

8280	English Language Learners Proficiency Instruction
-------------	--

The Board of Education believes that students, who, by reason of foreign birth or ancestry, have limited English proficiency, will be more effective learners of both the language and the curriculum if they receive instruction in both their native language and English. The District will therefore make every effort to ensure that limited English language learners (ELL) students are provided with an appropriate program of transitional bilingual education or free-standing English as a second language program.

Pursuant to this policy and the regulations of the Commissioner of Education, the Superintendent of Schools is directed to develop appropriate administrative regulations to ensure that ELL students are:

- a. diagnostically screened for limited English proficiency, in accordance with Part 117 of the Commissioner's Regulations. Those students who according to their scores are identified as ELL will be annually evaluated. Included in the evaluation shall be each student's performance in content areas to measure academic progress;
- b. provide translation services in accordance with Commissioner's Regulation 154;
- c. assured of access to appropriate instructional and support services, including guidance programs; and
- d. assured of having equal opportunities to participate in all school programs and extracurricular activities as non-ELL students.
- e. District's plan to provide parents and other persons in parental relation with information about all bilingual education and English as a New Language (ENL) programs available in the District and notices regarding program placement and the rights of parents or persons in parental relation in a language they best understand;
- f. District's policies and procedures regarding ELLs who are students with disabilities.

The Superintendent of Schools shall be responsible for ensuring that the Commissioner is provided with all information required under the Commissioner's Regulations and that the District provides appropriate school-related information to the parents of ELL students in English, or when necessary, in the language they understand. In addition, the Superintendent of Schools shall ensure that all teachers employed for any bilingual and/or ELL program are properly certified in accordance with the Commissioner's Regulations.

8280	English Language Learners Proficiency Instruction
-------------	--

Education Law 3204

Bilingual Education Act of 1974, §§701 et seq., 20 U.S.C. 880b et seq.

Equal Educational Opportunities Act of 1974, 201 et seq., 20 U.S.C. 1701 et seq.

8 NYCRR 80.9; 80.10; 117; 154 et seq.

Lau v. Nichols, 414 U.S. 563 (1974)

Rios v. Read, 480 F. Supp. 14 (1978)

Cintron v. Brentwood UFSD, 455 F. Supp 57 (1978)

Aspira of New York v. Board of Educ. (City of New York), 394 F. Supp. 1161 (1974)

NOTE: Refer also to Policy #7611—Children with Disabilities

Adoption Date: 05/17/23