

Billings School District 2

INSTRUCTION

Limited English Proficient (LEP)

Identification

As defined by 20 U.S.C. Section 7801, a student is considered Limited English Proficient if the student:

1. Is between the ages of 5 and 19;
2. Is enrolled or preparing to enroll in an elementary or secondary school in accordance with the District's enrollment eligibility;

-AND-

3.
 - i. who was not born in the United States or whose native language is a language other than English; or
 - ii.
 - I. Who is an American Indian or Alaska Native, or a native of the outlying areas; and
 - II. 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
 - iii. 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;

-AND-

4. Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual –
 - i. The ability to meet the State's proficient level of achievement on State assessments;
 - ii. The ability to successfully achieve in classrooms where the language of instruction is English; or
 - iii. The opportunity to participate fully in our society.

LEP determination is initiated by one of the following:

1. Self-identified by completion of the Home Language Survey upon enrollment into Billings Public Schools,

-OR-

2. Teacher referral by completing the checklist for English Language Learners.

All referred students will be assessed using the state approved screener to determine LEP eligibility. District level assessments may also be used to aid the identification process.

LEP ASSESSMENT

Under federal law, the district is required to assess the English proficiency of English language learners annually. In addition to an initial assessment for identification and program placement, all identified LEP students must be assessed annually using the state adopted assessment for English language proficiency. This includes all LEP students who receive special education services no matter what their disability or level of service. All students, including students with IEPs, identified at the time of statewide testing as Limited English Proficient (LEP) must be accounted for when the assessment results are reported to the Department of Education (ED).

LEP SERVICES

Schools will review the academic and social needs of each eligible LEP student to determine appropriate research-based LEP supports. Supports will be aligned to the student's need for listening, speaking, reading, and/or writing instruction and will be reasonably calculated to implement research-based educational theory effectively.

LEP EXIT

Utilizing Montana's definition of English Language Learner proficiency, schools will annually review each LEP student and determine if they meet the state-adopted exit criteria.

Implementing Policy 2500 Limited English Proficiency Program

Cross References: Policy 6430 Development of Administrative Procedures

Legal References: U.S. Department of Education, Title IX General Provision 9101 (25) (20 U.S.C. 7801(25)); Elementary and Secondary Education Act, Title III, Part A (as amended), and Subsection 3302 of ESEA; Title VI of the Civil Rights Act of 1964; Equal Educational Opportunities Act of 1964

Procedure History:

Issued by Superintendent on: January 22, 2018

Presented to Board on: January 22, 2018

Revised on: October 31, 2018

Reviewed on: January 8, 2019