

Programs of English Language Learners

	Page
Introduction	1
What You Need to Know	2
Assessments Required of ELL Students	2
NCLB Definition of a “Limited English Proficient” Student	4
US Department of Education Relaxes ELL First Year Testing Provisions	5
Action Opportunities for Community Leaders	5
Action Opportunities for Parent Leaders	6
Resources	7

Did You know...

- There are 5.5 million ELL students in U.S. public schools who speak more than 400 different languages. Eighty percent of ELL students speak Spanish as their first language. This constitutes more than 12 percent of those students in public elementary and secondary schools.

Title I, Section 1112 NCLB Title III, Sections 3113, 3212, 3213, 3247, 3302

ELL provisions are included under Title I and Title III of NCLB. Title I outlines the state standards, assessment, annual yearly progress, and other accountability requirements for ELL students. Title III provides funding to state and local education agencies who are obligated by NCLB to increase the English proficiency and core academic content knowledge of Limited English Proficient students (another term is ELL-English Language Learners, although NCLB uses the term “LEP” for Limited English Proficiency). Under this title, local school districts decide on the method of instruction to be used to teach ELL students English, but requires that instructional programs to be scientifically proven to be effective.

State education agencies, school districts and schools must:

1. Ensure that ELL students, including immigrant children and youth, develop English proficiency based on state expectations, and meet the same academic content and achievement standards that all children are expected to meet.
2. Provide parental notification as to why their child is in need of placement in a specialized language instruction program.
3. Administer reading assessments using tests written in English to any student who has attended school in the United States for 3 or more consecutive years, unless it is determined by the school district, on a case-by-case basis, that native-language tests will yield more accurate results.
4. Test at least 95% of those students identified as ELL in reading/language arts and math, and by 2006 in science, required by all public school students in the state. The assessment should be designed to provide information on the proficiency of ELL students to master English.
5. Assess in a language and a format most likely to elicit the above information and which would allow the state and local school district to make testing accommodations (such as developing an assessment in a student’s native language, providing translation help and/or conducting an oral test).
6. Report the tests scores of ELL students as one of the subgroups to be disaggregated, and as part of the state, district and school test scores for all of the students.
7. Involve ELL parents in the decision-making process of Title III programs and activities at both the state and local levels.

Programs for English Language Learners

What You Need to Know

Title III funds are to be used to provide language instruction educational programs—defined as courses in which ELL students are placed for the purpose of attaining English proficiency, while meeting challenging State academic content and student academic achievement standards. These programs may make use of both English and the child’s native language to enable the child to develop and attain English proficiency, but school districts are required to “use approaches and methodologies based on scientifically-based research.” Each school or district using Title III funds must implement an effective means of outreach to parents of ELL children. They must inform parents about how they can be active participants in assisting their children to learn English, achieve at high levels in core academic subjects and meet State standards.

Assessments Required of ELL Students

There are two assessments required of ELL Students:

1. All ELL students must be included in the state assessment required of all students. Inclusion in this assessment must begin immediately when the student enrolls in school, and no exemptions are permitted on the basis of English proficiency. For the first three years, however, ELL students may take the assessment in the student’s native language, but the assessment must be aligned with the state content and achievement standards. After three years of attending school in the United States, a student **MUST** be assessed in reading/language arts in English, unless the school district determines, on a case-by-case basis, that a native language assessment would yield more accurate and reliable information.
2. Districts must annually assess ELL students on their English language proficiency to determine how proficient they are in listening, speaking, reading and writing, and this proficiency data must be sent to the state for compilation. Each state is required to set annual measurable objectives for school districts in moving ELL students toward English proficiency.

State Education Agencies Must:

- Determine how they will define the ELL subgroup. The state may narrowly define the subgroup as only those students receiving direct, daily ELL services; or a state could define the group more broadly to include those students receiving direct services and students being monitored based on their achievement on academic assessments.
- Explain in their Title III application how the state plans to increase ELL student’s English proficiency in four domains: speaking, listening, reading and writing;
- Describe how the state will align the above objectives with the challenging states academic standards;
- Consult parents when developing the annual measurable achievement objectives used to monitor the academic progress of ELL students.
- Provide assurances that schools districts, education-related community groups and non profit organizations, parents, teachers, school administrators and researchers were involved in developing the annual measurable objectives for ELL students

Programs for English Language Learners

Title III Schools and School Districts Must:

- Describe in their Title II application to the state how the district has consulted with teachers, researchers, administrators, and parents, and others in developing their Title III plan.
- Inform parents of a child identified for participation in a Title III program within 30 days after the beginning of the school year. For a child who enters school after the beginning of the school year, the school must inform parents within two weeks of the child's placement in such a program.
- Communicate with parents in an understandable and uniform format, which means communicating the same information to all parents, and in a method that is effective.

Title III School Districts Must Inform Parents of:

- The reasons for identifying their child as being limited English proficient and for placing their child in a language instruction educational program for LEP students;
- The child's current level of English proficiency, including how the level was assessed and the status of the child's academic achievement;
- The method of instruction that will be used in the program, including a description of all language programs;
- How the program will meet the educational strengths and needs of the child;
- How the program will help the child learn English and meet academic achievement standards;
- How the program will meet the objectives of an individualized education program for a child with a disability;
- The program exit requirements, including when the transition will take place and when graduation from secondary school is expected; and
- The parents rights, including **written guidance** that (A) specifies the right to have their child immediately removed from a language instruction educational program upon request, (B) describes the options that parents have to decline to enroll their child in such a program or to choose another program or method of instruction, if available, and (C) assists parents in selecting among various programs and methods of instruction, if more than one program or method is offered.

