

CHAPTER **FIVE**

Parent and Community Involvement



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Procedures for Parent Notification about Parental Exception Waivers

1: After enrolling and completing all required assessments, parents of all students with a language other than English on questions 1, 2 or 3 on the Home Language Survey are given the Preliminary Program Placement form. This form reports the results of the initial assessment and the options for program placement based on these results.

Once the CELDT results have been received from the test publisher, the parent is notified in writing via the Initial CELDT Results Parent Notification Form by the Assessment Department. This written notification is in English and in the student's primary language.

2: The parental exception waiver process is explained to parents and they receive an orientation to the district's program options for English Language Learners. They are also provided with a written explanation of the program options, Description of Academic Programs Available to ELLs in HUSD, and information about the waiver process. The Parental Exemption Waiver must be obtained and signed at the school site.

Parents are informed of the following:

- When 20 or more students at a given grade level of the same language receive an approved waiver, the school is required to offer such a program.
- Otherwise, students must be allowed to transfer to a school with such a program.
- Assessment Center staff guide the parent through the process of requesting an intradistrict transfer when this is necessary. If a redirect occurs, then the "receiving" site will provide the desired program option for the student.

During this session, the parent is also informed about the legal requirements that must be adhered to in placing students and in granting parental exception waivers, including:

- Prior to their first year of placement in an alternative program, every English Language Learner under 10 years of age who is enrolling in a California school for the first time must be initially placed in a program taught overwhelmingly in English for not less than 30 calendar days.

- The waiver requires the principal's approval.
- Each application for a waiver is considered on its individual merits. If it is denied, the parent has appeal rights.
- A parent applying for a waiver may request that the State Board of Education review the district's guidelines or procedures.
- All parental exception waivers are implemented within 20 instructional days of submission to the school principal, except for waiver requests for students under 10 years of age. These may not be acted upon before the end of the 30-day calendar placement in where instruction is overwhelmingly in an English language program. This is a one-time requirement.

3: Student Information and Assessment Center staff provide program placement recommendation, based on assessments and parent preference. The school of assignment is notified of the new enrollee.

4: Parents take their child to the newly enrolled student's school for classroom assignment and to sign a Bilingual Program Parental Waiver Request Form, if they are requesting placement in a program other than one that is taught preponderantly in English (SEI). Parents interested in completing the waiver meet with the principal or designee to review program options and to sign the waiver.

5: If the student is enrolled in an alternative program, the school with the alternative program distributes

copies of the completed waiver to:

- The green ELL folder in the child's cumulative file
- The parent
- The district Department of ELL Programs and Services

Once a student has been enrolled in a program, he/she should not be moved to another program without review and action by a Language Review Team and informed parental consent demonstrated by parent's presence at the Language Review Team and the parent's signature on the Program Placement Form.

6: Each parent is advised yearly about the district's placement options for English Language Learners and the opportunity to apply for a Parental Exception Waiver. This notification includes instructions for parents who wish to apply. Each spring, after the annual LRT review, the parent is informed of the child's CELDT results. At that time, the parent reviews the official CELDT (Initial or Annual) results, noting program options and the district's recommendation for placement for the coming year.

The child's placement is an outcome of the spring LRT meeting. The site administrator works with the classroom teacher to conduct the annual program placement presentation for the school's parents/guardians. This is conducted in the fall (no earlier than 30 calendar days after the start of the school year for Kindergarten families). Parental consent, as noted in Step 5, is necessary for changes in program.

Parents may request an initial or continuing waiver at this time. The school may accept the ELL Parental Exception Waiver Form (Form ELL 57) at this LRT meeting but cannot implement the waiver until the following school year.

Procedures for Approval/Denial of Parental Exception Waivers

Upon initial enrollment in our district, all parents receive an orientation to our district's program options for English Language Learners and the parental exception waiver process. Student Information and Assessment Center (SIAC) personnel explain the program options and give each parent written descriptions of the options: Structured English Immersion, Mainstream English, Bilingual Alternative, and Dual Language Immersion.

During a conference conducted by the principal or designee at the newly enrolled student's school site, the parents/guardians will again be given a full description of the instructional program options and the educational materials used in each program in Hayward Unified School District. The staff will provide the ELL Program Pamphlet to the parents. The staff can also reference the Academic Programs for ELLs in HUSD Matrix or the Description of Academic Programs available to ELLs in HUSD.

