

## **SUBJECT: INSTRUCTION FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY**

The Board recognizes its responsibility to ensure that students of foreign birth or ancestry, who have limited English proficiency, are provided with an appropriate program of bilingual transitional education or a free-standing program of instruction composed of English as a Second Language component. Regulations and procedures shall be developed pursuant to the Regulations of the Commissioner to:

- a) Identify those students with limited English proficiency by means of a diagnostic screening of new entrants and provide a program of bilingual education or English as a Second Language for eligible students. A plan shall be developed to meet the educational needs of each student and proficiency will be measured annually by a language assessment instrument in order to determine further participation by a student. The plan will include assessment of each student's performance in content areas to measure the student's academic progress. State mandated tests may be offered in a student's native language.
- b) Ensure that such students have access to appropriate instructional and support services, including guidance programs pursuant to Commissioner's Regulations, and the opportunity to participate in BOCES educational programs, including all existing extracurricular programs and activities, which are available to all other students enrolled in BOCES courses and/or programs.

A student whose score on an English language assessment instrument as specified in Section 154.2(a) of the Commissioner's Regulations is a result of a disability shall be provided special education programs and services in accordance with the individualized education program (IEP) developed for such student and shall also be eligible for services pursuant to Part 154 of the Commissioner's Regulations when these services are recommended in the IEP.

The parent/guardian of a student identified as limited English proficient shall be informed in his/her native language, if necessary, of the student's placement in an instructional program.

The District Superintendent shall ensure that all data required by the Commissioner's Regulations is submitted to the State Education Department in a timely manner.

Education Law Section 3204(2)(2-a)  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 80.9, 100.2(g), 117, and 154

Adopted: 7/10/02