U.S. DEPARTMENT OF EDUCATION

The Biennial Report to Congress on The Implementation of the Title III State Formula Grant Program

School Years 2004-06

THE BIENNIAL REPORT TO CONGRESS ON THE IMPLEMENTATION OF THE TITLE III STATE FORMULA GRANT PROGRAM

School Years 2004–06

U.S. Department of Education

Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students

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ABBREVIATIONS

AMAO	Annual Measurable Achievement Objective
AYP	Adequate Yearly Progress (from Title I)
CBO	Community-based organization
ELP	English language proficiency
ESEA	*Elementary and Secondary Education Act*
LEP	Limited English proficiency
LIEP	Language instruction educational program
NAEP	National Assessment of Educational Progress
NCELA	National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs
NCLB	*No Child Left Behind Act of 2001*, the most recent reauthorization of the *Elementary and Secondary Education Act*
OELA	Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students

EXECUTIVE SUMMARY

The biennial report to Congress on the implementation of the Title III state formula grant program provides a snapshot of the status of the U.S. Department of Education's efforts to hold states accountable for ensuring that all limited English proficient (LEP) students attain English language proficiency (ELP) and are achieving in the content areas of mathematics and reading or language arts at the same high level set by the states for all students. Title III of the *Elementary and Secondary Education Act* (*ESEA*), which focuses on the specific goals of identifying students who have limited English proficiency and serving them with effective language instruction educational programs (LIEPs), was first implemented upon the reauthorization of the *ESEA* by the *No Child Left Behind Act of 2001*. Title III further specifies that states must develop standards and targets for the acquisition of English and for the demonstration of academic content knowledge by LEP students.

The first biennial report since the reauthorization of the *ESEA* covers the years 2002–04. This report represents the second effort to collect data from states to determine how well these goals are being met. The analysis of these data has resulted in several key findings.

- The U.S. Department of Education distributed nearly $580 million to 50 states, the District of Columbia, and the Commonwealth of Puerto Rico during the 2005–06 school year. State grants ranged from a minimum of $500,000 to more than $149 million.
- The number of K–12 students in the United States who are identified as being LEP has grown by nearly 650,000 in the past three years and is now approximately 4,985,000.
- Close to 85 percent of identified LEP students are participating in Title III-funded programs.
- More than 1 million (1,087,000) immigrant students who met the definition in §3301(6) of *ESEA* were identified in school year 2005–06. About 65 percent of these students are served in Title III-funded programs designed to meet their needs.
- LEP students speak more than 400 different languages, including languages from outside the United States (e.g., Asian, European, and African languages) and inside the United States (American Indian languages). Nearly 80 percent of LEP students speak Spanish; another 5 percent speak Asian languages.
- A total of 40 states and the District of Columbia reported that their subgrantees were using LIEPs that focused both on literacy in English and in another language; six states and the Commonwealth of Puerto Rico reported that their subgrantees were using LIEPs that focused only on literacy in English.
- The National Assessment of Educational Progress (NAEP) indicates that the national sample of LEP students have improved their performance in the content areas of mathematics and reading or language arts. For mathematics, the percentage of fourth- and eighth-grade LEP students who scored at or

above the basic level was higher in school year 2007 than in any previous year. For reading, the percentage of fourth-grade LEP students who scored at or above the basic level was higher in 2007 than in 2005; eighth-grade LEP students showed no increases from 2005.

- Nearly all LEP students are tested annually for ELP; more than 90 percent of these students now have at least two test administrations that allow for a statement about their “growth” in ELP. Prior to the implementation of Title III and its reporting requirements, statewide data were not available to determine how well these students were learning English or achieving in the core academic content areas.
- In school year 2005–06, 24 states and the Commonwealth of Puerto Rico reported that they reached their targets for LEP students making progress in ELP, while 28 states reported that they met their targets for LEP students attaining proficiency in the English language.
- During school year 2005–2006, officials in 31 states and the District of Columbia tracked the continuing education progress of more than 312,000 students who were formerly classified as LEP; 86 percent of these students scored at the proficient level or above in mathematics and 99 percent scored at the proficient level or above in reading or language arts.

INTRODUCTION

There are currently more than 10.5 million school-aged children in the United States who live in homes in which a language other than English is spoken. Some of these students are fluent in English, while others are not (U.S. Census Bureau, 2005). Ensuring that students who are not fluent in English receive a quality education, and achieve the same academic success as their English-proficient peers, is an essential goal of the *Elementary and Secondary Education Act* (*ESEA*), as reauthorized by the *No Child Left Behind Act of 2001* (*NCLB*). It is critical to keep in mind, as U.S. Secretary of Education Margaret Spellings recently noted, that *NCLB* "is not just an education law, it's a civil rights law" (U.S. Department of Education, 2007b). Indeed, *NCLB* has placed a greater emphasis on addressing the education needs of limited English proficient (LEP) students than ever before, with Title III designed specifically to address these needs.

In this *Biennial Report to Congress on the Implementation of the Title III State Formula Grant Program School Years 2004–06* (henceforth the *Biennial Report to Congress*), the U.S. Department of Education provides data reported by the 50 states, the District of Columbia, and the Commonwealth of Puerto Rico, related to the education of LEP students for the 2004–05 and 2005–06 school years.

Title III, Part A

The overall goals of Title III of *ESEA* are to ensure that LEP students, including immigrant children and youths, attain English language proficiency (ELP), develop high levels of academic attainment in English, and meet the same challenging state academic content and student academic achievement standards as all children (§3102(1)). To accomplish these goals, each state[1] is developing an integrated system of ELP standards aligned with the achievement of its academic content standards, as well as assessment(s) of ELP aligned with ELP standards and Annual Measurable

[1] Henceforth generic use of the term "state" in reference to the actions, obligations or requirements of the states refers to the 50 states as well as the District of Columbia and the Commonwealth of Puerto Rico. Specific uses (for example, counts of states) will distinguish between states, the District of Columbia, and the Commonwealth of Puerto Rico.

Achievement Objectives (AMAOs, defined below) that set targets and goals for ensuring that LEP students make progress in and attain ELP.

Accountability requirements

Title III requires states to develop ELP standards that include the recognized language domains of reading, writing, speaking, listening, and comprehension and, as also required by Title I, assess the ELP of LEP students on an annual basis. In addition, states must establish AMAOs that measure subgrantee[2] progress in helping LEP students gain ELP and achieve academically. These AMAOs also are used to measure the performance of Title III subgrantees and the states and hold them accountable for the achievement of LEP students.

The first two AMAOs pertain to students' acquisition of the English language, while the third AMAO focuses on academic performance:

- AMAO 1 measures the extent to which LEP students make progress in English proficiency;
- AMAO 2 measures the extent to which LEP students attain English proficiency; and
- AMAO 3 measures the academic achievement of LEP K–12 students in mathematics and reading or language arts and is the adequate yearly progress (AYP) measure as it applies to LEP students, as measured under Title I of *ESEA*.

Consequences

To enforce the requirements of Title III, subgrantees are subject to specific consequences if they fail to meet the targets for any of the three AMAOs. After two consecutive years of failing to meet the AMAO(s), a subgrantee must develop an improvement plan for ensuring that the district will meet the objectives. The plan must address the reasons why the subgrantee did not achieve the objectives. If a subgrantee does not meet the AMAOs for four consecutive years, the state must either

[2] Title III grants are allocated to states, which then provide funding to local education agencies and consortia of local education agencies, known as "subgrantees."

(1) require the subgrantee to modify its curriculum, program, and method of instruction, or
(2) determine whether the subgrantee should continue to receive Title III funds. If the state determines that the subgrantee should continue to receive Title III funds, the state must require the subgrantee to replace educational personnel and address the factors that prevented it from meeting the AMAOs.

Funding

Title III formula allocations to states are based on the number of LEP students in the state using data obtained from the American Community Survey of the U.S. Census Bureau. Each state is guaranteed a minimum of $500,000 per school year.

States allocate Title III funds to districts and consortia of districts (all referred to as subgrantees) based on subgrantee plans submitted to the state, which describe how the subgrantee will meet the goals established by the state for LEP students. In return for accepting federal grant funds, states are required to meet Title III accountability requirements which include collecting and reporting data on the achievement of LEP students. States may use up to 5 percent of their Title III grant for state administrative purposes and to conduct state-level activities, such as professional development; planning, evaluation, and administration of subgrants; and providing subgrantees technical assistance and recognition to those that have exceeded their Title III AMAOs.

Table 1 lists Title III funds allocated to each state for school years 2004–05 and 2005–06. In 2004–05, $542,127,313 of Title III funds were provided to the states. In 2005–06, $579,164,605 were provided.

Table 1. Title III funding for limited English proficient students, by state: School years 2004–05 and 2005–06

State*	2004–05	2005–06
Alabama	$ 1,878,554	$ 2,969,385
Alaska	$ 861,613	$ 835,169
Arizona	$ 16,453,934	$ 16,053,667
Arkansas	$ 1,871,562	$ 1,986,077
California	$161,549,151	$149,565,827
Colorado	$ 7,069,901	$ 9,947,707
Connecticut	$ 5,380,812	$ 4,440,248
Delaware	$ 725,465	$ 876,486
Dist. of Columbia	$ 680,354	$ 922,000
Florida	$ 36,272,809	$ 38,999,401
Georgia	$ 11,254,952	$ 13,281,802
Hawaii	$ 2,186,577	$ 1,645,216
Idaho	$ 1,297,826	$ 2,107,363
Illinois	$ 25,929,181	$ 24,732,083
Indiana	$ 4,276,401	$ 7,644,463
Iowa	$ 2,193,017	$ 2,907,230
Kansas	$ 2,75,681	$ 2,417,540
Kentucky	$ 1,812,413	$ 2,404,457
Louisiana	$ 2,328,221	$ 3,317,197
Maine	$ 500,000	$ 500,000
Maryland	$ 5,867,566	$ 6,654,183
Massachusetts	$ 9,673,186	$ 11,258,663
Michigan	$ 8,220,261	$ 11,540,302
Minnesota	$ 6,108,775	$ 6,595,273
Mississippi	$ 971,870	$ 1,017,471
Missouri	$ 3,130,223	$ 4,538,410
Montana	$ 500,000	$ 500,000
Nebraska	$ 1,863,656	$ 2,143,231
Nevada	$ 5,706,721	$ 6,865,410
New Hampshire	$ 532,764	$ 1,056,420
New Jersey	$ 16,278,278	$ 20,186,729
New Mexico	$ 5,494,409	$ 5,347,129
New York	$ 47,907,904	$ 53,923,317
North Carolina	$ 8,883,786	$ 9,979,375
North Dakota	$ 500,000	$ 500,000
Ohio	$ 6,438,717	$ 6,567,211
Oklahoma	$ 2,916,153	$ 4,869,319
Oregon	$ 4,951,822	$ 5,300,358
Pennsylvania	$ 9,383,763	$ 8,982,966
Puerto Rico	$ 2,725,136	$ 2,895,823
Rhode Island	$ 1,768,126	$ 2,375,164
South Carolina	$ 2,442,675	$ 2,588,131
South Dakota	$ 534,980	$ 515,986
Tennessee	$ 3,686,302	$ 4,546,936
Texas	$ 74,350,392	$ 82,422,240
Utah	$ 3,396,597	$ 2,888,015
Vermont	$ 500,000	$ 500,000
Virginia	$ 7,273,394	$ 9,222,809
Washington	$ 9,607,031	$ 8,547,438
West Virginia	$ 500,000	$ 610,998
Wisconsin	$ 4,914,400	$ 6,171,980
Wyoming	$ 500,000	$ 500,000
Total	**$542,127,313**	**$579,164,605**

* Includes the District of Columbia and the Commonwealth of Puerto Rico.
SOURCE: U.S. Department of Education (2007a).

Report Objectives and Design

The *Biennial Report to Congress on the Implementation of the Title III State Formula Grant Program, School Years 2004–06* is the second *ESEA*-required analysis of state-submitted biennial data on LEP students, as defined by each state and measured by state-approved ELP assessment(s).[3] It is designed to address the nine evaluation elements described in §3123(b)(1–9) of the *ESEA*:

1. Programs and activities carried out to serve LEP children, and their effectiveness in improving the academic achievement and English proficiency of these children;
2. The types of LIEPs used by local education agencies that receive Title III funds;
3. A critical synthesis of data reported by eligible entities to states;
4. A description of technical assistance provided by state education agencies;
5. An estimate of the number of certified or licensed teachers working in LIEPs and an estimate of the number who will be needed for the succeeding five years;
6. Major findings of scientifically based research carried out by states or local education agencies using Title III funds;[4]
7. The number of programs or activities, if any, that were terminated because the entities carrying them out were not able to meet program goals;
8. The number of LEP students served by eligible entities receiving Title III funding who were transitioned out of LIEPs into classrooms where instruction is not tailored for LEP students; and
9. If appropriate, information gathered from the evaluations from specially qualified agencies and other reports submitted to the secretary of education under Title III.

These nine elements provide a framework for monitoring states' progress towards achieving the goals of Title III. This report uses these elements as a starting point to

[3] The first report was submitted to Congress on March 15, 2005; it is available at http://www.ncela.gwu.edu/oela/biennial05/index.htm.

[4] As noted in Appendix A of this report, no state or local entity funded or carried out scientifically based research in 2004–05 or 2005–06 using Title III funds.

provide an overall picture of the success of the U.S. public education system in meeting the needs of LEP students.[5] These data were collected from the 50 states, the District of Columbia, and the Commonwealth of Puerto Rico. The data were collected during December 2006 and January 2007 for the 2004–05 and 2005–06 school years.

[5] For an overview of the data and findings specific to each of the evaluation elements, please see Appendix A.

DATA COLLECTION

The data in this report are self-reported by states, which are responsible for collecting, submitting, and verifying the accuracy of the data.

To systematically and consistently collect the data for this report, the Department reviewed the legislative requirements for this *Biennial Report to Congress* and collaborated with the Office of Management and Budget (OMB) to create the biennial report data collection form. The OMB-approved data collection form provided to states in September 2006 (OMB № 1885-0553, expires Aug. 31, 2009) is the first electronic data submission instrument for reporting Title III data on the academic and linguistic progress of LEP students. The electronic form was used to collect data from the states on the nine "evaluation elements" listed in §3123(b)(1–9). The OMB-approved form is in Appendix B of this report.

Data collection on LEP students for this report often was difficult for states. Some states do not have systems that allow longitudinal data collection for measuring individual student progress in ELP. Nevertheless, all states provided data in at least some of the required areas. The Department is optimistic that state data collections will improve as states establish better data collection and reporting systems. Data from the various states are not equivalent and, in many respects, cannot be compared because states use different criteria to identify LEP students. Thus, while *ESEA* provides a definition of "limited English proficient" (see §9101(25)), there is no one, common, approved method to operationalize the term, either for initial identification purposes or for ultimate exit from an LIEP or the LEP category. In addition, states use different assessments to determine the different levels of ELP. Even states that use the same assessment use different criteria and methods for classifying students as LEP or for exiting LEP students from LIEPs. For details on the methods used to collect the state-reported data in this report, see Appendix C, Methodology.

LANGUAGE INSTRUCTION FOR LIMITED ENGLISH PROFICIENT STUDENTS: NATIONAL OVERVIEW OF KEY FINDINGS

This section includes tables and figures providing state-reported data on key issues. It also provides some general statements describing overall state progress in meeting *NCLB* requirements.

Comparing Data Across States

The data in this report have been compiled to allow the reader easy access to each state's data submission in key areas covered by Title III. It may be tempting to compare the data across states to determine how one state compares with another state. However, in many respects, these data do not allow for state-by-state comparisons.[6]

A Description of Limited English Proficient Students

Number of students

The data submitted by states indicate that there are approximately 5 million students classified as LEP through their participation in a Title III assessment of ELP. According to the U.S. Census, LEP students are among the fastest-growing demographic group of students in the United States. While the overall school population has grown by less than 3 percent in the last 10 years, the number of LEP students has increased by more than 60 percent in that same time period.[7]

[6] It is important to stress that some comparisons across states are inappropriate. Each state has its own standards, both for ELP and for academic content. In addition, each state may use different assessments of both content area achievement and ELP; have different criteria for defining LEP status, identifying LEP students, and exiting students from the LEP category; and have different criteria for teacher education, professional development, and teacher placement in classrooms. Therefore, while it may be useful and informative to compare, for example, the number of LEP students and the numbers of teachers in LIEPs across states, the reader should be aware that states use different methodologies for identifying these students and teachers. Similarly, it would be entirely appropriate to compare the number of LEP students participating in Title III-funded programs across states, so long as one understands that the methods for identifying those children differed across the states.

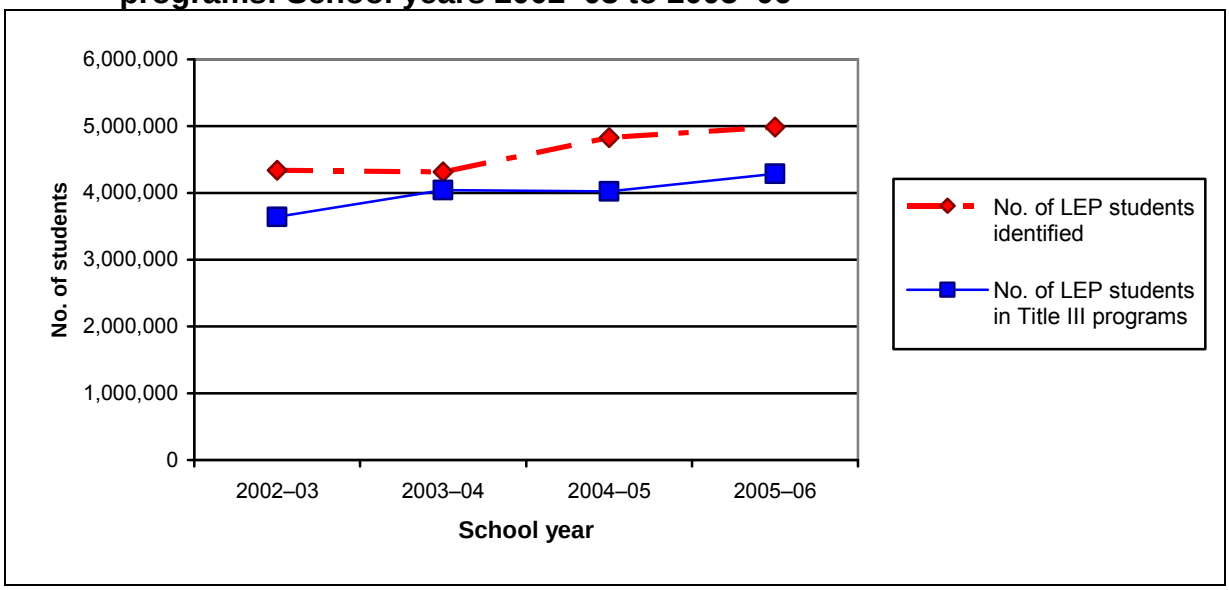
[7] Data collected annually from various sources, including the states themselves, by the National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs (NCELA). For a summary of these data, see NCELA (2005).

In school years 2005–06, 4,985,120 students in kindergarten through high school (K–12) were identified as LEP; during that same year, 4,287,853 K–12 LEP students participated in programs funded by Title III. Between 2004–05 and 2005–06, the percentage of identified K–12 LEP students—including immigrant- and U.S.-born students—who are being served under Title III has increased, as shown in figure 1. These data indicate that in the four years that data have been collected systematically on K–12 LEP students, the number of identified LEP students has increased by about 645,000 (from 4,340,006 to 4,985,120). While the *number* of LEP students who participated in Title III-funded K–12 programs increased by about the same amount (from 3,643,219 to 4,287,853), the *percentage* of identified LEP students who participated in Title III-funded programs remained fairly consistent at about 85 percent.

In school year 2005–06:

- Title III provided nearly $580 million to 50 states, the District of Columbia, and the Commonwealth of Puerto Rico.
- The states provided funds to more than 4,900 sub-grantees.
- Nearly 5 million K–12 LEP students were identified.
- 85 percent (4.3 million) of LEP students were in Title III-funded programs.
- LEP students speak more than 400 languages.

Figure 1. Number of K–12 limited English proficient students identified and number participating in Title III language instruction educational programs: School years 2002–03 to 2005–06



SOURCE: 2002–03 and 2003-04 data from U.S. Department of Education (2005); 2004–05 and 2005–06 data from the 2004-06 biennial data collection (see Appendix B for details).

The numbers of K–12 LEP students identified in each state and the number who participated in Title III-funded programs are listed in table 2. The data in table 2 show differences in the number of students identified as LEP and those that participated in Title III-funded programs. There are several reasons for these differences. For example, a small district, one that would receive less than $10,000 under the funding formula,[8] cannot receive a subgrant unless it joins with other small district(s) to form a consortium that consolidates grant funds received from Title III; a small district not electing this option would not have Title III-funded programs for its LEP students. Also, parents of some LEP students may refuse to have their children participate in Title III LIEPs. And, while students in private schools are eligible to receive services offered by local public schools, the private school may choose not to participate in Title III-funded programs.

States with the largest number of LEP students:
- California
- Texas
- Florida
- New York
- Illinois

States with the smallest number of LEP students:
- New Hampshire
- Maine
- Wyoming
- Vermont
- West Virginia

The number of identified K–12 LEP students reported by each state ranged from just under 1,000 to more than 1.5 million in both 2004–05 and 2005–06. In 2004–05, six states (Colorado, Delaware, Georgia, Hawaii, Kentucky, Nebraska) reported that all of their identified LEP students were participating in Title III-funded K–12 programs. Again in 2005–06, six states (Delaware, Georgia, Hawaii, Maryland, Rhode Island, Utah) reported that all of their identified LEP students were participating in Title III-funded K–12 programs.

[8] See *ESEA* §3114(b).

Table 2. Number of identified K–12 limited English proficient students and number participating in Title III-funded K–12 programs, by state: School years 2004–05 and 2005–06

State[a]	2004–05		2005–06	
	Number of LEP students identified	Number of identified LEP students in Title III-funded programs	Number of LEP students identified	Number of identified LEP students in Title III-funded programs
Alabama	15,295	12,202	16,520	15,088
Alaska	20,140	18,222	20,514	18,475
Arizona	155,789	153,669	152,962	152,568
Arkansas	17,384	15,197	20,320	17,723
California	1,591,525	1,581,178	1,571,463	1,565,675
Colorado	91,308	91,308	89,946	83,709
Connecticut	27,580	27,212	27,678	27,216
Delaware	4,949	4,949	6,015	6,015
Dist. of Columbia	5,555	ND	4,485	3,843
Florida	236,527	220,703	253,165	242,343
Georgia	50,381	50,381	56,465	56,465
Hawaii	18,376	18,376	16,190	16,190
Idaho	15,899	14,327	19,954	18,884
Illinois	192,764	149,700	204,803	155,810
Indiana	32,306	28,475	36,208	33,942
Iowa	15,452	12,403	15,181	14,742
Kansas	23,512	19,727	25,995	25,767
Kentucky	11,181	11,181	10,171	10,043
Louisiana	5,494	5,231	7,740	7,317
Maine	2,896	2,652	3,146	2,726
Maryland	24,811	31,111	29,778	29,778
Massachusetts	16,339	15,203	47,397	43,820
Michigan	25,889	25,738	42,007	65,419
Minnesota	58,815	49,652	59,127	55,531
Mississippi	4,152	2,862	4,866	3,611
Missouri	16,269	14,672	17,263	15,559
Montana	6,952	3,257	6,952	3,582
Nebraska	13,550	13,550	14,966	8,839
Nevada	72,117	72,185	74,305	74,009
New Hampshire	4,035	3,484	3,484	3,532
New Jersey	41,812	51,955	42,940	52,285
New Mexico	70,926	70,185	64,860	63,650
New York	203,583	105,374	234,578	229,470
North Carolina	78,395	77,677	83,627	83,010
North Dakota	4,749	2,319	5,529	2,684
Ohio	24,167	22,912	24,361	21,257
Oklahoma	33,508	29,971	31,011	29,564
Oregon	58,546	62,424	65,824	34,803
Pennsylvania	39,847	28,005	41,097	37,268
Puerto Rico	578,534	4,889[b]	586,724	1,704[b]
Rhode Island	10,273	10,000	10,000	10,000
South Carolina	15,396	14,958	20,013	19,540
South Dakota	5,847	2,666	5,275	2,649
Tennessee	19,355	18,340	20,901	18,671
Texas	615,466	640,749	640,749	638,863
Utah	56,319	52,582	52,582	52,582
Vermont	1,393	1,564	1,564	1,216
Virginia	67,933	72,680	72,380	39,862
Washington	78,816	78,236	78,236	73,499
West Virginia	843	1,224	1,224	1,140
Wisconsin	39,329	40,522	40,522	31,802
Wyoming	3,742	2,057	2,057	813
Total	**4,826,021**	**4,021,549**	**4,985,120**	**4,287,853**

[a] Includes the District of Columbia and the Commonwealth of Puerto Rico.
[b] Puerto Rico reports the number of LEP students identified, but provides Language Instruction Educational Programs to limited Spanish proficient students.
NOTE: ND = No data provided by state.
SOURCE: The 2004–06 biennial data collection (see Appendix B for details).

Languages spoken by LEP students

Based on the information that NCELA collected from states, there are more than 400 languages spoken by LEP students who attend American schools, with nearly 80 percent of LEP students identified as Spanish speakers and 5 percent speaking various Asian languages, including Vietnamese, Hmong, Chinese, and Korean, as

Table 3. Ten native languages most frequently spoken by K–12 limited English proficient students

Language	Percentage of LEP students reported	
	By states	By districts
Spanish	79.6	76.9
Vietnamese	2.0	2.4
Chinese*	2.1	1.8
Hmong	1.6	1.8
Korean	1.0	1.2
Haitian Creole	0.9	1.1
Arabic	0.9	1.2
Russian	0.8	0.9
Tagalog	0.7	0.9
Navajo	0.9	0.9

* Chinese includes Cantonese, Mandarin, and unspecified Chinese dialects.
SOURCE: Extracted from state data reported by the National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs (NCELA, 2007b) and from district numbers reported by U. S. Department of Education (2003, p 5).

their first language. There is one Native American language, Navajo, that is among the languages most frequently spoken within the LEP student population (see table 3).[9] According to the U.S. Department of Education (2003), just over one-quarter of the districts in the nation report that their LEP students come from only one language group, and over one-sixth report that their LEP students come from 10 or more language groups (28.3 percent and 17.1 percent, respectively) (U.S. Department of Education, 2003, p.9).

[9] These numbers were reported by states to NCELA (see NCELA, 2007b) and are consistent with those reported by districts to the U.S. Department of Education (2003).

Immigrant children and youths

Although there are many languages spoken within the LEP student population, this does not mean that all LEP students are new to the United States. According to The Urban Institute (2006), in 2006, 80 percent of the children of immigrants were born in the United States. Batalova (2006) reports that approximately 74 percent of the total number of identified LEP students in 2005–06 were born in the United States, are U.S. citizens, and began their academic careers in kindergarten and first grade, the same as their English-speaking peers. The remaining 26 percent were immigrant children and youths born in a country other than the United States. The majority of immigrant children and youths (52 percent) also began their U.S. education in kindergarten and first grade. These data indicate that the predominant need for English language development instruction in U.S. school systems is for a large native-born population that does not speak English proficiently (Urban Institute, 2006).

In school years 2005–06:

- States provided more than $115 million of their Title III funds to subgrantees serving K–12 immigrant children and youths.
- States funded 1,200 subgrantees serving K–12 immigrant children and youths.
- Nearly 1.1 million newly arrived K–12 immigrant children and youths were identified, of whom 67 percent (more than 730,000) participated in Title III programs.

States with the largest number of immigrant children and youths:

- California
- Florida
- New York
- Texas
- Georgia

States with the fewest number of immigrant children and youths:

- Michigan
- North Dakota
- Alaska
- Montana
- Wyoming

States must reserve up to 15 percent of their Title III funds for making subgrants to local education agencies (LEAs) that experience a significant increase, compared to the average of the two preceding fiscal years, in the percentage or number of immigrant children and youths enrolled in public and nonpublic elementary and secondary schools (§3114(d)(1)). Each state determines the definition of “significant increase” within its own jurisdiction. Table 4 provides national data for the number of K–12 immigrant children and youths identified and served for the 2004–05 and 2005–06 school years.