During the conference with the principal or designee, at the school site:

- Parental Exception Waivers are made available to parents of all English Language Learners.
- Parents interested in completing the waiver process will meet with the principal or designee per Sections 305, 306, 310, 311 of the California Education Code
- English only instruction may be waived by parent request; thus, parents can request a waiver into the Bilingual Alternative or Dual Language Immersion Program.

- All approved and denied waivers will be sent to the Director of ELL Programs and Services. The ELL Department will issue a monthly report of the number of granted and denied waivers. This report will be sent to the Area Administrators and the Associate Superintendent.
- Any parent who applies for a waiver can request that the State Board of Education review the district's guidelines or procedures.
- The waiver requires the principal's approval.
- Each application for a waiver will be considered on its individual merits.
- Approval of Parental Exception Waivers occurs unless the school principal and educational staff determine that evidence exists that the alternative programs would not be better suited for the overall educational development of the student.

An explanation, in writing, will be provided to the parent of the reason(s) for the denial of a waiver request and of the district's appeal procedures. If the parent wishes to appeal the denial, s/he uses the grievance process detailed in Hayward Unified School District's Uniform Complaint Process, which provides a formal channel of communication regarding unresolved complaints in operations, programs, or with individuals. After the parent completes the appeal form, the Superintendent appoints a Review Committee to study the case and prepare a recommendation. The Superintendent then upholds or overturns the Review Committee's recommendation. The parents could then appeal directly to the

Staff can also reference the Academic Programs for ELLs in HUSD Matrix or the Description of Academic Programs available to ELLs in HUSD

Board of Education. A written summary is provided to all parties.

- All Parental Exception Waivers are implemented within 20 instructional days of submission to the school principal, except for waiver requests for students under 10 years of age which may not be acted upon before the end of the 30-day placement in an English language classroom.
- The student is enrolled at the school where the alternative program is offered and assigned to the requested instructional classroom or program.
- The school with the alternative program distributes copies of the completed waiver to:
 1. Student's green ELL folder
 2. HUSD ELL Department
 3. Student Information and Assessment Center
 4. Parent

Section 311 of CA Ed. Code describes the three circumstances in which a Parental Exception Waiver may be granted:

1. Children who already know English

The child already possesses good English language skills as measured by STAR tests of vocabulary comprehension, reading, and writing, in which the child scores at or above the state average for his/her grade level or at or above the 5th grade average, whichever is lower.

2. Older children

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.

3. Children with special needs (children less than 10 years old)

The child already has been placed for a period of not less than thirty calendar days in an English language classroom. It is subsequently the informed belief of the school principal and educational staff that the child has such special physical, emotional, psychological, or educational needs that an alternate course of educational study would be better suited to the child's overall educational development. The parents shall be fully informed of their right to refuse a waiver.



Parent Advisory Committees

Each school with 21 or more English Language Learners must establish a functioning English Language Learner Advisory Committee (ELAC).

English Learner Advisory Committee (ELAC) Requirements:

Two types of Parent Advisory Committees

Site ELAC: a committee formed at each school where 21 or more ELLs are present

District ELAC: a districtwide committee that advises the governing board on ELL programs, goals, and needs.

- Members are chosen by election. All parents/guardians of English Language Learners have an opportunity to vote.
- Members receive materials and training related to carrying out their legal responsibilities.
- The ELAC advises the principal and staff on topics related to English Language Learners, including:
 - Development of School Plan for English Language Learners and the school's needs assessment;
 - Administration of the annual language census;
 - Efforts to make parents aware of the importance of regular school attendance.
- Members elect representatives to the District English Language Learner Advisory Committee.

The Area Administrator, Site Principal, and the ELL Director annually review the implementation of the ELAC in order to ensure that all requirements are met.

All site ELAC documentation (calendar of ELAC dates, agendas, and minutes) must be kept at the site and a copy of all documentation sent to the Director of ELL Programs and Services.

Implementation of the Site ELAC

- The site Principal is responsible for establishing the ELAC. The principal or a designee coordinates meetings and communication/documentation between the site and the district's Office of ELL Programs and Services. Elected officers conduct the meetings.
- Elections for ELAC are conducted at the school site by October 1st each year. Membership composition must reflect the percentage of English Language Learners in the school. Membership includes parents and school staff (fewer than the number of parents). If a member must be replaced during the year, the replacement serves for the remainder of the year. At the beginning of the following year, an election must be held to fill the position.

