

OFFICE OF Student Support Services



PARENT/GUARDIAN ENGLISH LEARNER (EL) PROGRAM RIGHTS FACT SHEET

Who are English Learners and is there a program for them?

In Hawaii, approximately 10% of the students in public schools are part of the English Learner (EL) Program to help them to learn English. Many EL students come from Asia, South East Asia and across the Pacific. The EL program provides English language support for approximately 18,000+ students statewide. There are 70 different languages spoken by the students in the program. Most common languages include Ilokano, Tagalog, Samoan, Marshallese, Chuukese, Spanish, Japanese, Cantonese, Korean, Vietnamese and Tongan.

Why is my child an EL?

All students who list a language other than English when they enroll in a public school are tested for proficiency in English. New students who pass the English proficiency test are not placed in the EL program. Students can also be referred by their teachers to be tested for English language proficiency to determine if language support is needed.

How do I know if my child has been enrolled in an EL Program?

You should have received a Parent Notification Letter from your child's school notifying you of EL Program placement and services recommended based on the results of their English test. If you have not received the Parent Notification Letter, please contact your school.

What can I do to support my child?

Please make sure your child completes homework assignments and spends time reading and learning English, or their first or home language. You may also participate by attending parent involvement activities, such as conferences or meetings, and



reading the newsletters or brochures sent home from school.

How can my child exit the EL Program?

EL students are able to exit the program with passing test scores based on the federally required annual ACCESS for ELLs English proficiency test. After your child exits the EL Program, their progress will be monitored for two years to ensure they are meaningfully participating in the district's educational program.

What must schools do to support ELs?

Schools must assist ELs to learn to speak, read, write, and understand academic English, as determined by the English test. This instruction is part of an English language development program, and it helps students improve their English listening, speaking, reading, and writing skills while also learning about other school subjects. Assistance is given only until the student is able to perform at their grade level in all language domains (speaking, listening, reading and writing).

EL program services must be provided by schools under obligation of Title III of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), Title VI of the Civil Rights Act of 1964 (Title VI), and the Equal Educational Opportunities Act of 1974 (EEOA) (*ESSA Title III Guidance, English Learners 2016*).

What are the Rights of an English Learner (EL) and their parent(s)/guardian(s)?

- **Access** – English Learner students have the civil right to receive appropriate English language assistance services until they are proficient in English, and have the right to be taught both English and grade-level content.
- **Notification** – Schools are required to provide parents of ELs with notification of their children’s recommended placement in an EL program within 30 days of the start of the school year (or within two weeks, for later-arriving students). Schools must also annually update parents/guardians about their child’s English language development progress.
- **Communication** – Schools are required to ensure there is meaningful communication with parents in a language they can understand. Parents also have the right to request free language assistance, such as an interpreter for school meetings, or to have school materials translated (*Hawaii’s Language Access Law, Act 290, SLH 2006*).
- **Choice** – Parents have the right to decline (opt-out of) EL program services or out of particular EL services within an EL program. The decision must be voluntary and based on a full understanding of the EL child’s rights, services available, and the benefits of such services. If parents or guardians opt their children out of a school’s EL program or specific EL services, the children retain their status as English learners. The school remains obligated to take the affirmative steps required by Title VI and EEOA to provide EL students access to its educational programs, and parents can opt back into EL program services as needed.
- **School programs** – English Learner students have the right to equal access of all courses and school programs as their non-EL peers (e.g., honors, Advanced Placement, International Baccalaureate, Gifted and Talented programs), and, if a child has a disability, special education services.

For questions about your Civil Rights visit: <https://www2.ed.gov/about/offices/list/ocr/ellresources.html>.

What is the Mission of the EL Program and what are the Goals?

The Hawaii Department of Education (HIDOE) English Learner Mission

Ensure equal access to educational opportunities for linguistically and culturally diverse students. The EL Program supports HIDOE’s mission to provide standards-based education through supplementary instructional and acculturation activities. The EL Program’s mission is based on the May 25, 1970 Office for Civil Rights Memorandum.

The HIDOE EL Program strives to

1. Provide meaningful access to educational opportunities and academic content by providing services that assist students with developing English language proficiency.
2. Support students in attaining the same State academic content and student achievement standards expected for all students.
3. Ensure students graduate with the language, knowledge and skills to pursue post-secondary education and careers.
4. Develop an understanding of and appreciation for diverse cultures.
5. Engage parents and families in the education of their children.

If you have questions about your child’s EL Program, please contact your child’s school.