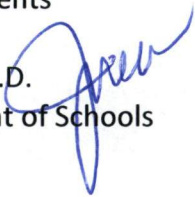


MEMORANDUM

TO: County Superintendents

FROM: Jorea M. Marple, Ed.D.
State Superintendent of Schools 

DATE: January 10, 2012

RE: Maintaining Commitment to Serve Limited English Proficient (LEP) Students

In December of 2010, the West Virginia Department of Education (WVDE) issued a memo to county superintendents titled *Fidelity in Implementing Programs for Limited English Proficient (LEP) Students*. The intent of that memo was to respond to the national call for states and districts to review enrollment procedures to ensure equal access to public education at the elementary and secondary level. As we continue to personalize learning and place individual student welfare at the core of our work, we are reminded of the commitment to serve all learners.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, or national origin by recipients of federal financial assistance. The Title VI regulatory requirements have been interpreted to prohibit denial of equal access to education because of a language minority student's limited proficiency in English. Specifically, Public Law 107-110, the *No Child Left Behind* Act of 2001, specifies that Local Education Agencies (LEAs) are required to increase the English proficiency of limited English proficient children by providing high-quality language instruction educational programs that are established on scientifically-based research (Title III, Part A, Section 3115(c)(1)).

In order to maintain commitment to personalized learning for all students, the West Virginia Department of Education is requesting that **all counties examine the quality of services that are provided to LEP students**. Of particular importance, districts are asked to thoroughly evaluate the effectiveness of the following elements of the county LEP program and identification process:

- District screening process to accurately identify all students with a home or native language other than English, including use of an integrated home language survey on the county's enrollment form, and provide an assessment to determine LEP status;
- District procedures to ensure proper coding of LEP students in WVEIS and the process for updating these data files;

County Superintendent
Page Two
January 10, 2012

- District process for providing professional development regarding county identification and instructional services policies for all affected staff;
- Securing an appropriate number of highly-qualified (ESL-endorsed) staff to provide instructional services;
- Establishing appropriate and personalized levels of service for individual LEP students that will address the current level of English proficiency of the student and will promote annual growth;
- District process for ensuring that all LEP students are administered the WESTELL exam annually; and
- Community participation opportunities that include family literacy services, parent outreach and training activities for LEP students and their families;

Resources and guidance documents for these requirements are available at <http://wvconnections.k12.wv.us>. Robert Crawford (rcrawford@access.k12.wv.us) and Mami Itamochi (mitamochi@access.k12.wv.us) from the Office of Title II, III and System Support are available to provide technical assistance upon request.

Thank you for your immediate attention to the issues identified in this correspondence and your continued commitment to provide quality educational services to all students.

JMM:RAC:dsr