

## LIMITED ENGLISH PROFICIENT DEFINITION

### TITLE III, PART A

The term "**limited English proficient**," when used with respect to an individual, means an individual

- (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;
  - (ii) (I) who is a Native American or Alaska Native, or a native resident of the 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;
  - (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 in 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 successfully achieve in classrooms where the language of instruction is English; or
  - (iii) the opportunity to participate fully in society.

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Source: Federal Public Law 107-110, The No Child Left Behind Act of 2001, Title IX, General Provisions, Part A Definitions, Section 9101(25)

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