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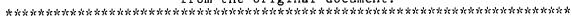
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ABSTRACT

This manual presents an overview of important safety considerations for instructors of vocational students with limited English proficiency. It begins with a review of the legal responsibilities of vocational educators to provide for student safety. The second part discusses the legal rights of limited-English-Proficient (LEP) students, and the third part describes the major causes for accidents. The fourth part presents 21 specific suggestions for improving the safety program for LEP students. In addition, a glossary of safety expressions in English, Spanish, Haitian Creole, and Vietnamese is provided. The glossary can easily be expanded to include other expressions or other languages. Following the glossary is an assignment sheet to be used as an individual self-check or for pre- and post-testing with a class. Contains a bibliography of bilingual safety guides, general safety references, and bilingual vocational education references for teachers of LEP vocational students. (JL)

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SAFETY COMES IN

ALL LANGUAGES

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Department of Adult, Vocational and Technical Education Research and Development Section

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I. INTRODUCTION

More than 2,300,000 workers are disabled and over 13,000 are killed every year as a result of accidents on the job (Accident Facts , 1978). In addition, it is estimated that more than 33,000 serious accidents occur to students in vocational technical education laboratories and shops each year. Many more accidents occuring in both the workplace and the school go unreported.

Industrial and school accidents do not occur because of mysterious forces or bad luck. Accidents are caused by human, situational, and environmental factors that can and must be controlled by the vocational technical educator. Safety in the school laboratory or shop is a critical concern of the instructor.

Vocational technical education instructors and teacher educators must be concerned about safety due to several factors:

- Human pain, suffering, and even death
- Damage to or loss of materials and equipment
- Loss of the use of shop or laboratory facilities
- Cost of medical treatment
- Legal responsibility

The possible pain, suffering, and even death of students is, of course, sufficient to cause every instructor to be concerned about safety as an integral part of her or his vocational technical education program. This moral responsibility is generally understood. However, not every instructor is aware of the extent of his or her legal responsibility for the safety of students. This responsibility is even more complex in the case of students with limited English proficiency.



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This manual presents an overview of important safety considerations for instructors of vocational students with limited English proficiency. It begins with a review of the legal responsibilities of vocational educators to provide for student safety. The second part discusses the legal rights of Limited English Proficient (LEP) students and part three describes the major causes for accidents. The fourth part presents twerty-one specific suggestions for improving the safety program for LEP students. The manual concludes with a safety checklist, references and a bibliography, a multilingual glossary of safety expressions, and an assignment sheet to be used for self study or for a pre/post-test.



II. LEGAL RESPONSIBILITIES

Teachers and other school district employees, with few exceptions, are personally liable for damages under the law if their negligence results in harm to students or others. Almost every legal action brought against school districts and individual teachers where injury is concerned has been based on negligence. Therefore, the legal concept of negligence should be of considerable interest to vocational technical education instructors in addition to teacher educators. There are also special laws which specifically protect the rights of Limited English Proficient students.

NEGLIGENCE

The term negligence refers to the omission or neglect of any reasonable precaution, care, or action. In adjudicating negligence cases, the court considers four elements.

- 1. A legal duty requiring a professional to conform to certain standards of conduct for the protection of others against reasonable risks. For vocational technical teachers, this duty includes providing:
 - Adequate supervision (which includes foreseeing what a wise and prudent professional would expect to happen in a given situation).
 - Proper instruction (an active duty which is interpreted to mean that simply posting safety signs is not an adequate safety program).
 - A safe environment (which means hazards removed or controlled; adequate safety instruction provided; and safety regulations that are well known, understood, practiced, and enforced).



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- 2. A breach of this duty or failure to conform to the required standards of conduct. The breach could be classified as one of three types of behavior.
 - Misfeasance (a mistake or error)
 - Malfeasance (an evil or malicious act)
 - Nonfeasance (an error of omission)
 - 3. Actual injury.
 - 4. Proximate cause (a reasonable connection between the act and the injury).

DFFFNSF AGAINST NEGLIGENCE

Negligence on the part of an instructor is legally interpreted as any behavior, including acts of comission or omission, that does not conform to the standard of care required for the protection of students against unreasonable risk of injury. The two concepts most often considered as legal defenses against charges of negligence are ASSUMED RISK and CONTRIBUTORY NEGLIGENCE.

