

LIMITED ENGLISH PROFICIENCY INSTRUCTION REGULATION

In attempting to ensure that students who are limited English proficient (LEP) receive appropriate schooling in English and curriculum areas, the school district shall:

1. in accordance with Part 117 of the Commissioner's Regulations, diagnostically screen every new entrant to the schools to determine whether they are possibly LEP* in accordance with subdivision 2-a of Section 3204 of the Education Law. It will also be determined through such screening whether the student is of foreign birth or ancestry and comes from a home where a language other than English is spoken as determined by the results of a home language questionnaire and an informal interview in English;
2. ensure that students diagnostically determined to be LEP are annually evaluated. Such evaluation will include evaluation of each student's performance in content areas to measure the student's progress;
3. ensure that all LEP students have access to appropriate instructional and support services, including guidance programs;
4. ensure that all LEP students have equal opportunities to participate in all school programs and extracurricular activities as non-LEP students;
5. annually provide the Commissioner with the following documents, in the form and by the dates prescribed by the Commissioner:
 - a. a copy of the Board of Education's policy;
 - b. a report by building of students initially identified and annually evaluated as being LEP in the preceding school year;
 - c. a report by building of the number of teachers and support personnel providing services to LEP students;
 - d. a description by building of the curricular and extracurricular services provided to LEP students; and
 - e. results of the annual evaluation of LEP students, including test data and any additional data required by the Commissioner.

The district will also distribute to the parents, or other persons in parental relation to LEP students, school-related information in English or when necessary, the language they understand, and refer LEP students who are suspected of having a disability to the Committee on Special Education (CSE).

* A student who by reason of foreign birth or ancestry, speaks a language other than English, and scores at or below the fortieth percentile on an English language instrument approved by the Commissioner, is to be classified as "LEP."

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