

Department of Education
ENGLISH LEARNER EDUCATION
Fiscal Year 2015 Budget Request

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*State tables reflecting final 2014 allocations and 2015 estimates are posted on the Department's Web page at:
<http://www2.ed.gov/about/overview/budget/statetables/index.html#update>.

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ENGLISH [LANGUAGE ACQUISITION] LEARNER EDUCATION

[For carrying out part A of title III of the ESEA, \$723,400,000, which shall become available on July 1, 2014, and shall remain available through September 30, 2015,¹ except that 6.5 percent of such amount shall be available on October 1, 2013, and shall remain available through September 30, 2015, to carry out activities under section 3111(c)(1)(C).² *Provided,* That the Secretary shall use estimates of the American Community Survey child counts for the most recent 3-year period available to calculate allocations under such part.³] (*Department of Education Appropriations Act, 2014.*)

NOTES

No new language is included for this account. All programs are authorized under the expired Elementary and Secondary Education Act; when new authorizing legislation for the Elementary and Secondary Education Act is enacted, a budget request for these programs will be proposed.

Each language provision that is followed by a footnote reference is explained in the Analysis of Language Provisions and Changes document, which follows the appropriation language.

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Analysis of Language Provisions and Changes

Language Provision	Explanation
<p>¹[...which shall become available on July 1, 2014, and shall remain available through September 30, 2015,]</p>	<p>This language provides for a portion of the funds for English Language Acquisition State Grants to be appropriated on a forward-funded basis. The forward-funded portion includes the amount of funds that are distributed to the States under the State grants formula and the Native American discretionary grants.</p>
<p>²[...except that 6.5 percent of such amount shall be available on October 1, 2013, and shall remain available through September 30, 2015, to carry out activities under section 3111(c)(1)(C):]</p>	<p>This language provides for 6.5 percent of the funds for the English Language Acquisition State Grants to be appropriated on a 2-year basis. The 6.5 percent represents funds that are used for national activities (National Professional Development grants, National Clearinghouse for English Language Acquisition, and evaluation) under section 3111(c)(1)(C).</p>
<p>³[<i>Provided</i>, That the Secretary of Education shall use estimates of the American Community Survey child counts for the most recent 3-year period available to calculate allocations under such part.]</p>	<p>This language permits the Secretary to use the annual 3-year estimates provided by the Census Bureau in order to determine the State allocations. Under the authorizing statute, the Department would use 1-year estimates, which are not as reliable and produce more volatility in the allocations from year to year. Fiscal year 2014 appropriations language directs the Secretary to use Census Bureau 3-year period counts.</p>

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Appropriation, Adjustments and Transfers
(dollars in thousands)

Appropriation/Adjustments/Transfers	2013	2014	2015
Discretionary:			
Appropriation	\$732,144	\$723,400	\$723,400
Across-the-board reduction (P.L. 113-6)	<u>-1,464</u>	<u>0</u>	<u>0</u>
Total, discretionary appropriation	730,680	0	0
Sequester (P.L. 112-25)	<u>-36,832</u>	<u>0</u>	<u>0</u>
Total, adjusted discretionary appropriation	693,848	723,400	723,400

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Authorizing Legislation
(dollars in thousands)

Activity	2014 Authorized	2014 Estimate	2015 Authorized	2015 Request
Language acquisition State grants (ESEA-III-A)	0 ¹	\$723,400	To be determined ²	\$723,400
<u>Unfunded authorizations</u>				
Program development and enhancement (ESEA-III-B-1)	0 ^{1,3}	0	0 ³	0
Research, evaluation, and dissemination (ESEA-III-B-2)	0 ^{1,3}	0	0 ³	0
Professional development (ESEA-III-B-3)	0 ^{1,3}	0	0 ³	0
Immigrant education (ESEA-III-B-4)	<u>0^{1,3}</u>	<u>0</u>	<u>0³</u>	<u>0</u>
Total definite authorization				
Total appropriation		723,400		723,400
Portion of request subject to reauthorization				723,400

¹ ESEA section 3001(b)(1) provides that only Part A will be in effect in any year in which the appropriation equals or exceeds \$650 million.