Assumed risk implies that the individual knew the possible outcome of his or her action. Contributory negligence means that the individual contributed to her or his injury by failing to act with reasonable care to protect him or herself. If either of these defenses is accepted, the instructor may be cleared of negligence charges. However, inherent in both of these defenses is the need to establish that the individual had received proper safety instruction and supervision. In addition, assumed risk and contributory negligence are seldom considered reasonable defenses when the safety of minor students is involved.



In the case of minor students, the courts consider the age and maturity level of the student when determining the standard of care to be expected. Instructors are expected to act "in loco parentis" (in place of the parent) in matters of safety and prudence. This concept requires the instructor to provide an even more comprehensive program of safety instruction and supervision for younger students than might be satisfactory for adult students.

Defending one's professional reputation against charges of negligence is not a pleasant experience, personally or professionally. Even a successful legal defense can be a harrowing experience and leave a cloud on an otherwise outstanding professional reputation. No instructor wants to go through this trying personal and professional ordeal. Equally important, no instructor wants students to be injured. The best legal and moral protection is an effective safety education and accident prevention program in the school laboratory or shop.

It is the duty of the vocational technical education instructor to provide adequate safety instruction, personally practice and enforce all safety regulations, foresee danger, and remove hazardous conditions. In the case of Limited English Proficient students, this duty requires some special considerations.

THE LEGAL RIGHTS OF LEP STUDENTS

A growing body of legisalation has called for educational innovations to assure equal opportunity in vocational education programs for special needs students, including those with limited English proficiency:



• 1966 - The Adult Education Act (P.L. 91-230)

This act specifically included "persons of limited English speaking ability" and encouraged not only instruction in English, but also instruction in the students' native language(s).

• 1968 - The Bilingual Education Act (P.L. 94-247)

This act specifically included "programs conducted by accredited trade, vocational, or technical schools" in its authorization of funding to establish bilingual education programs.

• 1973 - <u>The Comprehensive Employment and Training Act</u> (CETA) (P.L. 93-203)

This act required prime sponsors to provide persons with limited English speaking ability with job skills training, counseling, and placement in their native language.

• 1974 - The Education Amendments of the Vocational Education Act (P.L. 93-380)

These amendments called for increased concern for the disavdantaged including, specifically, those with linguistic

and cultural differences. Part "J" provided funds for a number of bilingual vocational training programs.

• 1976 - The Education Amendments: Title II - Vocational (P.L. 94-482) Education

This act specifically included funds for bilingual vocational training, in addition to bilingual vocational instructor training, and bilingual vocational materials development.

In addition to these pieces of federal legislation which specifically emphasize accessability to vocational education for LEP individuals, other legislation and formal court decisions are of particular interest:

• 1964 - The Civil Rights Act (P.L. 88-352)

Title VI of this Act prohibits discrimination, "on the basis race, color, or national origin." The regulations implementing this Act prohibited discrimination in any educational program receiving federal funds.

1970 - Memo issued by the Office of Civil Rights

The Office of Civil Rights, Department of Health, Education and Welfare issued the following memorandum:

Where inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its



instructional program to those students (Pottinger, 1970, p. 11595).

• 1974 - Lau vs. Nichols Decision

In March, 1970, a suit filed in Federal District Court in San Francisco against the president of the school board, Alan Nichols, alledged that Chinese speaking students were being denied equal rights to an education because they could not understand English, the language used by their teachers and their textbooks. The suit was ultimately decided by the U.S. Supreme Court in their unanimous decision of January 1974. They declared:

There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum, for students who do not understand English are effectively foreclosed from any meaningful education (p.566).

These legislative acts and formal decisions serve to mandate that individuals, including LEP persons, must receive equal access to education, and that this education be in a form that they can understand.

Since safety education is an integral part of vocational education and since instructors are legally responsible for the safety of their students,

VOCATIONAL EDUCATORS ARE LEGALLY RESPONSIBLE FOR PROVIDING LEP STUDENTS WITH

SAFETY INSTRUCTION WHICH THEY CAN UNDERSTAND.