Table 4. Immigrant K–12 students: School years 2004–05 and 2005–06

Immigrant students	School year 2004–05			School year 2005–06		
	Number of students identified	Number of identified students served	Percentage of identified students served	Number of students identified	Number of students served	Percentage of identified students served
Reported Number	1,189,039	781,245	65.1	1,087,771	731,598	67.3

SOURCE: The 2004–06 biennial data collection (see Appendix B for details).

Table 5 lists the number of immigrant students reported by each state, as well as the number of immigrant students who participated in Title III-funded programs. In school year 2005–06, a total of 1,087,771 immigrant children and youths were enrolled in U.S. schools; 731,598 of these students were in programs funded by one of 1,193 Title III subgrants. The data indicate that across the country, about two-thirds of immigrant students are in Title III-funded programs for immigrant children and youths. (For more information on immigrant children and youths, see the section “Subgrants to LEAs experiencing substantial increases in immigrant children and youths”).

Table 5. Number of K–12 immigrant children and youths identified and number participating in Title III-funded programs, by state: School years 2004–05 and 2005–06

State*	School year 2004–05		School year 2005–06	
	Number of immigrant students	Number of students participating in Title III-funded programs	Number of immigrant students	Number of students participating in Title III-funded programs
Alabama	ND	2,374	4,595	4,360
Alaska	891	797	914	32
Arizona	40,472	40,472	29,350	29,350
Arkansas	4,584	2,542	4,348	2,506
California	277,092	210,942	255,731	220,624
Colorado	13,689	13,255	14,587	3,988
Connecticut	16,392	6,615	15,813	2,693
Delaware	1,475	1,475	1,505	1,492
Dist. of Columbia	ND	1,056	1,240	1,074
Florida	158,168	158,168	123,100	123,100
Georgia	39,914	39,914	33,168	33,168
Hawaii	3,618	2,553	3,608	3,608
Idaho	2,331	722	1,337	650
Illinois	58,412	14,628	59,343	18,620
Indiana	11,830	2,847	10,310	3,105
Iowa	4,124	2,323	4,652	2,345
Kansas	8,492	4,144	5,436	4,350
Kentucky	ND	4,751	5,752	1,456
Louisiana	4,401	4,031	4,923	4,876
Maine	862	539	880	602
Maryland	17,936	12,272	13,399	9,737
Massachusetts	23,335	20,107	22,217	19,686
Michigan	34,575	34,575	11,515	0
Minnesota	17,165	5,995	14,922	5,013
Mississippi	1,854	847	1,961	777
Missouri	6,969	5,516	7,195	4,770
Montana	347	31	319	165
Nebraska	5,018	1,124	5,018	799
Nevada	13,590	13,590	14,328	14,328
New Hampshire	1,727	1,504	1,830	1,495
New Jersey	43,968	21,820	39,086	9,445
New Mexico	ND	818	8,915	2,119
New York	113,228	35,702	102,508	52,897
North Carolina	29,266	13,320	29,430	14,483
North Dakota	750	0	856	0
Ohio	12,019	7,196	11,606	7,153
Oklahoma	6,926	6,244	6,961	2,867
Oregon	1,523	1,046	2,655	352
Pennsylvania	18,664	12,090	16,139	15,730
Puerto Rico	2,378	403	600	425
Rhode Island	2,600	2,751	2,600	2,600
South Carolina	4,148	353	8,356	8,314
South Dakota	1,297	1,163	1,184	905
Tennessee	6,050	6,050	10,893	9,003
Texas	116,135	30,034	109,401	47,222
Utah	6,709	3,722	6,761	5,648
Vermont	518	211	656	276
Virginia	23,232	15,658	26,040	25,912
Washington	23,386	9,908	22,895	4,180
West Virginia	1,130	1,071	1,005	880
Wisconsin	5,587	946	5,587	939
Wyoming	262	ND	281	179
Total	**1,189,039**	**781,245**	**1,087,711**	**731,598**

* Includes the District of Columbia and the Commonwealth of Puerto Rico.
NOTE: ND = No data provided by state. 0 = State reported no students served.
SOURCE: The 2004–06 biennial data collection (see Appendix B for details).

Language Instruction Educational Programs for K–12 LEP Students

Once students have been identified as LEP using a state-approved ELP assessment, their school districts must determine the type of research-based LIEP that will serve their LEP students best. Title III requires districts to provide "high-quality LIEPs that are based on scientifically based research demonstrating the effectiveness of the programs" (§3115(c)(1)). Determining which type of program is most appropriate depends on a variety of factors, such as:

- the number of LEP students in the school and district;
- the number of LEP students who speak the same native language;
- any state-legislated mandates that define program approaches for LEP students in the state;
- the availability of appropriate materials, teachers, and other resources; and
- the preferences of individual parents.

The survey data collected for this report indicate that 43 states and the District of Columbia provide subgrantees with written guidance on how to select a research-based LIEP. Most states offered a variety of programs. Generally, these programs can be classified by the language of instruction, whether predominantly English (possibly with some support in the native language) or a combination of English and the native language. Based on the work of Linquanti (1999) and NCELA (2000), there currently are four general types of English-only LIEPs used within the states and five general types of LIEPs that provide instruction in two languages. For brief descriptions of these programs, see figure 2.

Figure 2. Definitions of Language Instruction Educational Programs

Programs that focus on developing literacy in two languages include—

- ***Two-way Immersion*** or ***Two-way Bilingual***
  - The goal is to develop strong skills and proficiency in both native language (L1) and English (L2).
  - Includes students with an English background and students from one other language background.
  - Instruction is in both languages, typically starting with a smaller proportion of instruction in English, and gradually moving to half of the instruction in each language.
  - Students typically stay in the program throughout elementary school.

- ***Dual Language***
  - When called "dual language immersion," usually the same as two-way immersion or two-way bilingual.
  - When called "dual language," may refer to students from one language group developing full literacy skills in two languages—L1 and English.

- ***Early Exit Transitional***
  - The goal is to develop English skills as quickly as possible, without delaying learning of academic core content.
  - Instruction begins in L1, but rapidly moves to English; students typically are transitioned into mainstream classrooms with their English-speaking peers as soon as possible.

- ***Heritage Language*** or ***Indigenous Language Program***
  - The goal is literacy in two languages.
  - Content taught in both languages, with teachers fluent in both languages.
  - Differences between the two programs: heritage language programs typically target students who are non-English speakers or who have weak literacy skills in L1; indigenous language programs support endangered minority language in which students may have weak receptive and no productive skills.
  - Both programs often serve American Indian students.

- ***Late Exit Transitional, Developmental Bilingual*** or ***Maintenance Education***
  - The goal is to develop some skills and proficiency in L1 and strong skills and proficiency in L2 (English).
  - Instruction at lower grades is in L1, gradually transitioning to English; students typically transition into mainstream classrooms with their English-speaking peers .
  - Differences among the three programs focus on the degree of literacy students develop in the native language.

(continued)

Figure 2. Definitions of Language Instruction Educational Programs *(continued from p.17)*

Programs that focus on developing literacy in only English include—

- ***Specially Designed Academic Instruction in English (SDAIE), Content-based English as a Second Language (ESL)***, ***Sheltered Instruction Observational Protocol (SIOP),*** or ***Sheltered English***
  - The goal is proficiency in English while learning content in an all-English setting.
  - Students from various linguistic and cultural backgrounds can be in the same class.
  - Instruction is adapted to students' proficiency level and supplemented by gestures and visual aids.
  - May be used with other methods; e.g., early exit may use L1 for some classes and SDAIE for others.

- ***Structured English Immersion (SEI)***
  - The goal is fluency in English, with only LEP students in the class.
  - All instruction is in English, adjusted to the proficiency level of students so subject matter is comprehensible.
  - Teachers need receptive skill in students' L1 and sheltered instructional techniques.

- ***English Language Development (ELD)*** or ***ESL Pull-out***
  - The goal is fluency in English.
  - Students leave their mainstream classroom to spend part of the day receiving ESL instruction, often focused on grammar, vocabulary, and communication skills, not academic content.
  - There is typically no support for students' native languages.

- ***ESL Push-in***
  - The goal is fluency in English.
  - Students are served in a mainstream classroom, receiving instruction in English with some native language support if needed.
  - The ESL teacher or an instructional aide provides clarification, translation if needed, and uses ESL strategies.

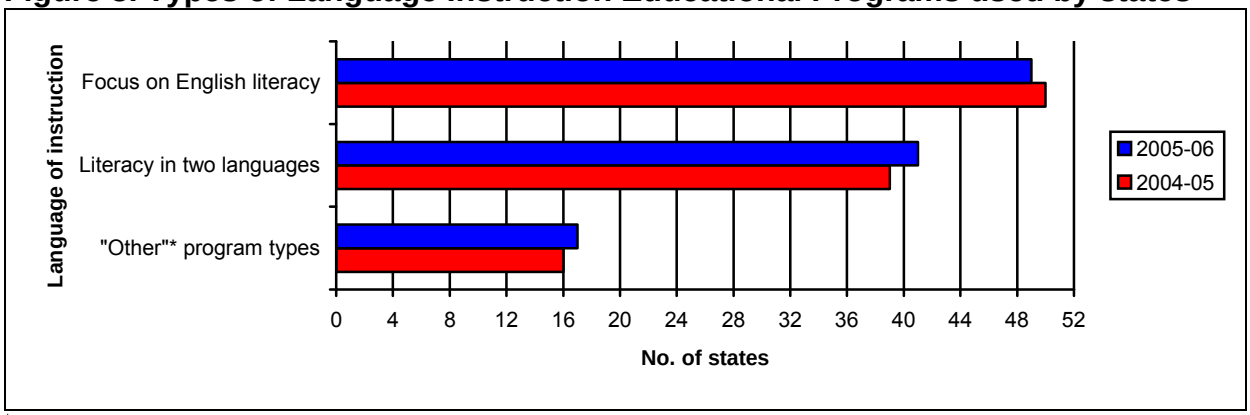
SOURCE: Adapted from work by Linquanti (1999) and NCELA (2000); as well as the 2004-06 biennial data collection (for details of the data collection, see Appendix B).

Figure 3 provides a summary of the number of states that reported subgrantees using LIEPs that focus on developing literacy in English, on developing literacy in two languages, and "other"[10] program approaches. The "other" category of LIEPs that states reported for LEP students generally can be categorized as before- and after-school courses, classes at Newcomer Centers, tutors, homework assistance, and Saturday programs (some of which involved LEP students' families). Seven states reported that they had programs focused on developing literacy only in English. Forty-

[10] The extent to which some of these "other" programs truly were LIEPs was not clear, but they are reported here as reported by states on the biennial data collection form.

one states reported having programs that developed literacy in two languages, but no state reported that it used only two-language programs.

Figure 3. Types of Language Instruction Educational Programs used by states



* "Other" programs generally can be categorized as before- and after-school courses, classes at Newcomer Centers, tutors, homework assistance, and Saturday programs (some of which involved LEP students' families).
NOTE: Includes the District of Columbia and the Commonwealth of Puerto Rico. States were asked to report on LIEPs currently used by subgrantees, without reference to a specific year.
SOURCE: The 2004–06 biennial data collection (see Appendix B for details).

Accountability: Testing K–12 LEP Students for English Language Proficiency and Content Achievement

This section reports on states' progress toward meeting the goals of Title III: proficiency in English and achievement in academic subjects for K–12 LEP students. This is the core purpose of Title III for which states are held accountable. First, data from the National Assessment of Educational Progress are presented, then AMAO data reported by states for the 2004–05 and 2005–06 school years are presented. All AMAO data are self-reported by states; where possible, data were confirmed with states.

National Assessment of Educational Progress

The National Assessment of Educational Progress (NAEP), or the Nation's Report Card, as it is called, is carried out by the U.S. Department of Education's National Center for Education Statistics (NCES). NAEP is considered by many as the only nationally representative and continuing assessment of what America's students know and can do in targeted grades and various subject areas (U.S. Department of Education, NCES 2007). NAEP includes students drawn from both public and

nonpublic schools and reports results for student achievement at grades 4, 8, and 12. Students matching certain criteria, including LEP students and formerly LEP students, are selected to participate in NAEP. While students are not selected randomly, the selected samples are from each state and jurisdiction and are considered to be representative of the nation's students.[11] The content of the assessments is determined by a framework developed with the help of researchers, policymakers, and interested members of the general public as well as content area educators and curriculum and assessment experts. Since 1998, accommodations have been provided to students with disabilities and to LEP students, but these accommodations may be different from the accommodations offered by states for their own statewide tests.[12] Still, NAEP provides a means for examining achievement gains by LEP students and the achievement gap between LEP students and others. It also is important to note that since 2002, the number of students tested has increased and smaller differences between years or between groups of students have been found to be statistically significant than would have been detected in previous assessments.[13]

NAEP Highlights for 2000, 2003, 2005, and 2007:

- The percentage of LEP students reaching basic proficiency on the NAEP tests has increased, while the percentage of fluent English speakers reaching that level have remained level or declined over the same period.
- The percentages of formerly LEP students who have reached basic proficiency are much higher than the percentages of those who are still LEP students.
- The gap between the LEP and the non-LEP students has tended to decrease.

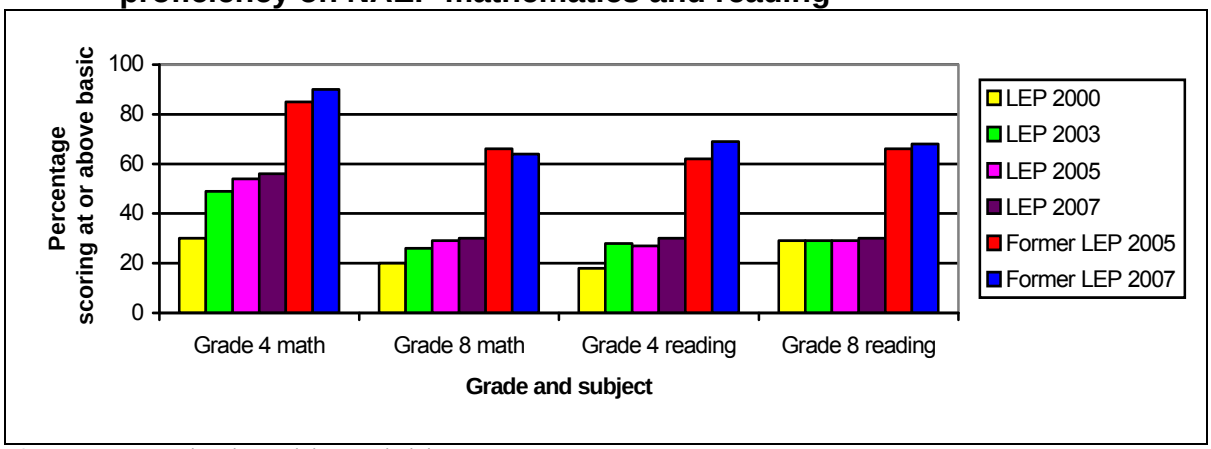
[11] For 2007, the fourth-grade sample of students assessed for reading included 10 percent identified as LEP, although 2 percent were excluded from testing by local school personnel; the eighth-grade sample of students assessed for reading included 6 percent identified as LEP although 1 percent were excluded from testing by local school personnel. For 2007, the fourth-grade sample of students assessed for mathematics included 10 percent identified as LEP although 1 percent were excluded from testing by local school personnel; the eighth-grade sample of students assessed for reading included 6 percent identified as LEP although 1 percent were excluded from testing by local school personnel (U.S. Department of Education, NCES 2007).

[12] Of the 5 to 9 percent of the sample actually tested for mathematics or reading who were identified as LEP, 1 to 3 percent were assessed using accommodations (U.S. Department of Education, NCES 2007).

[13] Statistical significance when testing differences between two groups of students is based on three factors: (1) the size of the difference between the two groups (e.g., 50 percent of students scoring basic versus 20 percent of students scoring basic), (2) the differences between students within each group (referred to as the *variance* within the groups), and (3) the size of each group. Thus if the size of the two groups is fairly large (generally anything over 100 individuals in a group), and the two groups are relatively similar, a very small difference between them can be identified as "statistically significant." On the other hand, the same size difference between two groups when the groups are made up of fewer individuals, or when each group of individuals is quite dissimilar, will not be found statistically significant. Therefore, as noted on the NAEP Web site, "The term 'significant' is not intended to imply a judgment about the absolute magnitude or the educational relevance of the differences. It

Figure 4 shows that LEP students generally have been making progress over the last seven years in fourth-grade mathematics and reading, as well as in eighth-grade mathematics, when looking at the percentage of students reaching at least the basic level of proficiency. Although eighth-grade reading achievement of LEP students has been level, as measured by the percentage reaching at least basic proficiency, the percentage of eighth-grade non-LEP students reaching this level has declined over the same time period. To describe LEP student progress statistically, the percentage of fourth-grade and eighth-grade LEP students who scored at the basic level or higher in mathematics was significantly higher in 2007 than in previous years (U.S. Department of Education, NCES 2007). The percentage of fourth-grade LEP students who scored at or above the basic level in reading was significantly higher in 2007 than in 2005; however, the percentage of eighth-grade LEP students who scored at or above the basic level in reading was not significantly different from 2005 (U.S. Department of Education, NCES 2007).

Figure 4. Percentage of fourth- and eighth-grade LEP students (2000, 2003, 2005, 2007) and former LEP students (2005, 2007) scoring at or above basic proficiency on NAEP mathematics and reading



NOTE: Former LEP students have only been tracked since 2005.
SOURCE: (U.S. Department of Education, NCES 2007)

Beginning in 2005, formerly LEP students have been identified and tracked (see figure 4). In reviewing data from 2005, it appears that formerly LEP students are

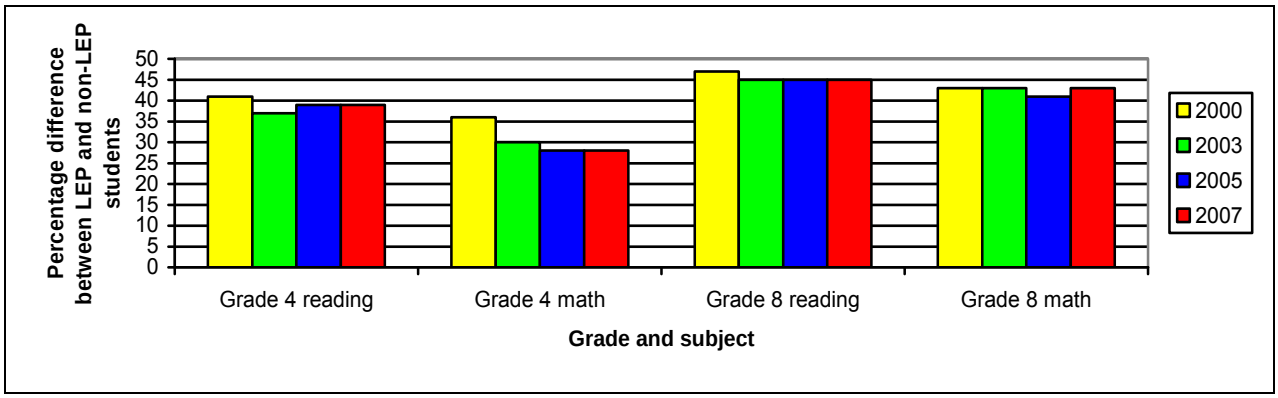
is intended to identify statistically dependable population differences to help inform dialogue among policymakers, educators, and the public. … [Further, readers] are cautioned against interpreting NAEP results as implying causal relations" (U.S. Department of Education, NCES 2007).

outperforming their LEP peers; in the data from 2007, it appears that this pattern continues: There are about 30-40 percent more formerly LEP students scoring at least at the basic level of proficiency than their LEP peers at each grade level and in both content areas. For those who were formerly LEP students, the percentage of students scoring at least at the basic level of proficiency appears to have increased from 2005 to 2007 for the fourth-grade students in both math and reading and for the eighth-grade students in reading.

An important question is whether and how LIEPs funded by Title III of *ESEA* may have affected the gap in achievement scores between students who speak English proficiently and those who do not. As indicated in figure 5, this gap has closed since 2000 in fourth-grade mathematics by nearly 10 percentage points; other grade levels showed very small decreases in the gap—eighth-grade reading by about 3 percentage points and fourth-grade reading by about 2 percentage points. While the relationship between Title III funding and student achievement cannot be tested given the data available, it may be possible to suggest that such a relationship may exist, especially for fourth-grade LEP students.[14]

[14] NAEP does not identify LEP students served within Title III-funded LIEPs. However, it was noted previously that 85 percent of LEP students are served by such programs. It therefore can be assumed that about 85 percent of the LEP students in the NAEP samples were participating in Title III-funded LIEPs. Thus a cause-and-effect relationship cannot be confirmed, but seems plausible.

Figure 5:Percentage difference between non-LEP students and LEP students scoring at or above basic proficiency on NAEP in 2000, 2003, 2005, and 2007



SOURCE: (U.S. Department of Education, NCES 2007).

Annual Measurable Achievement Objectives

In addition to academic achievement in the core content areas, each state must assess students on an annual basis for ELP. They must set targets for and provide performance data that indicate the percentage of students who reach the targets. These requirements constitute Title III annual measurable achievement objectives (AMAOs).

According to Title III of *ESEA*, all AMAOs must be developed in a manner that "reflects the amount of time an individual child has been enrolled in a language instruction educational program; and uses consistent methods and measurements to reflect the increases [in English language development]" ((§3122(a)(2)).

AMAO 1 includes "at a minimum, annual increases in the number or percentage of children making progress in learning English" (§3122(a)(3)(A)(i)).

AMAO 2 includes "at a minimum, annual increases in the number or percentage of children attaining English proficiency by the end of each school year, as determined by a valid and reliable assessment of English proficiency consistent with section 1111(b)(7)" (§3122(a)(3)(A)(ii)).

Progress and attainment of English language proficiency—AMAOs 1 and 2

AMAO 1 requires states to demonstrate that LEP students are making progress in learning English; AMAO 2 requires states to demonstrate that LEP students are attaining ELP. Each state sets its own AMAO target for the percentage and number of students making progress and attaining ELP. In addition, each state establishes its own standards, assessments, and criteria for exiting students from the LEP subgroup. For these reasons and others, these data cannot be used to determine, across states, whether LEP students made progress in attaining ELP against any common standard; they can

be used only to review the progress of the LEP populations against the standards (and using the assessments) of the individual states.

In 2004–05, for AMAO 1 (LEP students making progress in ELP):

- Seven states, the District of Columbia, and the Commonwealth of Puerto Rico provided no data;
- 42 states provided target data;
- 40 states provided performance data; and
- 24 states reported that they met their targets.

During the same year, for AMAO 2 (LEP students attaining ELP):

- Six states, the District of Columbia, and the Commonwealth of Puerto Rico provided no data;
- 41 states provided target data;
- 42 states provided performance data; and
- 30 states reported that they met their targets.

These AMAO data are provided in table 6.

In 2005–06, for AMAO 1 (LEP students making progress in ELP):

- Six states provided no data;
- 41 states, the District of Columbia, and the Commonwealth of Puerto Rico provided target data;
- 38 states, the District of Columbia, and the Commonwealth of Puerto Rico provided performance data; and
- 24 states and the Commonwealth of Puerto Rico reported that they met their targets.

In 2005–06:

- 24 states and the Commonwealth of Puerto Rico reached their targets for AMAO 1 and
- 28 States reached their targets for AMAO 2.

In 2005–06, for AMAO 2 (LEP students attaining ELP):

- Six states provided no data;
- 41 states, the District of Columbia, and the Commonwealth of Puerto Rico provided target data;

- 41 states, the District of Columbia, and the Commonwealth of Puerto Rico provided performance data; and
- 28 states reported that they met their targets.

Several states reported that they did not provide the required data because they recently began administering new ELP assessments and had not yet collected sufficient data to determine reasonable AMAO targets. However, OELA has consistently reminded the states that developing and administering new assessments did not exempt them from submitting the required data for the biennial report. The data by state for 2005–06 are provided in table 7.

Table 6. Results for AMAOs 1 and 2, by state: School year 2004–05

State*	AMAO 1: Making progress in English		AMAO 2: Attaining English proficiency	
	Percentage of students making progress	Met target?	Percentage of students attaining proficiency	Met target?
Alabama	ND	ND	ND	ND
Alaska	37.5	No	12.6	No
Arizona	53.0	Yes	17.0	Yes
Arkansas	37.0	Yes	48.0	Yes
California	62.9	Yes	38.8	Yes
Colorado	ND	ND	ND	ND
Connecticut	62.9	Yes	19.6	Yes
Delaware	78.0	No	4.6	No
Dist. of Columbia	ND	ND	ND	ND
Florida	ND	ND	ND	ND
Georgia	63.1	Yes	37.6	Yes
Hawaii	54.9	No	12.7	Yes
Idaho	59.2	No	11.8	Yes
Illinois	70.0	No	35.4	Yes
Indiana	63.5	No	27.0	No
Iowa	12.0	No	24.0	Yes
Kansas	76.9	Yes	23.1	Yes
Kentucky	40.0	No	24.0	Yes
Louisiana	90.5	Yes	9.5	No
Maine	ND	ND	4.0	No
Maryland	ND	ND	ND	ND
Massachusetts	56.1	Yes	39.9	Yes
Michigan	ND	ND	ND	ND
Minnesota	77.4	Yes	4.0	Yes
Mississippi	73.4	No	53.7	Yes
Missouri	ND	ND	22.1	ND
Montana	ND	ND	ND	ND
Nebraska	ND	ND	22.8	Yes
Nevada	93.0	No	13.0	Yes
New Hampshire	83.6	Yes	19.5	No
New Jersey	64.0	Yes	96.5	Yes
New Mexico	54.0	Yes	31.0	Yes
New York	48.4	No	15.4	Yes
North Carolina	81.0	Yes	53.3	Yes
North Dakota	90.0	Yes	6.6	No
Ohio	33.9	No	5.3	Yes
Oklahoma	50.0	Yes	22.0	Yes
Oregon	61.3	No	12.1	Yes
Pennsylvania	75.0	Yes	24.8	No
Puerto Rico	ND	ND	ND	ND
Rhode Island	73.3	Yes	39.2	No
South Carolina	64.7	Yes	1.8	Yes
South Dakota	74.0	Yes	43.0	Yes
Tennessee	52.6	Yes	14.3	No
Texas	45.0	Yes	ND	ND
Utah	47.1	No	37.0	Yes
Vermont	66.3	No	6.8	No
Virginia	54.3	Yes	26.6	Yes
Washington	74.8	Yes	72.0	Yes
West Virginia	85.0	Yes	7.0	Yes
Wisconsin	55.0	No	45.0	No
Wyoming	41.6	No	54.9	Yes
Total	**40 states provided data**	**24 met target**	**42 states provided data**	**30 met target**

* Includes the District of Columbia and the Commonwealth of Puerto Rico.

NOTE: ND = No data provided by state. AMAO = Annual Measurable Achievement Objective. AMAO 1 measures students making progress in learning English. AMAO 2 measures students attaining English language proficiency.

SOURCE: The 2004–06 biennial data collection (see Appendix B for details).