² The GEPA extension expired September 30, 2008; reauthorizing legislation is sought for FY 2015.

³ The GEPA extension expired September 30, 2008. No appropriations language or reauthorizing legislation is sought for 2015.

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Appropriations History (dollars in thousands)

Year	Budget Estimate to Congress	House Allowance	Senate Allowance	Appropriation
2006	\$675,765	\$675,765	\$683,415	\$669,007
2007	669,007	N/A ¹	N/A ¹	669,007 ¹
2008	670,819	774,614	670,819	700,395
2009	730,000	730,000 ²	730,000 ²	730,000
2010	730,000	760,000	750,000 ³	750,000
2011	800,000	750,000 ⁴	800,000 ³	733,530 ⁵
2012	750,000	733,531 ⁶	733,530 ⁶	732,144
2013	732,144	732,144 ⁷	732,144 ⁷	693,848
2014	732,144	N/A ⁸	730,680 ³	723,400
2015	723,400			

¹ This account operated under a full-year continuing resolution (P.L. 110-5). House and Senate allowances are shown as N/A (Not Available) because neither body passed a separate appropriations bill.

² The levels for the House and Senate allowances reflect action on the regular annual 2009 appropriations bill, which proceeded in the 110th Congress only through the House Subcommittee and the Senate Committee.

³ The level for the Senate allowance reflects Committee action only.

⁴ The level for the House allowance reflects the House-passed full-year continuing resolution.

⁵ The level for appropriation reflects the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10).

⁶ The level for the House allowance reflects an introduced bill; the level for the Senate allowance reflects Senate Committee action only.

⁷ The level for the House and Senate allowances reflect action on the regular annual 2013 appropriations bill, which proceeded in the 112th Congress only through the House Subcommittee and the Senate Committee.

⁸ The House allowance is shown as N/A because there was no Subcommittee action.

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(proposed legislation)

(dollars in thousands)

FY 2015 Authorization: To be determined¹

Budget Authority:

	<u>2014</u>	<u>2015</u>	<u>Change</u>
	\$723,400	\$723,400	0

¹ The GEPA extension expired September 30, 2008; reauthorizing legislation is sought for FY 2015.

PROGRAM DESCRIPTION

Funding for Language Acquisition State Grants, which are authorized by Title III, Part A of the Elementary and Secondary Education Act (ESEA), supports formula grants to States to serve English Learners (ELs) as well as competitive awards for a variety of national activities.

The Department uses 92.5 percent of program funds to make formula grants to States based on each State's share of the Nation's EL and recent immigrant student populations, with 80 percent of allocations based on State shares of ELs and 20 percent based on State shares of recent immigrant students. The Department uses American Community Survey (ACS) data provided by the Census Bureau to determine the counts of both EL and immigrant students.

States must use at least 95 percent of their formula funds for subgrants to eligible entities, (local educational agencies (LEAs) or consortia of LEAs), based primarily on each subgrantee's share of the State's ELs and a plan submitted by the subgrantee to the State on how it will meet the State's annual measurable achievement objectives (AMAOs) for ELs. States must use up to 15 percent of these funds to increase the size of awards to subgrantees that have experienced a significant increase in the percentage or number of recent immigrant students over the preceding 2 years. States may use up to 5 percent of their allocations for State-level activities, such as professional development, planning, and evaluation, as well as the provision of technical assistance. State-level planning and administrative costs may not exceed 60 percent of the State set-aside, or \$175,000, whichever is greater.

States must develop AMAOs that measure ELs' improvement in and achievement of English language proficiency and whether ELs meet the State's academic content and academic achievement standards. If a subgrantee fails to make progress toward meeting these objectives for 2 consecutive years, the State must require the subgrantee to develop an improvement plan.

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If the subgrantee fails to meet AMAOs after 4 consecutive years, the State must require the subgrantee to modify the curriculum or method of instruction or replace educational personnel. The State may also terminate assistance to the subgrantee.

The statute also establishes a 0.5 percent or \$5.0 million, whichever is greater, set-aside for schools operated predominantly for Native American and Alaska Native children. Under this set-aside, the Department makes competitive awards to tribes, schools funded by the Department of the Interior/Bureau of Indian Education, and other qualifying entities. The statute also sets aside 0.5 percent of the appropriation for the Outlying Areas.

