
Policy title: ENGLISH AS AN ADDITIONAL LANGUAGE OR DIALECT
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Legislation: *Education Act 2004 (ACT)*
Discrimination Act 1991 (ACT)
Education Services for Overseas Students Act 2000 (Cwlth)
Health Records (Privacy and Access) Act 1997(ACT)
Human Rights Act 2004 (ACT)
Human Rights Commission Act 2005 (ACT)
Human Rights and Equal Opportunity Commission Act 1986 (Cwlth)
Amended 2009
Racial Discrimination Act 1975 (Cwlth)
Racial Hatred Act 1995 (Cwlth)
Privacy Act 1988 (Cwlth)

Support materials: This policy should be read in conjunction with the *English as an Additional Language or Dialect (EALD) Procedural Manual* available for Directorate staff at <https://index.det.act.gov.au/information/procedures.html>

1. POLICY STATEMENT

English as an Additional Language or Dialect (EALD) learners have the right to equality of access to the school curriculum in a productive learning environment that is respectful of students' different cultures, experiences and learning needs.

1.1 The Education and Training Directorate (the Directorate) will provide EAL/D programs for each eligible student for up to seven years, through:

- primary and secondary Introductory English Centres (IECs) which provide full time intensive English language instruction
- early entry preschool placement
- EAL/D support in primary and secondary schools, and
- tertiary accredited and registered ESL courses at secondary colleges.

1.2 For the purposes of providing targeted EAL/D support, the Directorate defines EAL/D students as those who meet the following eligibility criteria:

- the student or one or both parents were born overseas in a non-English speaking country or identifies as an Aboriginal or Torres Strait Islander, **and**
- a language other than English is spoken at home, **and**
- the student has not been enrolled in Australian schooling for more than seven years, **and**
- the student requires additional support to develop English language proficiency.

- 1.3 Enrolment in an IEC program is determined by the following eligibility criteria:
- the student meets the eligibility criteria for EAL/D students
 - the student is newly arrived in Australia (enrolling in school within six months of their arrival, or for Kindergarten students within 18 months of their arrival), and
 - the student is a minor (under 18 years of age at time of enrolling in the initial course of intensive English language instruction), and
 - the student is an Australian citizen or permanent resident, or
 - the student is a temporary visa holder who has been approved for enrolment by the International Education Unit.
- 1.4 Students who do not meet the eligibility criteria set out above may, at the discretion of the Directorate, be included in the IEC Program.
- 1.5 Students enrolling in an IEC program will be assessed on speaking, listening, reading and writing by an EAL/D teacher to ascertain the level of English language competency and the need for an intensive language program.
- 1.6 The length of time in an IEC program will primarily be based on English language assessment criteria, as prescribed by the exiting benchmarks for IEC programs in the English as an Additional Language/Dialect Procedural Manual. A transition process to mainstream schools will support students, parents and school staff in the effective transfer of a student to a new setting.
- 1.7 Students from culturally and linguistically diverse backgrounds must be recognised as having unique educational needs and be catered for accordingly. Their learning outcomes can be optimised by incorporating language-focused teaching strategies and an appreciation of cultural and linguistic pluralism across the school.

2. RATIONALE

- 2.1 English language proficiency is a key determinant of success within our education system and for social and economic participation in the broader Australian community. Australian society is enhanced by EAL/D students having access to EAL/D programs that enable them to develop an understanding of attitudes and beliefs regarding Australian society, citizenship and position on the world stage. With adequate English language skills, students are better prepared to contribute to society and advocate for themselves and others in personal, social, political and legal fields.
- 2.2 Cognitive, interpersonal and cultural processes underpin the learning of a second or additional language. These are separate from those that underpin learning literacy. Students for whom English is a second or additional language demonstrate a wide range of English language proficiency and progress through well-documented stages of English acquisition. While they are learning English, such students need explicit English language support to enable them to achieve the same academic levels as their peers for whom English is a first language.

3. DEFINITIONS

- 3.1 **English** - Standard Australian English.
- 3.2 **EAL/D** – English as an Additional Language or Dialect. This replaces the earlier term, ‘English as a Second Language (ESL)’ in alignment with the Australian Curriculum.

