

The Bilingual Teacher

You are a first year principal in a primary school that houses grades pre-kindergarten through second grade. Prior to gaining your position, you were a first year teacher mentor within the district for the past three years. Prior to that you taught fourth and fifth grade for the past six years at an intermediate school within the district. Many of the teachers in your building know you on a personal level especially those you had mentored over the past few years.

Your school's demographics are middle to upper middle class primarily White students. There is also a small population of low-income primarily Hispanic students. Most of their parents do not speak English and have decided to place their child in your school's bilingual program. Most of these students live in low-income housing apartments just over a mile from the school. The living conditions of some of these students are far from ideal. Many families have five or more people living in a one-bedroom apartment. There have also been reports of abuse and neglect in the past with some of the families that live there and they are being monitored by social services.

The district administration has made it very clear that any student who has not proven residency that shows up on the first day of school must be brought to the office and sent home. All teachers in the school are aware of this policy and will be given a list of students who have yet to prove residency on the first day of school.

As a mentor last year, you were aware that one of your mentees, a first year bilingual kindergarten teacher was not sending a student to the office that still hadn't proven residency. She confided in you that she had reason to believe that the child was subject to neglect, lack of substantial food, and verbal abuse. Social Services were

working with the family, but there was not enough evidence for them to act. She told you that she knew the child was safer and better off here at school where he was being taken care of and fed properly. She didn't want to send him back to his unstable home for the day if she could help it. You told her you understood where she was coming from and kept her confidence.

It is the first week of school as a new principal in the same school you were mentoring in, and you have become aware that the same bilingual kindergarten teacher, now a second year teacher, is not sending two students to the office who have yet to prove residency. You go to the teacher's classroom and remove the students from the class. You explain to the teacher that you understand her concerns, but it is the policy of the district to send all students home who have not proven residency within the district. She tells you that she understands and that she will not do it again. As the school year progresses, you become wrapped up in your new duties as principal and are dealing with major and minor behavior problems, concerned parents, and your staff. You find out that the bilingual kindergarten teacher is still allowing students to come to her classroom that are not proven residents of the district after you explicitly told her that she was not to violate the policy again.

Resources

Residency Policy

Only students who are residents of the District may attend a District school without a tuition charge, except as otherwise provided below or in State law. A student's residence is the same as the person who has legal custody of the student.

Non-resident Students Policy

If a parent/legal guardian seeks to enroll a student who will not physically reside in the district until after the student is scheduled to begin classes because of home construction delays, the student shall be permitted to enroll in the District only upon tender of a deposit equal to the tuition for the first trimester of the school year and upon tender of a copy of a building permit application a current valid building permit, and a construction contract which details the estimated dates of commencement and completion of the construction.

If, due to continued home construction delays, the parent/legal guardian and the student still have not moved into the District and presented proof of residency in the District within 3 weeks before the end of the first trimester, the parent/legal guardian must apply to the Board of Education for continued enrollment in the District's schools as a non-resident student for the second trimester of the school year. Based upon oral and written evidence, the Board of Education has the discretion to allow the student to continue his/her enrollment in the District upon pre-payment of the tuition for the second trimester of the school year. If, due to continued home construction delays, the parent/legal guardian and the student still have not moved into the District and presented proof of residency in the District within 3 weeks before the end of the second trimester, the parent/legal guardian must apply to the Board of Education for continued enrollment in the District's schools as a non-resident student for the third trimester of the school year. Based upon oral and written evidence, the Board of Education has the discretion to allow the student to continue his/her enrollment in the District upon pre-payment of the tuition

for the third trimester of the school year. Under no circumstances may tuition be extended beyond one full school year.

If the parent/legal guardian and student move into their new residence and present proof of residency to the District prior to the expiration of the trimester paid for, the parent/legal guardian shall be charged tuition for the period in which the student was a non-resident and a prorated amount of their tuition will be returned.

The two students in questions do not fall under any of these categories.

The Assignment

As principal, you must decide what to do about the two students in question.

You also must decide what action to take with the bilingual kindergarten teacher who has been knowingly disregarding your direct orders despite the fact you are friendly with her.