

(X) Required

( ) Local

(X) Notice

**LIMITED ENGLISH PROFICIENCY INSTRUCTION**

The Board of Education believes that students who, by reason of foreign birth or ancestry, have limited English proficiency, will be more effective learners of both the language and the curriculum if they receive instruction in both their native language and English. The district will therefore make every effort to ensure that limited English proficient (LEP) students are provided with an appropriate program of transitional bilingual education or free-standing English as a second language program.

Pursuant to this policy and the regulations of the Commissioner of Education, the Superintendent of Schools is directed to develop appropriate administrative regulations to ensure that LEP students are:

1. diagnostically screened for limited English proficiency, in accordance with Part 117 of the Commissioner's Regulations. Those students who according to their scores are identified as LEP will be annually evaluated. Included in the evaluation shall be each student's performance in content areas to measure academic progress;
2. assured of access to appropriate instructional and support services, including guidance programs; and
3. assured of having equal opportunities to participate in all school programs and extracurricular activities as non-LEP students.

The Superintendent shall be responsible for ensuring that the Commissioner is provided with all information required under the Commissioner's Regulations and that the district provides appropriate school-related information to the parents of LEP students in English, or when necessary, in the language they understand. In addition, the Superintendent shall ensure that all teachers employed for any bilingual and/or ESL program are properly certified in accordance with the Commissioner's Regulations.

Ref: Education Law §3204  
Bilingual Education Act of 1974, §§701 et seq., 20 U.S.C. §§880b et seq.  
Equal Educational Opportunities Act of 1974, §§201 et seq.,  
20 U.S.C. §§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)

HUDSON CITY

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Aspira of New York v. Board of Educ. (City of New York), 394 F. Supp.  
1161 (1974)

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