

**REVISED POLICY - VOL. 9, NO. 1**

**PROGRAMS OF STUDY FOR LIMITED ENGLISH  
PROFICIENT STUDENTS**

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 2001. 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 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 (hereinafter referred to as "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~~ **at composite** level five on the ~~West Virginia Test of English Language Learning (WESTELL)~~ **West Virginia English Language Proficiency Assessment** 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 Educational Standards Tests (WESTEST), Reading Language Arts Assessment (grades 3-8 and 10) or Reading Language Arts end of course exams (grades 9 and 11);~~ **student scores at level three or four or above on the West Virginia General Summative Assessment for English Language Arts/Literacy at the assessed grade levels;**
- E. student scores at ~~mastery level~~ **target** or above on the Alternate Assessment.

"Follow Content Standard" (FCS) signifies that students should follow the content standards and objectives for Reading and English Language Arts as a guideline, implementing the ELP standard when appropriate for their grade level.

The ~~County~~ **District** shall identify LEP students within thirty (30) days of enrollment based on criteria established by the West Virginia Department of Education and available through the Office of Federal Programs.

The ~~County~~ **District** 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 State Board of Education policy 2520.1 through policy 2520.15, Content Standards and Objectives for West Virginia Schools.

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

The **CountyDistrict** 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 Measures of Academic Progress (WVMAP) as set forth in the West Virginia State 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 **CountyDistrict** shall conduct an annual assessment of LEP students' English language proficiency using the WESTELL during the testing window established by the WVDE.

The **CountyDistrict** 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 State 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 WVMAP assessment participation as set forth in Policy 2340.

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

The **CountyDistrict** shall exit LEP students from the alternative language program based on criteria established by the WVDE and available through the Office of Federal Programs.

A copy of the English Language Proficiency Standards and Objectives for West Virginia Schools is attached and incorporated by reference into this policy.

**BOARD OF EDUCATION**  
**COUNTY SCHOOLS**

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Any funds appropriated by the Legislature to the Department of Education for distribution to the School Board to supplement programs required for Limited English Proficient students as defined by West Virginia State Board policy in accordance with Federal law shall be used to supplement a program when the cost of the program exceeds the capacity of the Board to provide the program with funds available. In order to receive the funding, the Board must apply to the State superintendent.

For more information, see AG 2260F.

West Virginia State Board of Education policy 2417  
WV Code 18-9A-22

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