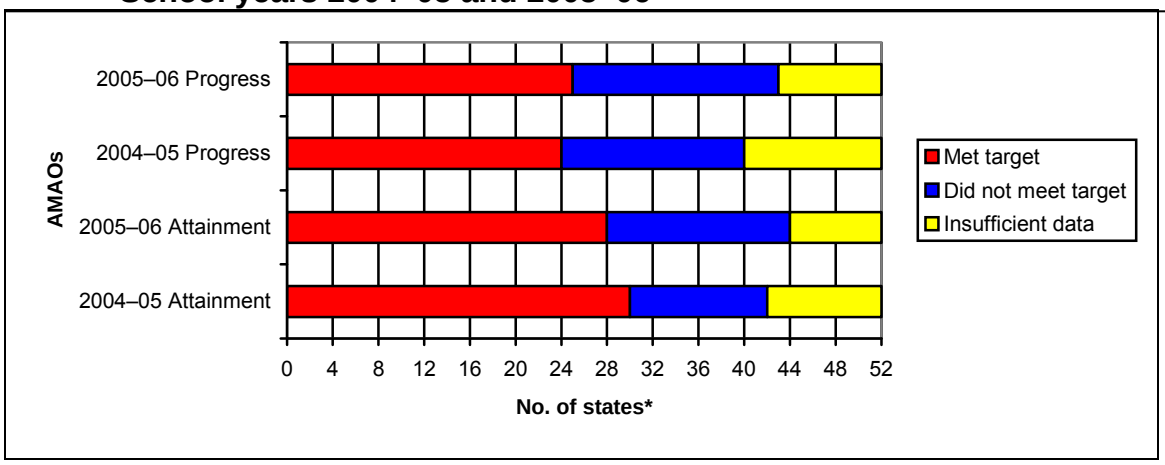
Table 7. Results for AMAOs 1 and 2, by state: School year 2005–06

State[a]	AMAO 1: Making progress in English		AMAO 2: Attaining English proficiency	
	Percentage of students making progress	Met target?	Percentage of students attaining proficiency	Met target?
Alabama	65.9	Yes	17.2	Yes
Alaska	31.6	No	21.4	Yes
Arizona	57.0	Yes	16.0	Yes
Arkansas	56.0	No	42.0	Yes
California	62.4	Yes	40.3	Yes
Colorado	47.0	Yes	38.0	Yes
Connecticut	67.1	Yes	40.2	Yes
Delaware	79.7	No	4.4	No
Dist. of Columbia	32.4	No	2.5	No
Florida	ND	ND	ND	ND
Georgia	60.0	Yes	21.0	No
Hawaii	56.0	No	13.0	Yes
Idaho	ND	ND	18.4	No
Illinois	81.2	No	18.3	Yes
Indiana	43.2	No	16.4	No
Iowa	78.3	No	8.1	No
Kansas	89.6	Yes	10.39	No
Kentucky	85.9	Yes	29.8	Yes
Louisiana	41.2	No	14.3	No
Maine	37.0	No	3.0	No
Maryland	70.6	No	24.6	Yes
Massachusetts	64.0	Yes	48.0	Yes
Michigan	ND	ND	ND	ND
Minnesota	84.7	Yes	15.7	Yes
Mississippi	90.7	Yes	45.5	Yes
Missouri	ND	Yes	21.0	Yes
Montana	ND	ND	ND	ND
Nebraska	78.0	No	24.6	Yes
Nevada	94.0	No	15.0	Yes
New Hampshire	ND	ND	ND	ND
New Jersey	66.0	Yes	93.9	Yes
New Mexico	ND	No[b]	27.0	Yes
New York	ND	ND	ND	ND
North Carolina	67.4	Yes	10.2	No
North Dakota	80.1	Yes	7.3	No
Ohio	31.1	No	42.9	No
Oklahoma	63.0	Yes	26.0	Yes
Oregon	48.0	No	12.0	No
Pennsylvania	64.0	Yes	35.9	No
Puerto Rico	14.0	Yes	39.0	No
Rhode Island	ND	ND	ND	ND
South Carolina	77.6	Yes	8.1	Yes
South Dakota	35.6	No	64.4	Yes
Tennessee	55.9	Yes	29.0	No
Texas	53.4	ND	34.4	ND
Utah	63.0	No	18.0	Yes
Vermont	60.3	Yes	16.9	Yes
Virginia	86.0	Yes	38.0	Yes
Washington	90.0	Yes	70.0	Yes
West Virginia	75.0	Yes	8.0	Yes
Wisconsin	ND	Yes[c]	ND	Yes[c]
Wyoming	ND	ND	ND	ND
Total	**40 states provided data**	**25 met targets**	**43 states provided data**	**28 met targets**

[a] Includes the District of Columbia and the Commonwealth of Puerto Rico.
[b] New Mexico provided no target data and no performance data, but did report that it had not reached its targets
[c] Wisconsin provided no target data and no performance data, but reported that it had reached its targets.
NOTE: ND = No data provided by state. AMAO = Annual Measurable Achievement Objective. AMAO 1 measures students making progress in learning English. AMAO 2 measures students attaining English language proficiency.
SOURCE: The 2004–06 biennial data collection (see Appendix B for details).

More states submitted data in 2005–06 than in 2004–05 (see tables 6 and 7). Data summarizing AMAO 1 and 2 performance data for 2004–05 and 2005–06 are provided in figure 6.

Figure 6. Numbers of states reaching and not reaching AMAO 1 and AMAO 2: School years 2004–05 and 2005–06



* Includes the District of Columbia and the Commonwealth of Puerto Rico.
NOTE: AMAO = Annual Measurable Achievement Objective. AMAO 1 measures students making progress in learning English. AMAO 2 measures students attaining English language proficiency.
SOURCE: The 2004–06 biennial data collection (see Appendix B for details).

According to the state-reported data, more states met their targets of LEP students making progress in learning English in 2005–06 than in 2004–05, while more students attained ELP in 2004–05 than in 2005–06. Figure 6 also shows that nearly half of the states (24, as well as the Commonwealth of Puerto Rico) reported that their LEP students met the state's target for making progress in ELP and more than half (28 states) reported that their students met the state's target for attaining ELP in 2005–06.

Content area achievement—AMAO 3

While AMAOs 1 and 2 measure ELP of Title III-served K–12 LEP students, AMAO 3 measures adequate yearly progress (AYP) for the LEP subgroup, as defined in Title I. For AMAO 3, data are reported for the grade 3–12 LEP subgroup identified for Title I services.

Although states were required to test only three grade levels in 2004–05, many states tested more grade levels as they prepared to test seven grade levels by 2005–06.[15] Table 8 shows that states differed greatly in the extent to which they reached their targets for AMAO 3:

- 6.8 percent to 80.5 percent of LEP students tested scored in the proficient or advanced categories on state annual mathematics assessments;
- 2.8 percent to 80.5 percent of LEP students tested scored in the proficient or advanced categories on state reading or language arts assessments; and
- New York and Puerto Rico did not provide achievement data for mathematics or reading or language arts for the LEP subgroup.

AMAO 3 Is Adequate Yearly Progress (AYP) as defined in Title I of *ESEA*:

"Each State plan shall demonstrate, based on academic assessments ... , what constitutes adequate yearly progress of the State, and of all public … schools, and local education agencies in the State, toward enabling all … students to meet the State's student academic achievement standards, while working toward the goal of narrowing the achievement gaps …" (§1111(b)(2)(B)).

"'Adequate yearly progress' shall be defined by the State in a manner that applies the same high standards of academic achievement to all … students in the State; … includes separate measurable annual objectives for continuous and substantial improvement for each of the following: … students with limited English proficiency; … includes graduation rates for public secondary school students … and at least one other academic indicator …" (§1111(b)(2)(C)(i), (v)(II)(dd), & (vi)).

"Each year for a school to make adequate yearly progress under this paragraph – each group of students described in subparagraph (C)(v) must meet or exceed the objectives set by the State … and not less than 95 percent of each group of students described in subparagraph (C)(v) who are enrolled in the school are required to take the assessments" (§1111(b)(2)(I)(i-ii)).

[15] As mandated by *ESEA* §1111(b)(3)(C).

Table 8. Results for AMAO 3, by state: School year 2004–05

State*	Percentage of students proficient or advanced in mathematics	Percentage of students proficient or advanced in reading or language arts
Alabama	53.5	58.1
Alaska	40.6	44.7
Arizona	29.4	19.8
Arkansas	28.0	28.0
California	30.0	21.4
Colorado	64.1	71.6
Connecticut	43.6	27.9
Delaware	42.4	41.6
Dist. of Columbia	48.1	19.8
Florida	40.1	34.0
Georgia	60.9	31.6
Hawaii	6.8	13.8
Idaho	48.2	47.8
Illinois	43.0	56.4
Indiana	52.7	43.9
Iowa	44.7	36.0
Kansas	45.9	60.1
Kentucky	25.0	37.0
Louisiana	63.8	54.8
Maine	14.6	18.9
Maryland	42.9	37.0
Massachusetts	15.6	18.9
Michigan	47.0	44.0
Minnesota	48.3	44.7
Mississippi	73.3	62.2
Missouri	19.0	12.0
Montana	18.2	19.6
Nebraska	71.5	66.5
Nevada	26.2	21.0
New Hampshire	10.5	2.8
New Jersey	44.4	32.5
New Mexico	15.9	31.8
New York	ND	ND
North Carolina	70.6	51.9
North Dakota	30.6	32.4
Ohio	49.5	57.2
Oklahoma	49.7	48.4
Oregon	61.7	55.7
Pennsylvania	40.3	24.1
Puerto Rico	ND	ND
Rhode Island	11.0	11.0
South Carolina	18.4	15.7
South Dakota	21.4	27.4
Tennessee	63.5	47.8
Texas	62.0	68.5
Utah	45.8	41.3
Vermont	39.1	10.2
Virginia	77.0	68.9
Washington	18.2	35.4
West Virginia	76.9	75.7
Wisconsin	40.4	46.7
Wyoming	80.5	80.5
Total	**50 states provided data**	**50 states provided data**

* Includes the District of Columbia and the Commonwealth of Puerto Rico.

NOTE: ND = No data provided by state. AMOA = Annual Measurable Achievement Objective. AMOA 3 is a measure of Adequate Yearly Progress as indicated by student performance on assessments.

SOURCE: Data provided by Office of Planning, Evaluation and Policy Development, U.S. Department of Education (Nov. 8, 2007).

In 2005–06, states were required to test content area achievement in grades 3–8 and once in high school.[16] Table 9 shows that 50 states and the District of Columbia provided mathematics and reading or language arts achievement data at all seven grade levels. As in 2004–05, there was wide variability in the extent to which states met their targets for AMAO 3:

- 4.7 percent to 82.2 percent of LEP students tested scored in the proficient or advanced categories in mathematics;
- 4.4 percent to 82.2 percent of LEP students tested scored in the proficient or advanced categories in reading or language arts achievement; and
- The Commonwealth of Puerto Rico did not provide achievement data for either mathematics or reading or language arts for the LEP subgroup.

Based on the information that states provided in their biennial reports to the Department of Education, reaching state targets for AMAO 3 proved to be difficult for states during 2005–06, possibly due to the greater number of grade levels that were being tested.[17] Nearly three-quarters of states did not reach their performance targets at all grade levels in mathematics. A greater percentage of states did not reach their performance targets at all grade levels in reading or language arts. One state met all performance targets in mathematics. No state met all performance targets in reading or language arts.

[16] The grade tested in high school is at the discretion of the state.

[17] In their biennial reports, some states noted that because students in some grade levels had not been tested previously, they did not know how to create targets without baseline data. As noted earlier, other states indicated that they had a new assessment (or had used their assessment only once), did not know how well students would perform on the assessment, and could not create a target without baseline data.

Table 9. Results for AMAO 3, by state: School year 2005–06

State*	Percentage of students proficient or advanced in mathematics	Percentage of students proficient or advanced in reading/language arts
Alabama	57.5	53.2
Alaska	43.7	50.5
Arizona	29.2	18.5
Arkansas	39.8	37.4
California	33.2	24.1
Colorado	63.5	67.2
Connecticut	45.8	28.4
Delaware	39.7	38.4
Dist. of Columbia	20.0	22.2
Florida	42.9	38.7
Georgia	64.0	58.7
Hawaii	7.6	12.4
Idaho	60.3	56.7
Illinois	56.4	62.7
Indiana	55.7	45.5
Iowa	49.7	38.6
Kansas	53.4	46.7
Kentucky	27.3	38.0
Louisiana	62.8	55.9
Maine	28.3	25.8
Maryland	46.0	40.8
Massachusetts	15.8	15.6
Michigan	51.1	46.8
Minnesota	29.2	40.1
Mississippi	70.9	61.7
Missouri	4.7	4.4
Montana	19.1	33.2
Nebraska	77.3	69.7
Nevada	24.0	17.1
New Hampshire	31.7	31.6
New Jersey	43.1	34.3
New Mexico	19.7	34.6
New York	45.7	42.5
North Carolina	40.7	56.8
North Dakota	45.3	43.4
Ohio	53.3	56.3
Oklahoma	52.3	52.4
Oregon	55.9	50.8
Pennsylvania	40.3	23.8
Puerto Rico	ND	ND
Rhode Island	14.3	17.3
South Carolina	33.4	26.9
South Dakota	37.7	53.1
Tennessee	64.3	57.7
Texas	65.9	71.2
Utah	48.3	48.4
Vermont	40.4	46.1
Virginia	65.1	72.3
Washington	18.1	31.3
West Virginia	70.8	66.2
Wisconsin	50.7	54.6
Wyoming	82.2	82.2
Total	**51 states provided data**	**51 states provided data**

* Includes the District of Columbia and the Commonwealth of Puerto Rico.

NOTE: ND = No data provided by state. AMOA = Annual Measurable Achievement Objective. AMOA 3 is a measure of Adequate Yearly Progress as indicated by student performance on assessments.

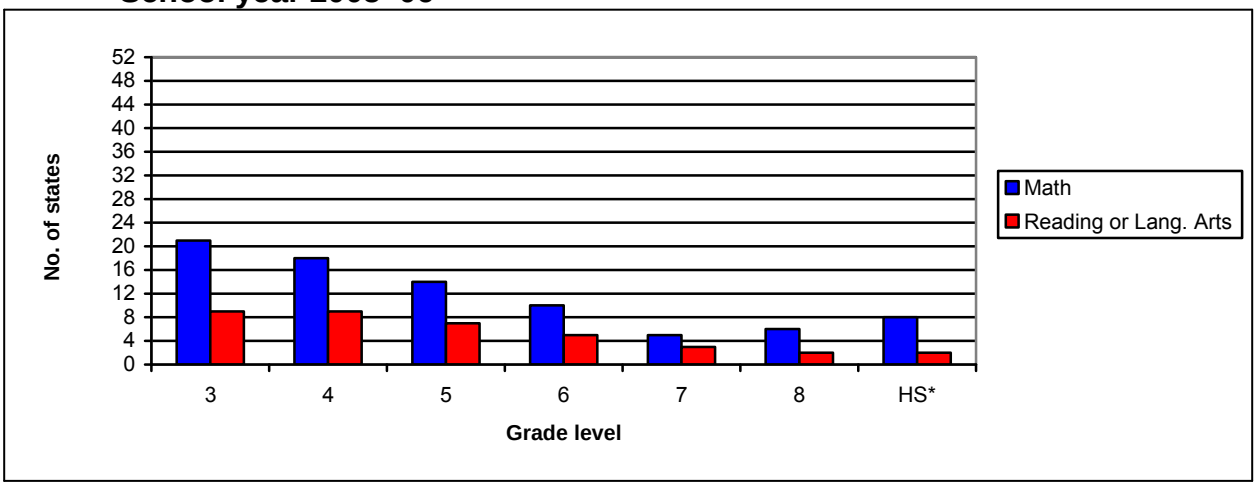
SOURCE: Data provided by Office of Planning, Evaluation and Policy Development, U.S. Department of Education (Nov. 8, 2007).

Examining the 2005–06 data by grade level shows some interesting patterns emerging:

- Achievement decreases as grade level increases—with each grade level, fewer states met their targets;
- Achievement in mathematics, as measured by states reaching their performance targets, is higher than in reading or language arts;
- Fewer states reach their targets in mathematics in grades 3 to 7 as the grade level increases (from a high of 21 states reaching their targets in grade 3 to a low of five states in grade 7);
- The number of states reaching their targets in mathematics increases from grade 8 to high school[18] (six states and eight states, respectively, reaching their targets); and
- Fewer states reach their targets in reading or language arts as the grade level increases (from a high of nine states reaching their targets in grade 3 to a low of two states reaching their targets in high school).

These data are presented in figure 7.

Figure 7. Number of states meeting content achievement targets, by grade level: School year 2005–06



*States test once in high school, at their own discretion.
NOTE: Includes the District of Columbia and the Commonwealth of Puerto Rico
SOURCE: The 2004–06 biennial data collection (see Appendix B for details).

[18] States test once in high school, at their own discretion.

Academic content testing in the native language

Under *ESEA*, LEP students may be assessed in their native language in reading or language arts for up to three years, with an additional two years permitted on a case-by-case basis. The native language assessment must be equivalent to the grade-level academic English language assessment given to all students and be aligned with the content standards in reading or language arts (see §1111(b)(3)(C)(ii), (ix)(III), and (x)).

A total of 11 states reported that they provided tests of at least one academic content area in a language other than English. Nine states tested mathematics in at least one native language in at least one grade level; all of the nine tested in Spanish with three also testing in at least one additional language. Six states tested reading or language arts in Spanish in at least one grade level.

Accommodations for content area achievement tests

Accommodations generally refer to supports and strategies used to assist students as they take a test. However, accommodations should not invalidate the assessment results by altering the constructs being tested or by providing an unfair advantage to the students. The *ESEA* provides that LEP students "shall be assessed in a valid and reliable manner and provided reasonable accommodations on assessments" (§1111(b)(3)(C)(ix)(III)).

The performance of LEP students on content assessments, such as mathematics, science, and history, can be confounded by language that may be irrelevant to the content. As a result, these tests often measure students' English language abilities rather than their knowledge of the content. When this occurs, schools and districts are unable to accurately determine students' knowledge and skills. Accommodations can improve the validity of LEP students' test scores by measuring the academic content, reducing the confounding effects of language, and allowing LEP students to meaningfully participate in an assessment.

Accommodations for LEP students that currently are supported by research include:

(1) reducing the linguistic complexity of the test items and the structure of the test items;

(2) providing English glossaries or dictionaries that are customized to the vocabulary and content of the particular test;

(3) allowing extra time to complete the assessment if the student has some proficiency in English; and

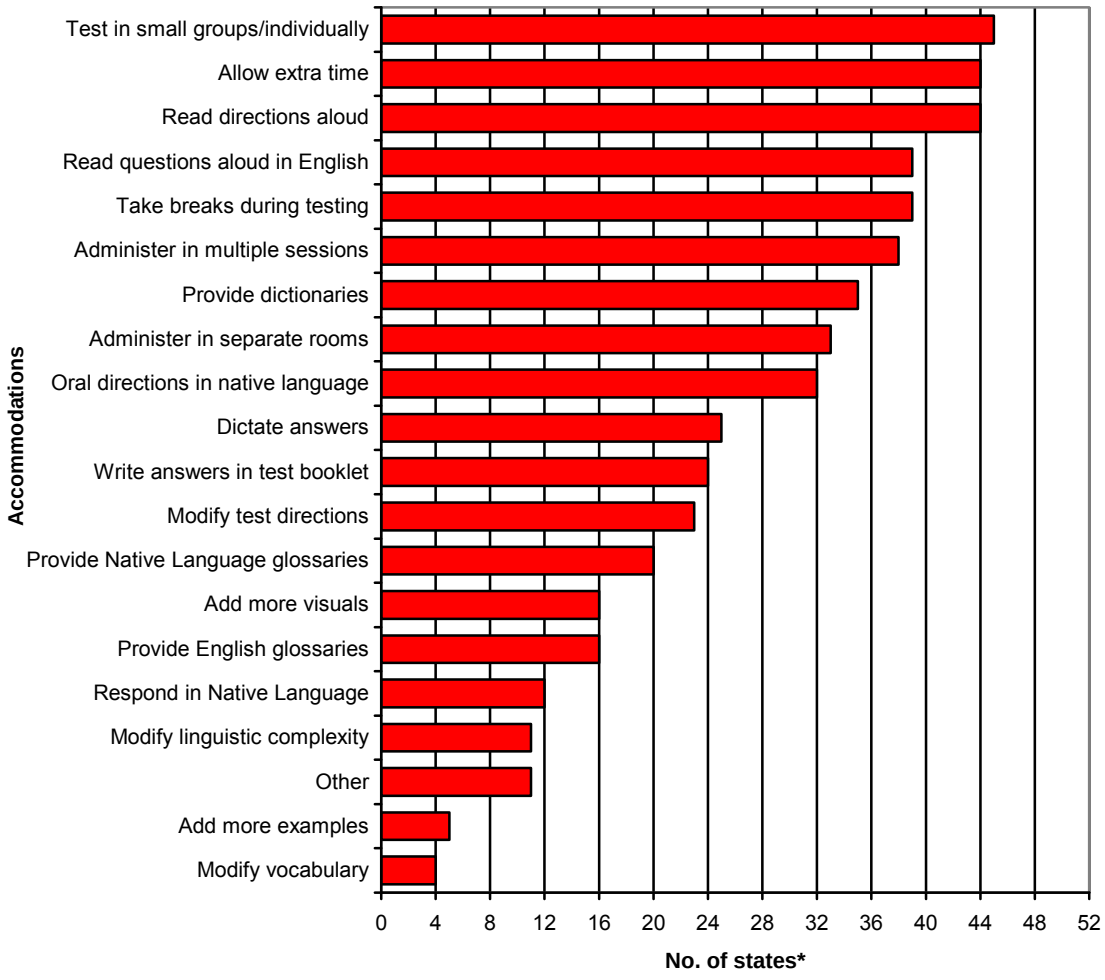
(4) simplifying test directions, providing test directions in students' native language(s), or both.[19]

For the purposes of this *Biennial Report to Congress*, 20 accommodations that states commonly offer were listed on the data collection form. States were asked to indicate the accommodations that subgrantees offer their LEP students.[20] The accommodations that were most frequently indicated were extra time to complete the test, administering the test individually or in small groups, and reading the test items aloud. The least frequently indicated accommodations were modifying the vocabulary of the test, providing additional examples or practice items, and modifying the linguistic complexity of the test (see figure 8). Each state offered from two to 20 accommodations.

[19] For more information about accommodations, including a greater discussion of recent and ongoing research and a lengthy reference list, see NCELA (2007a) or Francis, Rivera, Lesaux, Kieffer & Rivera (2006).

[20] States were asked to indicate the accommodations used by subgrantees, but no specific year or time frame was indicated.

Figure 8. Accommodations offered to K–12 LEP students by subgrantees



* Includes the District of Columbia and the Commonwealth of Puerto Rico.
SOURCE: The 2004–06 biennial data collection (see Appendix B for details).

Monitored students

Students who are identified as LEP participate in LIEPs in order to gain literacy in English and become proficient speakers, writers, readers, and listeners. Once they attain this goal, as defined by the state, they transition into a regular classroom and no longer participate in Title III-funded LIEPs. Title III requires that all students who have exited programs be *monitored* for the following two years to ensure that they maintain grade-appropriate English language skills and content area achievement.

States are required to report the number of students who are in their first or second year of monitoring, as well as the number who have been returned to an LIEP or the LEP category. In this report, 28 states and the District of Columbia provided data for the 2004–05 school year and 31 states and the District of Columbia provided data for the 2005–06 school year on the number and status of monitored students in each of the two years of required monitoring. Other states provided total numbers of monitored students across both years but could not distinguish students by year monitored. States provided several explanations for not disaggregating monitored students by year of monitoring, including:

- Students are tracked as "monitored," not as year 1 monitoring and year 2 monitoring (11 states);
- There is no system to collect data for cohorts of students (eight states);
- These data will be collected beginning in 2006-07 (five states); and/or
- Collecting the data by year of monitoring began in 2005–06 and, thus, data are not complete (five states).

The 43 states and the District of Columbia that reported on monitored students for the 2004–05 school year indicated that they were monitoring 380,894 students; for the following year, 44 states and the District of Columbia reported that the number of monitored students was 439,536. No states indicated that they had returned a student to an LIEP either during or after monitoring. Because developing ELP is one of the required goals of Title III, following former LEP students is critical to evaluating states' progress toward that goal. Table 10 shows the number of monitored students and the number of those monitored students who scored at least proficient in mathematics and reading or language arts for the 2004–05 and 2005–06 school years.

According to Title III of *ESEA*, as part of its evaluation efforts, each subgrantee must provide the state, every second year, with "a description of the progress made by children in meeting challenging State academic content and student academic achievement standards for each of the 2 years after such children are no longer receiving services under [Title III]" (§3121(a)(4)).

Table 10. Number of monitored students and number scoring at least proficient in mathematics and reading or language arts, by state: School years 2004–05 and 2005–06

State*	School year 2004–05			School year 2005–06		
	Number of students monitored	No. of monitored students scoring at least proficient		Number of students monitored	No. of monitored students scoring at least proficient	
		Math	Reading or lang. arts		Math	Reading or lang. arts
Alabama	430	578	582	2,640	294	301
Alaska	150	93	102	716	484	538
Arizona	19,270	4,941	4,724	50,418	22,037	20,664
Arkansas	0	ND	ND	0	ND	ND
California	139,138	23,843	19,968	132,891	10,285	4,950
Colorado	12,231	18,103	20,947	11,565	7,461	8,498
Connecticut	ND	ND	ND	ND	ND	ND
Delaware	1,494	261	273	1,008	403	362
Dist. of Columbia	754	109	95	717	166	223
Florida	ND	ND	ND	ND	ND	ND
Georgia	8,443	8,442	8,443	8,089	8,089	7,916
Hawaii	1,634	469	953	1,491	368	601
Idaho	3,565	1,164	1,243	4,437	4,862	4,319
Illinois	10,871	4,965	4,027	ND	ND	ND
Indiana	3,269	3,287	3,269	5,438	ND	ND
Iowa	526	526	490	1,071	743	703
Kansas	ND	249	220	2,338	2,338	2,335
Kentucky	1,181	ND	ND	946	370	455
Louisiana	1,884	348	317	1,367	276	271
Maine	8	7	8	47	157	487
Maryland	4,057	4,051	4,057	7,469	7,287	7,469
Massachusetts	22,421	3,579	4,597	18,362	1,689	2,055
Michigan	ND	1,061	980	4,074	4,072	4,074
Minnesota	7,634	1,742	1,866	9,038	5,415	5,506
Mississippi	397	117	94	447	298	283
Missouri	183	183	155	931	931	802
Montana	14	35	32	51	ND	ND
Nebraska	ND	ND	ND	ND	ND	ND
Nevada	3,000	2,108	3,000	8,552	8,492	8,498
New Hampshire	185	8	7	79	ND	ND
New Jersey	5,732	3,982	3,910	8,730	6,055	5,972
New Mexico	3,657	1,988	3,657	11,370	5,172	5,171
New York	ND	ND	ND	ND	ND	ND
North Carolina	9,299	4,902	4,616	4,805	3,276	3,836
North Dakota	11	10	11	48	3	1
Ohio	1,271	547	600	143	117	132
Oklahoma	3,232	1,575	1,657	7,283	3,571	3,687
Oregon	378	1,297	1,264	344	2,572	2,605
Pennsylvania	756	756	605	0	ND	ND
Puerto Rico	ND	ND	ND	ND	ND	ND
Rhode Island	2,748	3	3	2,246	2,154	2,139
South Carolina	3,497	963	888	1,898	834	782
South Dakota	442	1,557	1,557	1,163	392	531
Tennessee	5,259	2,441	2,424	6,416	2,963	11,020
Texas	81,131	75,502	81,131	92,842	87,342	92,842
Utah	3,999	1,470	1,526	6,191	1,254	1,162
Vermont	8	ND	ND	66	ND	ND
Virginia	13,163	4,844	3,028	12,655	4,724	4,594
Washington	1,007	204	175	5,004	3,305	5,062
West Virginia	91	137	134	77	40	41
Wisconsin	2,474	2,473	2,474	4,053	3,491	4,053
Wyoming	ND	ND	ND	ND	ND	ND
Total	**380,894**	**184,920**	**190,109**	**439,536**	**213,782**	**224,940**

* Includes the District of Columbia and the Commonwealth of Puerto Rico.

NOTE: ND = No data provided by state. Data presented as provided and approved by the states. For most, number of monitored students comes from biennial data collection form item 3.1, former LEP students monitored by year; for those that did not respond to 3.1, numbers in this table come from 3.2, monitored former LEP student results by grade (and total). Numbers of students scoring at least proficient come from 3.2. See Appendix B for the biennial data collection form in full.

SOURCE: 2004–06 biennial data collection.

