn a passing score of 350 on the CAHSEE English-language arts section.					

A. Monitoring/Evaluation: The EL Support Staff will annually monitor students' progress on the Academic Performance Benchmark matrix through the CELDT, classroom performance, semester academic achievement, and state assessments. The EL Support Staff will compile data for the ELD Student Profile by March of the school year, providing April, May and June for final intervention. At the end of the school year, the student, parents/guardians, counselor, and school site will determine the student's placement for the next year. The Academic Performance Benchmark matrix shows expected levels of achievement for the English learner. The student achieving below these benchmarks are referred for supplemental academic and language learning services. The counselors will play an active role in communicating with the student and parents/guardians about English language progress and will help recommend interventions.

B. Intervention: The English learner will be provided access to the following interventions through BUHSD: classroom activities, extended-day activities, and referrals for assistance to be implemented to improve the student's English proficiency. Classroom interventions may include instructional aide assistance, additional time with the teacher, special instructional materials, and more frequent assessments for progress. Extended-day interventions may include after school tutorials or tutoring center and summer school programs.

C. Catch-up Plan: A student who does not demonstrate progress according to the Academic Performance Benchmark matrix and as indicated on the ELD Student Profile a conference will be coordinated by the counselor of record with consultation from members of Title III Team during the school year. Interventions may include: review of CELDT, course placement, current academic achievement, transcript, CST and CAHSEE results, as well as teacher consultation. Additional services may be recommended, including Credit Recovery, summer school (if available), CAHSEE Preparation, and consultation with other services provided to the student through programs/services such as Special Education, Section 504, and Migrant Education.

VII. Transfer to Mainstream English Instruction An English learner will be transferred from the Sheltered English Immersion Program to the English Mainstream Program when the student has acquired a "reasonable fluency in English".

A. Services and Support: The District will continue to provide additional and appropriate educational services to English learners transferring from SEI to Mainstream English Instruction within the English Language Learner Program. The services for a student transferring to the English Mainstream Program include:

Required:

- placement with a teacher who holds or is in training for a CLAD credential or SDAIE/ELD certificate of completion in core curricular areas,
- support in the mainstream English-Language Arts class by integrating ELD standards/SDAIE strategies into instructional lessons, and
- academic monitoring by the counselor in record.

Optional:

- assistance by a classroom para-educator,
- additional support materials, and
- consultation with the Title III Team for change in instruction or placement.

B. Transfer to Mainstream English Prior to Reclassification: A student who has not met criteria for reclassification (i.e., reasonable fluency in English proficiency) due to the failure to achieve a level of Basic or better on the CST-ELA, test he/she may be transferred to a mainstream English classroom if the student has achieved the criteria.

1. A level of Intermediate or higher on the “Speaking” domain (CELDT)
2. An overall level of Intermediate on the CELDT
3. A grade of “C” or higher in English classes (English I and beyond)
4. Teacher evaluation
5. Parent consultation

VIII. English Fluency Levels

A. Less Than Reasonable Fluency in English: The district has determined that students who are designated as having a “less than reasonable fluency in English” will be placed in a Transitional Bilingual and/or Sheltered English Immersion programs. “Less than reasonable fluency in English” is defined as a student who has a CELDT level of Beginning, Early Intermediate and Intermediate. “Less than reasonable fluency in English” is also defined as a student who has a CELDT level of Early Advanced and is performing below the CST English-Language Arts “Basic” level (315).

B. Reasonable Fluency in English: It is the district’s determination that a student has acquired a reasonable level of proficiency in English when he/she has achieved the district criteria for reclassification to Fluent English Proficient. English learners will be reclassified as Fluent English Proficient (FEP) when they are able to comprehend, speak, read, and write English well enough to receive instruction in the Mainstream Program and make academic progress at a level substantially equivalent to that of students of the same age and/or grade, whose primary language is English.

C. Brawley Union High School District Criteria for Reclassification: An English Language Learner (ELL) is ready for reclassification into *Fluent English Proficient* (FEP) status if the following criteria have been met:

1. The student must have been reevaluated as having a high degree of proficiency/approaching native proficiency in English on the *California English Language Development Test* (CELDT). Brawley Union High School District has designated an overall achievement level of *Early Advanced* and *Advanced* as meeting the criteria, provided that no domain is scored lower than Intermediate.
2. The student must score at a *Basic* (315) or above level on the California Standards Test for English Language Arts (CST-ELA).
3. The student in grades 10th through 12th must pass the English Language Arts (ELA) section of the California High School Exit Exam (CAHSEE).
4. The student must have a grade of “C” or above in his/her English class.
5. The student must have a grade point average of 2.0 or above for the semester at the time of reclassification.

6. As a student is recommended for reclassification, the student, parent/guardian, English teacher, counselor, Title III administrator and other members of the Title III team will meet to review the documentation for the purpose of recommending the students for reclassification to FEP status.

