

**INSTRUCTION OF LIMITED-ENGLISH PROFICIENT STUDENTS (LEP)**

The Board of Education, in accordance with New York State Regulations for Pupils with Limited English Proficiency, recognizes a limited-English proficient student (LEP) as one who:

- a. Is of foreign birth or ancestry, and
- b. Speaks a language other than English, and
- c. Speaks little or no English, and
- d. Scores at or below the statewide reference point in Reading or its equivalent on an English Language assessment instrument approved by the New York State Commissioner of Education.

The Board believes that these students will be more effective learners if they receive instruction in both their native language and English. Furthermore, the Board supports the idea of developing proficiency in two languages, one of which must be English, and that the linguistic and cultural diversity and background of the limited-English proficient student be valued as an asset.

The Board will ensure that limited-English proficient students be provided the appropriate programs which will allow them to meet the same benchmarks (district and state) as the general student population and to meet all graduation requirements. The students participating in these programs will be afforded equal access to all initiatives, resources and programs provided by the district. The Board recognizes and supports the following programs as Programs for Limited-English Proficient Students:

Transitional Bilingual Education Program:

A transitional bilingual educational program refers to a program of instruction for limited-English proficient students designed to help the students acquire proficiency in English while learning the subject areas in the native language and English.

Should twenty (20) or more limited-English proficient students with the same native language all at the same grade level, all attend the same school building in the district, such students shall be provided with a bilingual education program. Such programs shall be composed of:

1. English as a second language (ESOL) instruction which emphasizes listening, speaking, reading, writing, and communication skills in English;
2. Instruction in the student's native language, including all native language art skills, knowledge of the history and culture associated with the student's native language;
3. Content area instruction in the native language and English.

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### Freestanding ESL:

Should fewer than twenty (20) LEP students with the same language, at the same grade level, attend the same school building in the district, such students shall be provided with a free-standing English as a second language (ESOL) program. Such program shall be composed of:

1. English-as-a-second-language (ESOL) instruction which emphasizes listening, speaking, reading, writing and communication skills in English; and
2. Subject area instruction using ESOL methodology.

### Dual Language Programs:

The district will provide opportunities for students to participate in programs that will foster bilingualism, bi-literacy and biculturalism. These programs include LEP, former LEP and English-proficient students.

### Native Language Arts Courses:

The district also provides opportunities for Hispanic students both non-LEP and former LEP students to enroll in Native Language Arts courses in Spanish for the purpose of continuing the maintenance of their own language, fostering bilingualism and bi-literacy and learning the culture, history and literature of their own language group.

### Learning through English Academic (LEAP) Program:

The Learning through English Academic (LEAP) Program is a self-contained English immersion program for limited-English proficient (LEP) students at the elementary and middle school level, the goal of the (LEAP) program is to develop English language and literacy competency as well as cognitive academic growth of limited-English proficient students through content area subjects. The program is also designed to facilitate positive psychological adjustment for life in a complex multicultural society.

The Superintendent shall develop appropriate administrative regulations to ensure that all limited-English proficient students be identified and placed in appropriate educational programs. These regulations will be in accordance with the laws of the State of New York and the regulations of the New York State Commissioner of Education.

An annual report on the instructional programs for LEP students will be prepared and submitted to the Board of Education by the Superintendent at the end of each school year. The programs will be reviewed and evaluated with reference to students' progress, effectiveness of the program and the attainment of the district's Benchmarks.

Cross-ref: 4325, Compensatory Education Ref: Education Law §3204  
Bilingual Education Act of 1974, §§701 et seq., 20 USC §§880b et seq.  
Equal Educational Opportunities Act of 1974, §§201 et seq.,  
20 USC §§1701 et seq.  
8 NYCRR §§80.9; 80.10; 117; 154 et seq.  
*Lau v. Nichols*, 414 U.S. 563 (1974)  
*Rios v. Read*, 480 F. Supp. 14 (1978)  
*Cintron v. Brentwood UFSD*, 455 F. Supp 57 (1978)  
*Aspira of New York v. Board of Educ. (City of New York)*, 394 F. Supp. 1161 (1974)