In addition to the number of students monitored and the test results for monitored students, states were asked to provide the number of students in monitoring status but in grades not tested for AYP;[21] and the number of these students who were achieving grade-level standards. Several states found collecting these data challenging in 2004–05, but fewer had problems in 2005–06. These data are provided in figure 9 and show the following:

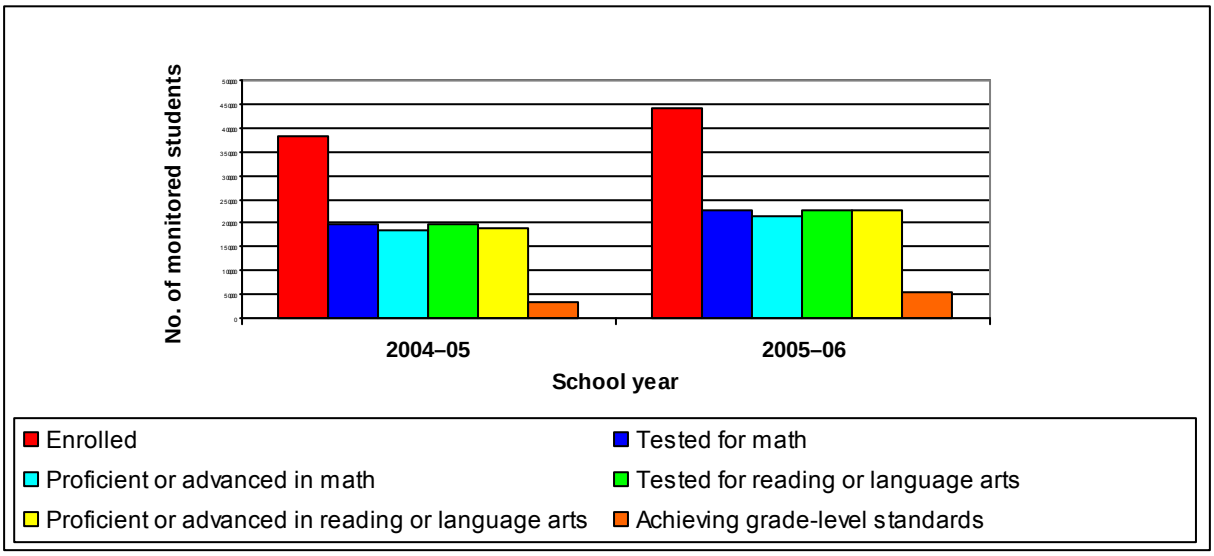
- The number of monitored students enrolled in the states is higher than the number of monitored students for whom test results or grade-level achievement were reported. The major reasons for this are that:
  - some states did not maintain assessment data on monitored students; and
  - some states did not maintain information about monitored students by grade level.
- During school years 2004–05 and 2005–06 nearly all monitored students for whom states reported test scores for mathematics or reading or language arts achievement were scoring at the proficient or advanced levels. However, the number of achieving students is relatively low, and it is possible that states reported scores only for students who were doing well.
- Although it appears that relatively few monitored students were achieving grade-level standards, states only had to report these data for the monitored students who were in grades not tested for AYP (in 2005–06, this was grades K–2 and some high school grades).

In 2005–06:

- There were about 440,000 monitored, former LEP students enrolled in public schools;
- At least 225,000 monitored students were tested for mathematics and reading or language arts achievement;
- More than 210,000 monitored students scored at least proficient on the mathematics test;
- Almost 225,000 monitored students scored at least proficient on the reading or language arts test; and
- More than 50,000 monitored students were in grades that were not tested for AYP, as those above were, but were deemed to be meeting grade-level academic achievement standards.

[21] During 2004–05, states tested from three grades (one in elementary school, one in middle school, and one in high school) to seven grades (grades 3–8 plus one in high school); during 2005–06 states were required to test grades 3–8 and one grade in high school—all other grades (e.g., K–2, the non-tested high school grades) still could have enrolled monitored students.

Figure 9. Numbers of monitored students enrolled, tested, scoring at least proficient, and achieving grade-level standards in grades not tested for AYP purposes: School years 2004–05 and 2005–06



NOTE: In 2004–05, grades not tested for AYP purposes varied across states, since only three grades had to be tested (one in elementary school, one in middle school, and one in high school). In 2005–06, the grades not tested for AYP purposes were K–2 and three high school grades—these are the only students included in the data pertaining to achieving grade-level standards. "Monitored students" are students who were formerly LEP and have attained English language proficiency within the last two years.

SOURCE: 2004–06 biennial data collection (see Appendix B for details).

Subgrants to LEAs Experiencing Substantial Increases in Immigrant Children and Youths

In 2004–05, 50 states and the District of Columbia reported providing 1,159 Title III subgrants to serve immigrant children and youths. In 2005–06, 49 states and the Commonwealth of Puerto Rico reported providing 1,163 subgrantees with funds to serve immigrant children and youths. These subgrants can be awarded for one year (43 states, the District of Columbia, and the Commonwealth of Puerto Rico) or for multiple years (seven states); funding is determined either on a formula basis (42 states) or on a competitive basis (seven states). Title III states that subgrants for immigrant children

According to *ESEA*:
An SEA "shall reserve not more than 15 percent of the agency's allotment … to award subgrants to eligible entities in the State that have experienced a significant increase, as compared to the average of the 2 preceding fiscal years, in the percentage or number of immigrant children and youth, who have enrolled, during the fiscal year preceding the fiscal year for which the subgrant is made, in public and nonpublic elementary schools and secondary schools in the geographic areas under the jurisdiction of, or served by, such entities" (§3114(d)(1)).

and youths should be used to fund "activities that provide enhanced instructional opportunities for immigrant children and youth" (§3115(e)(1)). These activities may include, but are not limited to, any of a list of seven activities specified in Title III. Nearly all states indicated that funds in 2004-06 were used for all seven of the listed activities. The two most frequently funded activities (each funded by 45 states, the District of Columbia, and the Commonwealth of Puerto Rico) were:

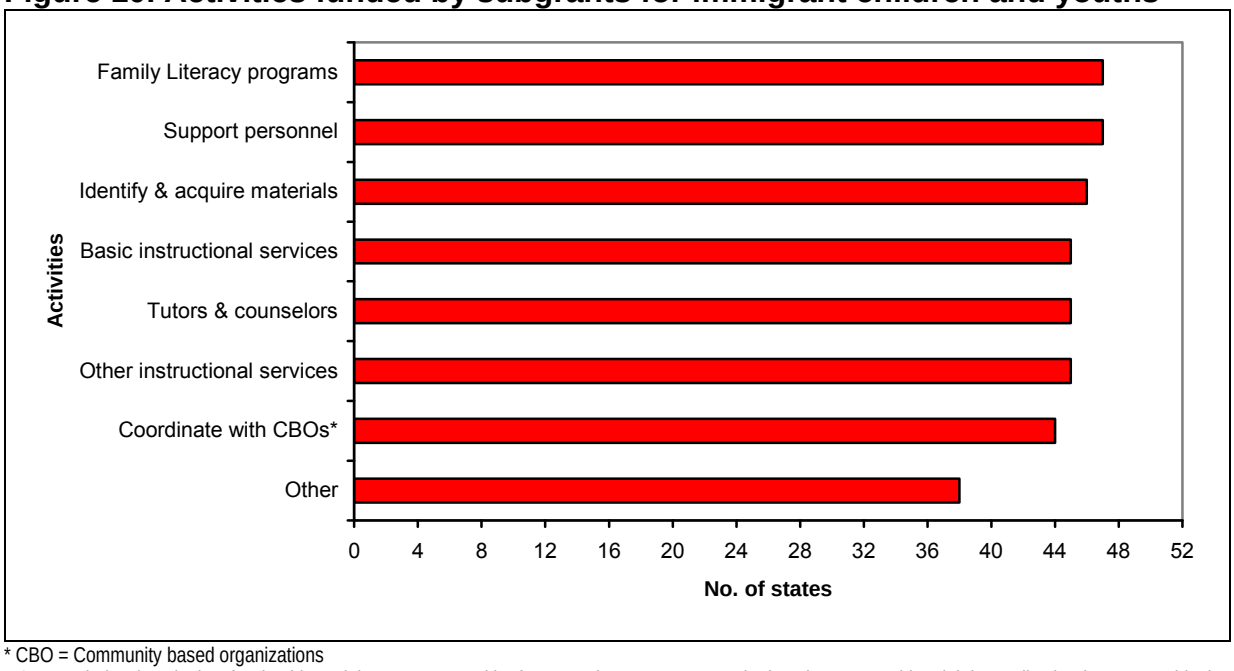
(1) family literacy, parent outreach, and training activities designed to assist parents to become active participants in the education of their children; and

(2) support for personnel, including teacher aides who have been specifically trained, or are being trained, to provide services to immigrant children and youths.

The least-funded activity was coordination with community-based organizations (CBOs).

The number of states in which subgrantees used funds for each of the seven activities is listed in figure 10.

Figure 10. Activities funded by subgrants for immigrant children and youths



* CBO = Community based organizations

NOTE: Includes the District of Columbia and the Commonwealth of Puerto Rico. States were asked on the 2004-06 biennial data collection form to provide the number of subgrantees that were funding each of these activities, but the form did not indicate the year of the services. Thus states may have collected data for either or both of the years of this biennial report.

SOURCE: The 2004-06 biennial data collection (see Appendix B for details).

Preparing Educational Staff to Work With LEP Students: Technical Assistance

In order to ensure that all LEP children in our schools attain ELP and high academic achievement, there must be appropriate, research-based LIEPs and highly qualified teachers to meet the needs of the LEP student group. States were asked to provide the number of Title III teachers currently employed, and the number they anticipated would be needed in five years. The 49 states and the Commonwealth of Puerto Rico that reported on their Title III teaching staff indicated that they employed 319,624 teachers, an increase of about 6,000 teachers from the data reported in the first biennial report to Congress for the 2002–03 and 2003–04 school years. States anticipated needing another 104,394 teachers in five years (a total of 424,018 teachers in five years). These data illustrate the increasing need to expand the recruitment and development of teachers prepared to meet the instructional needs of LEP students. The Title III provision for highly qualified teachers to instruct students in the content areas appears particularly challenging for small districts, rural or outlying areas, and districts with increasing numbers of LEP students.

According to Title I of *ESEA*:

Title I requires that states "ensure that all teachers teaching in core academic subjects within the State are highly qualified not later than the end of the 2005–06 school year" (§1119(2)).

Of the District of Columbia, and the Commonwealth of Puerto Rico, and the 50 states that submitted data, 41 states and the Commonwealth of Puerto Rico indicated that they require special qualifications for Title III teachers. The most common requirement was to have a basic teaching credential with an ESL or bilingual endorsement (42 states). Another important requirement was the need to demonstrate fluency in the language of instruction (English, another language, or both, depending on the type of program in which the teacher works). In some cases these requirements are enforced by the state:

- 16 states require tests of English fluency;
- 11 states require tests of fluency in another language, if appropriate; and
- 33 states require a specific endorsement that includes language proficiency.

In some cases, states hold the subgrantees accountable for hiring teachers who are fluent in appropriate languages (seven states) and, in other cases, the subgrantees have additional requirements (21 states and the Commonwealth of Puerto Rico). Finally, most states require teachers to meet the *ESEA* requirements of a "highly qualified" teacher if they are teaching core content to LEP students.

With regard to teachers for LEP students, states:

- Currently employ about 320,000;
- Will need an additional 104,000 within the next five years;
- Require a basic teaching credential plus an ESL or bilingual endorsement (42 states);
- Test English fluency (required in 16 states; in nine states, LEAs do this testing);
- Test fluency in another language, as appropriate for the LIEP (required in 11 states; in seven states, LEAs do this testing); and/or
- Require language proficiency as part of an endorsement (33 states).

Teachers often are assisted in their classrooms by paraprofessionals. Eleven states reported that they require their ESL paraprofessionals to have additional credentials, such as fluency in English and any language of instruction, participation in in-service training, a minimum of 60 college credits, or a passing score on a state-developed assessment.

To continue building and improving this workforce, Title III requires states to provide technical assistance to their subgrantees in implementing professional development programs for teachers of LEP students and specifically indicates that Title III administrative funds can be used for these activities (§3111(b)(2)). States must provide assistance to school districts in four distinct areas. Over the last two years, nearly all states reported that they have assisted districts in these four areas:

(1) identifying, developing, and implementing measures of ELP (50 states, the District of Columbia, and the Commonwealth of Puerto Rico);

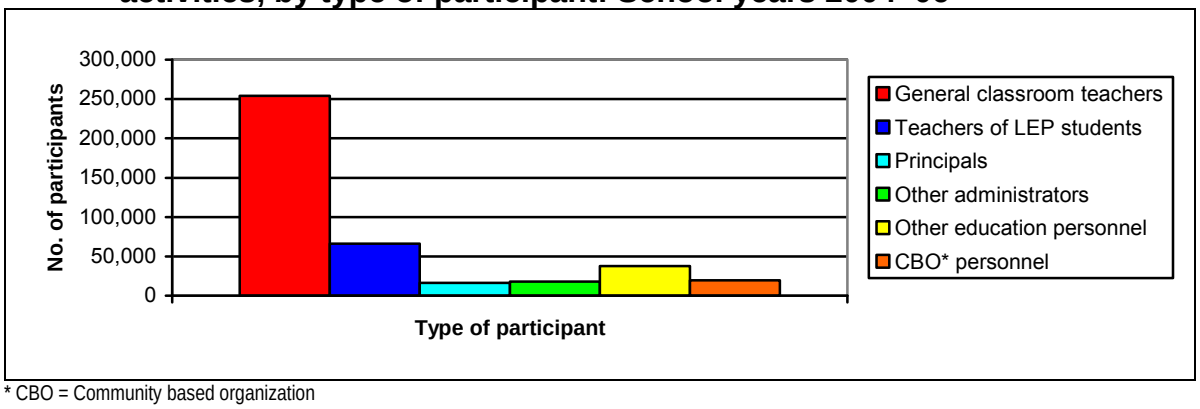
(2) identifying and implementing LIEPs and curricula based on scientific research (49 states, the District of Columbia, and the Commonwealth of Puerto Rico);

(3) helping LEP students meet academic content and student academic achievement standards (49 states, the District of Columbia, and the Commonwealth of Puerto Rico); and

(4) promoting parental and community participation in programs that serve LEP children (47 states, the District of Columbia, and the Commonwealth of Puerto Rico).

The types of professional development assistance that states offered ranged from training in instructional techniques and assessments to training in subject matter content. The data show that the largest group receiving such professional development services is general or regular classroom teachers, followed by teachers working with LEP students. It is critical for LEP students' attainment of ELP and academic achievement that regular classroom teachers be fully prepared to meet their needs, because most LEP students spend a substantial part of the school day in a regular classroom. In addition, some states provide services to principals and administrators, other educational personnel, and personnel from CBOs. States reported providing professional development activities in 2004–06 to a total of 412,105 individuals; this number is presented by category of participant in figure 11.

Figure 11. Numbers of participants in state-offered professional development activities, by type of participant: School years 2004–06



* CBO = Community based organization
SOURCE: 2004-06 biennial data collection (see Appendix B for details).

PROFILES OF STATES, THE DISTRICT OF COLUMBIA, AND THE COMMONWEALTH OF PUERTO RICO

This section includes profiles that provide graphic information in the following areas: Number of students served with Title III funds, assessment results for LEP students making progress and achieving ELP and academic achievement in the content areas of reading or language arts and mathematics, and information on the educational staff instructing LEP students. In some instances, the graphs do not contain all of the information requested in the Department of Education biennial report data collection form. The most common explanations provided for not reporting the data included the following:

- Four states established their AMAO targets based on combination of cohorts and grade levels and stated that the data could not be adapted into a format that could be presented within the format of Title III biennial report data collection form;
- Five states and the Commonwealth of Puerto Rico indicated that at the time of collecting information for one or both years of this report, there was no system in place to collect some or all of the necessary data;
- Ten states indicated that data could not be provided as the accountability system, often including the AMAOs, a new assessment, or both, was being developed or revised;
- One state reported that the state legislature did not allow the collection and maintenance of the student-by-student data required for the newly revised AMAOs (that law now has been changed);
- One state responded that staff were planning on new AMAOs for 2007 that would necessitate new baseline data fur future years, thus “making the 2004–05 and 2005–06 data irrelevant”; and
- One state commented that “the use of data [migrated from other Department of Education data collection sources into the Title III Biennial Report data collection form] is inappropriate and leads to misinterpretation” because of the manner in which data had been collected.

Introduction

It should be noted that there is a specific statement with each graph for which a jurisdiction did not provide data and all such graphs are shaded entirely grey. For graphs that specify “0” students or “0” teachers, the jurisdiction indicated that not one student or teacher was in the affected category. Having no students or teachers in an area is different from providing no data for that area.

Student information

Student information includes numbers of LEP K–12 students and immigrant K–12 students served by Title III funds as well as their assessment results for ELP and academic achievement. These data do not repeat the information provided in the national overview tables and figures (pp. 8–43).

Previous data provided in this *Biennial Report to Congress* listed the number of LEP students and the number of immigrant children and youths identified and served in 2004–05 and 2005–06 (see Figure 1 and Tables 2 and 5 in the section Language Instruction for Limited English Proficient Students: National Overview of Key Findings). In this section the data represent the *numbers of LEP and immigrant students actually served by each state* within Title III LEP programs from 2002–03 through 2005–06 so that a larger pattern can be viewed.[23] There generally are fewer LEP students and immigrant students served than are identified. This is because parents may request that their children not participate in Title III services, private schools might choose not to participate in Title III services, or districts may choose not to request Title III funding.

States were asked to provide the percentage of LEP K–12 students who were progressing in ELP and the percentage who had attained ELP. States used different approaches to collect and report these data. States used a variety of methods for determining targets for progressing in ELP and for attaining ELP. To simplify the charts, and because states did not always indicate their decision process, separate bars in each graph representing “progress” and “attained” are presented.

[23] Data for 2002–03 and 2004–05 were taken from the *Biennial Evaluation Report to Congress on the Implementation of the State Formula Grant Program 2002–04* (U.S. Department of Education, 2005).

Content area achievement data are presented only for 2005–06, the most recent year for which data are available and the first year for which all states were to provide data for the same grade levels: 3–8 and once in high school.[24] As *ESEA* specifies that all K–12 students should be scoring in the advanced and proficient categories by 2013–14, the bar charts are set to compare the actual percentage of students who are scoring in these categories against the 100 percent of students who "should" be scoring in these categories. Separate bars for mathematics and reading or language arts are presented. As noted in the national overview (see Figure 7 in the national overview section of this report), there are two general patterns in these data: (1) the percentage of LEP students scoring in at least the proficient category decreased as grade level increased; and (2) the percentage of LEP students scoring in the proficient category or higher was greater for mathematics than for reading or language arts.

Each state was asked whether it exercised the option of testing students in their native language(s). Although few states are taking this option (11 states tested students in their native language; of these, nine tested mathematics and six tested reading or language arts), the information is presented. The graphs are quite similar to those that presented the results of testing academic content achievement in English—simple bar graphs for each content area, by grade level; the data are those collected within the Title III biennial report data collection form (see Appendix B). It again is important to remember that comparisons across states should not be made. As noted previously, each state creates its own standards, develops or identifies its own assessment(s), identifies its own curricula, creates its own cut scores for the achievement categories (e.g., advanced, proficient), and trains its own teachers. These differences mean that the outcomes should not be compared among states.

Educational staff information

The number of staff available to work with K–12 LEP students, and the training they receive to ensure that their skills and knowledge meet the needs of the K–12 LEP students, are keys to the success of LIEPs and the students they serve.

[24] The grade tested in high school is at the discretion of the state.

Each state was asked to provide information about the number of teachers currently working with LEP students. States also were asked to indicate the number of additional teachers that they anticipated needing in five years; this projection was not to include current teachers. Some states indicated that they do not use Title III funds for teachers (e.g., Hawaii) and other states (e.g., Pennsylvania) indicated that they cannot differentiate between Title III-funded teachers and any other teachers serving LEP students. Nevertheless, the numbers do indicate that a great many more teachers are needed in most states.

It is important to maintain and increase the skills and knowledge of all teachers who currently work with K–12 LEP students and who may work with K–12 LEP students in the future; the needs of various administrators and personnel from CBOs also must be considered. Subgrantees (districts and consortia of districts) are expected to provide professional development activities to all types of educational staff: teachers of K–12 LEP students, regular K–12 classroom teachers, principals, other building administrators, other school personnel, and personnel employed by CBOs. Subgrantees are asked to maintain records of the number of individuals within each of these categories who participate in such activities.

Summary of Survey Results in Graphical Format for States, the District of Columbia, and the Commonwealth of Puerto Rico

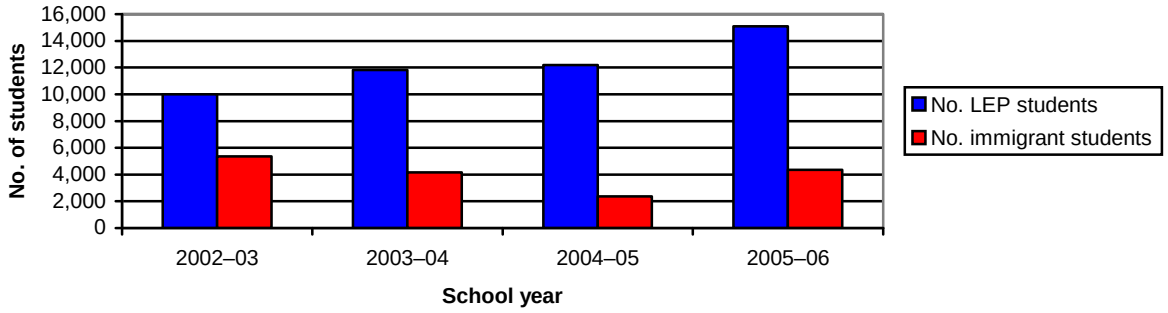
The following pages provide bar graphs and stacked bar graphs for each state. The graphs provide information pertaining directly to students and include: Number of LEP and immigrant students served by Title III funds for school years 2002–03 through 2005–06, the percentage of students making progress in ELP and the percentage attaining proficiency, and the percentage of students advanced and proficient in academic content for school year 2005–06. Information on whether or not tests were offered in languages other than English is provided—in those cases where such tests were available, the percentage of students scoring advanced or proficient on the test for 2005–06 also is provided. The graphs also present information regarding

educational staff, including the current number of certified teachers working with LEP students as well as the number which the state estimates will be needed in five years, and the number of educational staff receiving professional development via subgrantees. There are two pages for each profile.

Alabama

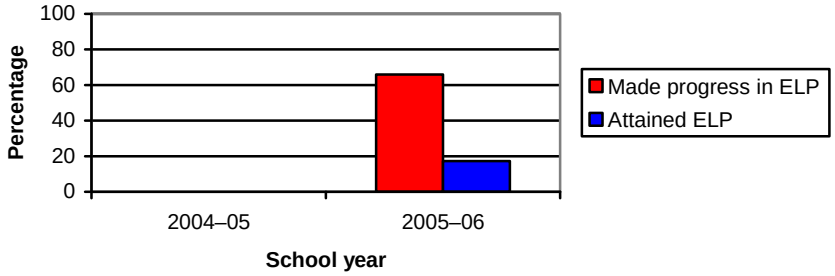
Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

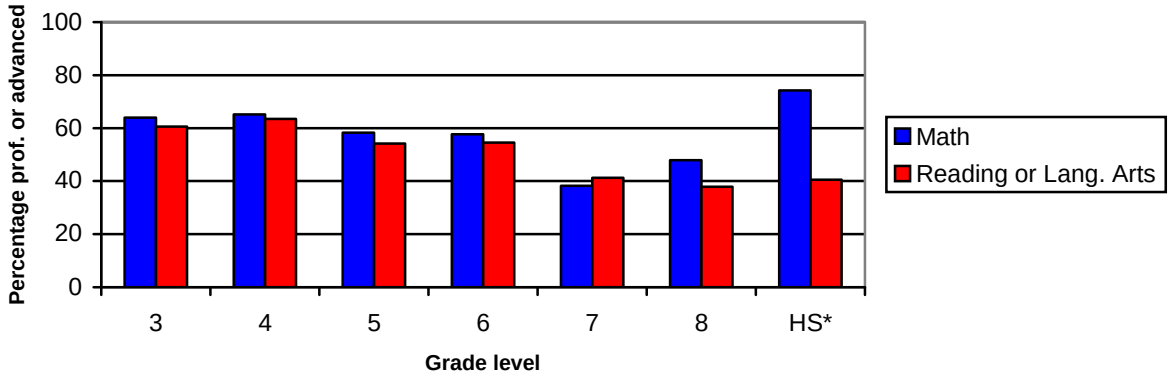


Percentage of students who made progress in ELP and percentage of students who attained ELP

No data provided for 2004–05.