D. Students Not Meeting Criteria for Reclassification: If a student does not demonstrate “reasonable fluency in English” as outlined in the above reclassification criteria, the student may continue in the SEI program for the coming year, unless the parent objects. Parents will be notified of the recommendation that their child continue in the Sheltered English Immersion Program, indicating Limited English Proficiency.

E. Monitoring and Support: Following reclassification, subsequent monitoring and support will be provided. Follow-up reports of student progress will be conducted annually in year 1 and 2 following the student’s reclassification. If at the end of this period all progress reports have been satisfactory, no further checks will be conducted unless requested by the student’s current teacher. If at any time during this monitoring period the student’s progress appears unsatisfactory, the student’s parent/guardian will be contacted to meet with members of the Title III team about the student’s progress.

1. First Year Monitoring: Each school site counselor will receive a list of the Reclassified Fluent English Proficient students assigned to them annually (August/September).

2. Second Year Monitoring: The counselor of record will conduct an annual review by coordinating an English Learner Reclassification Conference during the school year. Participants in the conference will include parent/guardian, student, counselor, English teacher, and any members of the Title III team. The purpose of the conference is to review the following: CST scores, transcript review, and current academic achievement.

a. Sufficient Progress: The student must maintain an overall 2.0 GPA or above, perform at the Basic level of the CST-ELA to earn a C or better in his/her English class to demonstrate sufficient progress.

b. Insufficient Progress: Performing below an overall 2.0 GPA, below the Basic level on the CST-ELA and/or earning below a C in his/her English class indicates insufficient progress. In the conference, the team will establish needed interventions for the student (i.e., tutoring, grade checks, teacher assistance during tutorial and Credit Recovery Program).

IX. Parental Exception Waivers

A. Parent Requests for Transfer to Mainstream English Classroom: Upon the request of a parent, a student may be placed in a mainstream English classroom. This request may be made at any time, including during the school year.

B. Parent Requests to Waive the Requirements of Sheltered English Immersion Instruction: A parent may request that the district waive the requirements of the Sheltered English Immersion Program and request their child’s placement in a bilingual education program if one of the following circumstances exists:

1. Education Code 311(a) Children Who Already Know English: The student already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading, writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth grade average, whichever is lower.

2. Education Code 311 (b) Older Children: The child is age 10 years or older, and is the informed belief of the school principal and educational staff that an alternate course of education study would be better suited to the child’s rapid acquisition of basic English language skills.

3. Education Code 311 (c) Children with Special Needs: The student already has been placed for a period of not less than 30 days during the school year in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the student has special physical, emotional, psychological or educational needs and that an alternate course of education study would be better suited to the student’s overall educational development. A written description of these special needs must be provided and any such decision is to be made subject to the examination and approval of the local school superintendent, under guidelines

established by and subject to the review of the local Board of Education and ultimately the State Board of Education. The existence of such special needs shall not compel issuance of a waiver, and the parents shall be fully informed of their right to refuse to agree to a waiver.

C. Guidelines for Parental Exception Waivers: The following guidelines apply to the granting of Parental Exception Waivers under Education Code 311 (a), (b) and (c):

1. Parent Notification: At the beginning of each school year, parents will be informed of the placement of their children in a Structured English Immersion Program or English Language Mainstream Program and will be notified of their opportunity to apply for a parental exception waiver.

2. School Visits: The parent will personally visit the school to apply for the waiver. In cases of extreme hardship, a parent may request an “Affidavit of Inability to Fulfill Requirement of School Site Visit to Request Parental Exception Waiver”. Upon submission of the affidavit, the parent will be provided the required information and forms for submitting a request for a parental exception waiver and may return the request to the school via the mail or with their child.

3. Information Provided to Parent: Upon request for an application for a parental exception waiver, the principal or other administrator will provide the parents a full written description of:

- a. the intent and content of the Structured English Immersion Program,
- b. descriptions of the alternative courses of study offered by the District and available to the student, (English Language Mainstream and Transitional Bilingual Education)
- c. all educational opportunities offered by the District and available to the student,
- d. educational materials to be used in the different educational program choices.

Upon request of the parent, a verbal explanation of items a - d above will also be provided.

For a request for a waiver pursuant to Education Code 311 (c), (Children with Special Needs), parents will also be informed that the student must be placed for a period of not less than 30 calendar days in an English language classroom (English Language Mainstream or Structured English Immersion) and that the Superintendent must approve the waiver pursuant to established guidelines.