The statute requires the Department to set aside 6.5 percent of the appropriation for the following national activities: the National Professional Development project (NPDP), the National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs (NCELA), and evaluation activities. Under the NPDP, the Department makes 5-year awards to institutions of higher education that have entered into consortium arrangements with State or local educational agencies for the purpose of providing professional development aimed at increasing the pool of certified or licensed teachers prepared to serve ELs and enhancing the skills of teachers already serving them. NCELA collects, analyzes, synthesizes, and disseminates research-based information about instructional methods, strategies, and programs for ELs. The Department may use up to 0.5 percent of the appropriation, out of the 6.5 percent, for evaluation activities.

State formula grants and Native American grants are forward-funded, with funds becoming available on July 1 of the fiscal year in which they are appropriated and remain available for 15 months through September 30 of the following year. National activities funds are available for 24 months, from October 1 of the fiscal year in which they are appropriated through September 30 of the following fiscal year.

Funding levels for the past 5 fiscal years were as follows:

	(dollars in thousands)
2010	\$750,000
2011	733,530
2012	732,144
2013	693,848
2014	723,400

FY 2015 BUDGET REQUEST

For fiscal year 2015, the Administration requests \$723.4 million for Language Acquisition State grants, the same as the 2014 level. The request assumes implementation of a reauthorized program consistent with the Administration's ESEA reauthorization proposal, which would support strengthened professional development for educators, stronger accountability, and implementation of innovative and effective programs. The Administration's reauthorization proposal also would strengthen the conditions governing States' receipt of formula funds and provide the Secretary with the authority to reserve additional funds for national activities to

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advance the field, including competitive grants for innovative projects that support the development and implementation of dual-language, transitional bilingual, and other high-quality language instruction educational programs (LIEPs) for English Learners (ELs).

According to the Census Bureau's ACS data, the number of school-aged ELs has risen from less than 1 million in 1980 to over 4.2 million in 2012¹ in the 50 States, DC, and Puerto Rico. ACS data from 2012 also show that California, Florida, Illinois, New York, and Texas enroll 60 percent of the Nation's ELs (excluding Puerto Rico). In recent years, however, the growth rate in the EL student population in other States has exceeded that of these five. For example, ACS data show that from 2006 to 2012, the EL population increased by 45 percent in South Dakota, 42 percent in New Hampshire, 38 percent in Hawaii, 34 percent in Vermont, and 22 percent in Rhode Island. In contrast, during that same timeframe, the EL population in California, Florida, Illinois, New York, and Texas changed by -17 percent, -9 percent, -13 percent, -2 percent, and 1 percent respectively. Since those States with the most significant increases over that 6-year period are not the traditional immigrant gateway States, they often lack the infrastructure and service capacity compared to States with a longer history of high EL and immigrant student enrollment. In addition, while immigration has slowed nationally in recent years, some States have experienced large increases in this population over a very short period of time. Alaska, the District of Columbia, New Hampshire, North Dakota, Oklahoma, and South Dakota all experienced more than a 19-percent increase in their immigrant population during the 2010 to 2012 timeframe. These demographic trends – the overall increase in ELs over the past three decades and rapid recent growth of the EL and immigrant populations in States lacking an infrastructure for serving them – underscore not only the ongoing need for Federal assistance but also the need for effective educators to meet the educational needs of ELs and for information on effective instructional practices.

Formula and Native American Grants

In 2008, the Department initiated a study by the National Research Council of the National Academy of Sciences (NAS) to determine the most reliable data source and methodology for future years' formula allocations to States. The NAS study, which became available in January 2011 (http://www.nap.edu/catalog.php?record_id=13090), included a recommendation that the Department use a combination of ACS data and State-reported data to determine each State's EL count and continue using ACS data for the State count of immigrant students. The Administration's reauthorization proposal would authorize the Secretary to use ACS or State-reported data or a combination of the two (which could be multi-year period estimates) to determine State allocations. The proposal would also strengthen the Title III program by requiring States to use consistent methods for identifying ELs and for exiting them from language instruction educational programs. In order to support the selection of effective programs and to improve existing programs, States would also be required to put in place a system that evaluates the effectiveness of LIEPs and a data system that provides information on the achievement of subgroups of ELs.

