

LIMITED ENGLISH PROFICIENT STUDENTS

Programs to improve the education of children with limited English proficiency shall be provided for all students who qualify.

Assessments

1. The English proficiency of all students with limited English proficiency shall be assessed annually.
2. The School Board accepts and provides programs for students for whom English is a second language who entered school in Virginia for the first time after reaching their 12th birthday, and who have not reached age 22 on or before August 1 of the school year. No tuition is charged such students, if state funding is provided for such programs

Notification

1. The School Board, not later than 30 days after the beginning of the school year, informs the parents of an English learner identified for participation in, or participating in, a program for English learners, of
 - the reasons for the identification of their child as limited English proficient and in need of placement in a language instruction education program;
 - the child's level of English proficiency, how that level was assessed, and the status of the child's academic achievement;
 - the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;
 - how the program in which their child is, or will be participating will meet the educational strengths and needs of the child;
 - how such program will specifically help their child learn English, and meet age-appropriate academic achievement standards for grade promotion and graduation;
 - the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for children with limited English proficiency, and the expected rate of graduation from secondary school for such program;
 - in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
 - information pertaining to parental rights that includes written guidance

- detailing the right that parents have to have their child immediately removed from such program upon their request and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available, and
 - assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the school division.
2. For a child who has not been identified for participation in a language instruction education program prior to the beginning of the school year, the School Board shall provide the notice detailed above within 2 weeks of the child being placed in the program.
 3. The notification described above will be provided to parents in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.
 4. Students may be accepted and provided English-Second language programs if they entered school in Virginia for the first time after reaching their 12th birthday, and who have not reached age 22 on or before August 1 of the school year.
 5. No tuition shall be charged such students, if state funding is provided for such programs.

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Legal References: 20 U.S.C. sections 6311, 6825, 7012.
Code of Virginia, 1950, as amended, §§ 22.1-5, 22.1-53.13:4.

Cross Reference: IA Instructional Goals and Objectives
IGBC Parental Involvement