

6A-6.0904 Equal Access to Appropriate Instruction for English Language Learners~~Programming~~
~~for Limited English Proficient Students.~~

(1) Each English Language Learner ~~limited English proficient student~~ shall be enrolled in programming appropriate for his or her level of English proficiency and academic potential. Appropriate programming includes enrollment in programs other than ESOL funded programs as provided in Rule 6A-6.0908, F.A.C. Such programs shall seek to develop each student's English language proficiency and academic potential.

(a) English Language Learners~~Limited English proficient students~~ shall have equal access to appropriate programs which shall include state funded English for Speakers of Other Languages (ESOL) instruction and instruction in basic subject areas which are understandable to English Language Learners ~~limited English proficient students~~ and equal and comparable in amount, scope, sequence and quality to that provided to English proficient students. Instructional services ~~Programming~~ shall be documented in the form of an English Language Learner Student Plan ~~limited English proficient student plan~~.

(b) English Language Learners ~~Limited English proficient students~~ with special needs and in need of additional services shall be provided equal and comparable services to those provided to English proficient students on a timely basis and appropriate to their level of English proficiency.

(c) English Language Learners ~~Limited English proficient students~~ who, by the end of grade 12 fail to meet the 10th grade statewide assessment, shall be provided appropriate programming as specified in Rule 6A-6.0909, F.A.C.

(d) English Language Learners ~~Limited English proficient students~~ shall be given credit toward fulfilling graduation requirements in English for each basic ESOL course completed satisfactorily. Credit shall be given toward fulfilling graduation requirements for each basic

subject area course completed satisfactorily through ESOL or home language.

(2) Basic ESOL instruction.

(a) Basic ESOL programs shall include instruction to develop sufficient skills in speaking, listening, reading and writing English to enable the student to be English proficient.

(b) English Language Learners ~~Limited English proficient students~~ shall be classified according to their levels of English language proficiency, academic achievement, and special needs, and shall be placed in ~~programming~~ appropriate instructional services for these levels. Basic ESOL instruction may be provided in heterogeneous classroom settings, such as multiple language groups.

(c) An English Language Learner ~~limited English proficient student~~ shall be provided basic ESOL programming for the minimum number of hours per day or week, as specified in the individual ELL ~~limited English proficient~~ student plan. Such plans shall specify that each student receive, at minimum, the amount of basic ESOL instruction which may include special or alternative language arts necessary to attain parity of participation with ~~non-limited~~ English proficient students in language arts. The English Language Learner ~~limited English proficient student~~ shall not receive less than the total amount of instruction received by an non-limited English proficient student at the same grade level.

(d) Basic ESOL services shall seek to prepare students for reclassification as soon as the student has attained a sufficient level of English language proficiency and academic achievement according to the entry and exit standards set forth in Rules 6A-6.0902 and 6A-6.0903, F.A.C.

(e) An English Language Learner's ~~student's~~ ESOL teacher, parent or parent's designee, or other school personnel may request the convening of an ELL ~~LEP~~ Committee at any time after the end of the student's first semester in the program to identify any special problems which may

be hindering a student's progress in ESOL. An ELL LEP Committee shall make appropriate recommendations, as necessary, for the modification of the student's ELL Student LEP Plan. The nature and basis of such modification, if any, shall be documented in each ELL Student student's LEP Plan.

(f) The Commissioner of Education shall develop and implement ~~or identify~~ standards and criteria for evaluating the appropriateness of basic ESOL instruction in each district. These standards shall be consistent with state-required curriculum frameworks and student performance standards.

(g) Basic ESOL instruction shall be provided by appropriately qualified personnel.

(3) ESOL instructional and home language instructional strategies in basic subject areas.

(a) School districts shall provide appropriate home language instruction or ESOL content instruction or a combination of the two in basic subject areas in addition to basic ESOL instruction. ~~Examples of appropriate ESOL instruction in basic subject areas include "ESOL content," "sheltered," "structured" and similar ESOL strategies.~~

(b) School districts are encouraged to use grouping, clustering, and transporting of students where practical and feasible within and between districts to achieve compliance with these standards.