In the event that reauthorization is not enacted in time to govern fiscal year 2015 allocations, the Department would recommend to Congress the inclusion of appropriations language for fiscal

¹ Note that 2012 ACS data are estimates from a 3-year period (2010, 2011, and 2012).

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year 2015 that permits the Department to implement the NAS study recommendations. More specifically, the Department would request the authority to use a combination of State-reported and ACS data, consistent with the reauthorization proposal. In determining the count of ELs for the purpose of making State formula grants in fiscal year 2015, the Department would assign a weight of 10 percent to State-reported data and 90 percent to ACS data. Also consistent with the NAS recommendations, the Department would continue to use ACS data to determine the State counts of immigrant students for the allocations. In fiscal year 2016, the Department anticipates increasing the weighting of State-reported EL counts to 20 percent, depending on our estimation of the quality of those data at that time.

Under the Administration's reauthorization proposal, the statute would continue to set aside 0.5 percent of the appropriation, or \$5 million, whichever is greater, for schools operated predominantly for Native American and Alaska Native children. In fiscal year 2015, the Department (with a combination of fiscal year 2014 and fiscal year 2015 funds) would make 25 continuation awards for grants serving this population that were made in fiscal years 2011 and 2013.

National Activities

Under the reauthorization proposal, the Secretary would set aside a portion of the appropriation to carry out national activities that support advancements in education for ELs. The proposal would authorize the Secretary to use these funds to continue support for NCELA as well as competitive grants through NPDP for teacher and paraprofessional preparation and professional development activities to improve classroom instruction of ELs. The proposal would also provide the Department with the flexibility to carry out additional discretionary activities that support the improvement of EL education.

For fiscal year 2015, the Department would reserve \$47.0 million for National Activities. The Department would use \$41.9 million to continue 115 NPDP grants, \$1.5 million for NCELA, and \$3.6 million for evaluation activities. The Department awarded a new NCELA contract at the end of fiscal year 2013, focusing the Center more specifically on meeting the technical assistance needs of the field.

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PROGRAM OUTPUT MEASURES (dollars in thousands)

<u>Measures</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Total Appropriation	\$693,848	\$723,400	\$723,400
State formula grants:			
Language acquisition State grants	\$643,748	\$671,379	\$671,379
Number of States	57	57	57
Native American discretionary grants			
Native American discretionary grants	\$4,990	\$5,000	\$5,000
Number of new projects	12	0	0
Number of continuation projects	13	25	25
Peer review of new award applications	\$10	0	0
National activities:			
National professional development	\$39,631	\$41,451	\$41,901
Number of new projects	0	0	0
Number of continuation projects	115	115	115
Clearinghouse	\$2,000	\$1,953	\$1,503
Evaluation	\$3,469	\$3,617	\$3,617

PROGRAM PERFORMANCE INFORMATION

Performance Measures

This section presents selected program performance information, including GPRA goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the resources provided in previous years as well as the resources and efforts invested by those served by this program.

States report their data for the Language Acquisition State grants program annually through the ESEA Consolidated State Performance Reports (CSPRs). Within the Department, the office that administers the State Grants program and the office that oversees the administration of the CSPR have been working together to respond to States' questions about the data-collection requirements as well as to clear up data discrepancies. Flexibility within the current law permits States to define "making progress" and "attaining proficiency" differently, even when they use the same assessments. Also, in 2011 the Department reviewed States' targets and found that almost all State targets (reflected below) are far lower than those set by the Department. As a result, for some measures, we have decided to maintain target levels for several years rather than continue to increase them in order to reflect performance levels in the States. In 2012, all 52 entities, including DC and Puerto Rico, reported data for all performance measures. The Department will consider revisions to the measures in the context of ESEA Flexibility.

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Goal: To help English Learners learn English and reach high academic standards.

Objective: To improve the English proficiency and academic achievement of students served by the Language Acquisition State Grants program.

Measure: The percentage of ELs receiving Title III services who are making progress in learning English.