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



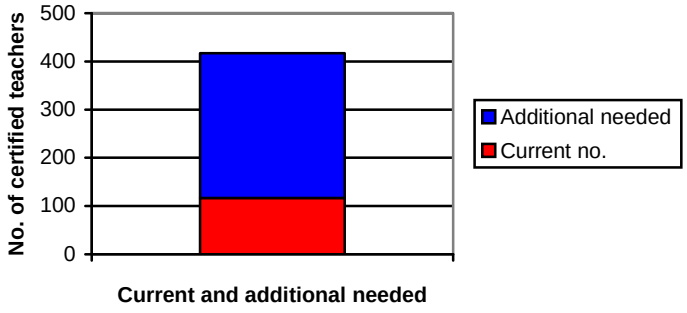
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

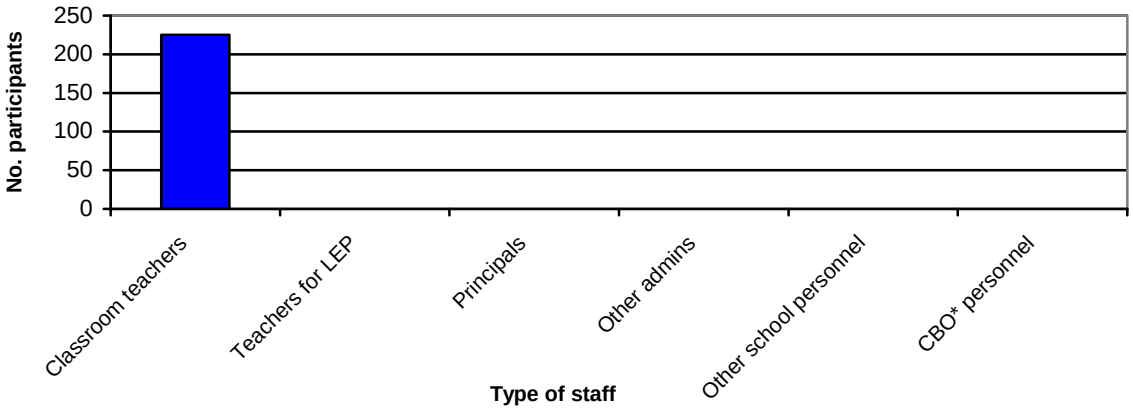
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

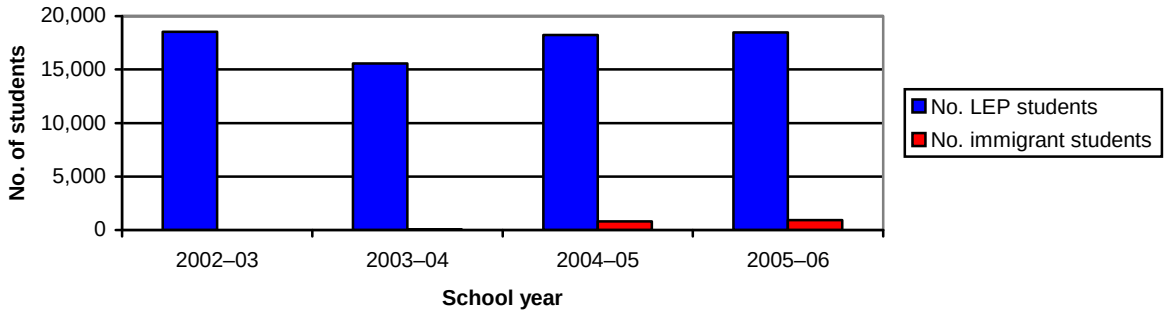


*Community-based organization

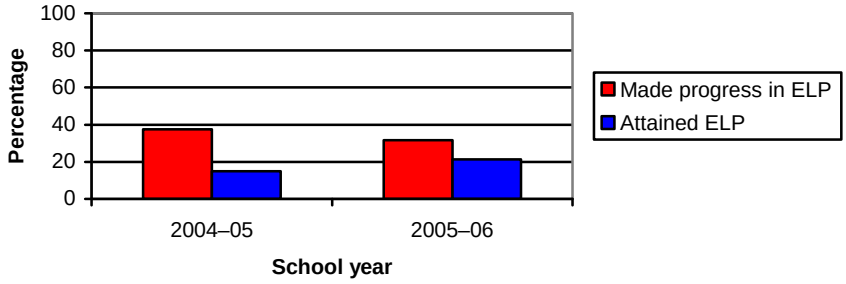
Alaska

Student Information

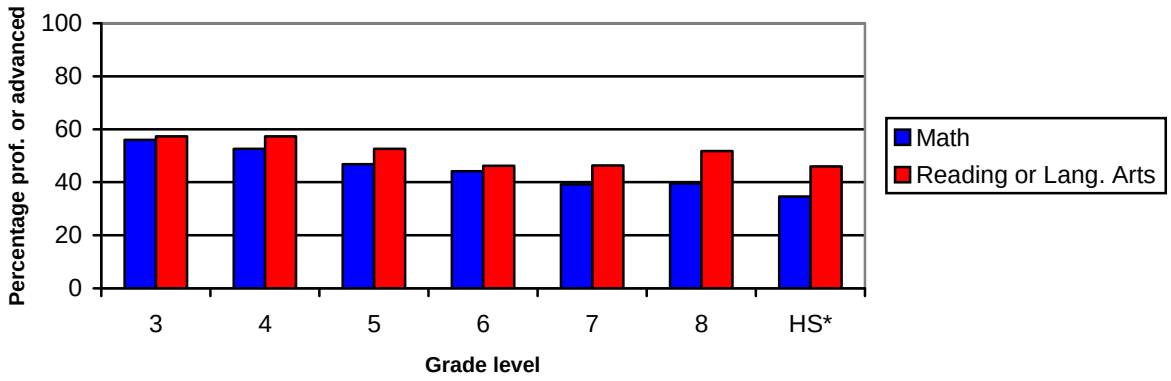
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



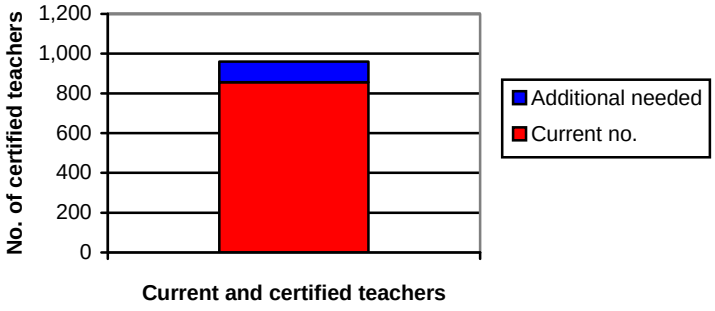
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

Educational Staff Information

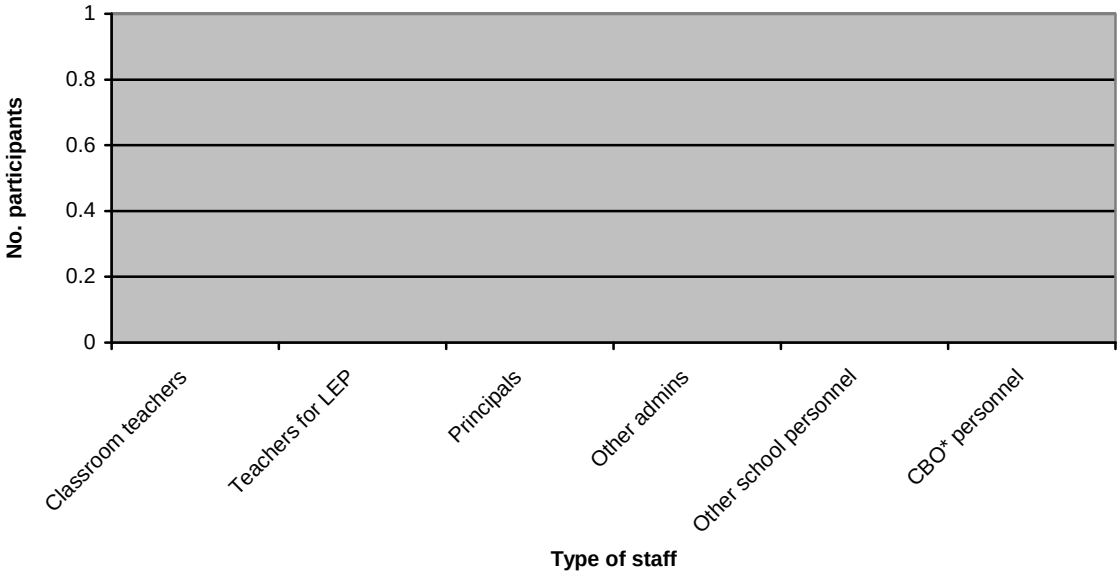
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years.



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

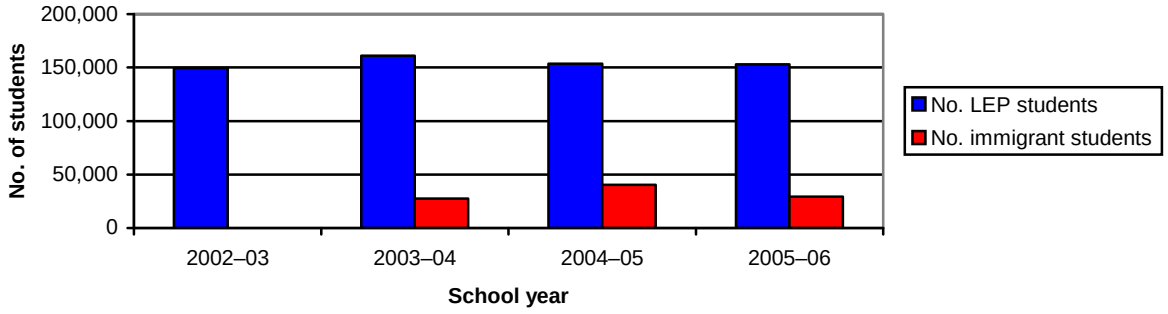


*Community-based organization

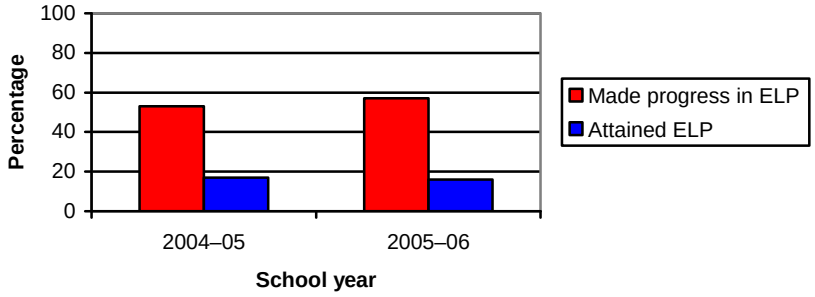
Arizona

Student Information

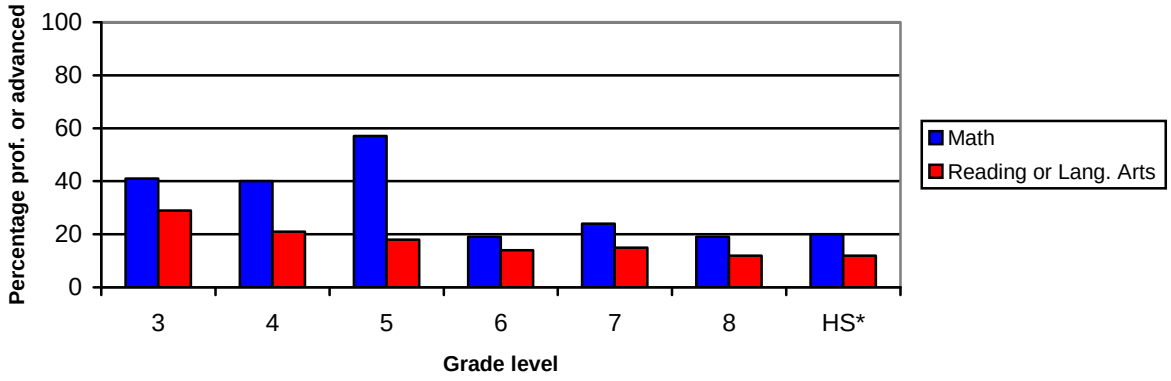
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



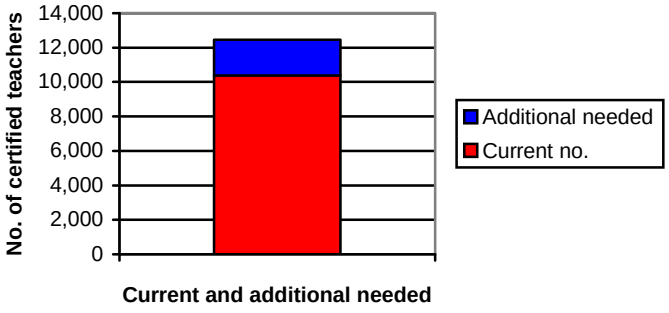
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

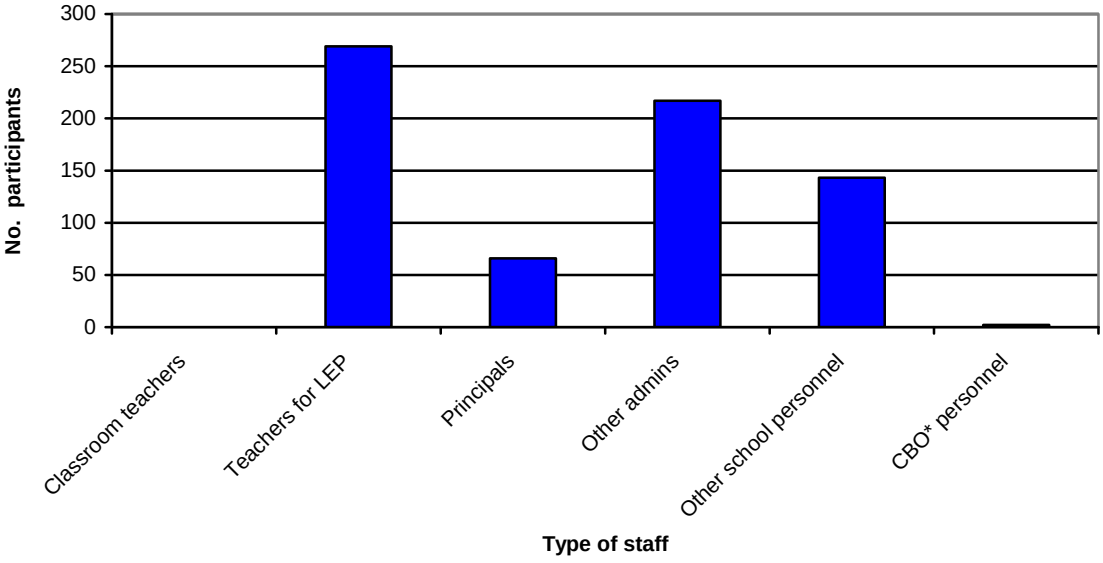
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

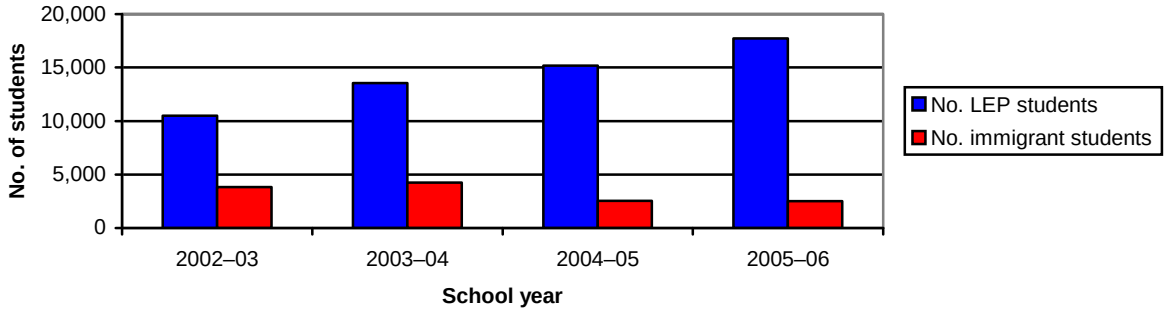


*Community-based organization

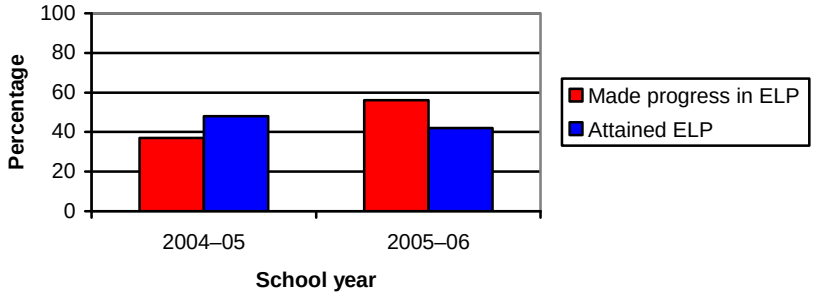
Arkansas

Student Information

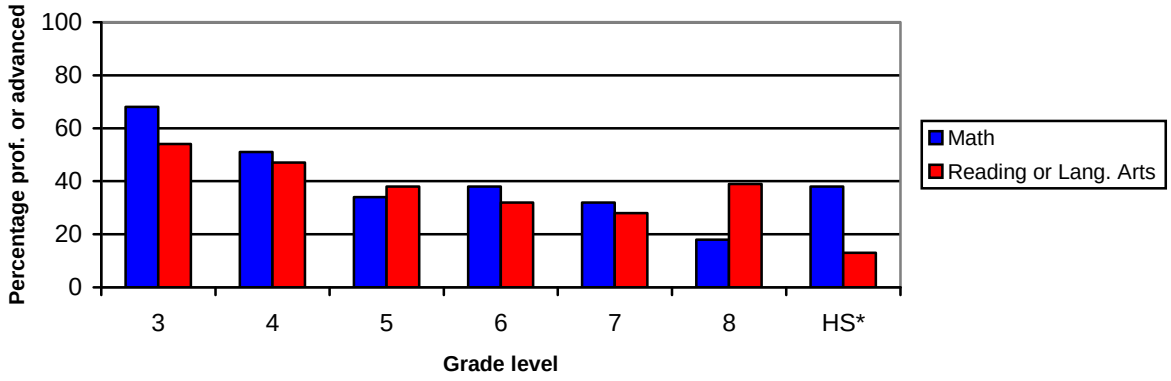
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



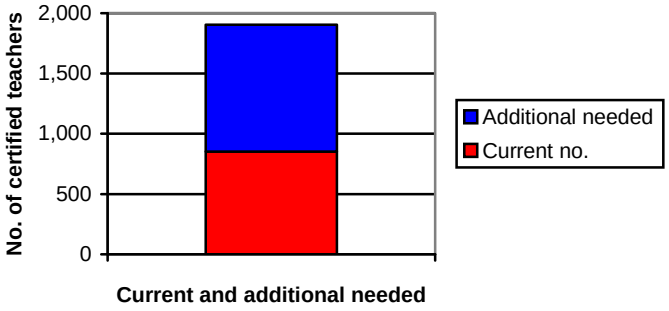
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

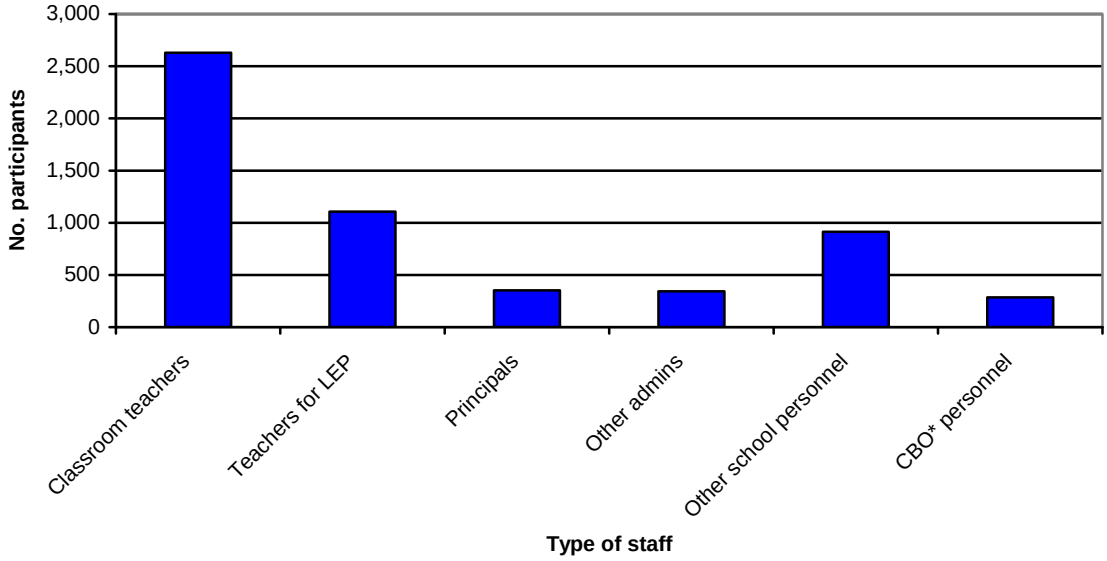
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

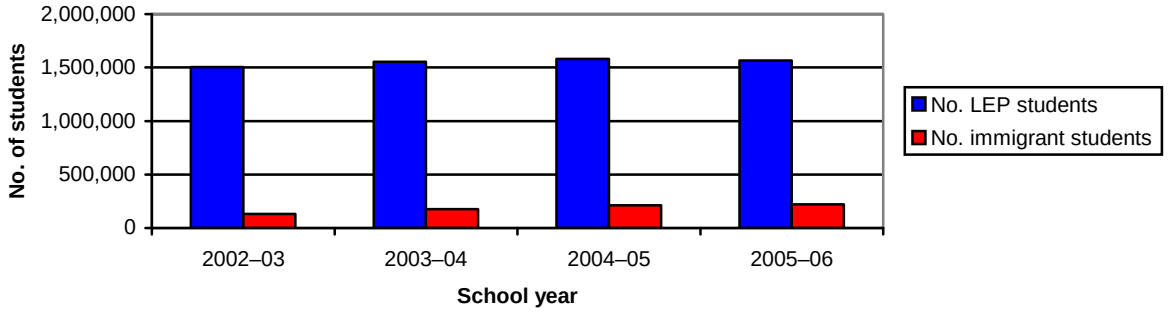


*Community-based organization

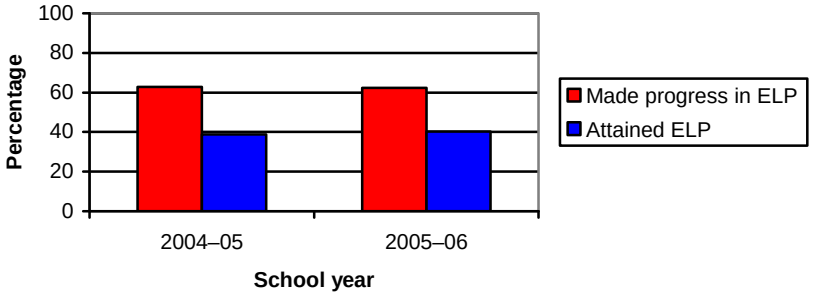
California

Student Information

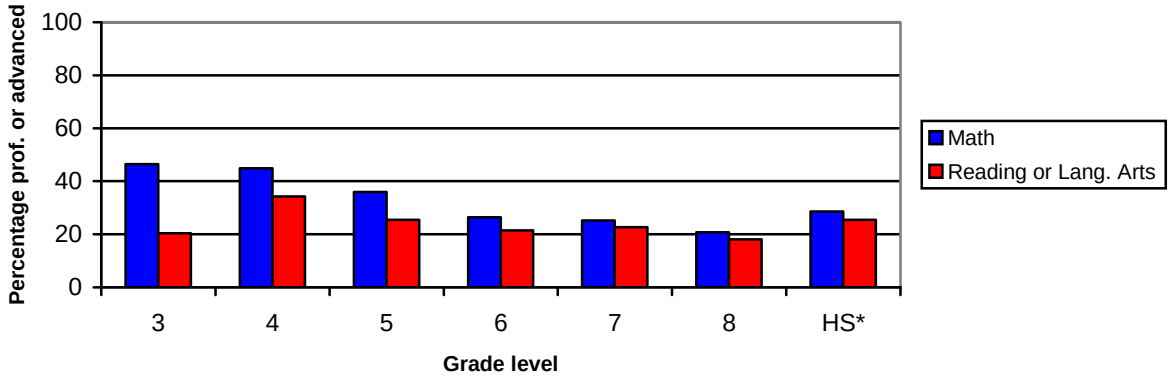
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



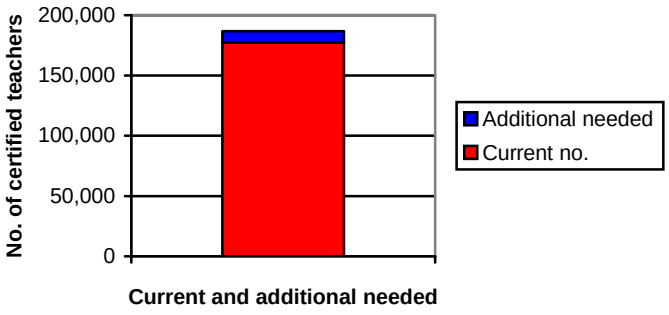
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

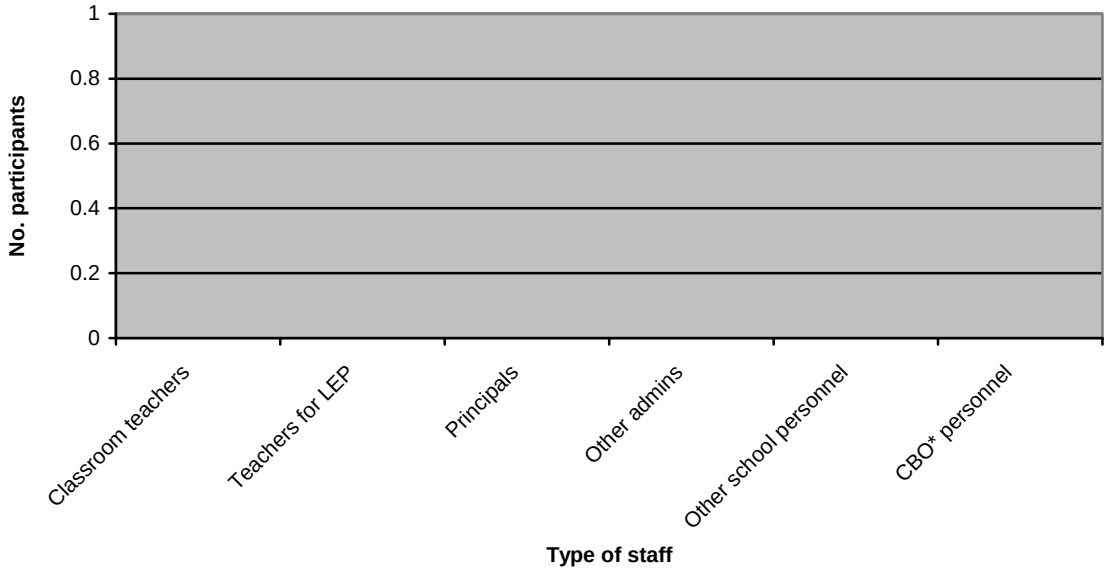
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.



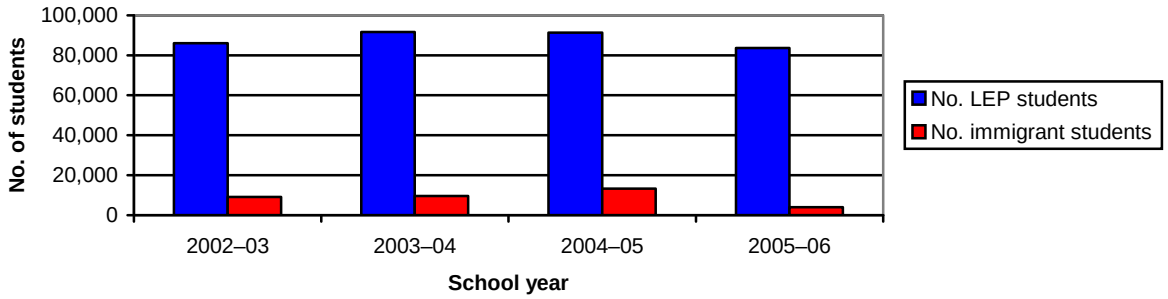
*Community-based organization

Colorado

NOTE:In instances where data are missing, state did not have a system in place to collect all of the necessary data requested by the biennial data collection form (reproduced in Appendix B).

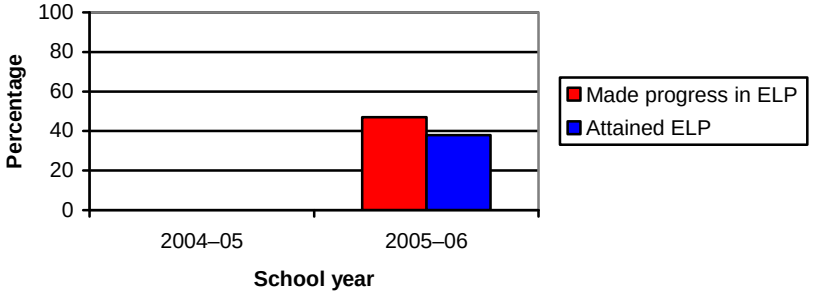
Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

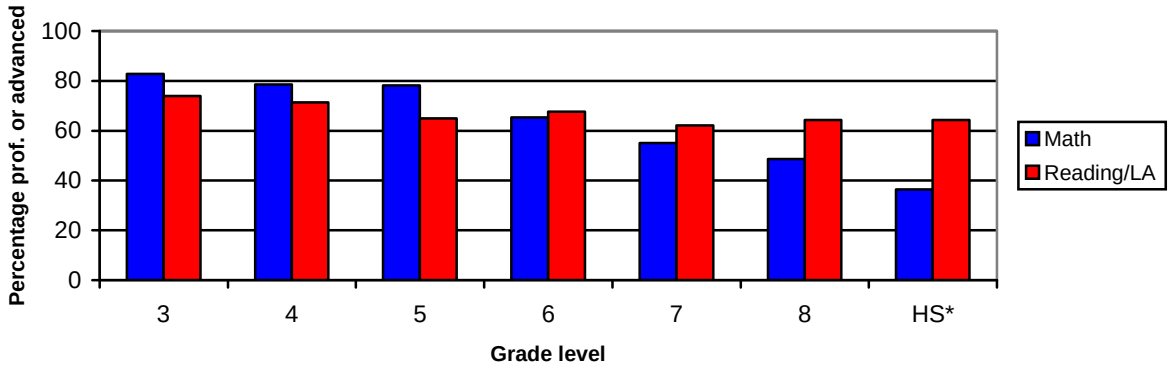


Percentage of students who made progress in ELP and percentage of students who attained ELP

No data provided for 2004–05.



