

Title III - Abstract and Guidance

English Language Acquisition, Language Enhancement, and Academic Achievement Act (Formerly the Bilingual Education Act and the Emergency Immigrant Education Program)

Program Description

H.R. 1 consolidates the Bilingual Education Act with the Emergency Immigrant Education Program after appropriations reach \$650 million. Reform of existing law will focus existing programs on teaching English to limited English proficient (LEP) children, including immigrant children and youth, and holding States accountable for their LEP students attaining English. Key changes in the Bilingual Education Act are as follows:

Formula - Funds are provided to states on a formula based 80 percent on the number of limited English proficient children in the state and 20 percent on the number of immigrant children and youth in the state. Such data is determined the first two years by using information provided by the United States Census and after such time from data available from the American Community Survey available from the Department of Commerce or the number of students being assessed for English proficiency in a state, whichever the Secretary of Education determines to be the most accurate.

Parental Rights - Local Education Agencies (LEAs) are required to provide informed parental notification as to why their child is in need of placement in a specialized language instruction program. Parents have the right to choose among instruction programs if more than one type of program is offered and have the right to immediately remove their child from a program for LEP children. H.R. 1 also requires LEAs to implement effective means of parental outreach to encourage parents to become informed and active participants in their child's participation in a language instruction educational program.

Local Flexibility - Eligible entities are able to choose the method of instruction they would use to teach LEP children. H.R. 1 eliminates the current requirement that 75 percent of funding be used to support programs using a child's native language for instruction.

Dollars to the Classroom - Ninety-five percent of funds must be used for grants to eligible entities at the local level to teach LEP children.

Testing - Children who have attended school in the United States for at least three consecutive years and who participate in a program funded under this title are to be tested in English for reading and language arts. Waivers may be granted for an additional two years on a case-by-case basis for students who show need.

Accountability - States are required to develop annual measurable achievement objectives to monitor the progress of LEP students in attaining English proficiency. States are held accountable for meeting such objectives. Eligible entities are required to notify parents of a program's failure to meet such achievement objectives for two years. After four years of failing to meet such achievement objectives, a state shall require the eligible entity to modify their curriculum, program and method of instruction. The state will make a determination as to whether such entity will continue to receive funding and whether to require the replacement of their language instruction educational program personnel. The bill also requires eligible entities receiving grant awards to complete an evaluation every year on the progress students are making toward learning English and achieving the same high levels of academic achievement as other students.

Qualified Personnel - LEAs are required to certify that all teachers in a language instruction educational program for LEP students are fluent in English and any other language used by the program, including written and oral communication skills.