III. ACCIDENTS ARE NOT ACCIDENTAL

Accidents do not occur because of mysterious forces or "bad luck." They are caused by ENVIRONMENTAL FACTORS, UNSAFE BEHAVIOR, and INSUFFICIENT KNOWLEDGE OR SKILL. It is important that instructors and students understand the causes of accidents and do everything possible to eliminate these causes from the laboratory, classroom, or shop.

ENVIRONMENTAL FACTORS

Improper lighting; excessive noise; and inappropriate heating, air conditioning, and ventilation are examples of environmental hazards that can and must be eliminated or controlled in the school at least as well as it is in an industrial setting.

Regular shop or laboratory safety inspections must be conducted to assure that potential health and safety hazards are identified, removed or controlled. Some of these inspections should be conducted by safety experts from industry to assure an objective point of view. Students should also be included in the regular safety inspection program to help build that important part of a safety education program SAFETY CONSCIOUSNESS.

UNSAFE BEHAVIOR

Many accidents are caused by purposeful disregard of correct maintenance and operating procedures. Ignoring a safety procedure in order to save time is an example of this type of behavior. It is essential that rules and regulations regarding the safe maintenance and use of machinery, tools, and materials be thoroughly understood and followed by everyone, including visitors.



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Accidents are also caused by carelessness, indifference, "horseplay," and similar poor work habits. Students who demonstrate poor work habits must not be allowed to continue to work in ways that might endanger themselves or others. Such students must be removed from their work stations, given remedial instruction and practice, and be closely supervised when returned to their work stations.

In the case of LEP students, it is, of course, important to determine whether unsafe behavior us the result of purposeful disregard of correct procedures or misunderstanding based on language problems or cultural differences. For example, in one machine shop on the West Coast, Vietnamese vocational students left their running machines unattended in order to greet (by bowing) a visitor who had walked in. Although these students had been instructed not to leave the machines unattended, their sense of not being rude to a visitor was evidently stronger.

The correction of these two vastly different problems (purposeful disregard vs. cultural differences) obviously requires different attitudinal approaches from the instructor.

INSUFFICIENT KNOWLEDGE OR SKILL

Lack of understanding of the proper operation and maintenance of machinery, tools, equipment, and materials is a factor contributing to many accidents. Students must be instructed in the proper operation and maintenance of each piece of machinery, tool, and equipment before they are permitted to use them.

Working with many pieces of modern machinery, power tools, equipment and supplies requires skills that can only be developed through practice over time. Therefore, in addition to instruction in the proper operation and maintenance of machinery, tools, and equipment, students must be provided with sufficient supervised practice to assure that the necessary skills have been developed.



The instructor sets the standard for safety in the classroom, laboratory, or shop through the quality of safety instruction provided, the way the area is organized and operated, and by the instructor's own personal example.

IT 1S ESSENTIAL THAT STUDENTS BE EXPOSED ONLY TO A SAFE ORGANIZATION AND USE

OF MATERIALS AND EQUIPMENT, AND BE CLOSELY SUPERVISED (See Checklist).



IV. SAFETY STRATEGIES FOR LEP STUDENTS

In an ideal situation, a vocational instructor receives specialized training in Bilingual Vocational Education, which includes techniques for cross cultural communication. However, the following twenty-one strategies can be applied by any instructor in a multicultural vocational education setting whether or not the instructor receives specialized training or speaks the students' native language(s).

- 1. Have oral safety instruction summarized by a bilingual aide or bilingual peer student.
- 2. Have the LEP student orally summarize safety instructions in English, or in the native language, to a bilingual aide or bilingual peer student.
- 3. Have the LEP student write a summary of the instruction in English or in his or her native language.
- 4. Have all students pass a written test on each segment of safety instruction. Keep the completed tests in the students' files. If necessary, provide LEP students with the test in their native language(s) with the help of a bilingual aide or colleague.
- 5. Keep records of all safety instruction. A record of safety topics covered and those still needing attention is important to program planning as well as being the instructor's legal responsibility. An accurate record documents how well the instructor is providing students



with safety instruction. Therefore, records of all instruction, tests, and translations should be kept on file.