School Districts Required to Notify Parents of Student Academic Failure:

- Local school districts are required to provide notice to the parents of ELL children participating in a Title III program of any failure of the program to help the child make progress on annual measurable achievement objectives. This notice is to be provided no later than 30 days after this failure occurs and must be provided in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

Programs for English Language Learners

NCLB Definition of a “Limited English Proficient” Student

An LEP (or ELL) student is an individual age 3-21, who is enrolled (or about to enroll) in a U.S. elementary or secondary school and meets these two requirements:

Belongs to one of the following categories:

1. Was not born in the United States or speaks a native language other than English:
 - Was not born in the United States or speaks a native language other than English:
 - Is a Native American, Alaska Native, or native resident of outlying areas and comes from an environment where language other than English has had a significant impact in the individual’s level of English language proficient,
 - Is migratory, speaks a native language other than English, and comes from an environment where language other than English is dominant.
2. May be unable, because of difficulties in speaking, reading, writing, or understanding the English language, to
 - Score at the proficient level on state assessments of academic achievement;
 - Learn successfully in classrooms where language of instruction is English; or
 - Participate fully in society

Title III Funds May Be Used for the Following School District and/or School Activities:

- English Instruction
- Staff training and professional development
- Curriculum development
- Remedial tutoring, tutorials, and/or youth counseling
- Technology acquisition
- Parent Involvement
- Support for teacher aides trained to provide services to ELL students

Programs for English Language Learners

What Academic Information Does Your School District Have to Track About Their ELL Students?

- Must report the district's ELL students' results from the ELL English proficiency assessment;
- How many ELL students are attaining proficiency by the end of each school year;
- Show what percentage of the district's ELL students:
 - Are making progress in English proficiency;
 - Have achieved English proficiency; and
 - Have transitioned out of the ELL program, meaning that they are no longer in ELL classrooms and are proficient enough to achieve academically in English.

US Department of Education Relaxes ELL First Year Testing Provisions

Under the new regulations announced on February 19, 2004, by the US Department of Education, states will be permitted to grant a one-year transition period for English-language learners in their first year in U.S. public schools. This means that states and local school districts could exempt first year students from taking the reading/language arts assessment, but would have to take the mathematics assessment, with accommodations if appropriate. However, states would not have to include these scores in the AYP calculations. In addition, for AYP calculations, states would be allowed for up to two years to include in the ELL subgroup students who have attained English. These students would still be required to take the English proficiency test.

Action Opportunities for Community Leaders

- Get a copy of the LEA Title III plan and find out which community organizations gave input to the plan as required by law. Offer your services and expertise. Use the planning process as a community-building activity and involve the larger community in the plan's development.
- Find out what test your state will be using to measure academic achievement objectives for ELL students. If not in the child's native language, find out how they intend to determine progress.
- Ask about SEA or LEA plans to subcontract with community based organizations (CBOs) to provide teachers and educators with professional development and training in developing effective means of working with LEP students.
- Ask about SEA or LEA plans to subcontract with CBOs to provide outreach and literacy services to parents and families of LEP students.
- Take the opportunity to build or enhance community service links, such as social services, preventive health programs, parenting training, drug and substance abuse programs, and supplemental language

Programs for English Language Learners

- Monitor the instructional progress of LEP students. Work with school districts, policymakers, and elected officials to ensure that LEP students have appropriate resources and materials to adequately support their instructional program.
- Work with parents and community representatives to ensure that NCLB provisions are implemented.
- Educate parents and community representatives about the provisions of Title III and what their rights are under the law. Organize community dialogues and town meetings to bring together parents of various language and ethnic groups to discuss critical educational and instructional issues.
- Track the use of Title III funds to make sure they are being spent appropriately.

Action Opportunities for Parent Leaders

- Get a copy of the LEA Title III plan and find out how parents and families are included in the development of LEP objectives, and the ways in which the district plans to include literacy opportunities for families.
- Ensure that the school district communicates with parents in a language they can understand.
- Become familiar with the various LEP programs offered by the school district and the benefits and drawbacks of each.
- Make sure you know what resources are available in the school and in the community to support ELL students and their families.
- Title III provides funds for professional development. Make sure these funds are being used appropriately and effectively.
- Make sure that instructors of Title III programs are trained and certified to work with ELL students.
- Paraprofessionals may act as translators providing instructional support services but they must be under the direct supervision of a certified teacher.

Programs for English Language Learners

Resources

Closing the Gap for English Language Learners- a presentation at the OELA Summit Dec. 2003:
http://www.ncela.gwu.edu/oela/summit2003/Presentations/closing_the_gap.pdf

Education Trust:
<http://www2.edtrust.org/NR/rdonlyres/82FA87DD-62D2-415E-8426-32FD14CF2EF8/0/factsheetrev4.pdf>

League of United Latin American Citizens
<http://www.LULAC.org/Publications/Education>

National Association for Bilingual Education
<http://www.nabe.org>

National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs (NCELA)
www.ncela.gwu.edu/.

National Council of LaRaza
<http://www.nclr.org/policy/briefs/IB8No%20Child%20Left.pdf>

Northwest Regional Educational Lab
<http://www.nwrel.org/request/2003may/incontext.html>

Office of English Language Acquisition
<http://www.ed.gov/offices/OELA>