Data Reporting Sheet: LEP Students

LEP Students

For data reporting purposes, LEP students refer to Limited English Proficient students (or ELL - English Language Learners). New York State (NYS) must collect and report data on several accountability groups, including LEP Students, in order to meet the requirements of the federal No Child Left Behind (NCLB) Act and New York's Elementary and Secondary Education Act (ESEA) waiver. Annual Yearly Progress (AYP) and Performance Indices (PI) are determined for LEP Students.

Determining Eligibility

The New York State Identification Test for English Language Learners (NYSITELL) is used to assess the English language proficiency of new entrants whose home language is other than English, as indicated on their Home Language Questionnaire, and who speak little or no English. Students who score below a State-designated level of proficiency on the NYSITELL are considered eligible for placement in bilingual education and/or English as a Second Language (ESL) services. Subsequently, student scores on the New York State English as a Second Language Achievement Test (NYSESLAT) determine continued eligibility. *(See Assessments section.)*

Reporting LEP Students

LEP students must be reported in the Student Information Repository System (SIRS) according to the specific guidelines highlighted below. For more information, please refer to the SIRS Manual at
http://www.p12.nysed.gov/irs/sirs/home.html.

LEP Eligible

Students who are eligible for services based upon their NYSITELL and/or NYSESLAT result(s) must have a Program Service Record with Code 0231 – LEP Eligible.

Location: District of Responsibility's BEDS Code.
Entry Date: Date of eligibility decision.
Exit Date: Required **only** if the student achieved proficiency on all four modalities of the NYSESLAT (Listening, Speaking, Reading, and Writing).

❖ The date recorded should be June 30 of the academic year in which the student reaches proficiency.
❖ An "Exit Date" should **not** be used when the student leaves the district or graduates.

Exit Reason: Use Code 849 when the student achieves English proficiency.

LEP Programs

LEP Eligible students should also have a Program Service record with one of the following LEP Program Service Codes based on the service being received:

  Code 5709 – English as a Second Language
  Code 5676 – Bilingual Program
  Code 5687 – Two-way Bilingual Education Program
  Code 5698 – LEP - Other Programs
  Code 8239 – LEP Eligible but not in a LEP Program

Location: District of Responsibility's BEDS Code.
Service Provider: BEDS Code of Building Providing the Program Service.
Entry Date: Date LEP program service begins.
Exit Date: Date that student tests above a State-designated level of proficiency or changes LEP programs.
Exit Reason: Not used.

Years Enrolled in a Bilingual or ESL Program

Each student identified as LEP Eligible must also have the data element Years Enrolled in a Bilingual or ESL Program entered in his or her Demographic record. This data element, also referred to as LEP Duration, indicates the number of cumulative years the student has received services in a bilingual or ESL program in NYS schools.

Note: Report one year for students with **up** to one year of bilingual or ESL instruction. Zero should only be used if the student has never received services.

Funding

NCLB Funded Program Services include those referred to as Title III *(see below)*. The appropriate code must be assigned to each LEP student if s/he is being served in a program supported by Title III funds.

Note: Students can be LEP Eligible without an NCLB funding code, but they cannot have one of these Title III funding codes without being LEP Eligible.

Title III: Language Instruction for Non-Immigrant LEP Students — Code 5720

Location: District of Responsibility's BEDS Code.
Service Provider: BEDS Code of Building Providing the Program Service.
Entry Date: Date service began.
Exit Date: Not used.
Exit Reason: Not used.

Title III: Language Instruction for Students that are both LEP & Immigrants — Code 5731

Location: District of Responsibility's BEDS Code.
Service Provider: BEDS Code of Building Providing the Program Service.
Entry Date: Date service began.
Exit Date: Not used.
Exit Reason: Not used.

Assessments

NCLB requires that the reading/language arts proficiency of LEP students be measured as part of the school accountability program. NYS provides the NYSESLAT as the assessment of English language proficiency for LEP students. Once identified as LEP, a student must score at the proficient level in all four modalities of the NYSESLAT (Listening, Speaking, Reading, and Writing) to be considered English proficient.

English Language Arts

All LEP students in grades K–12, including ungraded age-equivalent students, must take the NYSESLAT, even if they take a grade 3–8 ELA assessment; the Regents Comprehensive Examination in English; an RCT in reading or writing; or the NYSAA in ELA.

The United States Department of Education has approved a one-time use of the NYSESLAT in lieu of the 3–8 NYSTP in ELA to meet the NCLB participation requirement for AYP in elementary/middle-level ELA.

LEP students (including those from Puerto Rico), who on April 1 of the current school year will have been attending school in the US for less than one year, are eligible and must be reported with **Program Service Code 0242 — Eligible to take the NYSESLAT in lieu of the Grades 3-8 ELA for Accountability.**

Note: Failure to report the 0242 Program Service code may result in the student being listed as Not Tested and may affect Accountability.

Location: District of Responsibility's BEDS Code.
Entry Date: July 1 of current year or date of enrollment (if later than July 1).
Exit Date: Not used.
Exit Reason: Not used.

Other State Assessments

LEP students must take all of the required State assessments appropriate to their grade. Most of these tests are administered in the student's native language. Schools are advised to obtain local translations for students for whom a State alternative-language edition is not available in their first language, particularly if the student is receiving instruction in the first language. To ensure students receive valid test results, districts and charter schools are permitted to offer LEP students accommodations approved by NYSED.