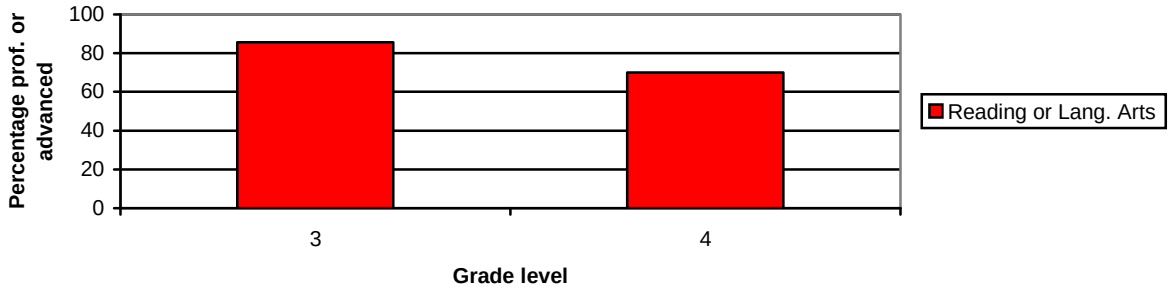
Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	Yes
If yes, what language(s)?	Reading achievement: Spanish

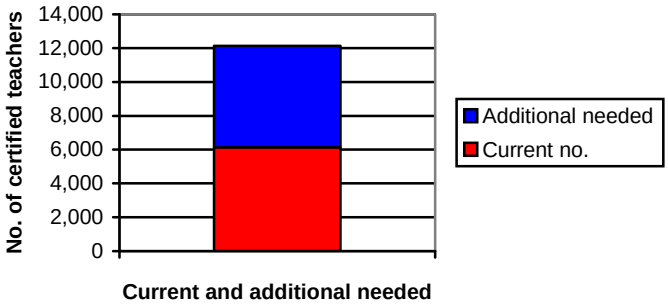
Percentage of students advanced and proficient in Spanish language test of reading or language arts, school year 2005–06



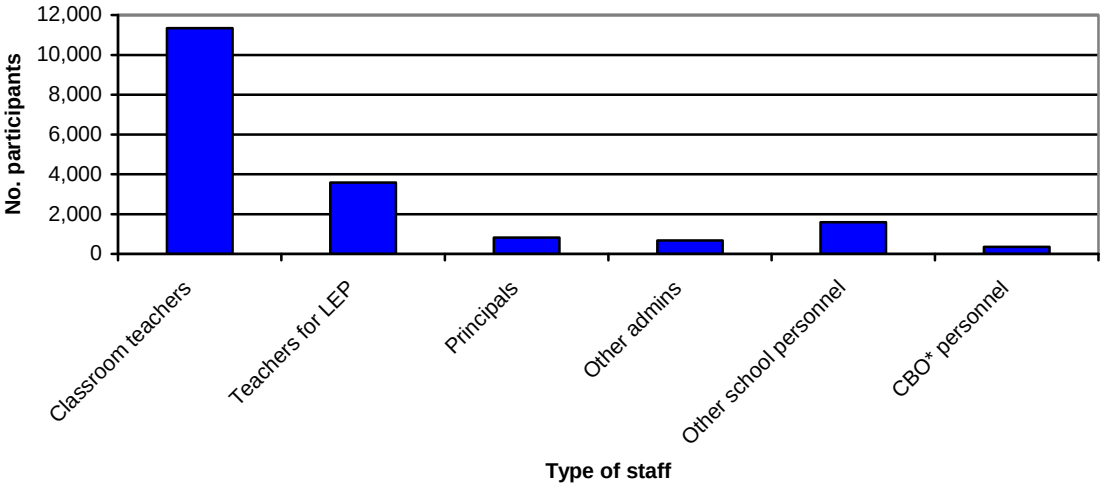
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

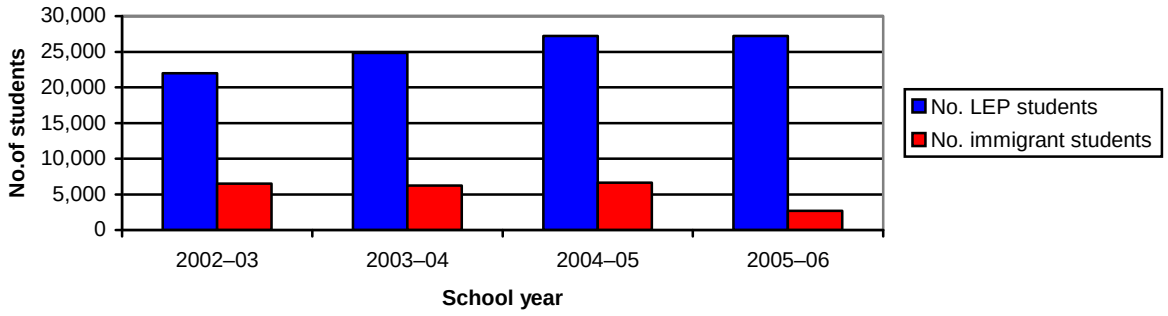


*Community-based organization

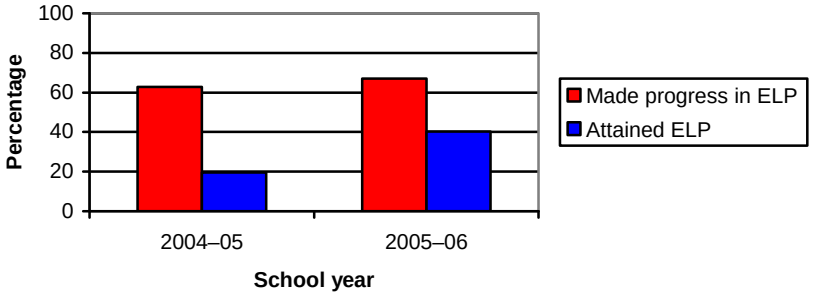
Connecticut

Student Information

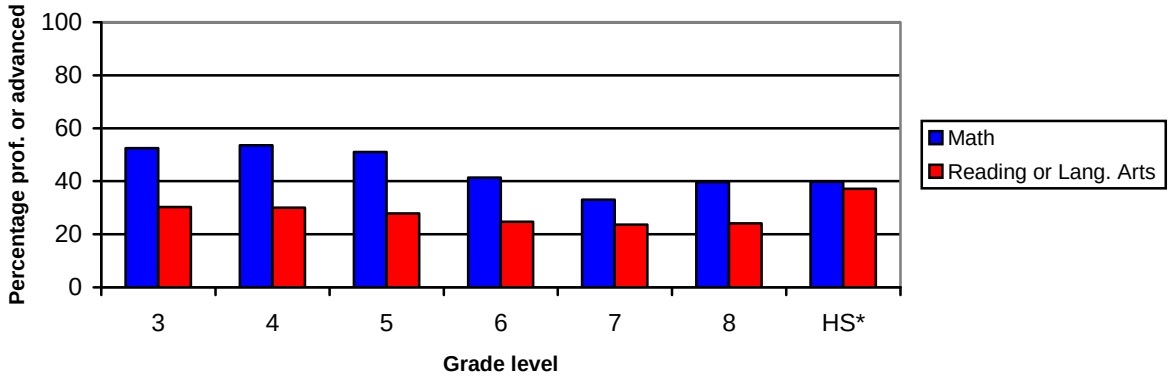
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



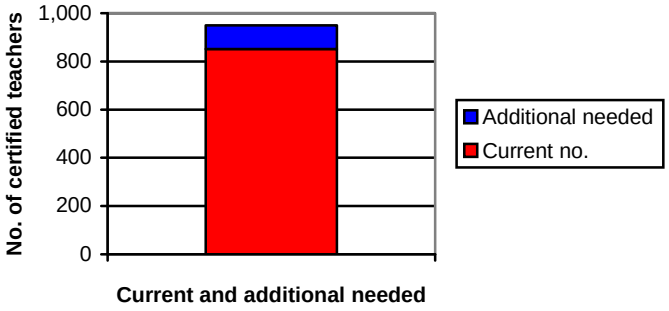
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

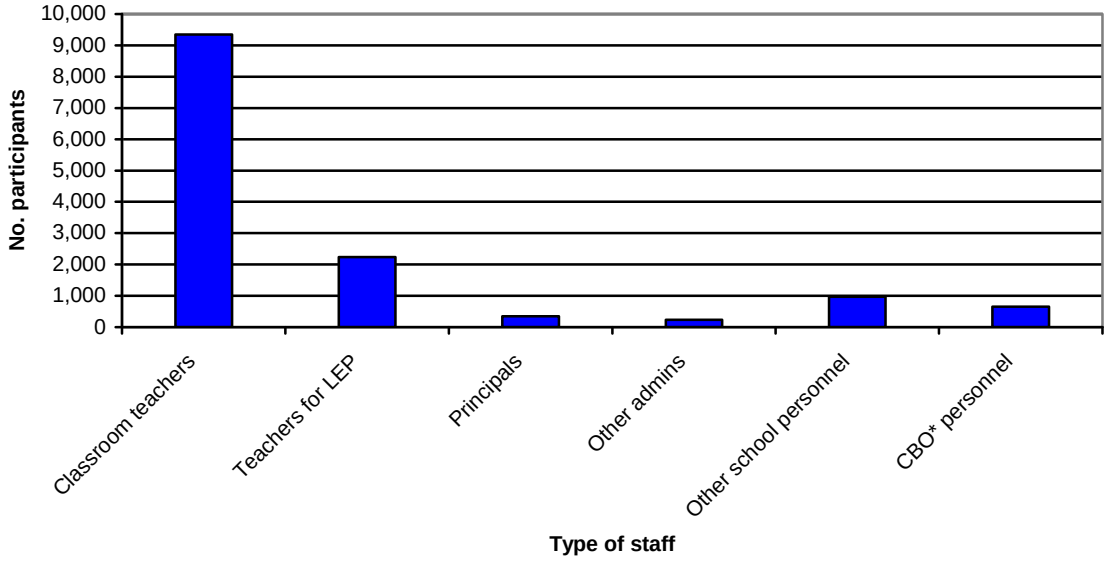
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

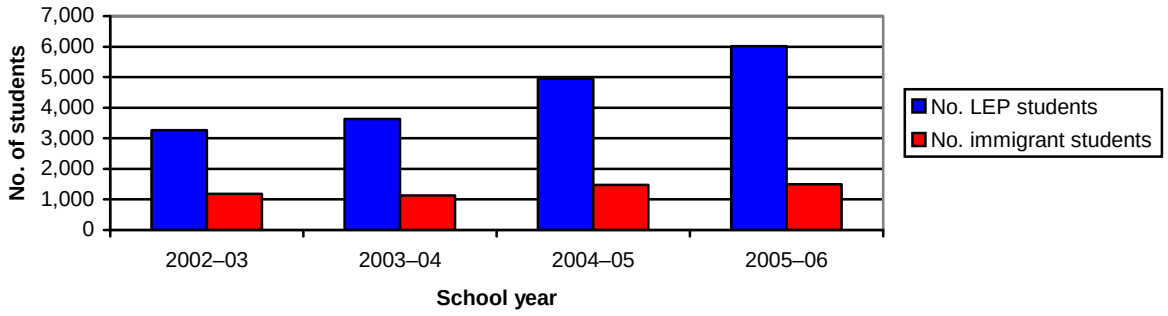


*Community-based organization

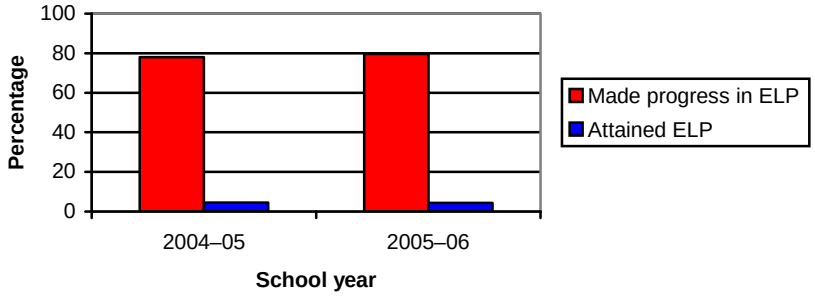
Delaware

Student Information

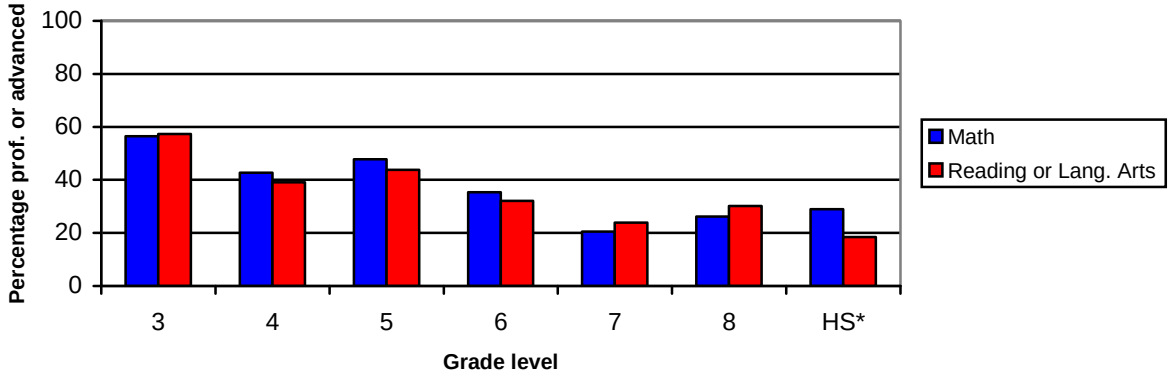
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



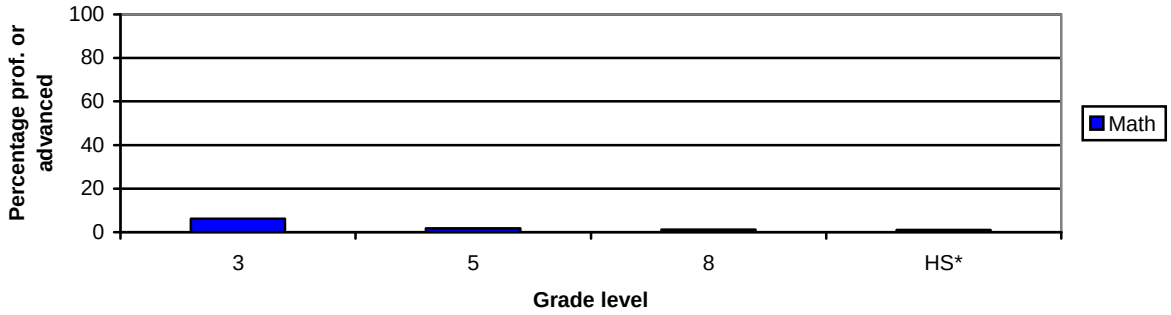
Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	Yes Math achievement: Spanish

Percentage of students advanced and proficient in Spanish language test of mathematics achievement, school year 2005–06

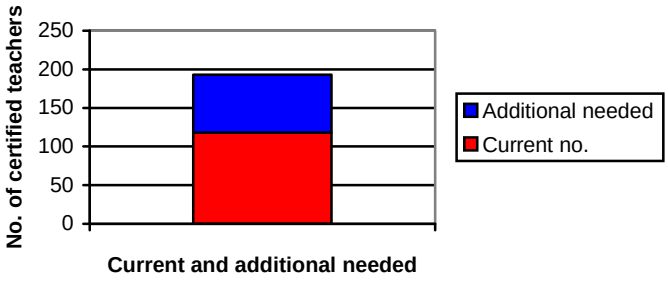


*States test once in high school, at their own discretion.

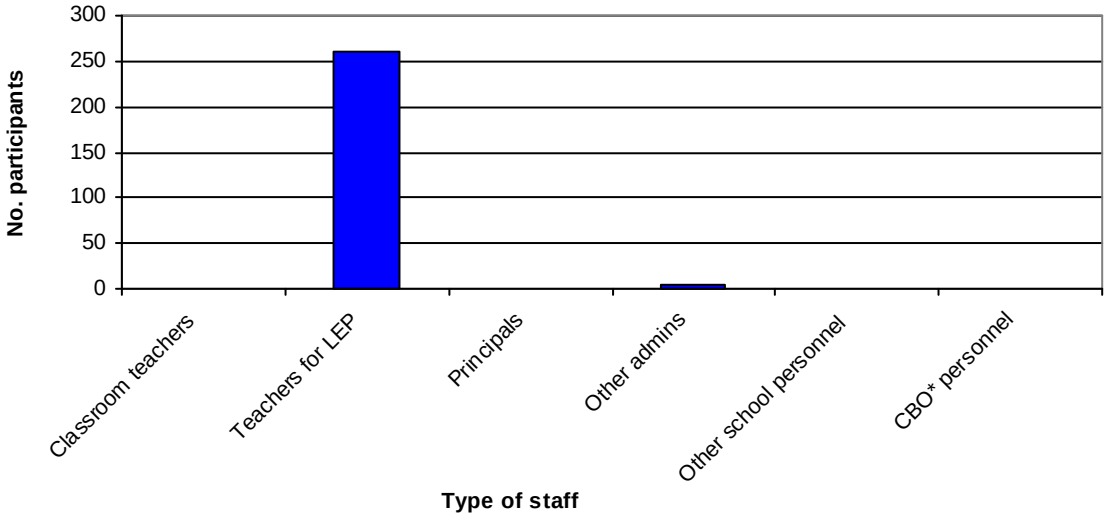
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

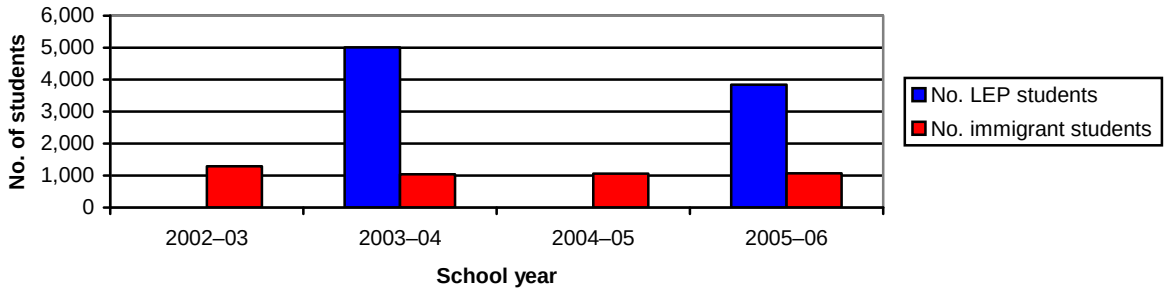


*Community-based organization

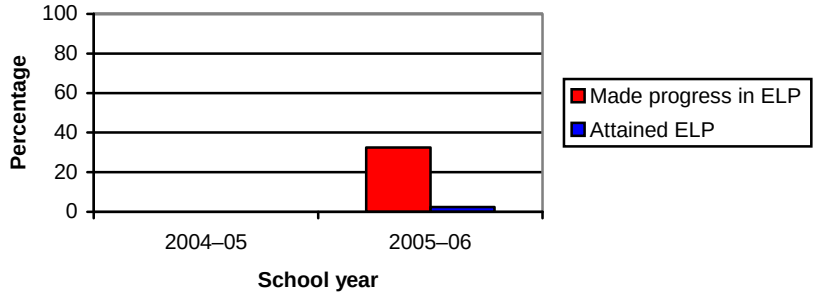
District of Columbia

Student Information

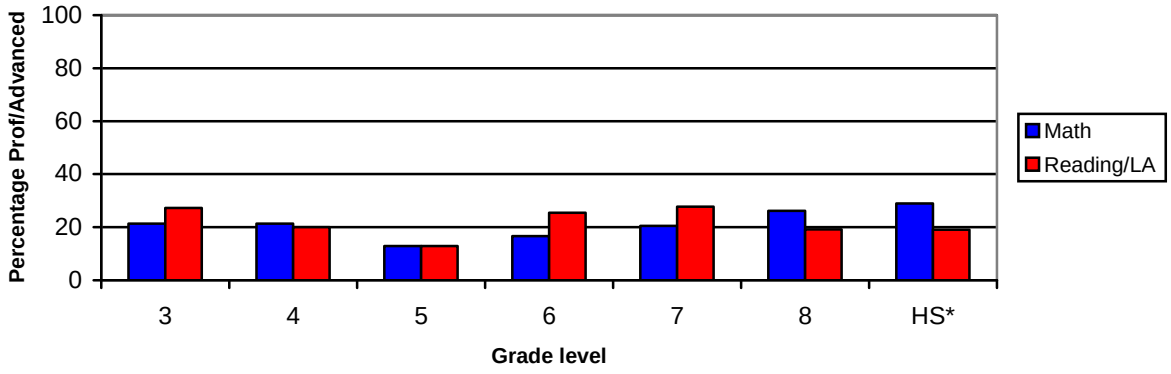
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06
No data on no. of LEP students served in 2002–03 or 2004–05



Percentage of students who made progress in ELP and percentage of students who attained ELP
No data provided for 2004–05.



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*Test is administered once in high school, at discretion of the jurisdiction.

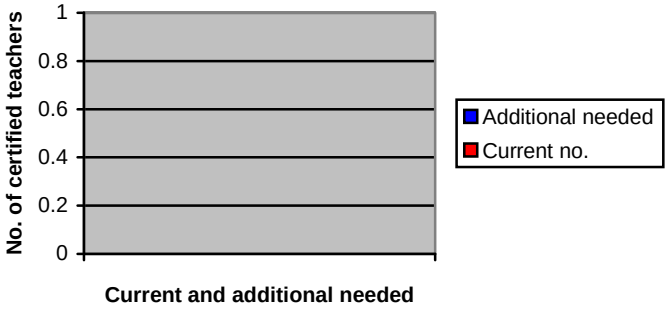
Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

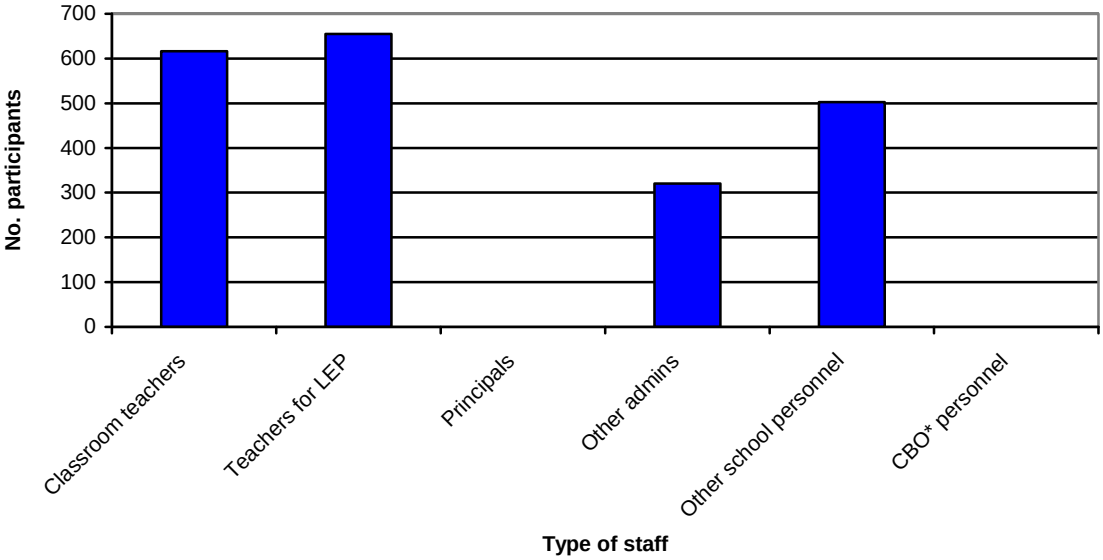
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years

No data provided.



Number of educational staff receiving professional development via subgrantees, by type of staff

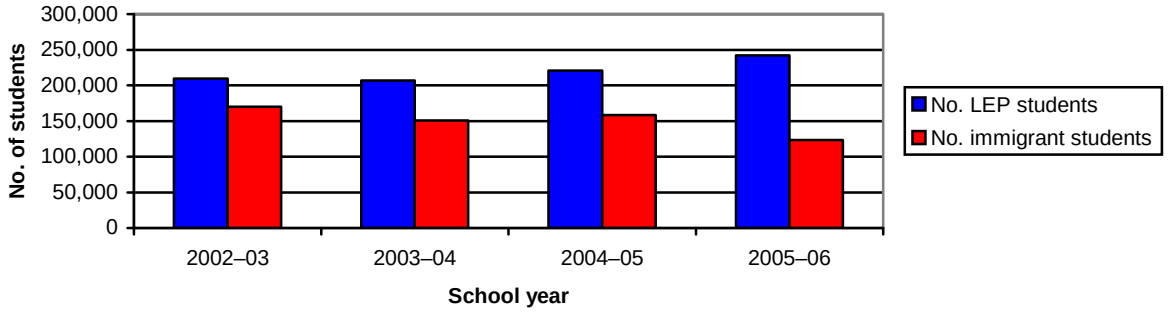


*Community-based organization

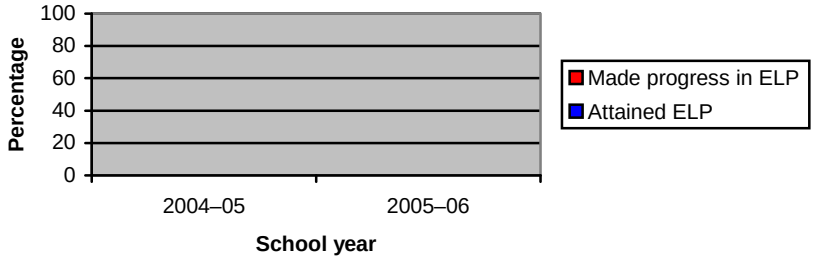
Florida

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

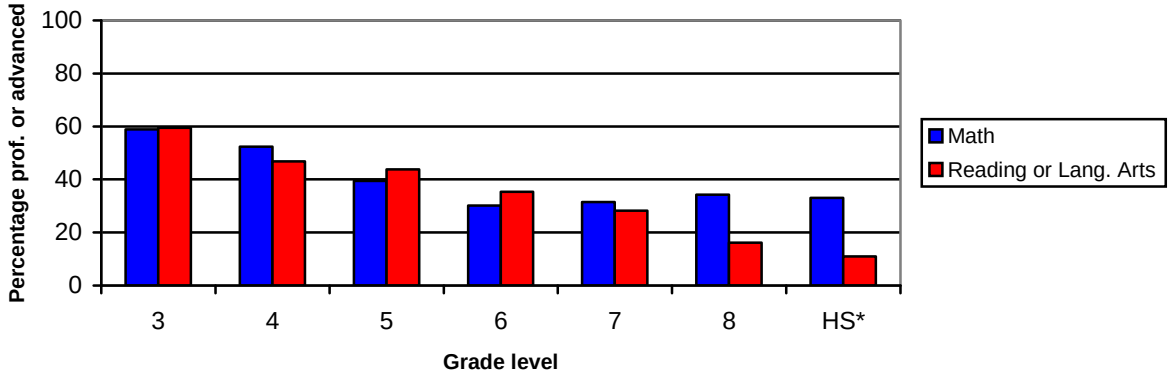


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports that it is revising Annual Measurable Achievement Objectives and that it has a new assessment. No data could be provided on making progress in or attaining ELP as the new assessment meant that data could not be compared across years.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

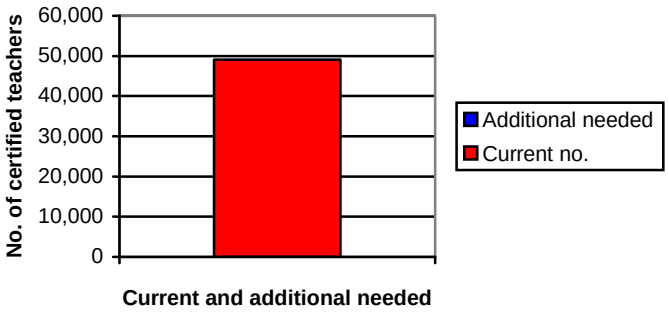
Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

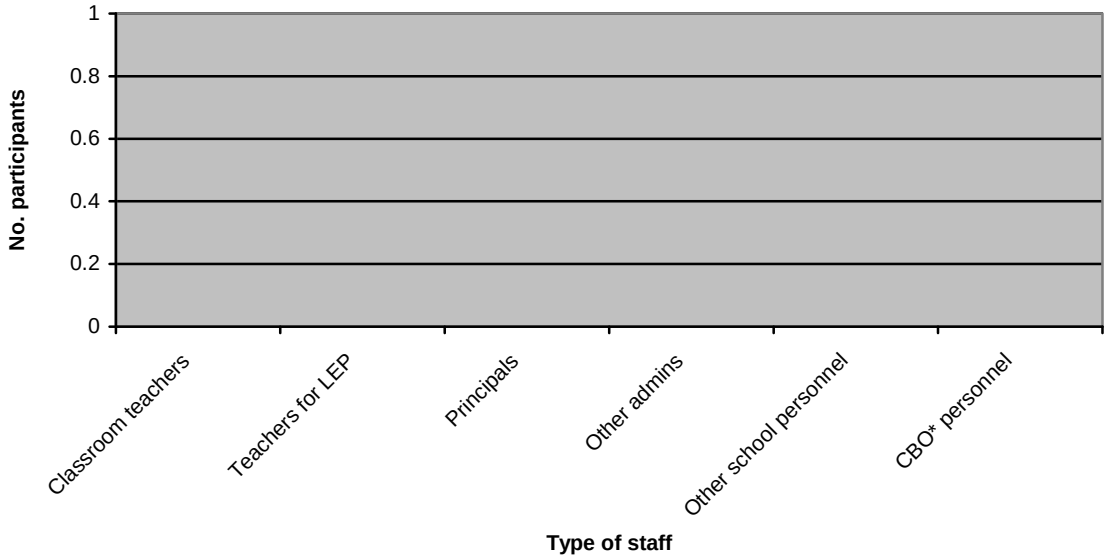
Current number of certified teachers working with LEP students, and additional number needed in five years

No data provided on number of teachers needed in five years.



