



LOS ANGELES UNIFIED SCHOOL DISTRICT REFERENCE GUIDE

TITLE: Procedures for Opening and Closing Classes
Offering a Basic Bilingual Program K-5

NUMBER: REF-3313.0

ISSUER: Alma Peña-Sánchez, Assistant Superintendent
Instructional Services

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PURPOSE: The purpose of this reference guide is to standardize procedures for opening and closing school site classes offering a Basic Bilingual Program at the elementary level.

INSTRUCTIONS: I. BACKGROUND

ROUTING

Local District Superintendents
Local District Administrators
Local District EL Program Staff
Elementary Principals
Assistant Principals
EL Program Coordinators
UTLA Chapter Chair

The California Education Code (310 and 311) gives parents of English learners the right to request a Basic Bilingual Program of instruction for their child using a parental exception waiver. When waivers are granted, English learners may receive an Alternative Program after initially participating in the Structured English Immersion Program, which requires a thirty calendar day period for initial enrollees younger than age 10. The Basic Bilingual Program and the Dual Language Program qualify as alternative programs to the Structured English Immersion Program as described in the Master Plan for English Learners. Waiver procedures are described in the elementary school guide, Instructional Programs for English Learners.

The instructional section of the Master Plan was revised after the passage of Proposition 227 in 1998. The Master Plan currently offers parents of K-12 students the following instructional programs:

1. Structured English Immersion (SEI) Program
2. Alternative Programs: Basic Bilingual and Dual Language
3. Mainstream English

All Master Plan Programs are designed to accomplish the following main goals:

1. Develop each student's fluency in English as rapidly and effectively as possible.
2. Provide each student with equal opportunity for academic achievement, including, when necessary, academic instruction in the primary language.
3. Reinforce each student's positive self-image and promote cross-cultural understanding.

All Master Plan Programs incorporate specific research-based instructional services that are designed to accelerate the learning of academic English and provide access to grade-level content.



LOS ANGELES UNIFIED SCHOOL DISTRICT REFERENCE GUIDE

II. PROCEDURES FOR OPENING AND CLOSING CLASSES OFFERING BASIC BILINGUAL PROGRAMS

A. Opening

When parents of at least 20 students of a given grade level request a waiver, the school site **must** grant the waivers, and form a Basic Bilingual Program class. When parents of at least 20 students in two consecutive grade levels request a waiver, the school site **may** grant the waivers, and form a combination Basic Bilingual Program class. At year-round schools, waiver requests must be combined across all tracks for a total of 20. The parental exception waivers may be denied if the school principal and the educational staff have substantial evidence that the alternative educational program requested is not suited for the student.

A parent of a child in a SEI Program may request a parental exception waiver to place their child in a Basic Bilingual Program. The 30-day mandatory SEI placement is for initial enrollees younger than age 10. The following timelines must be adhered to:

1. A parent may submit a parental exception waiver in person during the first 30 calendar days in which an English learner is enrolled in a SEI Program. The school is required to provide a written response to the request within 10 days effective at the end of the 30-day period.
2. A parent may submit a parental exception waiver after the initial 30-day mandatory SEI placement period at any time during the school year. When this occurs, the school is required to provide a written response to the request within 20 days.

For a student to remain in a Basic Bilingual Program, the parental exception waiver request must be renewed each year in person. The parental exception waiver form used to request the Basic Bilingual Program is Attachment C-1 in Memorandum NO. M-22, Parental Exception Waivers (Title 5, California Code of Regulation) Proposition 227, July 30, 1998.

When parents of fewer than 20 students of a given grade level or two consecutive grade levels request a waiver, the individual school site shall choose from the following, depending on what best meets the student's needs:

1. A two consecutive grade combination class may be formed **or**,
2. Students may transfer to another school offering these instructional programs **or**,
3. The school will maintain a waiting list with the understanding that a Basic Bilingual Program class will be opened once there are at least 20 parental exception waiver requests.



LOS ANGELES UNIFIED SCHOOL DISTRICT REFERENCE GUIDE

Norming guidelines must be followed when consideration is given to opening a Basic Bilingual Program class as noted in Bulletin 1122.1, Norms to Allocate Certificated Personnel to Elementary Schools, August 2, 2005. In cases where there is not a minimum of 20 waiver requests, then two consecutive grade level combination classes may be formed (e.g., K-1, 1-2, 2-3). Norming tables must be adhered to when assigning students to 4th and 5th grade combination classes.