Year	Target	Actual
2010	65%	59%
2011	65	58
2012	65	54
2013	65	
2014	65	
2015	65	

Additional information: The percentage is calculated by taking the total number of students who are making progress in learning English and dividing that number by the number of students tested who have two data points.

Measure: The percentage of ELs receiving Title III services who have attained English language proficiency.

Year	Target	Actual
2010	35%	26%
2011	35	26
2012	35	27
2013	35	
2014	35	
2015	35	

Additional information: Students who are counted in the denominator for this measure include students who are new to this country and have had very little exposure to English.

Measure: The percentage of ELs who score proficient or above on State reading assessments.

Year	Target	Actual
2010	35%	39%
2011	35	39
2012	36	38
2013	38	
2014	38	
2015	38	

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Additional information: States are required to report data on the performance of the EL subgroup on State reading/language arts assessments for both Title I and Title III.

Measure: The percentage of monitored former ELs who score proficient or above on State reading assessments.

Year	Target	Actual
2010	64%	71%
2011	64	72
2012	66	72
2013	66	
2014	68	
2015	68	

Additional information: The success of States on this measure may be an indicator of the quality of LIEPs.

Measure: The percentage of subgrantees receiving Title III funding that meet all three annual measurable achievement objectives (AMAOs) for ELs.

Year	Target	Actual
2010	59%	56%
2011	59	48
2012	59	47
2013	59	
2014	59	
2015	59	

Additional information: States set AMAOs based on State English language proficiency standards and assessments. The three AMAO objectives for ELs are: (1) making progress in learning English; (2) attaining English proficiency; and (3) making adequate yearly progress under Title I.

Efficiency Measures

The Department has developed two efficiency measures for this program. These measures address the Department's emphasis on the timely and effective use of Federal funds.

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Measure: The average number of days States receiving Title III funds take to make subgrants to subgrantees.

Year	Target	Actual
2010	45	52
2011	45	51
2012	45	53
2013	45	
2014	45	
2015	45	

Additional information: The Department has worked with States to help them make subgrants in a timely manner and States have made considerable progress on this measure over the past 5 years. The Department continues to provide assistance to States that have difficulty making timely awards and has made monitoring findings during onsite reviews for such States.

Measure: The annual cost per English Learner attaining English language proficiency.

Year	Target	Actual
2010	\$775	\$638
2011	770	669
2012	668	620
2013	668	
2014	668	
2015	668	

Additional information: This measure examines the national annual cost per EL attaining English language proficiency (a figure derived by dividing the total amount of funding allocated to States in a given year by the number of students reported as attaining proficiency). The targets are not intended to motivate States to eliminate important services to students but, rather, to encourage efficiencies in order to serve as many students as possible without sacrificing the quality of the services.

Other Performance Information

The statute provides a set-aside for evaluation activities equal to 0.5 percent of the total appropriation for this program. Current and recent activities include the following studies, which are supported by funds from previous fiscal years:

- Evaluation of State and Local Implementation of Title III Standards, Assessments, and Accountability Systems – The purpose of this study, which was funded in fiscal years 2008-2011, is to provide an in-depth picture of the implementation of current ESEA provisions for ELs throughout the Nation. The study includes an analysis of student-level assessment data to identify the relationship between ELs' acquisition of English and their progress in meeting content-area standards.

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As part of this study, the Department funded three policy briefs in 2010, entitled, “Title III: A State of the States,” “Title III: Behind the Numbers,” and “Title III: Accountability and District Improvement Efforts.” These briefs served as resources for the Administration, Congress, and other key stakeholders to inform the development of Title III reauthorization proposals. Additional reports released in 2012 include (1) “Exploring Approaches to Setting English Language Proficiency (ELP) Performance Criteria” and “Monitoring EL Progress,” (2) a “Report on State and Local Implementation,” and (3) “A Survey of States’ English Language Proficiency Standards.”

