Definition of Limited English Proficient (LEP) Students

An LEP student in the Commonwealth of Virginia is classified according to the federal government definition as described in Public Law 107-110, the *No Child Left Behind Act of 2001*.

An LEP student is classified as one:
(A.) who is aged 3 through 21;
(B.) who is enrolled or preparing to enroll in an elementary school or secondary school;
(C.) (i.) who was not born in the United States or whose native language is a language other than English; and who comes from an environment where a language other than English is dominant
OR
(ii.) (I.) who is a Native American or Alaska Native, or a native resident of outlying areas; and (II.) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency;
OR
(iii.) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant;
AND
(D.) whose difficulties speaking, reading, writing, or understanding the English language may be sufficient to deny the individual – (i.) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3); (ii.) the ability to achieve successfully in classrooms where the language of instruction is English; or (iii.) the opportunity to participate fully in society. [P.L. 107-110, Title IX, Part A, Sec. 9101, (25)]