ELAC Roles and Responsibilities

- The ELL Department will provide training on establishment of ELAC to site administrators/ site personnel in early September.
- The principal assists with planning the ELAC meetings, attends the meetings, and
- The principal arranges an agenda planning session with the ELAC chairperson prior to each meeting

- Meeting dates are determined and publicized in English and other languages in advance.
- The ELAC conducts formal and advisory meetings, with agendas and minutes.
- School Site Council and ELAC shall not be combined.
- Childcare and refreshments are provided.
- During the school year, the ELAC members receive training in the four areas mentioned above.
- Copies of ELAC minutes and its membership information are sent to the District Office of ELL Programs and Services within one (1) week after each meeting.
- The ELAC may develop and adopt by-laws and elect officers.
- At its first or second meeting of the year, the ELAC elects the proportional amount of representation (one member per up to 200 ELLs at a site and one alternate representative to the District English Language Learner Advisory Committee.
- A districtwide needs assessment on a school-by-school basis.
- The district program, goals, and objectives for programs and services for English Language Learners.
- The plan to ensure compliance with applicable teacher or aide requirements.
- Administration of the language census.
- District reclassification procedures.
- Written parent notification of initial school enrollment.

Other DELAC implementation provisions include:

- The DELAC meets at least 8 times per year.
- The DELAC operates according to guidelines contained in its by-laws.
- The District Director of English Language Learner Programs or designee serves as district liaison to the DELAC. This person assists with agenda preparation, meeting notices, arrangements for meetings, preparation of minutes, and all communications pertaining to the DELAC.
- The DELAC will communicate their ongoing advice to the Superintendent and governing board via the ELL Director. Once a year the DELAC will make a presentation to the Superintendent and the governing board.

District English Learner Advisory Committee (DELAC) Requirements:

The DELAC advises the governing board on at least the following:

- A timetable for and development of a district Master Plan of Education Programs and Services for English Language Learners, taking into consideration the school site plans for English Language Learners.

- The DELAC chairperson presides at meetings and signs all letters, reports and other committee communications, with prior approval of the membership. In the chairperson's absence, resignation or inability to perform the duties, the Vice-chair assumes these duties.
- The district provides all DELAC members with appropriate training, materials and information needed to carry out their responsibilities and duties.
- DELAC minutes will be forwarded to the School Board and Superintendent via the ELL Director or designee.

Forums and Activities to Help Parents Effectively Assist Their Children Toward Educational Success and Advocate for Their Children Within the Schools and Community

The following goal has been established: Parents of English Language Learners at all schools in Hayward will participate meaningfully in the education of their children. The following types of activities may be carried out at the district or site levels to further this goal. This list is not all-inclusive.

- Whenever possible, the school will provide translations and interpretation of school information for all language groups.
- Communication in the home language. When 15% or more of the school's students are speakers of the same language, the school

will provide written translations of all school information in that language. All parents who are Limited English Proficient will be provided with oral translations in their primary language. Translators are made available for parent/teacher conferences, school advisory committee meetings, meetings regarding school safety, SST and Language Review Team (LRT) meetings, suspension and expulsion conferences and hearings, and for all due process actions held at the district level.

- The LRT and Student Success Team (SST) meetings must provide a translator for the parent.
- Site administrators will plan and provide for primary language through the use of paraeducators or other staff.
- The SIAC has a number of bilingual staff who support district wide interpreting and translating. They are available to interpret or translate documents for all sites based on availability and the site's categorical funds if work is requested outside of the paraeducator's work hours. All requests are submitted to the SIAC for processing using the SIAC Translation Services Request form. (ELL Form 55)
- School sites may assign a staff member and alternate to provide for parent support at the site, and/or may employ a parent liaison.
- Parent meetings should be parent friendly: held at convenient meeting

times, with childcare, food, and translation services provided.

- Parent training sessions shall be provided on parental rights, and parents should be encouraged, in a variety of ways, to exercise these rights.
- The school can encourage parent volunteerism by providing opportunities for parents to volunteer and to provide training on how parents can effectively participate in school.
- Training on school advocacy may be provided. Such trainings can include informational sessions on school operations and who to go to for assistance related to problems or concerns.
- The district provides ongoing staff development to all school staff on how to work with parents, including communication skills and sensitivity to their backgrounds, needs and concerns.