- Study of School Turnaround – The Department is conducting case studies for an in-depth examination of the school turnaround process in a diverse sample of schools receiving Title I School Improvement Grants (SIG) over 3 years. The studies will describe the schools’ context, the decisions and strategies the schools and their school districts undertake (and why), and the challenges they face as they attempt to improve school performance. Fiscal year 2009 Title III funds supported the inclusion of data collections focused on schools with high EL populations. Descriptive analyses of State SIG applications and SIG-eligible and SIG-awarded schools are available for the first and second cohorts of SIG grantees (fiscal year 2010 and 2011 competitions)². Reports on findings for the case-study SIG schools, which will include two evaluation briefs focused on SIG schools with a high proportion of ELs, are expected to be released in phases beginning in spring 2014.
- Language Instruction Education Programs (LIEPs): Lessons from the Research and Profiles of Promising Programs – This project, begun in fiscal year 2011 with fiscal year 2009 funds, produced a literature review on LIEPs that was released in May 2012 and can be found at <http://www2.ed.gov/rschstat/eval/title-iii/language-instruction-ed-programs-report.pdf>. The study will also produce vignettes of LIEPs and features that support those LIEPs in a purposively selected sample of districts. These vignettes will be for internal use by ED staff on selected LIEP practices. That guide will be completed by May of 2014.
- Updating the EL Practice Guide – The Department is currently updating the 2006-07 publication, “Effective Literacy and English Language Instruction for English Learners in the Elementary Grades: A Practice Guide,” to reflect advances in the field over the past 5 years. Fiscal year 2009 funds support this work. The update, which began in fiscal year 2012, is scheduled for publication in March 2014.
- Exploratory Study on the Identification of ELs with Disabilities – This study will examine the identification of ELs with disabilities, through a review of previous research and through exploratory case studies in six school districts with three schools in each district. The literature review was completed in February 2012 and is being used for internal purposes at ED. The final report is due in June of 2014. Fiscal year 2010 funds support this study.

² <http://ies.ed.gov/pubsearch/pubsinfo.asp?pubid=NCEE20114019> and <http://ies.ed.gov/pubsearch/pubsinfo.asp?pubid=NCEE20124060>

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- Descriptive Study of NPDP Grantees – This small study will examine how a purposively selected sample of NPDP grantees are implementing their grants, with a specific focus on: (1) the content and structure of the education they provide to current and prospective teachers of ELs; (2) the nature of changes grantees attempt to make to the teacher education programs at their institutions; (3) the efforts grantees make to institutionalize their projects for sustainability; and (4) grantees' efforts to track former program participants. A literature review was completed in 2012 and a final report is expected in the spring of 2014. Both products will be for internal use by Department staff. Fiscal year 2010 funds support this study.
- Implementation and Impact Evaluation of the Race to the Top (RTT) and School Improvement Grants (SIG) programs – As part of the Department's study of these two programs, fiscal year 2010 and fiscal year 2011 Title III funds support an increased focus on how the implementation and impacts of the programs by States, districts, and schools are related to EL students' needs and outcomes. For instance, the evaluation will examine the extent to which States have adopted common academic standards; the changes in practice that have been instituted statewide and at the local level to implement these new standards, including the extent to which supports have been provided for ELs; the strategies and practices being used to support schools in transitioning to new standards; and the lessons to be learned from the transition. Two reports on findings, which will include ELs, are expected to be released in phases beginning in late 2014.
- Study of Teacher Preparation Experiences and Early Teacher Effectiveness – The Department awarded a contract in late fiscal year 2011 for a study of teacher preparation experiences and their relationship to student achievement outcomes. The study explores whether the instructional skills that teacher candidates learn about and have opportunities to practice in their teacher preparation programs are associated with teachers' effectiveness during their early years in the classroom. The study will include a focus on English Learners and the preparation experiences of their teachers. Fiscal year 2010 and fiscal year 2011 funds support this study. A study report is expected in late 2017.
- A Guide to English Language Proficiency Assessments – States must have in place ELP assessments that demonstrate technical quality for their intended use and they must use appropriate measures for determining the progress and attainment of English by Title III-served students. Currently, there are no tools available to evaluate the technical quality of State ELP assessments. Using fiscal year 2012 funds, the Department awarded a contract in September 2013 to evaluate State and local implementation of Title III assessment and accountability systems and to produce a technical guide that will assist State educational agencies and other stakeholders to prepare ELP assessment materials for peer review. The guide is expected in late 2015.

The Department continues to explore additional topics to address the needs of ELs and educators of ELs in the coming fiscal year.