- 3.3 **ESL** - English as a Second Language. Whilst still in common usage, this term has been replaced by 'English as an Additional Language / Dialect (EAL/D)', except for existing BSS Courses.
- 3.4 **EAL/D learner** - a person learning English in Australia who uses a language other than English at home.
- 3.4.1 EAL/D specialist teacher** – a teacher appointed by the Directorate as an EAL/D teacher who meets the qualification requirements specified in the *School Teacher Qualifications 2009* policy.
- 3.5 **IEC** – Introductory English Centre. The Introductory English Centres are a system resource co-located in mainstream schools. The short term program is designed to support newly arrived students with minimal English through intensive language teaching prior to entry into mainstream schooling.

4. **LEGISLATION**

4.1 *Education Act 2004 (ACT)*

Everyone involved in the administration of this Act, or in the school or home education of children in the ACT, is to apply the principle that every child has a right to receive a high-quality education.

The Act requires children living in the ACT to attend school or to participate in a recognised alternative from the age of six years until the child is 17 years old or has completed year 12.

Further information is available through the Directorate's policies on *Enrolment in ACT Public Schools P-12*, *International Fee Paying* and *Enrolment of Non-Australian Citizens or Non-Permanent Residents Charging* available at http://www.det.act.gov.au/publications_and_policies/policy_a-z.

The Act provides that no fees can be charged for education in public schools, but this provision does not apply to course money paid to a registered provider or to people who hold a temporary visa under the *Migration Act 1958* (Cwlth).

4.2 *Discrimination Act 1991 (ACT), Human Rights Act 2004 (ACT), Human Rights Commission Act 2005 (ACT), Human Rights and Equal Opportunity Commission Act 1986 (Cwlth) Amended 2009, Racial Discrimination Act 1975 (Cwlth), Racial Hatred Act 1995 (Cwlth)*

Anti-discrimination legislation recognises that everyone has the right to equal and effective protection against discrimination including discrimination because of race, colour, sex, language, religion, national or social origin, disability or other status. This applies to the area of education and other defined areas.

The Human Rights Act 2004 (ACT) and the *Human Rights Commission Act 2005 (ACT)* require public authorities to act in accordance with a range of identified human rights principles, subject to reasonable limits.

4.3 *Privacy Act 1988 (Cwlth) and Health Records (Privacy and Access) Act 1997 (ACT)*

The appropriate collection, storage, use and disclosure of students' personal information are governed by privacy legislation. Further information is available through the Directorate's

policies on *Student Record Keeping* and *Access to Student Records* available at http://www.det.act.gov.au/publications_and_policies/policy_a-z.

5. PROCEDURES

- 5.1 The Directorate provides EALD specialist teachers for schools on the basis of assessed student need as identified by an annual process as defined in the Directorate's *English as an Additional Language / Dialect Procedural Manual*.
- 5.2 Schools will follow the procedures set out in the *English as an Additional Language/ Dialect Procedural Manual* in regards to the identification of ESL students, resourcing and program implementation.
- 5.3 The *English as an Additional Language / Dialect Procedural Manual* mandates the operation of ESL programs from preschool to year 12.
- 5.4 Resources assigned for the provision of ESL must be used for this purpose.
- 5.5 Fees will be charged if students fall under the International Students program or are temporary visa holders who are not included in the Directorate's exempt categories for payment.
- 5.6 Transport to and from Introductory English Centres will be provided to students identified as eligible under the Directorate's *English as an Additional Language / Dialect Procedural Manual*.
- 5.7 When enrolling a student the principal will ensure that assistance is provided to parents and enrolling students, including through a recognised translating service, to enable them to complete enrolment forms, understand information provided to them including where they are asked to sign permission forms.

6. POLICY OWNER

Director, Learning and Teaching Branch

7. RELATED POLICIES

Policies

- Education Participation (Enrolment and Attendance) 2011
- Countering Racism in ACT Public Schools (2007)
- Reporting on Student Achievement and Progress to Students and Parents (2006)
- International Fee Paying Students
- Enrolment of Non-Australian Citizens or Non-Permanent Residents – Charging Policy
- School Teacher Qualifications 2009

Related documents

- English as an Additional Language/Dialect Procedural Manual
- ACT DET School Improvement Framework
- Literacy and Numeracy Strategy 2009 – 2013
- Working with Interpreters – ACT Office of Multicultural Affairs (DHCS)
- School Management Manual
- ACT Multicultural Strategy 2010 - 2013

- Guidelines for Principals, School Counsellors, Senior Counsellors and Disability Education executive staff - Psychometric Testing Of Students From Culturally and Linguistically Diverse Backgrounds
- Early Entry Eligibility and Procedures Early Entry 2011