

ADMISSION OF LIMITED ENGLISH PROFICIENCY AND MIGRANT STUDENTS

Code **JFABE** Issued **10/15**

Purpose: To establish the basic structure for the admission of students with limited English proficiency and migrant students to schools within the district.

Students with limited English proficiency and migrant students will have equal access to the same educational opportunities as other students within the district.

A student will not be denied enrollment due to the lack of proof of immigration status and the district will not request that information from the parents/legal guardians.

Only the following two documents are required for enrollment:

- immunization records (DHEC allows a 30-day waiver for student to present records or to begin immunizations)
- birth certificates or proof of age (required for first-time enrollment of children entering kindergarten or first grade)

Parents/Legal guardians do not have to present a South Carolina driver's license or other photo ID for access to the main office in order to enroll their children in school.

Students with limited English proficiency should be placed with students of the same age.

Students with limited English proficiency and migrant students are eligible to participate in all age-appropriate school programs and to receive all available services.

The district will not deny admission to any student on the basis of race, religion, sex, disability, national origin, immigrant status or English-speaking status.

Parents/Legal guardians may contact the state department of education to file a complaint if they believe their children have been denied enrollment due to their English-speaking or immigration status.

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Legal references:

A. Federal Law:

1. No Child Left Behind Act of 2001, Pub. L. No 107-110, 115 Stat. 1425, Section 4155. - Qualifications for teachers and paraprofessionals.
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

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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. Parents Involved in Community Schools v. Seattle School District No. 1, 551 U.S. 701 (2007).
2. Plyler v. Doe, 457 U.S. 202 (1982).