

NCLB/ESSA Comparison
Title III – Language Instruction for English Learners and Immigrant Students

Section under ESEA	ESEA/NCLB	ESSA
	Terminology	
Throughout document	Limited English Proficient (LEP)	English learner (EL)
Title Name	Language Instruction for Limited English Proficient and Immigrant Students	Language Instruction for English Learners and Immigrant Students
3102	Purpose of Title III	
	<ul style="list-style-type: none"> • To ensure that ELs and immigrant students: <ul style="list-style-type: none"> ○ attain English proficiency ○ meet the same state content standards that all students are expected to meet • To provide high-quality, sustainable professional development to educators of ELs including administrators and teachers. • To promote parental and community participation in the education of ELs. 	<p>Preschool teachers, state education agencies, local education agencies, and schools are now included in list of educators of ELs for professional development requirement.</p> <p>“Family” is now included with “parental and community” participation requirements.</p>
Title VI requirements	Identification of ELs	
	States must establish a proficiency criteria (exit criteria) for ESL programs and services.	States must establish standardized entrance , as well as exit , criteria and procedures for ESL programs and services.
3115	Title III Supported Programs	
	Title III supported programs must be scientifically research based	Title III supported programs must be effective
3111	Funding	
	Secretary of Education shall use the numbers of ELs and immigrant students in each state to determine state Title III allocations	Secretary of Education is authorized to use Census Bureau data or state counts of the numbers of students assessed for English proficiency or a combination of the two to determine state Title

		III allocations.
3111	States shall use no more than 60 percent of state set-aside for administrative expenses	States shall use no more than 50 percent of state set-aside for direct administrative expenses.
3111	States may reserve no more than 5 percent of state set-aside to provide recognition to include financial rewards to LEAs that have exceeded their annual measurable achievement objectives	States authorized to use up to 5 percent of state set-aside to provide recognition and financial rewards to LEAs that have significantly improved the achievement and progress of ELs.
3115	<u>Required Subgrantee Activities</u> <ul style="list-style-type: none"> To increase English proficiency & student achievement Provide high-quality professional development to classroom teachers, principals and other school leaders, administrators and other school or community-based personnel 	A third required activity has been added: parent, family, and community engagement.
3115	<u>Authorized Subgrantee Activities</u> <ul style="list-style-type: none"> Upgrading program objectives and effective instruction strategies Improving instruction for ELs by acquiring or upgrading curricula, materials, and software Tutors and vocational education for ELs Developing elementary or secondary language instruction programs that are coordinated with other programs Improving English proficiency and academic achievement of ELs Providing community participation programs, family literacy services, and parent outreach and training 	<u>Additions and Changes Under Authorized Subgrantee Activities</u> <ul style="list-style-type: none"> “Vocational education” changed to “career and technical” education Improving instructions for ELs, which may include ELs with a disability, by acquiring or upgrading curricula, materials, and software Intensified instruction which may include materials in a language the student can understand; interpreters and translators “Preschool” is added to “elementary and secondary” programs “Family” added to “parent outreach and training” Early college high school or dual or concurrent enrollment programs or courses designed to help ELs achieve success in postsecondary education
3113	Developing and Implementing ELD Standards	
	States will establish standards and objectives for raising the level of English proficiency that are derived from the four recognized domains of speaking, listening, reading, and writing and that are aligned with state academic content standards	Now a requirement under Title I ; removed from Title III.

Section 1111 of Title I	Assessment of ELs	
	<u>Exemption for Recently Arrived ELs</u> States may choose to exclude recently arrived ELs who have been enrolled in a U.S. for less than 12 months from one administration of the reading/language arts assessment.	<u>Exemption for Recently Arrived ELs</u> States <i>may</i> choose to <ul style="list-style-type: none"> • Exclude recently arrived ELs who have been enrolled in a U.S. for less than 12 months from one administration of the reading/language arts assessment <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Exclude results of arrived ELs who have been enrolled in a U.S. for less than 12 months in the state accountability system for the first year; include a measure of growth for the second year; and report the results as with all students in year 3
3122	Accountability	
	SEAs must develop annual measurable achievement objectives (AMAOs) for ELs that will include annual increases in the numbers or percentage of students making progress in learning English, attaining English proficiency, and make adequate yearly progress in reading and mathematics	Now a requirement under Title I; accountability requirements in Title III removed.
		<u>Added language</u> States must establish long-term goals, interim measurements of progress, and performance indicators (rather than targets) for ELs and other reporting categories as part of their accountability system.
		<u>Added language</u> States must include in their accountability system a measure for increases in the percentage of ELs making progress in achieving proficiency.
3122	Results on content assessments for the EL subgroup disaggregated at the state and division level	Results on content assessments for the EL subgroup disaggregated at the state and school level

		<p><u>Added language</u> States must include indicator on state report card the number and/or percentage of ELs achieving proficiency.</p>
Section 1111 of Title I	States may count formerly ELs in the EL reporting category for two years after reaching proficiency as determined by ACCESS for ELLs results.	States may count formerly ELs in the EL reporting category for four years after reaching proficiency as determined by ACCESS for ELLs results.
3112 and 3116	Accountability for the annual ELP assessment measured grades K-12	Accountability for the annual ELP assessment measured in grades 3-8 and once in high school
		<p><u>Added language</u> States must disaggregate achievement data for dually-identified ELs and long-term ELs.</p>
3302	Parental Notification and Outreach	
	<ul style="list-style-type: none"> • LEAs must notify parents in writing of their students' placement in ESL programs and services within 30 days of enrollment or within 2 weeks if a student enrolls after the beginning of a school year ("30-day" letter). • There are required elements to be included in the "30-day" letter. • LEAs must inform parents of ELs if they miss one or AMAO targets (separate notification letter). • LEAs must provide outreach to the parents of ELs to assist them in participating in their children's education. • Parental notification and outreach must be, to the extent practicable, in a language that parents understand. 	<p>Now a requirement under Title I; removed from Title III.</p> <p>The separate notification letter requirement, informing parents of ELs if a division missed one or AMAOs, has been deleted.</p> <p>Promoting parental participation requirement now includes "family" as well as "parents and community."</p>
3123	Reporting Requirements	
		<p><u>Added language</u></p> <ul style="list-style-type: none"> • Each subgrantee under Title III will submit a bi-annual report to the SEA to include a description of Title III funded programs, the number and percentage of ELs who make progress and

		<p>who reach proficiency, the number and percentage of students formerly ELs who are meeting state academic standards, the number and percentage of dually-identified students who are meeting state content standards, the number and percentage of long-term ELs (still classified 5 years beyond initial enrollment in LEA) and other information as required by SEA.</p> <ul style="list-style-type: none"> • The information from this bi-annual report should be used by LEA and SEA for Title III program improvement.
Other ESSA Elements		
		<p><u>Added language</u> Activities funded under Title III should be coordinated with community-based organizations, institutes of higher education, and private sector entities.</p>
		<p><u>Added language</u> Subgrantees must consult with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education in developing and implementing a local plan.</p>
		<p><u>Added language</u> Subgrantees should, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies and other early childhood education providers.</p>