

Ordinance 2024/25-63

Section 8-16.1. Proficiency in English encouraged; Assessments required; Notification requirements; No tuition in certain circumstances; notification of testing accommodations.

— A. Suffolk Public Schools shall provide programs to improve the education of English learners by assisting the children to learn English and meet Virginia’s challenging academic content and student academic achievement standards.

B. Suffolk Public Schools will annually assess the English proficiency of all English learners.

C. Suffolk Public Schools will, not later than 30 days after the beginning of the school year, inform ~~a parent or~~ the parents of an English learner identified for participation in, or participating in, a program for English learners, of:

- (a) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;
- (b) the child’s level of English proficiency, how that level was assessed, and the status of the child’s academic achievement;
- (c) the methods of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;
- (d) how the program in which their child is, or will be participating will meet the educational strengths and needs of the child;
- (e) how such program will specifically help their child learn English, and meet age-appropriate academic achievement standards for grade promotion and graduation;
- (f) the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program);
- (g) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
- (h) information pertaining to parental rights that includes written guidance:
 - (i) detailing the right that parents have to have their child immediately removed from such program upon their request and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available, and
 - (ii) assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the school division.

For a child who has not been identified as an English learner prior to the beginning of the school year but is identified as an English learner during the school year, Suffolk Public Schools shall provide the notice detailed above within 2 weeks of the child being placed in the program. The information described above will be provided to parents in an

understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

D. Suffolk Public Schools will accept and provide programs for students for whom English is a second language who entered school in Virginia for the first time after reaching their 12th birthday, and who have not reached age 22 on or before August 1 of the school year. No tuition shall be charged to such students, if state funding is provided for such programs.

Each high school principal or principal's designee notifies each English learner of the availability of testing accommodations available for industry certifications, state licensure examinations, national occupational competency assessments, the Armed Services Vocational Aptitude Battery and the Virginia workplace readiness skills assessment prior to the student's participation in any such certification, examination, assessment, or battery. (Adopted January 12, 1995; Revised April 10, 2013; Ordinance Number 12/13-73; Effective Date: July 1, 2013; Revised December 14, 2017; Ordinance Number 17/18-27; Effective: December 14, 2017)

Legal Authority – Virginia Code §§ ~~22.1-212.1~~ 22.1-5, 22.1-253.13:4 (1950), as amended, 20 U.S.C. §§ 6311, 6312, 6825.