- 6. Provide general safety rules for the classroom, laboratory or shop. It is sound practice to discuss these rules in all appropriate languages thoroughly and regularly. Have these general safety rules easily available and written in the students' native language(s), as well as in English.
- 7. Develop a written set of specific safety procedures for each piece of power equipment and machinery, in addition to chemicals and other material. Naturally, these rules should be accessable in all appropriate languages.
- 8. Have students pass a "safe operator" test before allowing them to operate power equipment and machinery.
- 9. Provide instruction about the safety features of the classroom, laboratory or shop (emergency exits, panic buttons, fire equipment, personal protective equipment, apparel, and devices, and any special safety equipment). It is, of course, essential that this instruction be in a form that the students can understand and that the instructor obtain concrete evidence that the student does understand.
- 10. Provide specific instruction in what to do in case of an emergency (fire, accident, etc.) in all appropriate languages.
- 11. Demonstrate how to check all tools and equipment before using them. Demonstration cuts through language barriers.
- 12. Demonstrate and practice only the correct and safe way to perform each operation of every task.
- 13. Have a student safety committee and include students from all language backgrounds.



- 14. Involve all students in laboratory or shop safety inspections.
- 15. Require all students to analyze and discuss potential hazards. LEP students can do this in their native language, if necessary.
- 16. Put multilingual versions of important safety information on a cassette tape for students who have difficulty reading (in English or their native language).
- 17. Post multilingual safety rules on machinery, materials, personal protective items, and safety equipment (See glossary).
- 18. Post multilingual safety signs and posters and use explicit illustrations as much as possible.
- 19. Involve the ESL, vocational ESL, and any other support staff in incorporating appropriate safety expressions in their instruction.
- 20. Use the American National Standards of Safety Color Code for marking physical hazards and explain the use of those colors in a way that students can understand.
- 21. Learn and use a few words and safety expressions in your students' native language(s). This is essential for emergency situations (See glossary).



CONCLUSION

This manual concludes with a safety checklist for instructors of LEP students, references and a bibliography, and a glossary of safety expressions in English, Spanish, Haitian Creole, and Vietnamese which can easily be expanded to include other expressions or other languages. Following the glossary is an assignment sheet to be used as an individual self check or for pre- and post-testing with a class.

It is important to note that this manual has not attempted to be a comprehensive guide to safety in Vocational Education; that subject would require an entire text. This manual has highlighted the special obligation to provide meaningful safety instruction to Limited English Proficient students, and provided some practical suggestions for instructors of LEP students and for teacher educators. Hopefully, what might appear as an unrealistic setting of overprotectiveness, will actually result in an instructional setting that protects the students from danger and the instructor from liability; and that contributes to the safe, effective, and long work life of BOTH!



CHECKLIST

1. Never leave the shop, classroom, or lab unattended when students are present.
2. Keep yourself positioned where you can view and supervise all students.
3. Avoid sending students on errands, particularly outside of the school.
4. Provide safety instruction in all appropriate languages before permitting students to operate tools and equipment or use dangerous materials.
5. Display safety posters, signs, and plaques in appropriate locations and in all appropriate languages.
6. Build safety education into all phases of your instructional program.
7. Establish a student "safety engineer" in the student personnel organization and outline her or his functions.
8. Identify students who because of handicaps or other characteristics might be more subject to accidents or injury and provide appropriate instruction and supervision.
9. Be sure all safely devices, guards, and other items of protective equipment are in working order and are being used at all appropriate times.
10. Require students to use appropriate eye protection at all times in the shop or lab.
11. By very careful in permitting students to do maintenance work or other work outside of class. Always specify in writing when outside work is an essential part of a course and make comments that such work should be done under supervision.
12. Maintain appropriate First Aid equipment and supplies.



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13. Follow school procedures when rendering First Aid to an injured student.
14. Report all accidents to the school nurse or chief of the medical division.
15. Keep reports on all accidents and send copies to appropriate persons.
16. Keep written records on file of:
a. All injuries
b. Safety tests passed
c. Cummulative lists of general and specialized safety precautions stressed in the instructional program.
d. Safety pledges and permission slips
e. Safety inspection checklists
f. Recommendations for improvements of unsafe equipment or inadequate facilities
g. Lesson plans emphasizing safety instruction
h. Safety devices and protective equipment issued
i. Safety committee or council meetings
j. Safety violations
 k. Evidence that safety instruction, tests, permission slips, signs, and precautions were provided in all appropriate languages.
17. Obtain professional liability insurance.



