

PROGRAMS OF STUDY FOR LIMITED ENGLISH PROFICIENT STUDENTS (TITLE III)

A limited English proficient (LEP) student in the State of West Virginia is classified according to the Federal government definition as described in Public Law 107-110, the No Child Left Behind Act of 2011. An LEP student is classified as one:

- A. who is aged 3 through 21;
- B. who is enrolled or preparing to enroll in an elementary school or secondary school;
- C. who was not born in the United States or whose native language is a language other than English; or
 - 1. who is a Native American or Alaska Native, or a native resident of outlying areas; and who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
 - 2. who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant;
- D. whose difficulties speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:
 - 1. the ability to meet the West Virginia Department of Education (hereinafter referred to as the "WVDE") proficiency level of achievement on State assessments;
 - 2. the ability to achieve successfully in classrooms where the language of instruction is English;
 - 3. the opportunity to participate fully in society.

The criteria for English Language Proficiency (ELP) exit LEP status) are:

- A. Student no longer meets the definition of LEP;
- B. Student no longer participates in alternative language programs nor receives monitoring services;
- C. Student scores above level five on the West Virginia state assessment for EL for two (2) consecutive years or tests proficient for two (2) consecutive years on the Alternate Assessment;
- D. Student scores at mastery level or above on the West Virginia Statewide Summative Assessment Student scores at mastery level or above on the Alternate Assessment.

The County shall identify LEP students within thirty (30) days of enrollment based on criteria established by the WVDE and available through the Office of English as a Second Language (EL)/West Virginia International Schools.

The County shall use the ELP standards as a framework for providing a scientifically research-based alternative language program. The purpose of the program is to facilitate the student's achievement of English proficiency and the academic content standards as set forth in West Virginia Board of Education Policies on instructional standards.

The County shall seek highly qualified teachers to deliver the alternative language program and shall provide on-going, sustained, annual opportunities for professional development.

The County shall annually address classroom and assessment accommodations through an LEP committee for each LEP student participating in the alternative language program.

All public school students identified as LEP shall participate in the West Virginia Statewide Summative Assessment as set forth in the West Virginia Board of Education Policy 2340 as determined by the LEP committee. Using the LEP Assessment Participation Form, the committee will annually determine the appropriate accommodations.

The County shall conduct an annual assessment of LEP students' English language proficiency using the state assessment for EL during the testing window established by the WVDE.

The County Title III Director shall be responsible for the collection and maintenance of LEP student data using the West Virginia Education Information System (WVEIS).

When the LEP student is a student with an exceptionality, as identified under West Virginia Board of Education Policy 2419, Regulations for the Education of Exceptional Students and/or Section 504 of The Rehabilitation Act of 1973, Public Law 93-112, the respective IEP Team/LEP committee or Section 504 committee/LEP committee shall determine the student's appropriate West Virginia Statewide Summative Assessment participation as set forth in Policy 2340.

The County shall promote the involvement of parents of LEP students in the educational program of their children.

The County shall exit LEP students from the alternative language program based on criteria established by the WVDE and available through the Office of EL/West Virginia International Schools.

A copy of the English Literature Proficiency Standards and Objectives for West Virginia Schools is available and incorporated into this policy.

West Virginia State Board of Education Policies 2417, 2340, 2419, 2520.1 through 19

SOURCE: Board of Education Minutes

DATE: June 4, 2012 – August 7, 2023

LEGAL REFERENCE: Public Law 107-110, the No Child Left Behind Act of 2001, Public Law 93- 112, Section 504 of the Rehabilitation Act of 1973