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

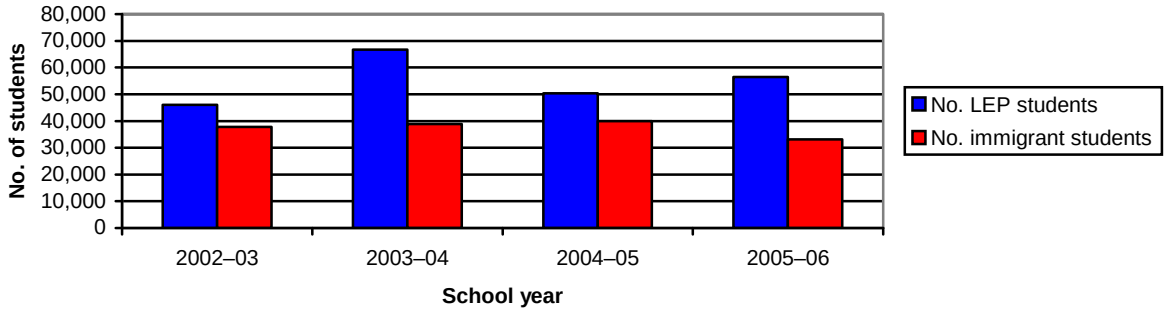


*Community-based organization

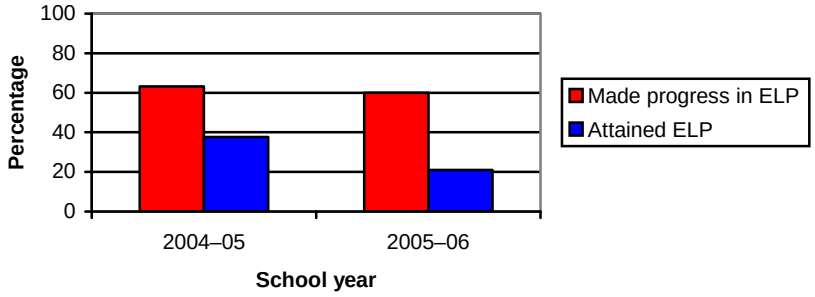
Georgia

Student Information

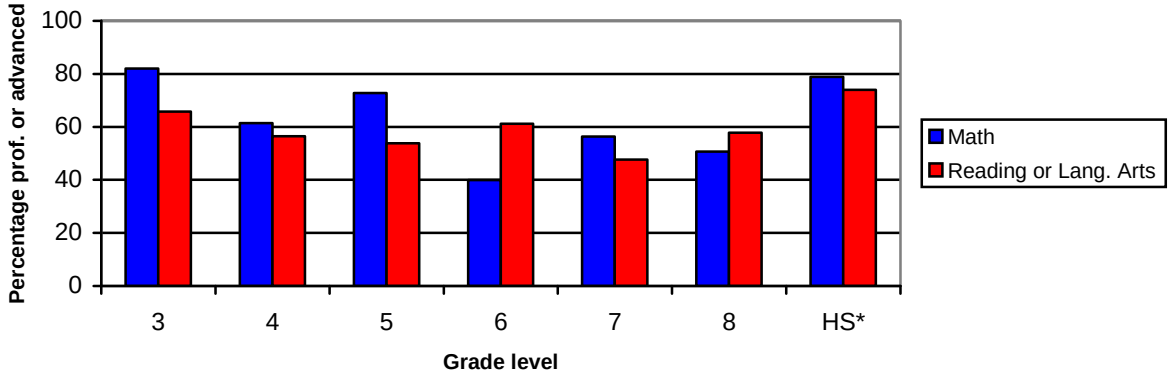
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



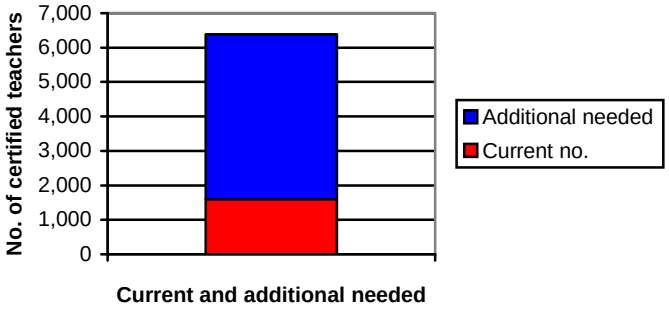
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

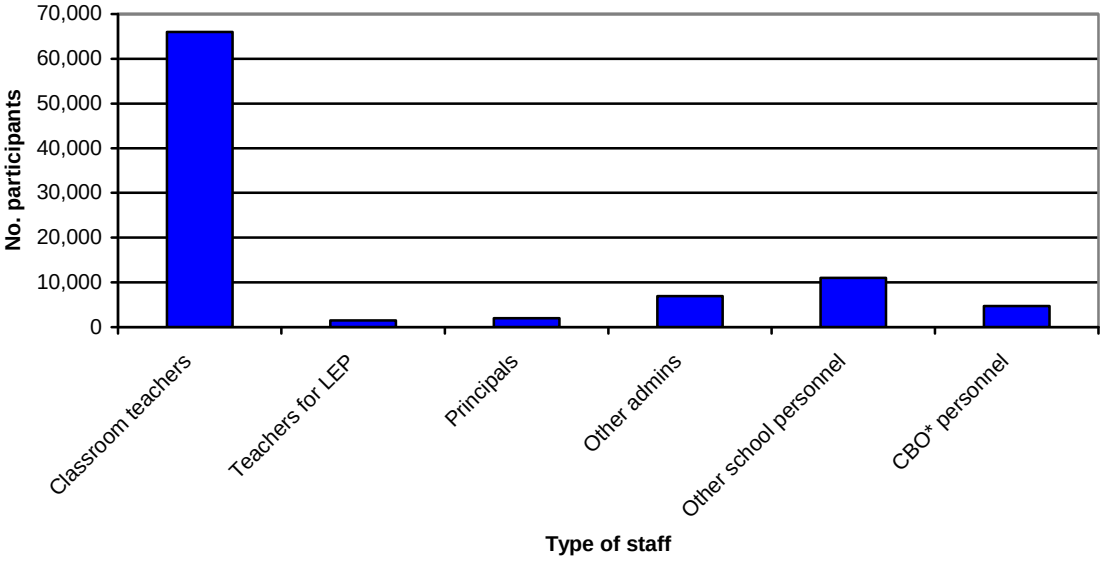
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

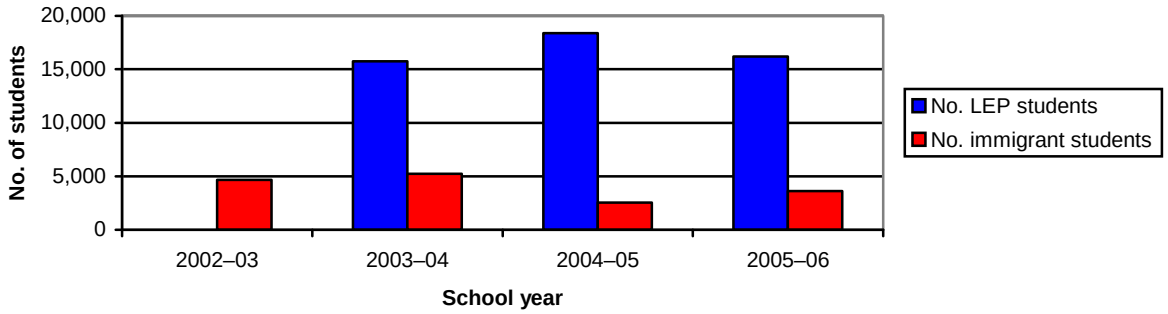


*Community-based organization

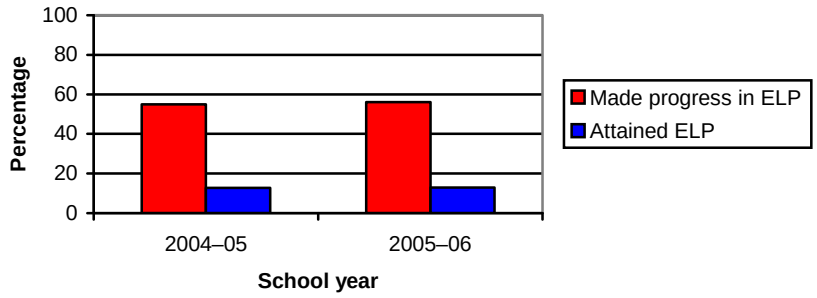
Hawaii

Student Information

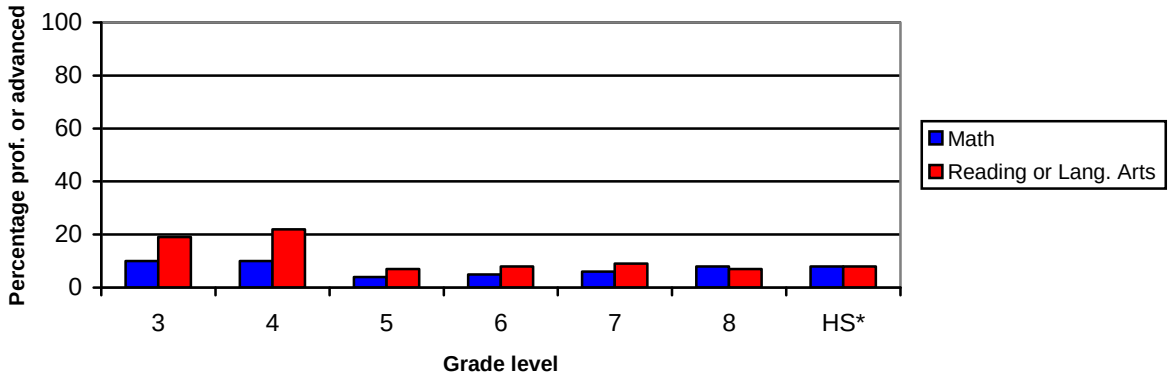
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06
No data provided on no. LEP served in 2002–03.



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

Educational Staff Information

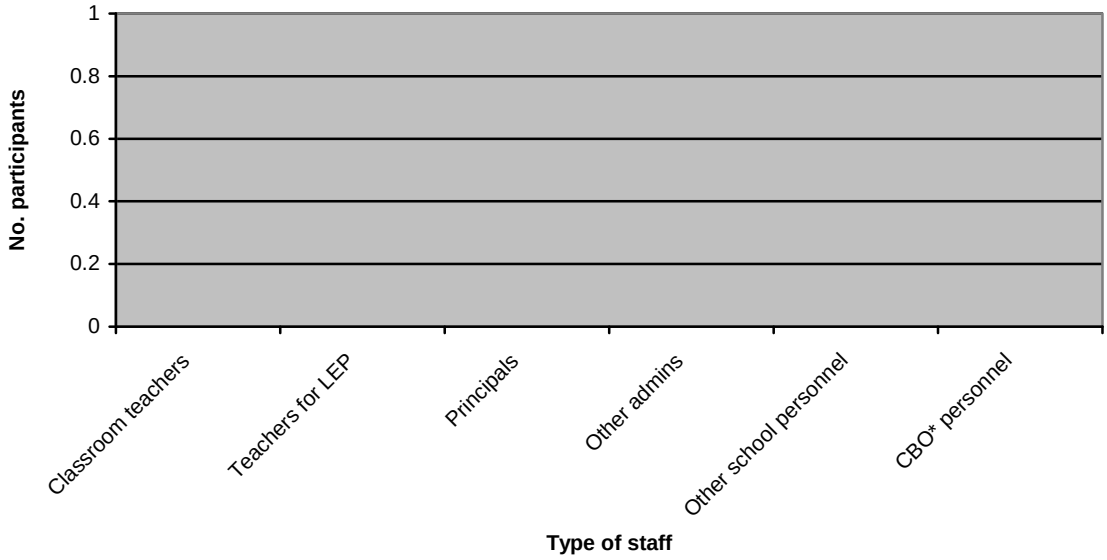
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years

State uses no Title III funds for teachers

Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

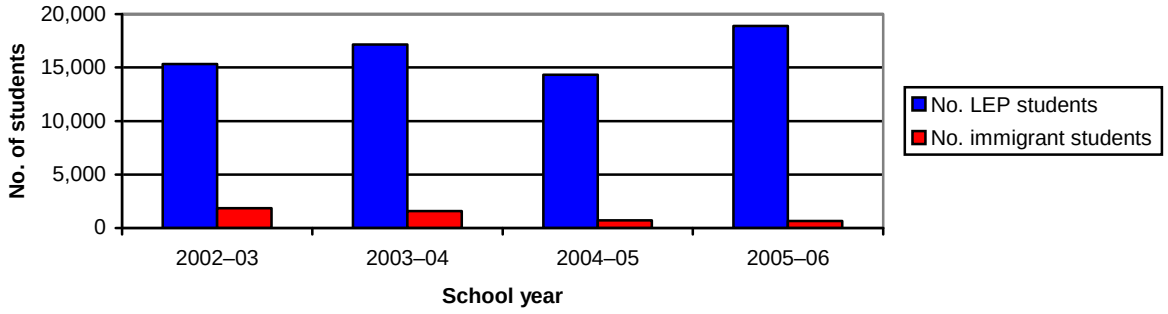


*Community-based organization

Idaho

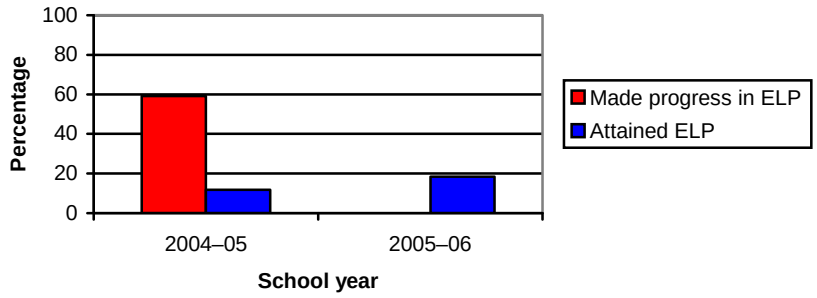
Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

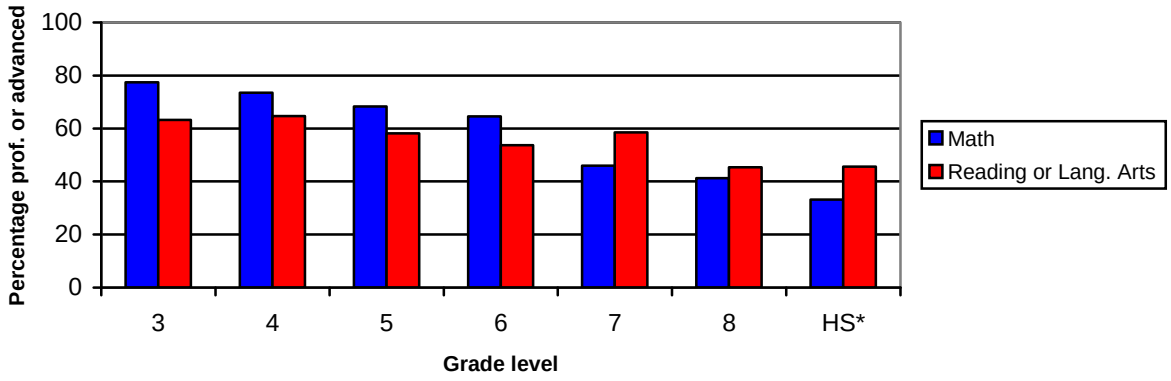


Percentage of students who made progress in ELP and percentage of students who attained ELP

No data provided for "making progress" in 2005–06.



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



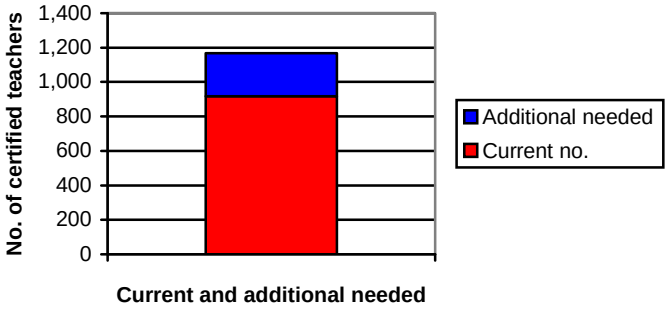
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

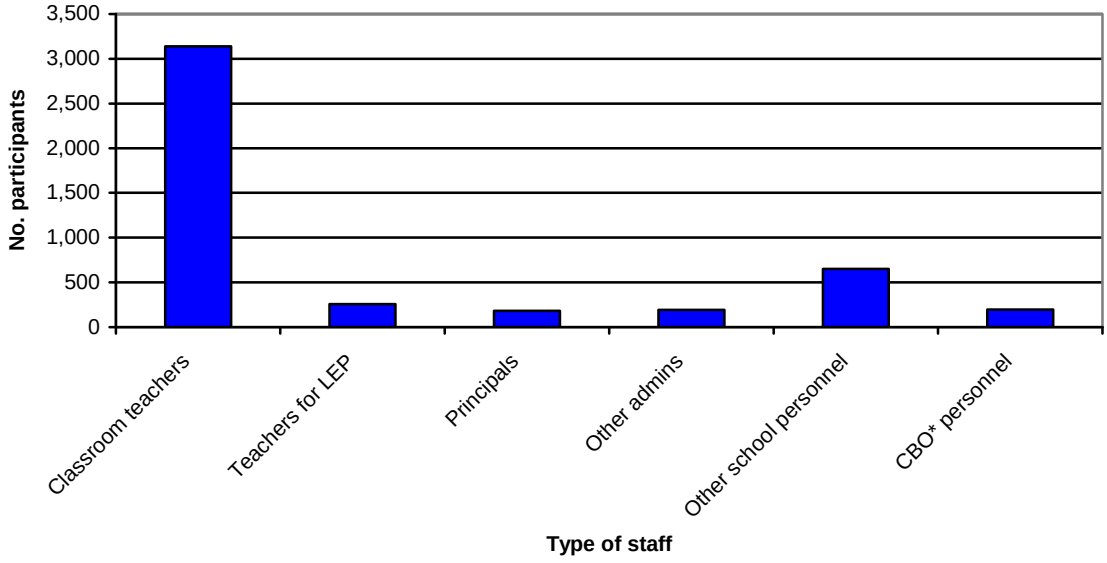
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

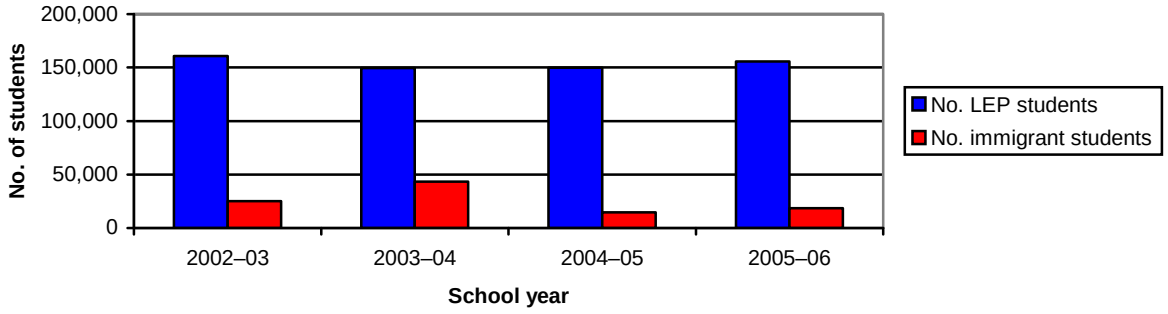


*Community-based organization

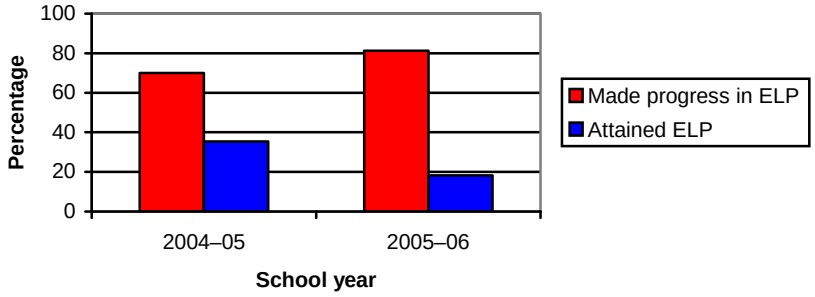
Illinois

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



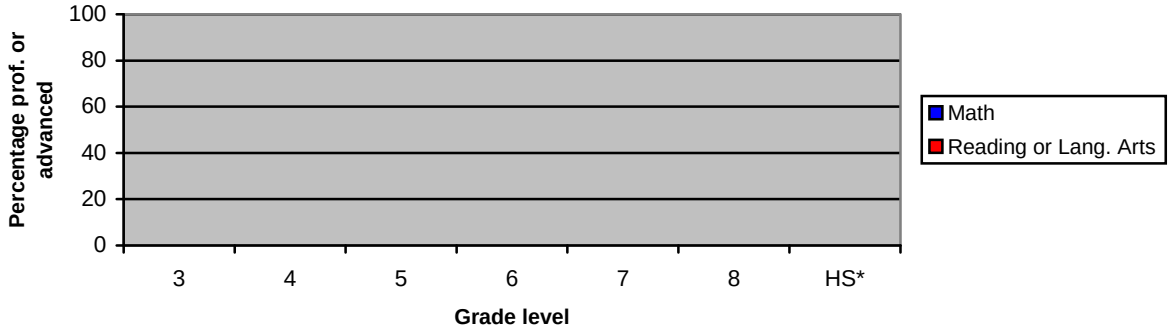
Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having multiple cohorts; percentages were adapted for this report.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06

No data provided.



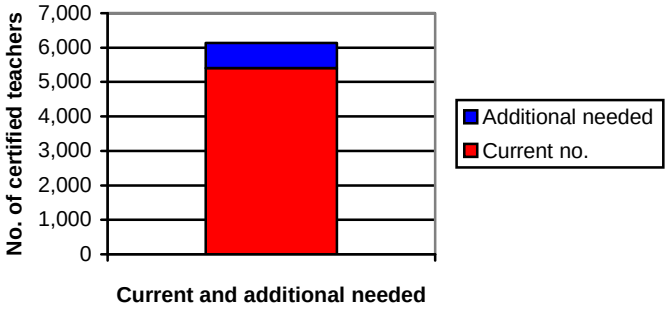
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

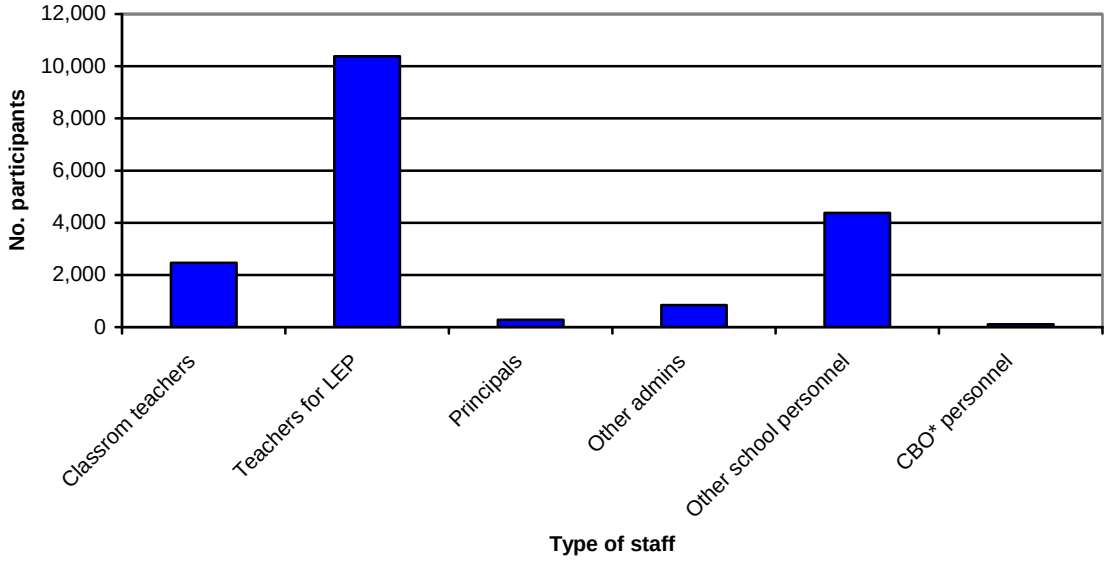
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

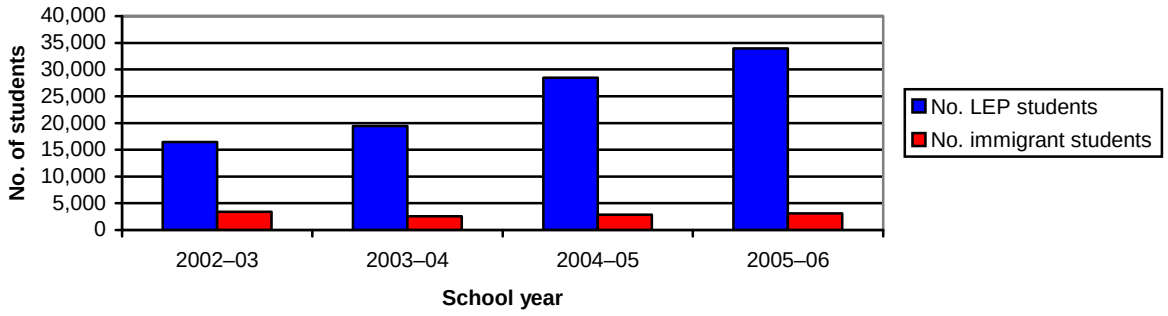


*Community-based organization

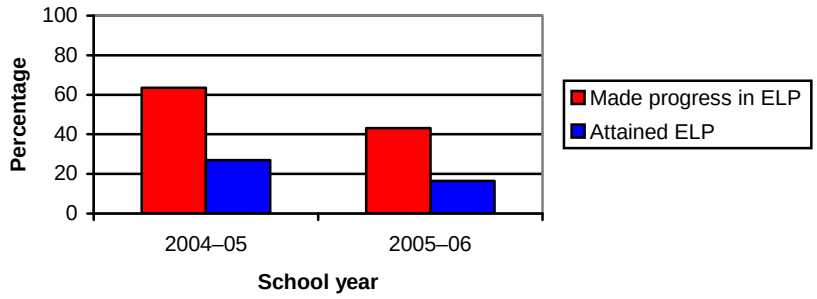
Indiana

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

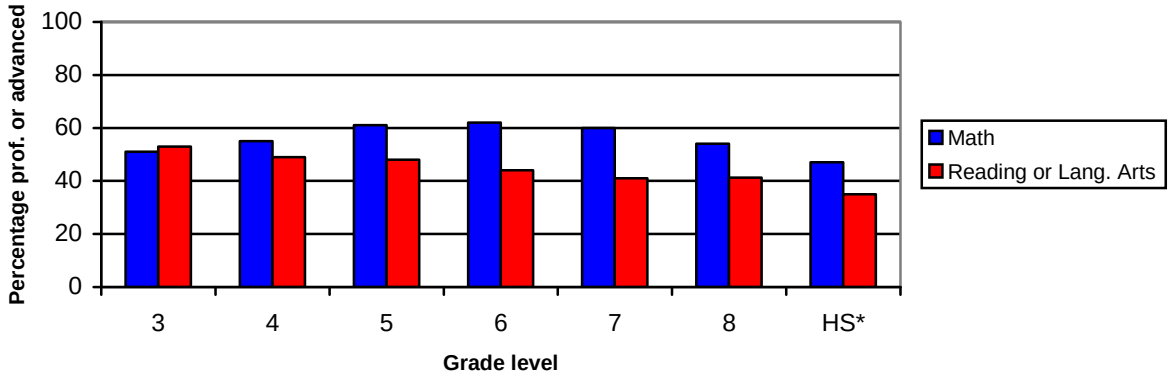


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having a new assessment for 2005–06, so data cannot be directly compared.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06



