

District Legal Obligations to Provide a Language Instruction Educational Program (LIEP)

Date: _____

Dear Parent/Guardian(s):

Pennsylvania state law

Federal laws and court rulings require that public school districts take affirmative steps to overcome language barriers for students who are learning English so that they can learn English, participate meaningfully in their education, and access all academic content.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, or national origin by recipients of federal financial assistance. The Title VI regulatory requirements prohibit denial of equal access to education because of student's lack of proficiency in English based on exposure to another language that is tied to their national origin.

The *Castañeda v. Pickard* case in 1981 established a three-part test to evaluate the adequacy of a district's program for EL students:

- (1) the program must be based on an educational theory recognized as sound by some experts in the field or is considered by experts as a legitimate experimental strategy;
- (2) resources and personnel must be provided in order to implement this theory effectively; and
- (3) the school district must evaluate its programs and make adjustments where needed to ensure language barriers are actually being overcome.

Our districts must adhere to these laws as well as state policies and regulations related to the education of English learners. In summary, we

- may not deny services based on English proficiency that your child would otherwise be eligible for,
- must take affirmative steps to overcome language barriers in all of our educational settings and programs so that your child can meaningfully access the academic standards and content
- must ensure that we have designed and implemented a program of instruction and support that is based on a sound theory or accepted as a legitimate experimental strategy by some experts in the field,
- must provide adequate resources to the program in order to implement the theory effectively, and
- must evaluate the program to ensure that it is effective, and
- must make adjustments to the program if it is found to be inadequate in any way.

Accordingly, our school district has implemented a program that we believe is the most appropriate to meet your child's needs. You have a right to refuse certain portions of this program, but even if you do, the district is still required by civil rights laws to provide all necessary supports that will help your child attain English proficiency and access academic content. The district is also required to assess the English proficiency of your students each year.

If you feel our district is not meeting its obligations to provide your student with an appropriate EL program, you have the right to file a complaint with the state department of education at 717-783-6595 or to file a curriculum deficiency complaint at the [PDE website](#).

Majukumu ya Kisheria ya Wilaya ya Kutoa Mpango wa Elimu ya Lugha (LIEP)

Tarehe: _____

Wazazi/Walezi Wapendwa:

Taarifa hii inatolewa kwako ili ufahamu haki za watoto wako zinazohusiana na elimu ya umma na huduma ambazo wilaya ya shule yetu inahitajika kutoa. Sheria za shirikisho na maamuzi ya mahakama yanahitaji kwamba wilaya za shule za umma zichukue hatua thabiti ili kutoa vizuizi vya lugha kwa wanafunzi wanaojifunza Kiingereza ili waweze kujifunza Kiingereza, kushiriki kikamilifu katika elimu yao, na kufikia maudhui yote ya kitaaluma.

Title VI ya Sheria ya Haki za Kiraia ya 1964 inakataza ubaguzi kwa misingi ya mbari, rangi, au asili ya kitaifa na wapoakeaji wa usaidizi wa kifedha wa shirikisho. Masharti ya udhibiti wa Title VI yanapiga marufuku kunyimwa ufikiaji sawa wa elimu kwa sababu ya wanafunzi kukosa ujuzi wa Kiingereza kwa msingi wa kufahamu lugha nyingine ambayo inahusishwa na asili yao ya kitaifa.

Kesi ya *Castañeda dhidi ya Pickard* mwaka wa 1981 ilianzisha jaribio la sehemu tatu ili kutathmini utoshelevu wa mpango wa wilaya kwa wanafunzi wa EL:

- (1) lazima mpango itegemea nadharia ya elimu inayotambuliwa kuwa nzuri na baadhi ya wataalam katika uwanja huo au inachukuliwa na wataalam kama mkakati halali wa majaribio;
- (2) lazima rasilimali na wafanyakazi watolewe ili kutekeleza nadharia hii kwa ufanisi; na
- (3) lazima wilaya ya shule itathmini mipango yake na kufanya marekebisho inapohitajika ili kuhakikisha vizuizi vya lugha vinatataliwa.

Lazima wilaya zetu zifuata sheria hizi pamoja na sera na kanuni za serikali zinazohusiana na elimu ya wanafunzi wa Kiingereza. Kwa muhtasari,

- hatuwezi kukataa huduma kulingana na ujuzi wa Kiingereza ambao mtoto wako angestahiki,
- lazima tuchukue hatua madhubuti ili kutoa vizuizi vya lugha katika mipangilio na mipango yetu yote ya elimu ili mtoto wako aweze kufikia viwango na maudhui ya kitaaluma.
- lazima tuhakikishe kwamba tumebuni na kutekeleza mpango wa mafundisho na usaidizi ambao unategemea nadharia nzuri au kukubaliwa kama mkakati halali wa majaribio na baadhi ya wataalam katika uwanja huo;
- lazima tutoe rasilimali za kutosha kwa mpango ili kutekeleza nadharia kwa ufanisi, na
- lazima tutathmini mpango ili kuhakikisha kwamba ni ufanisi, na
- lazima tufanye marekebisho kwa mpango ikiwa imeonekana kuwa haitoshi kwa njia yoyote.

Kwa hivyo, wilaya yetu ya shule imetekeleza mpango ambao tunaamini kuwa unafaa zaidi kukidhi mahitaji ya mtoto wako. Una haki ya kukataa baadhi ya sehemu za mpango huu, lakini hata kama utafanya hivyo, wilaya bado inatakiwa na sheria za haki za kiraia kutoa usaidizi unaohitajika ambao utamsaidia mtoto wako kupata ujuzi wa Kiingereza na kufikia maudhui ya kitaaluma. Wilaya pia inahitajika kutathmini ustadi wa Kiingereza wa wanafunzi wako kila mwaka.

Iwapo unahisi kuwa wilaya yetu haifikii majukumu yake ya kumpa mwanafunzi wako mpango wa EL unafaa, una haki ya kuwasilisha malalamiko kwa idara ya elimu ya serikali katika 717-783-6595 au kuwasilisha malalamiko ya upungufu wa mtaala kwenye [tovuti ya PDE](#).