# **Title I/Title III Notification Requirements for LEP Parents**

Under Section 1112(e)(3)(A) of the *Every Student Succeeds Act of 2015* (ESSA) school divisions accepting Title I, Part A, and/or Title III, Part A, funds must notify the parents of all identified English learners (ELs) of their child’s placement in a language instruction educational program (LIEP).

**For All ELs:**

The parent notification letter must be provided **annually** to the parents of **all** ELs at proficiency levels 1.0-4.3 within 30 calendar days at the beginning of the school year, or within 14 calendar days after the beginning of the school year. The letter must be in a language the parents understand. Title I and/or Title III funds may be used for translation and postage costs.

It is strongly recommended to:

* Date the letter;
* Mail the parent notification letter rather than include it in student backpacks;
* Obtain parental signature(s) indicating consent to the student’s LIEP placement. The parental signature(s) should be retained in the student scholastic folder; and
* Retain evidence of the distribution of the parent notification letter for federal monitoring purposes.

**For “Opt-out” ELs:**

Before LEP parents remove (“opt-out”) the student from LIEP services, it is strongly recommended that school divisions meet with the parents to fully inform them about:

* The impact that “opting-out” of LIEP services may have on the student’s academic achievement.
* The instructional supports outside LIEP services that will be provided to the student to assist him or her in acquiring English proficiency.

***Note:*** Under federal civil rights requirements, if LEP parents choose to “opt-out”

the student from LIEP services, the school division’s obligation to provide instructional

supports for English acquisition [outside LIEP services] is not waived.

If LEP parents choose to “opt-out” the student from LIEP services, it is strongly recommended that school divisions obtain parental signature(s) confirming they have chosen this option and retain parental signature(s) and documentation of the parent meeting in the student’s scholastic folder.

For federal tools and resources to support “opt-out” ELs, refer to [Chapter 7](https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap7.pdf) of the EL Toolkit.

(jointly released by USED and USDOJ, 2015-2016)

**LEP Parent Communication:**

Under federal civil rights requirements, school divisions must provide language assistance through a qualified interpreter/translator to LEP parents if requested. Students, siblings, family members, and untrained school staff do not constitute qualified interpreters.

For information about federal requirements for providing language assistance to LEP parents, refer to [Chapter 10](https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap10.pdf) of the EL Toolkit.

The following federally required elements **must** beincluded in the parent notification letter:

**English Learner (EL) Identification:**

The reasons for identifying the child as an English learner (EL) and the need to place the child in a language instruction educational program if the student is determined to be an English learner.

**Recommended for Inclusion:**

* A notation that identifying English Learners for language assistance services is federally required (Title VI of the *Civil Rights Act of 1964*);
* An explanation that the Home Language Survey or student enrollment forms indicated that a language other than English is spoken by the student and/or is present in the student’s home resulting in:
* administering a screening to the student to determine the English proficiency level

 *or*

* determining the English proficiency level based on the student’s previous ACCESS for ELLs assessment results

**English Language Proficiency Screening Assessment Results:**

The child’s level of English proficiency, how the level was assessed, and the status of the child’s academic achievement.

**Recommended for Inclusion:**

* A notation of the student’s English proficiency level based on the WIDA screening instrument results or ACCESS for ELLs assessment results; and
* A notation that the student is eligible for participation in language instruction educational program (LIEP) services.

**Language Instruction Educational Program (LIEP) Description**

* The method of instruction used in the program in which the child is, or will be, participating, and the methods of instruction used in other available programs, including how the programs differ in content, instruction goals, and the use of English in instruction;
* How the program in which their child is, or will be, participating will meet the educational strengths and needs of their child; and
* How the program will specifically help their child learn English and meet age appropriate academic standards for grade promotion and graduation.

**Recommended for Inclusion:**

* A description of the LIEP model(s) available in the school division. School divisions may also choose to provide the description of the LIEP model(s) on a separate form that accompanies the parent notification letter;
* An indication of which LIEP model(s) the student will participate in (this can be in the form of a checklist); and
* An explanation of how the LIEP model(s) will help the student meet state content standards and acquire English proficiency. This explanation could include the types of instructional supports provided in the LIEP model(s).

**Example Model Descriptions:**

Newcomer Program

Designed for students at ELP levels 1.0 through (*to be determined by the division*) who are newly arrived in the U.S. to acquire beginning English language skills as well as core academic content while acculturating to the U.S. school system.

English as a Second Language (ESL) or English Language Development (ELD)

LIEP services are typically provided outside the mainstream classroom to individual ELs or ELs in small groups who may be clustered by proficiency level. This model may include Sheltered ESL classes.

Content Classes with Integrated ESL Support

ELs simultaneously develop core academic content knowledge and English proficiency through LIEP services provided to ELs individually or to small groups of ELs within the mainstream classroom. This model may include collaboration between the classroom and LIEP teacher.

Transitional Bilingual

ELs are grouped in a self-sustained classroom. Initially, students receive a portion of instruction in their primary language to develop content knowledge. However, English will increasingly serve as the language of instruction to promote the transition to English.

Dual Language

ELs and non-ELs are placed in the same classroom to develop academic proficiency in both the primary language and English as well as promote cultural competency. Both the primary language and English serve as the language of instruction.

**LIEP Exit Requirement and Expected Rate of Graduation**

The specific exit requirements for the program, including the expected rate of transition from the program into classrooms that are not tailored for ELs, and the expected rate of graduation from high school.

**Recommended for Inclusion:**

* An explanation that the student’s English proficiency level will be assessed annually using the ACCESS for ELLs assessment;
* An explanation that the EL designation is removed from the student when he or she achieves an overall composite score of 4.4 or above;
* An explanation that research indicates the time period for transition from receiving LIEP services to integration into mainstream classrooms without LIEP support is typically within 5 years; and
* For the expected rate of graduation from high school, school divisions may choose the state or school division four-year on-time cohort graduation rate for high school students.

**EL Students with Disabilities**

In the case of a child with a disability, how the program meets the objectives of the student’s individualized education program as described in section 614(d) of the Individuals with Disabilities Act (20 U.S.C.1414(d)); and S.1177-58.

**Recommended for Inclusion:**

* An explanation that an EL identified as both a student with a disability and an English learner will receive special education and LIEP services.

**Parental Rights**

Written guidance regarding parental rights to include: 1) detailing the right that parents have to have their child immediately removed from the program upon parental request; 2) detailing the right that parents have to decline to enroll the child in the program and/or choose another program or method of instruction, if available; and 3) assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered.

**Recommended for Inclusion:**

An explanation that parents have the right at any time to:

Discuss with school or division staff:

* How a selected LIEP model assists ELs in acquiring English proficiency and meeting state content standards; and
* The time period for transition from receiving LIEP services to integration into mainstream classrooms without LIEP support for a selected LIEP model.

Request:

* Student removal from LIEP services (“opt-out”);
* Student participation in LIEP services if previously “opted-out”; and
* Student participation in another LIEP model (if available).

It is strongly recommended that school divisions obtain parental signature(s) to indicate consent to the student’s LIEP placement or the decision to “opt-out” the student from LIEP services. Parental signature(s) should be retained in the student’s scholastic folder.

**Please contact Stacy Freeman, Title III Specialist, with any questions about the parent notification letter or process at 804-371-0778 or** **Stacy.Freeman@doe.virginia.gov****.**