4. Granting Parental Exception Waivers:

a. Education Code 311 (a) Children Who Already Know English: When evaluating a waiver request pursuant to Education Code 311 (a) and other waiver requests for those students for whom standardized assessment data is not available, other equivalent measures will be used.

b. Education Code 311 (b) Older children: When evaluating a waiver request pursuant to Education Code 311 (b), the child is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of educational study would be better suited to the child's rapid acquisition of basic English language skills.

c. Education Code 311 (c) Children with Special Needs: The principal will consider all waiver requests made pursuant to Education Code 311 (c) Children with Special Needs and will submit a rationale of the decision regarding the waiver to the Superintendent. When determining whether or not to recommend the approval of the waiver request, the principal will assume that the facts justifying the request attested by the parent are a true representation of the child's condition. All such waiver requests will be granted unless: (1) the principal and educational staff determine that the alternative program requested by the parent would not be better suited for the overall educational development of the student, or, (2) the program requested by the parent is not offered at the school.

d. General: Parental exception waivers will be granted unless the principal and educational staff have determined that an alternative program offered at the school would not be better suited for the overall educational development of the student.

e. Timelines: The school will act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311 (c) Students with Special Needs will not be acted upon during the 30-day placement in an English language classroom. These waivers will be acted upon no later than 10 calendar days after the expiration of that 30 day English language placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. Note: The IEP determines placement of each special education student regardless of language proficiency.

5. Denial of Parental Exception Waivers and Appeal Process: In cases where a parental exception waiver is denied, the principal will inform the parent in writing of the reason for the denial and, if relevant, any procedures that exist to appeal the decision to the Superintendent. If the Superintendent denies the waiver request, he/she will provide a written justification to the parent describing the reasons for the denial. A parent may appeal the Superintendent's decision to the District Board of Education or to the court system. The Board may consider the matter at its next regular Board meeting. When the Board hears the appeal, the Superintendent will send the Board's decision to the parent within seven working days.

6. Requirement of 20 Students for an Alternate Program: The district will provide requested alternate programs when 20 students or more at the same site in the same grade level have received the same waiver. If the waiver requested by the parent is granted, and fewer than 20 students at the same grade and school have received the waiver, the school may provide the class or the student will be allowed to transfer to another public school in which such a class is offered.

X. Intra/Interdistrict Transfers Students wishing to transfer will be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district will also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

XI. Advisory Committees When 51 or more English Learners are enrolled in the district, BUHS must establish a District English Learner Advisory Committee. When a school site has 21 or more English Learners enrolled, an English Learner Advisory Committee must be established. The BUHS District parent advisory committees for English Learners will be maintained to serve the advisory functions as specified in the law. Parents of English learners will constitute committee membership in at least the same percentage as their children represent the total number of students in the school.

A. English Learner Advisory Committee (ELAC): Whenever there are 21 or more English Learner students in a school, there will be a functioning ELAC that meets all of the following requirements:

1. ELAC conducts an election of members in which all parents of EL students have had an opportunity to vote.
2. ELAC has membership of EL parents in at least the same percentage as there are EL students in the school.
3. A school site may designate an existing school advisory committee, or subcommittee to fulfill the legal responsibilities of ELAC, if the advisory committee has EL parent representation that constitutes the same percentage of the committee as EL students are represented in the school population.
4. ELAC advises the School Site Council on the development of the Single Plan for Student Achievement pertaining to English Language Learners and submitted to the Governing Board.
5. ELAC advises the principal and staff on the school's English Learner Program, such as,
 - a. conducts, reviews, and advises on the school's needs assessments;
 - b. the administration of the annual Language Census Report (R-30);
 - c. efforts to make parents aware of the importance of regular school attendance.

6. ELAC has received training materials and training appropriate to assist parents in carrying out their responsibilities.

7. ELAC has selected at least one member of the ELAC to represent the school site on the District English Learner Advisory Committee (DELAC).

B. District English Learner Advisory Committee (DELAC): Whenever there are 51 or more EL students in the district, there will be a functioning District English Learner Advisory Committee (DELAC) that meets all of the following requirements:

1. DELAC has the opportunity to advise the Governing Board regarding:
 - a. the BUHS District English Language Learner Master Plan for the education of EL student;
 - b. a district-wide needs assessment on a school-by-school basis;
 - c. the goals and objectives of the English Learner Program;
 - d. development of the plan to ensure compliance with applicable teacher and/or para-educator requirements;
 - e. the annual R-30 Language Census Report;
 - f. the review and comment on the BUHS District Criteria for Reclassification of English Learners;
 - g. the review and comment on the written parent notification of initial enrollment and student placement procedures;
 - h. the review and comment on any program related waiver requests or grant proposals.
2. DELAC has a majority membership of parents of EL students who are not employed by the district. In the event an existing committee is used for these purposes, the membership of parents of EL students shall be made up of at least the same percentage as that of the EL students in the district.
3. DELAC has received training materials and training, developed in consultation with the committee, appropriate to assist parent members in carrying out their responsibilities.