



## “The Times They Are A-Changin’”

Come gather 'round people  
Wherever you roam  
And admit that the waters  
Around you have grown  
And accept it that soon  
You'll be drenched to the bone  
If your time to you  
Is worth savin'  
Then you better start swimmin'  
Or you'll sink like a stone  
For the times they are a-changin'.

# ENROLLMENT PRE-TEST

RATE YOUR DISTRICT'S KNOWLEDGE OF  
THE LAW

# Simple True or False

- 1. Undocumented children may, in some instances, be excluded from public school because of immigration status.
- 2. The U.S. Supreme has not directly ruled on the right of immigrant children to attend public school.
- 3. Schools **cannot** require that an enrolling child provide a social security number.
- 4. It is permissible to ask enrolling children or their parents for immigration papers.
- 5. It is permissible to require a birth certificate to be presented before admitting a child in school.

# CONTINUED

- 1. False – Plyler vs. Doe 1982
- 2. False – Plyler case was a U.S. Supreme Court case as well as Lau vs. Nichols in 1974
- 3. True – You cannot deny access of education to a ELL based on a social security card.
- 4. False – Schools cannot ask for any proof of immigration status.
- 5. False – Cannot restrict admission based on birth certificate. Generally alternatives allowed

# Your Basic Responsibilities Under Federal Law

- Mendez vs. Westminster (1947) – Permanent “language-based” segregation violates the constitutional rights of students.
- Bilingual Education Act (1968) – Federal government will provide funding for programs to help language-minority students overcome linguistic barriers that prevent them from meaningfully participating in their educational program.
- Lau v. Nichols (1974) – School systems must provide assistance to help non-native English speakers attain proficiency. Failure to do so deprives them of a meaningful education and VIOLATES THEIR CIVIL RIGHTS.

# Responsibilities (Cont.)

- Equal Education Opportunities Act (1974) – Discrimination in education of any kind on any basis is prohibited; **failure** to help students **overcome language barriers** amounts to **discrimination** and is therefore also prohibited.
- Plyer v Doe (1982) – States are obligated to provide free public education services to all children within their jurisdiction, regardless of their citizenship status. “Illegal resident” status IS NOT an acceptable ground on which to deny any child an education.

# INTERSECTION OF TITLES I AND III

## TITLE I

- Title I is larger, but more general.
- Title I dollars are directed towards improving the achievement of students who are failing or at risk of failing.
- Concentrates on content area performance in RLA and Math.
- Title I has requirements that must be met for schools who have ELLs enrolled.

## TITLE III

- Supplements Title I by specifically targeting language proficiency among ELLs.
- Title III focuses on helping students achieve English proficiency.

# Where to Start?

- By designating someone in the district who understands the requirements of federal programs, Office of Civil Rights, and the laws that govern the protection of ELLs. (Not a teacher.)
- With a local policy reviewed by the state prior to adoption.
- With a procedure of how you enroll, assess, and serve.
- Remember requirements are the same for 1 child or 1000 children.

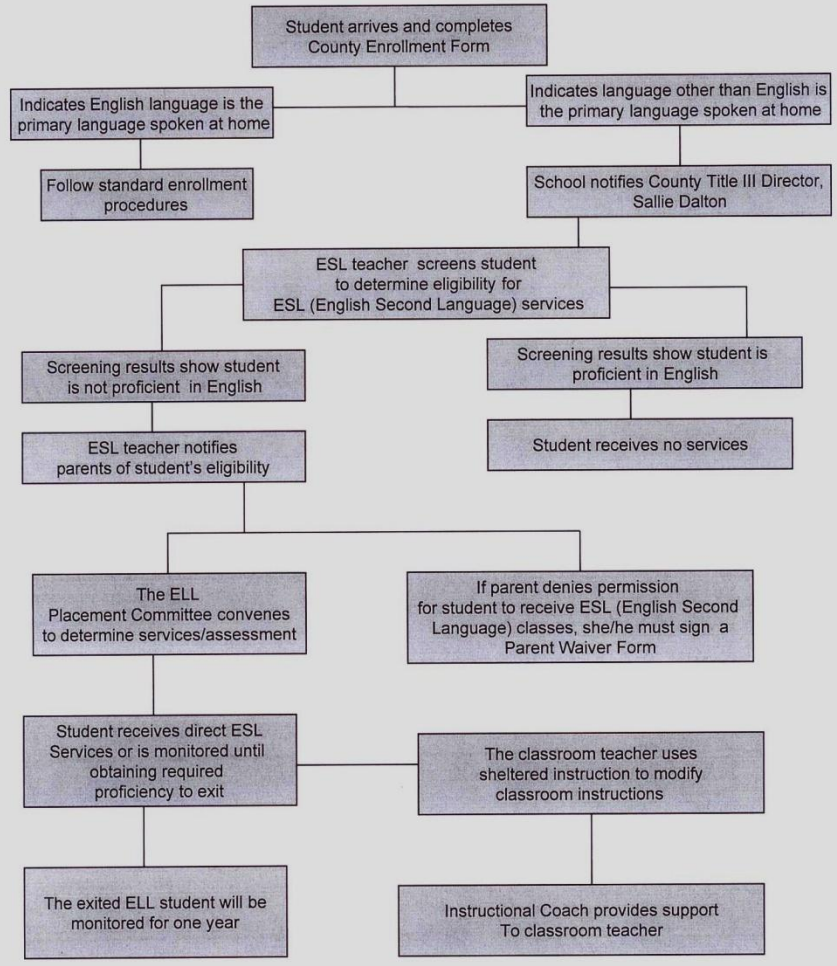


# Implementing Title III Requirements

- A local Title III plan and policy needs to be in place **BEFORE** you have English Language Learners arrive in your district.
- The basic plan and policy need to be in writing.
- Professional staff development must be on-going on an annual basis regarding specific topics including identification, enrollment, services, and instructional strategies.
- Professional staff development must include secretaries, bus drivers, principals, district administrators, aides, and teachers.

# GREENBRIER COUNTY SCHOOLS

## Procedures for PHLOTE (Primary Home Language other than English) Students



# IDENTIFICATION AND PLACEMENT

- Districts must have process in place to identify and place ELLs.
  - Process must include:
    - A home language survey to identify students who potentially may need language support.
    - A standardized screener to determine language proficiency.
    - The determination of whom will administer screener, interpret results, determine services, and conference with teachers and parents.

# Communicating with Parents

- Are parents notified of placement into a language program within 30 days after the beginning of the school year, or within two weeks if their child ENROLLS after the beginning of the year?
- Are notifications provided to parents in a language they can understand?
- Does the parental notification of placement results include information about parents' ability to opt out of the program?
- Does the parental notification letter include all of the information required under Title I?

# Resources

- Transact
- WV Connections website
- Thompson's Federal Programs for English Learners
- Other Title III Directors
- WVDE
- Foreign language teachers within your district
- Bi-lingual community members.



**He-e-ey...  
Everyday is a revolution.  
Welcome to the future.**

**Brad Paisley – American Saturday Night**