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MULTILINGUAL GLOSSARY

English	Spanish	Creole	Vietnamesc
1. ACCIDENT PREVENTION	PREVENCIÓN de ACCIDENTES	PRÉVANSION AKSIDAN	PHÒNG NGƯA TAI NẠN
2. CHECKLIST	LISTA de COMPROBACIÓN	LIS VÈRIFIKASION	BẬNG CHỈ DẬN TƯNG THƯ MỘT
3. CHEMICALS	PRODUCTOS QUÍMICOS	PRODUI CHIMIK	но́а нос
4. COLOR CODING	CÓDIGO de COLORES	KÒD AN KOULÈ	PHÂN CHIA THEO MÁU
5. DANGER	PELIGRO	DANJÉ	NGUY HIÊM
6. DEXTERITY	DESTREZA	ABILITÉ	KHÉOTAY
7. DO NOT ENTER	NO ENTRE (To a person) NO ENTRAR (For a sign)	PA ANTRÉ	CẨM VÀO
8. DO NOT INHALE	NO INHALE (Person) NO INHALAR (Sign)	PA RÉSPIRÉ	DÙNG HÍT VÀO
9. DO NOT PUNCTURE	NO PERFORE (Person) NO PERFORAR (Sign)	pa krévé	ĐỰNG LÀM LỰNG LÕ
10. DON'T TOUCH THAT	NO TOQUE ESO (Person) NO TOCAR (Sign)	PA MANYIN SA-A	ĐỆNG DỰNG VẬT NÀY
11. DUCK DOWN	AGACHESE (Person) AGACHARSE (Sign)	BÉSÉ	CÚI XUỐNG
12. EAR PRO- TECTION	PROTECCIÓN PARA LOS OÍDOS	PROTEKSION ZORÉY	СНЕ СНО ТАЈ
13. ELECTRICAL EQUIPMENT	EQUIPO ELECTRICO	ÉKIPMAN ÉLEKTRIK	DỰNG CỰ VỀ DIỆN
14. EMERGENCY	EMERGENCIA	IJANS	KHẨN CẤP
15. EXIT	SALIDA	SÒTI	CU'A RA
16. EXTERNAL USE ONLY	PARA L'SO EX- TERNO SOLA- MENTE	PA POU BOUÈ	CHỈ ĐỮNG NGOÀI DA



English	Spanish	Creole	Vietnamese
17. EYE PRO- TECTION	PROTECCIÓN PARA LOS OJOS	PROTÉKSION ZIÉ	СНЕ СНО МАТ
18. FIRE	INCENDIO	DIFÉ	LửA CHÁY
19. FIRE BLANKETS	FRAZADAS PARA FUEGO	LINN DIFÉ	MÊN ĐỂ CỪU HỎA
20. FIRE DRILL	SIMULACRO de INCENDIO	ANTRÈNMAN POU DIFÉ	CHUÔNG ĐỂ TẬP PHÒNG NGỦA LỦA
21. FIRE EXTINGUISHER	EXTINGUIDOR DE INCENDIOS	INSTRIMAN POU TIYÉ DIFÉ	BÌNH CỨU HÓA
22. FIRST AID	PRIMEROS AUXILIOS	PRÉMIÉ SOUIN	CỨU THƯƠNG
23. FLAMMABLE LIQUID	LÍQUIDO INFLAMABLE	LIKID KIKAB PRAN DIFÉ	CHẤT NỮỚC CHÁY DE DÀNG
24. GASOLINE STORAGE	TANQUE ALMACENAMIENTO de C ASOLINA	DÈPO GAZ)	CHỐ ĐỰNG XĂNG
25. GOGGLES	ANTEOJOS de PROTECCIÓN	LINÈT POU PROTÉJÉ ZIÉ	KÍNH ĐỂ CHE CHỔ MẤT
26. HAZARD	PELIGROSO	DANJÉ	NGUY HIẾM
27. HIGH VOLTAGE	ALTO VOLTAJE	GRO KOURAN KOURAN FO	ĐIỆN CAO THẾ
28. HOT	CALIENTE	СНО	NÓNG
29. IRRITANT	IRRITANTE	IRITAN	CHẤT HÓA HỌC LÀM KHÓ CHỊU
30. KEEP OUT	NO ENTRE (Person) NO ENTRAR (Sign)	RÉTÉ DÉYÒ	CÂM VAÒ
31. LIABILITY	RESPONSABILI- DAD	RESKONSAB	CHIU TRÁCH NHIỆM
32. LIGHTING	ALUMBRADO ILUMINACIÓN	LIMIÈ	LÀM CHO SÁNG
33. MAINTAINANCE	MANTENIMIENTO	KINBÈ AN BONÉTA	BAN SỬA CHỮA
34. MECHANICAL	MECÁNICA	MÈKANIK	MÁY MÓC
35. NO RUNNING	NO CORRA (Person) NO CORRER (Sign)	PA KOURI	CẨM CHẠY
36. NO SMOKING	NO FUME (Person) NO FUMAR (Sign)	PA FIMIN	CÂM HÚT THƯỚC
37. NUMERICAL	NUMÉRICO	NIMÉRIK	về số