When a parental exception waiver request is not granted, the principal in consultation with the educational staff must consider relevant district and state assessments. In cases where a parental exception waiver is denied, the parents must be informed in writing of the reason(s) for denial. The parent must also be advised of their appeal rights and the procedure for appeal as delineated in Memorandum NO. M-22, Parental Exception Waivers (Title 5, California Code of Regulation) Proposition 227, July 30, 1998.

Please note that the Basic Bilingual Program is not designed to meet the needs of English Only, Initially Identified Fluent English Proficient (IFEP) and Redesignated Fluent English Proficient (RFEP) students.

B. Waiting List Procedures

When parents of fewer than 20 students of a given grade level request a waiver, then the school site principal will ensure that the following steps are carried out:

1. The school maintains a waiting list of all the students whose parents requested a Basic Bilingual Program (*Attachment A- Waiting List for a Basic Bilingual Program Placement*).
2. The school site principal will send the waiting list to the Local District EL Program Coordinator immediately after the scheduled norm day. If needed, the school site principal will send an updated waiting list immediately after the second marking report. This will be done in an effort to maintain a current waiting list within each local district, which will assist school sites that are considering combining students from neighboring schools.
3. The Local District EL Program Coordinator will ensure that this waiting list is maintained.
4. The Local District Program Coordinator shall make the current number of students on the waiting list available to district/school personnel and parents upon request.

C. Closing

When a class offering a Basic Bilingual Program has less than 20 students due to attrition, then the principal in consultation with the English Learner Advisory Committee (ELAC) will meet to make a school decision on whether or not to close the class offering such a program. The following points must be taken into account before reaching a decision:



LOS ANGELES UNIFIED SCHOOL DISTRICT REFERENCE GUIDE

1. Did the school site allot 30 calendar days to allow for the possibility of a new student enrolling in this program?
2. Did the principal consider potentially eligible students within the school's student population? (i.e., public announcement via a parent meeting and / or a school site newsletter, etc.)
3. Did the principal contact the Local District EL Program Coordinator in an effort to consider students from neighboring schools?

If the decision to close a classroom offering the Basic Bilingual Program is reached by aforementioned stakeholders, then the school must adhere to the following guidelines:

1. Send a letter informing all the parents of the students affected by the closure of the class. The letter must include the school site rationale for the closure.
2. Invite all affected parents to a meeting to address the following:
 - a. Explain the school rationale for closing the class.
 - b. Inform parents of their right to have their child transfer and attend another school that offers a Basic Bilingual Program. Explain that transportation will not be provided.
 - c. Review program options at the school site to inform and assist parents in assigning students to a new Master Plan program.

RELATED RESOURCES:

- Memorandum NO. M-22, Parental Exception Waivers (Title 5, California Code of Regulation) Proposition 227, July 30, 1998.
- Memorandum NO. 2422.0, Elementary Master Plan Program Staffing, March 1, 2006.
- Bulletin 1122.1, Norms to Allocate Certificated Personnel to Elementary Schools, August 2, 2005.
- Memorandum No. 2203, Funding and Procedures for Implementing of New and Existing Dual Language Programs, January 30, 2006
- Bulletin 1327, Early Education Programs for English Learners and Standard English Learners, October 4, 2004.
- Master Plan for English Learners Guide, revised November 11, 2002.
- Instructional Programs for English Learners Guide, revised September 2003.

ASSISTANCE:

For assistance or further information please contact Jim Canelas, Specialist, Language Acquisition Branch (213) 241-5582 or your Local District English Learner Program staff.



LOS ANGELES UNIFIED SCHOOL DISTRICT REFERENCE GUIDE

Attachment A

Waiting List for a Basic Bilingual Program Placement

School: _____

Local District: _____

| Student ID | Student Name | Grade | Parent Name | Parent Signature | Date of Request |
|------------|--------------|-------|-------------|------------------|-----------------|
| 1. | | | | | |
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| 20. | | | | | |

Please note: This waiting list and a copy of each signed parental waiver request should be placed in a 3-ring binder for documentation purposes.

Waiting List Procedures:

When parents of fewer than 20 students of a given grade level request a waiver, then the school site principal will ensure that the following steps are carried out:

1. The school keeps a waiting list of all the students whose parents requested a Basic Bilingual Program (*Attachment A- Waiting List for a Basic Bilingual Program Placement*).
2. The school site principal will send the waiting list to the Local District EL Program Coordinator immediately after the scheduled norm day. If needed, the school site principal will send an updated waiting list immediately after the second marking report. This will be done in an effort to maintain a current waiting list within each local district, which will facilitate retrieval of information by schools when needed.
3. The Local District EL Program Coordinator will ensure that this waiting list is maintained.
4. The Local District Program Coordinator shall make the current number of students on the waiting list available to district/school personnel and parents upon request.