(4) ESOL instruction in basic subject areas.

(a) A district that provides instruction, in whole or in part, through ESOL strategies shall assure and be able to document that:

1. Each course has been structured in conformity with ESOL strategies for teaching English Language Learners ~~limited English proficient students~~ basic subject matter;

2. Each course is taught by qualified personnel and that appropriate instructional materials

are available to such personnel; and

3. English Language Learners Limited English proficient students are learning and progressing towards completion of requirements as specified in the school district's Student Progression Plan ~~pupil progression plan~~.

(b) The focus of instruction shall be substantive subject matter knowledge parallel and comparable to that provided to ~~non-limited~~ English proficient students in basic subject areas, consistent with the Sunshine State Standards as incorporated by reference in Rule 6A-1.09401, FAC., and English Language Proficiency Standards consistent with Rule 6A-6.0903, FAC. ~~state curriculum frameworks, and student performance standards.~~

(c) English Language Learners Limited English proficient students in ESOL basic subject area classrooms shall have access to an individual proficient in their languages in addition to a trained ESOL subject area teacher. Schools with at least fifteen students speaking the same home language shall provide at least one aide or teacher who is proficient in the same home language and who is trained to assist in ESOL basic subject area instruction.

(d) The Commissioner of Education shall develop or identify standards and criteria for evaluating the appropriateness of the ESOL instruction in basic subject areas.

(5) Home language instruction in basic subject areas.

(a) A district that provides instruction, in whole or in part, through home language instruction shall assure and be able to document that:

1. Each course has been structured in conformity with bilingual strategies for teaching English Language Learners limited English proficient students basic subject matter;

2. Each course is taught by qualified personnel and that appropriate instructional materials are available to such personnel; and

3. English Language Learners Limited English proficient students are learning and progressing towards completion of requirements as specified in the district's Student Progression Plan ~~pupil progression plan~~.

(b) The focus of instruction shall be substantive subject matter knowledge parallel and comparable to that provided to ~~non-limited~~ English proficient students in basic subjects, consistent with the Sunshine State Standards and English Language Proficiency Standards ~~state curriculum frameworks, and student performance standards~~. Such instruction shall incorporate appropriate instructional materials and comparable home language texts when available.

(c) The Commissioner of Education shall develop or identify standards and criteria for evaluating the appropriateness of the home language instruction in basic subject areas.

(6) Interim measures.

(a) English Language Learners Limited English proficient students shall receive an instructional program which includes basic ESOL instruction and understandable instruction in basic subject areas.

(b) In recognition that appropriately trained personnel might not be available to each student to provide each component, an action plan shall be developed at each school and for each district setting forth the following:

1. The number of students by language group who are denied any one or more of the programming required herein;

2. The documentation of the district's efforts and lack of success in recruiting, hiring, or training appropriately qualified staff for such programs;

3. Specific activities and timelines for recruiting, hiring and training needed staff; and

4. A plan of interim measures which must include inservice training programs, utilization of

native speaking aides, native ~~active~~ language materials and other elements designed to assure that each student's English language barrier is addressed in an instructionally sound manner.

(7) Parental involvement.

(a) Parental involvement and participation in English Language Learners' ~~limited English proficient students'~~ educational programming and academic achievement shall be promoted, among other ways, by establishing parent leadership councils at each school, or at the district level, composed in the majority of parents of English Language Learners ~~limited English proficient students~~.

1. Parent leadership council should be promoted.

2. Parents shall be provided training and orientation regarding program monitoring procedures and involvement procedures available to parents of English Language Learners ~~limited English proficient students~~.

(b) Parents shall be informed of the opportunity to be represented on existing school and district advisory committees.

(c) Parents shall be notified in writing of the student's initial membership in an assigned program. Notification shall be in language that the parent understands, unless clearly not feasible.

Specific Authority 1001.02 FS. Law Implemented 1003.56 FS., ~~as amended by Section 150, Chapter 2002-387, Laws of Florida.~~ History—New 10-30-90, Amended.