English	Spanish	Creolc	Vietnamese
38. POISON	VENENO	POUAZON	THUỐC ĐỘC
39. PROTECTIVE EQUIPMENT	EQUIPO de PROTECCIÓN	EKIPMAN KI PROTÉJÉ	DUNG CU CHE CHO NGUOI
40. RISK	RIESGO PELIGRO	RIS RISK	NGUY HIỂM
41. SAFETY CONSCIOUSNESS	CONCIENCIA de SEGURIDAD	KONNIN KI PRÉKOSION POU PRAN	ĐỂ Ý VỀ AN TOÀN
42. SAFETY INSPECTION	INSPECCIÓN de SEGURIDAD	INSPÉKSION SÉKIRITÉ	THANH TRA VÊ AN TOÀN
43. SAFETY RULES	REGLAS de SEGURIDAD	RÈGLÉMAN SÉKIRITÉ	LUẬT VỀ AN TOÀN
44. SLIPPERY	RESBALADIZO	GLISÉ	TRÔN
45. STAIRS	ESCALERA	ÉSKALIÉ	CẦU THANG
46. STEP DOWN	BAJE UN PASO (Person) BAJAR UN PASO (Sign)	DÉSANN	BUỐC XUỐNG
47. STEP UP	SUBA UN PASO (Person) SUBIR UN PASO (Sign)	MONTÉ	BƯỚC LÊN
48. STOP	PARE (Person) PARAR (Sign)	RETÉ	NGtÎNG
49. TURN CLOCKWISE ONLY	MUEVA SOLAMENTE EN EL SENTIDO del RELOJ	VIRÉ SÈLMAN NAN SANS ZÉGUI RÉVÈY	QUAY THEO CHIẾU KIM DÔNG HỐ
50. TURN COUNTER- CLOCKWISE	MUEVA SOLAMENTE EN EL SENTIDO CONTRARIO del RELOJ	VIRÉ NAN SANS OPOZÉ ZÉGUT RÉVEY	QUAY NGƯỢC CHIỀU KIM DÔNG HỐ
51. VENTILATION	VENTILACIÓN	FÈ VAN	CHO THOÁNG KHÍ
52. WARNING	AVISO/ PRECAUCIÓN	AVI	COI CHƯNG
53. WATCH OUT	CUIDADO	ATANSION	NGÓ CHƯ ^Ì NG
54. WATCH YOUR STEP	CUIDADO	FÈT ATANSION	NGÓ CHƯNG BƯỚC ĐI
55. WET FLOORS	PISO MOJADO	ATÈ A MOUYÉ	XÀN ƯỚT

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ASSIGNMENT SHEET

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			THER SCHOOL DENTS OR OT		PERSONNEL	LIABL
AMAGE	S FOR HARM	TO STUD		HERS?		



5.	WHAT IS THE SPECIAL LEGAL RESPONSIBILITY OF INSTRUCTORS OF LEP VOCATIONAL STUDENTS?
6.	NAME FIVE THINGS THAT AN INSTRUCTOR OF LEP VOCATIONAL STUDENTS CAN DO TO ELIMINATE ACCIDENTS FROM THE VOCATIONAL LABORATORY, CLASSROOM OR SHOP.
	A
	B
	C
	D
	E





Illinois State Board of Education

100 North First Street Springfield, Illinois 62777

Thomas Lay Burroughs Chairman

Ted Sanders State Superintendent of Education

