

INSTRUCTIONAL SERVICES FOR LIMITED ENGLISH PROFICIENCY STUDENTS

Code **IHBEA** Issued **9/15**

Purpose: To establish the basic structure of instructional programs for limited English proficiency students in the district.

The board believes that all students, including those with limited English proficiency (LEP), should receive a high quality education within the district. As such, LEP students will be identified, have meaningful access to school programs, attain English proficiency, develop high levels of academic achievement in English, and meet the student achievement standards.

“LEP students” refers to learners who are identified as still in the process of acquiring English as an additional language, students who may not speak English at all or, at least, do not speak, understand, and write English with the same skill as their classmates because they did not grow up speaking English.

LEP students who are able to demonstrate that they can read, write, and comprehend English well enough to participate meaningfully in the district’s programs, as assessed by the district, will be reclassified. The district will periodically monitor newly reclassified students to ensure that students continue making progress.

Compliance

The superintendent or his/her designee will be responsible for implementing procedures to comply with federal and state laws. Procedures will be established to do the following:

- Identify and assess all students whose primary language is not English and therefore, have or may have difficulty performing ordinary class work in English.
- Maintain adequate records of the educational level and progress of each child identified as a candidate for LEP services and make those records available to appropriate staff members and parents/legal guardians.
- Objectively assess the progress of LEP students in order to determine when reclassification or transfer to fully English proficient programs is appropriate. Standards for exit from LEP services should be objectively based and should be designed to determine whether LEP students are able to read, write, and comprehend English well enough to participate meaningfully without such services.
- Monitor reclassified students' academic achievement to determine whether reclassified students are able to succeed in all-English programs based on their English language proficiency.

Assessment

A home language survey must be administered to all students. Based on the information in the survey, schools must give a standardized language assessment to potential LEP and migrant students to determine needs and provide alternative language program services.

LEP students will be placed with students of the same age. Classroom teachers will modify instruction, assignments, and grades to meet the needs of such students.

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An LEP student will be advanced along with his/her peers unless there is evidence that the student was held back for factors other than English proficiency.

LEP students are eligible to participate in all age-appropriate school programs and to receive all available services.

Students will be monitored for at least two years after students have exited alternative language services. Such services may be reinstated as necessary.

Parents/Legal guardians may contact the State Department of Education to file a complaint if they believe their children have been denied educational opportunities due to their English-speaking status.

Cf. IHBA, JFAA, JH, JRA

Adopted 9/8/15

Legal references:

A. Federal Law:

1. No Child Left Behind Act of 2001, Pub. L. No 107-110, 115 Stat. 1425, Section 3101. – Provides for the academic achievement of students with limited English proficiency.
2. Title IV of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000c *et seq.* - Prohibits discrimination on the basis of race, color or national origin, among other factors, by public elementary and secondary schools.
3. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d - No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance.

B. S. C. Code, 1976, as amended:

1. Section 59-63-40 - Discrimination on account of race, creed, color or national origin prohibited.

C. Federal Cases:

1. *Plyler v. Doe*, 457 U.S. 202 (1982).