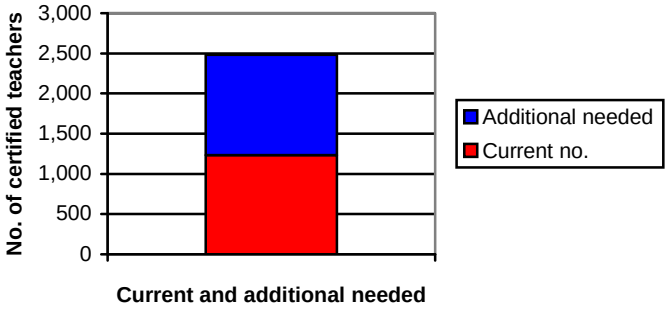
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

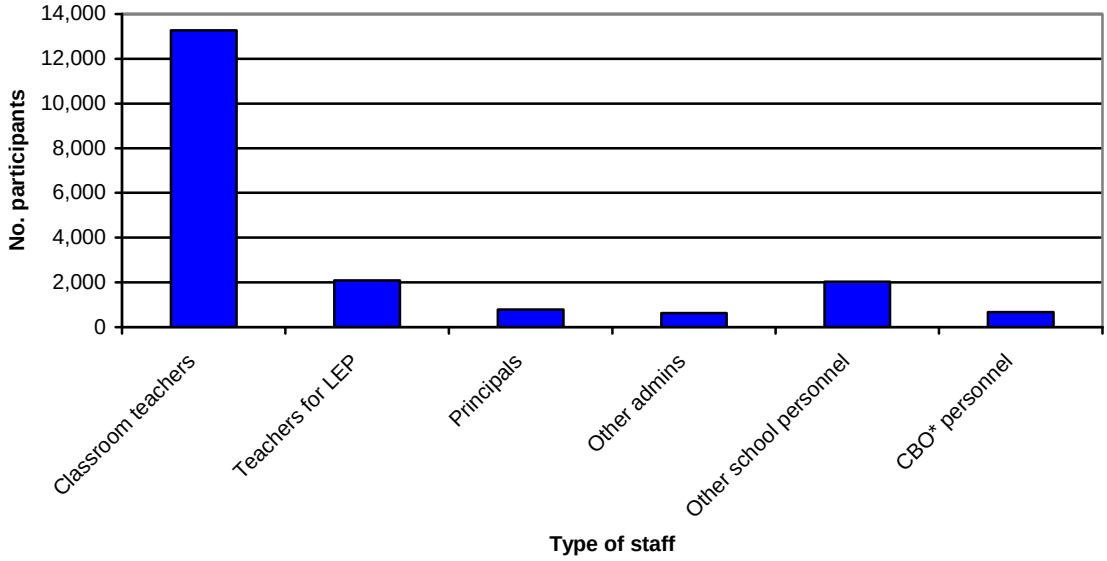
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff



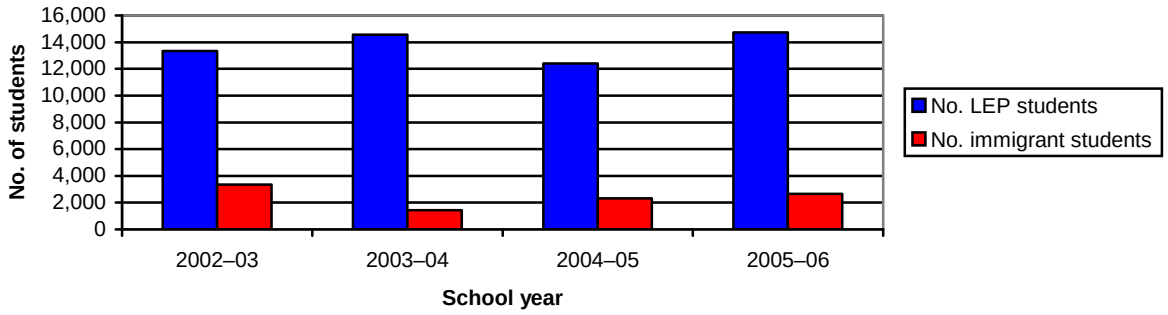
*Community-based organization

Iowa

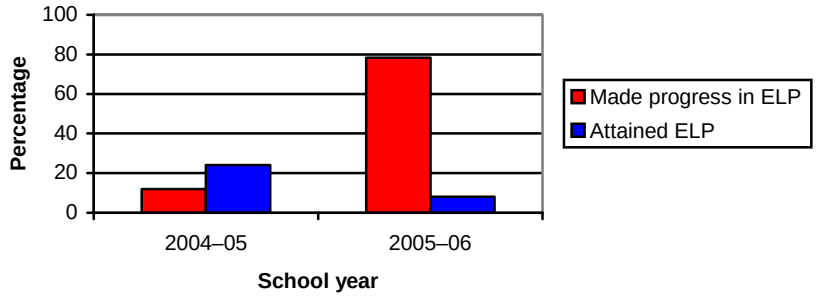
NOTE: In instances where data are missing, state did not have a system in place to collect all of the necessary data requested by the biennial data collection form (reproduced in Appendix B).

Student Information

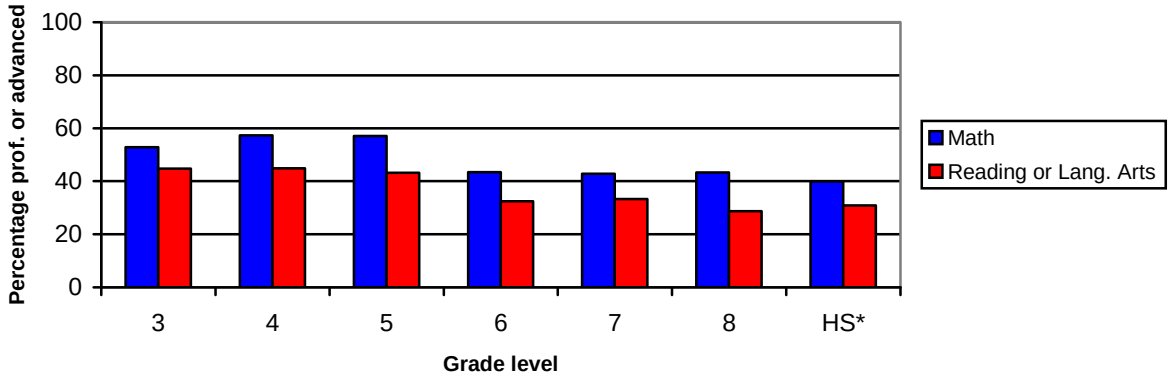
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



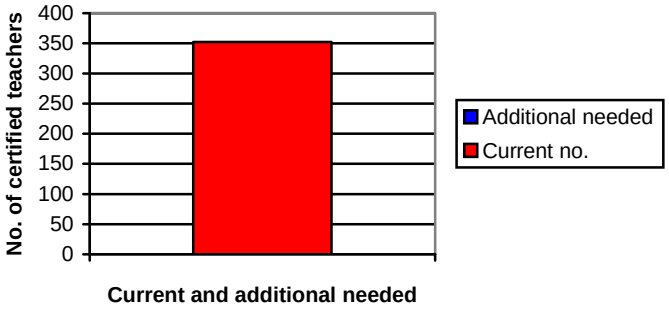
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

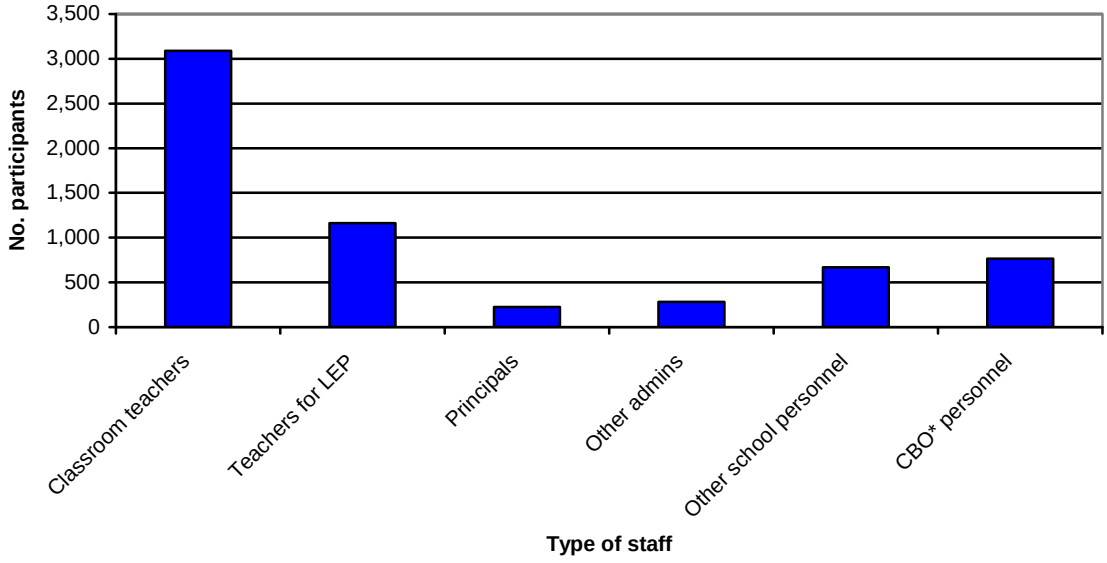
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

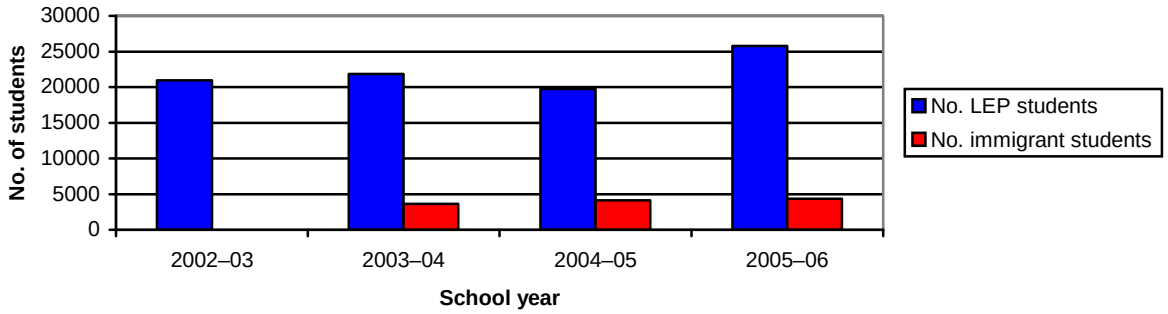


*Community-based organization

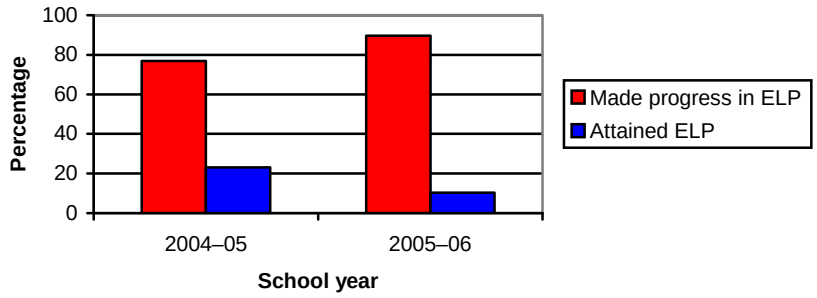
Kansas

Student Information

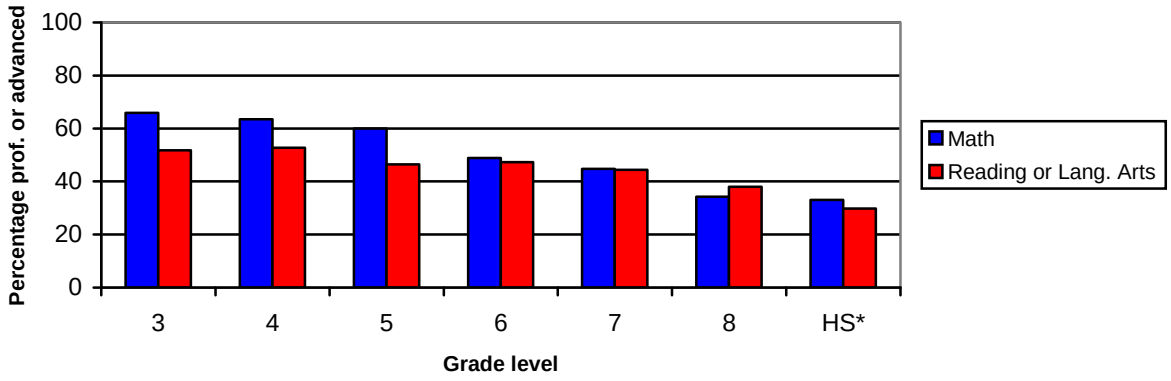
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06
No data provided for no. immigrant students served in 2002–03.



Percentage of students who made progress in ELP and percentage of students who attained ELP



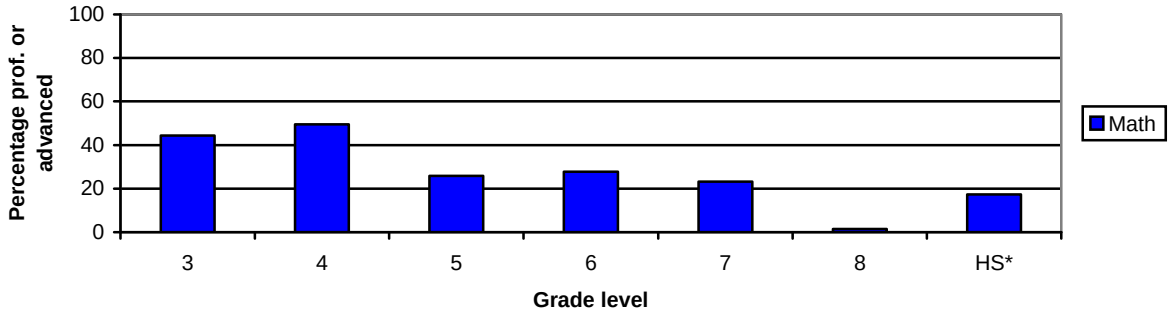
Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	Yes Math achievement: Spanish

Percentage of students advanced and proficient in Spanish language test of mathematics achievement, school year 2005–06

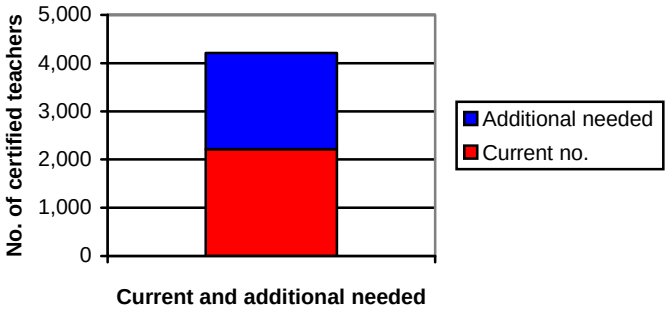


*States test once in high school, at their own discretion.

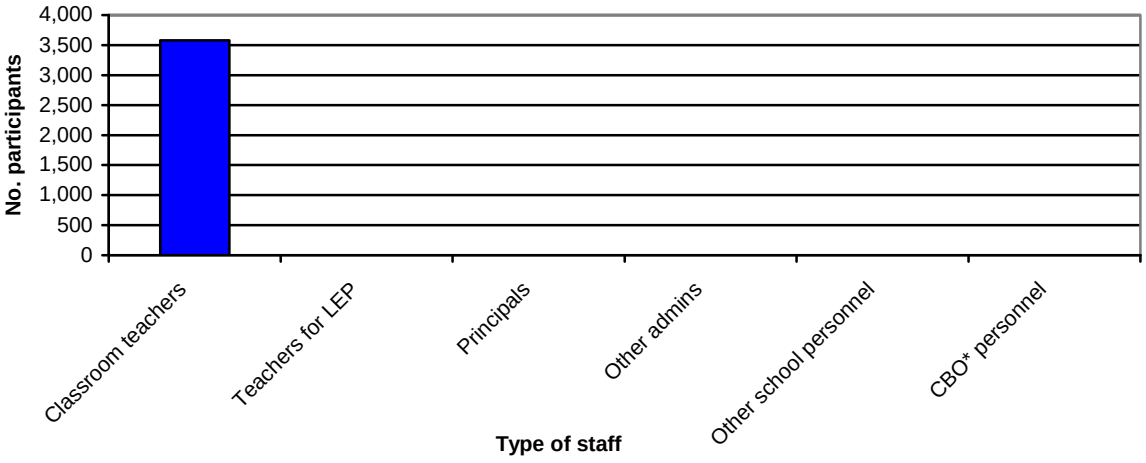
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

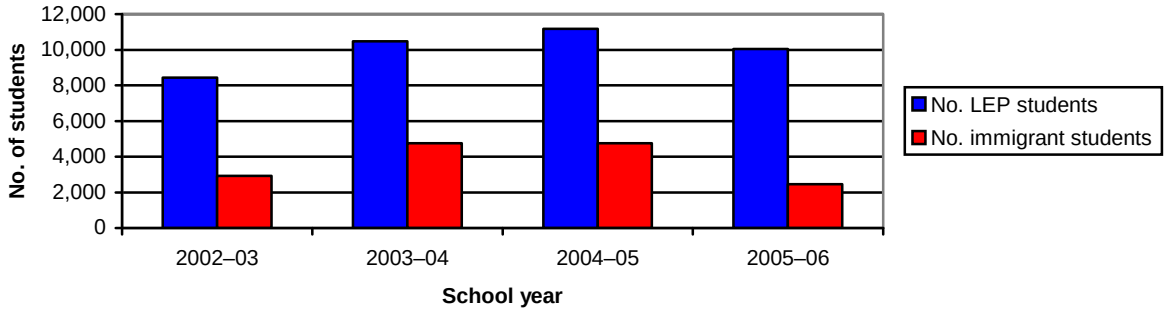


*Community-based organization

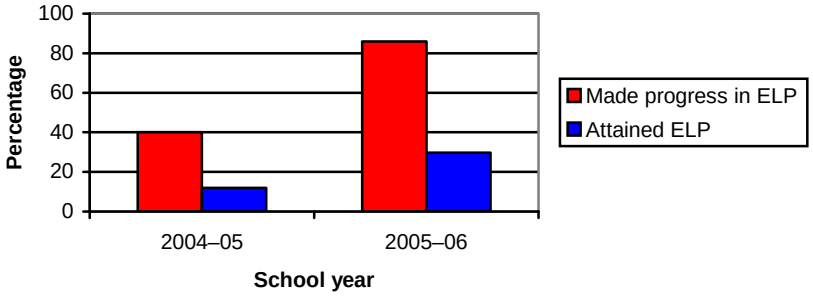
Kentucky

Student Information

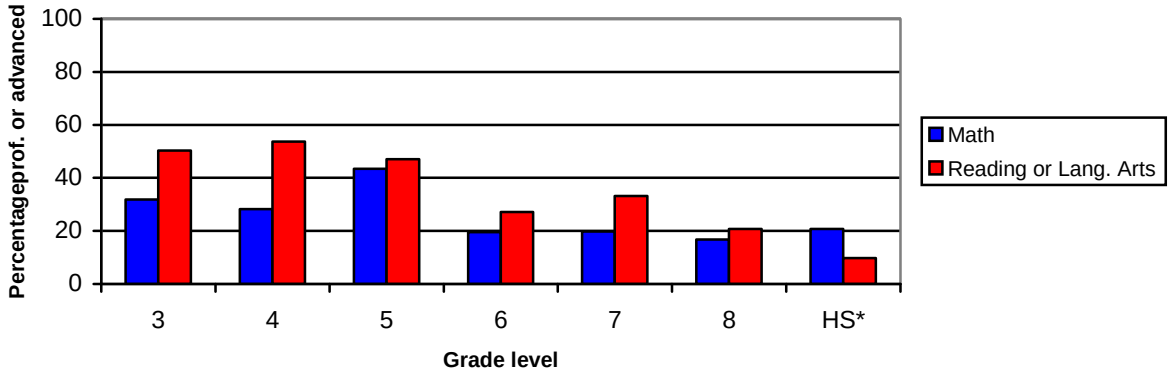
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



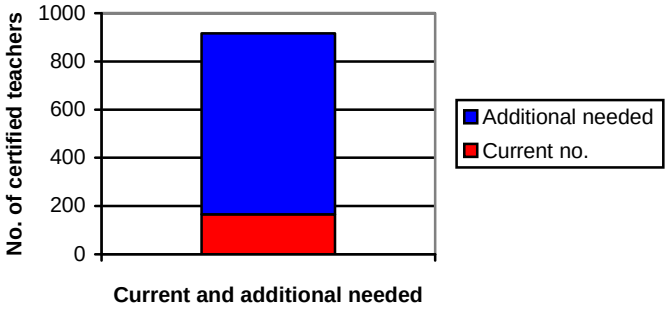
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

Educational Staff Information

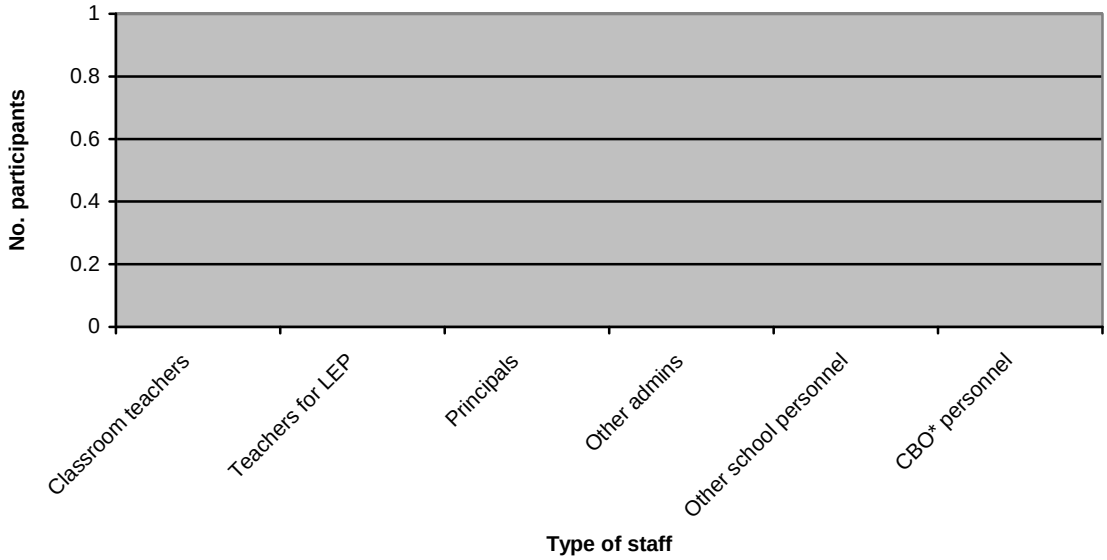
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

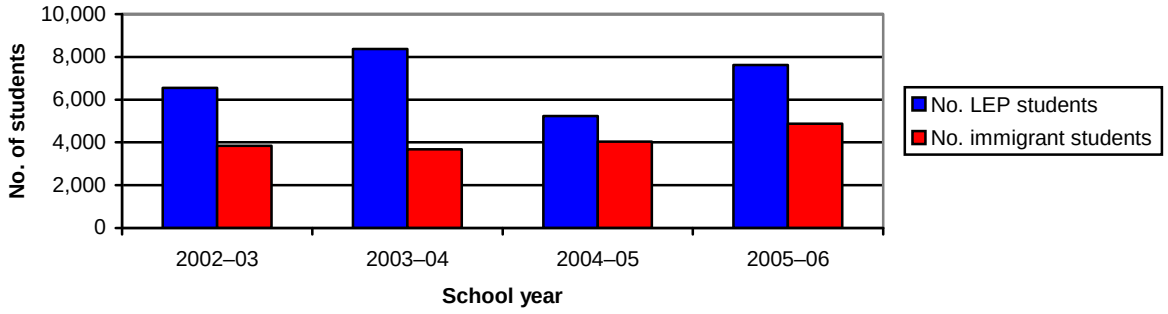


*Community-based organization

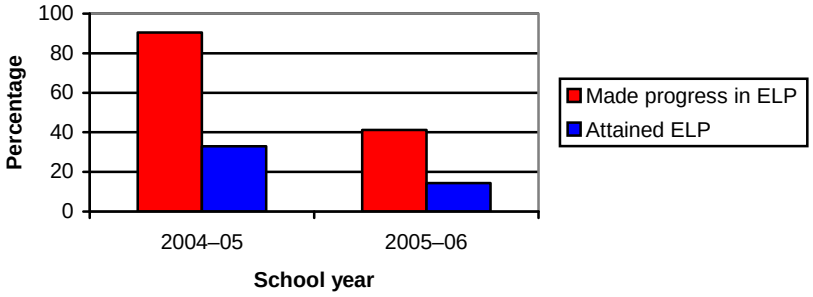
Louisiana

Student Information

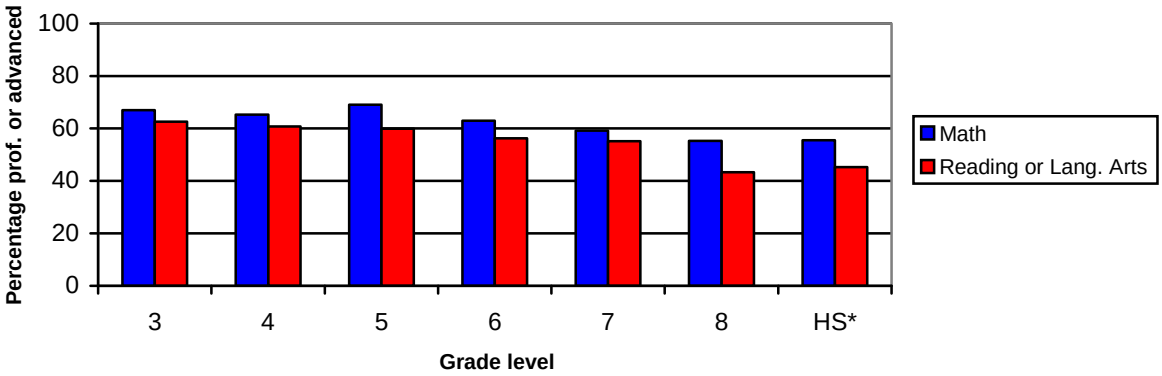
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



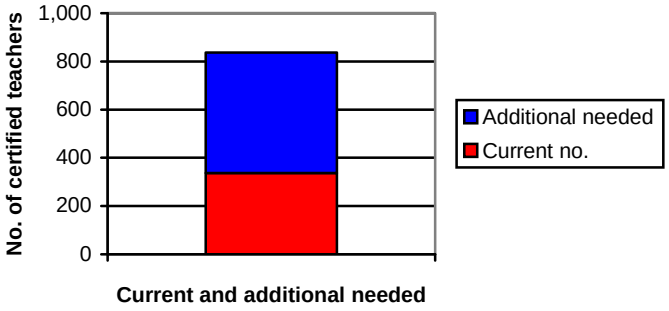
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

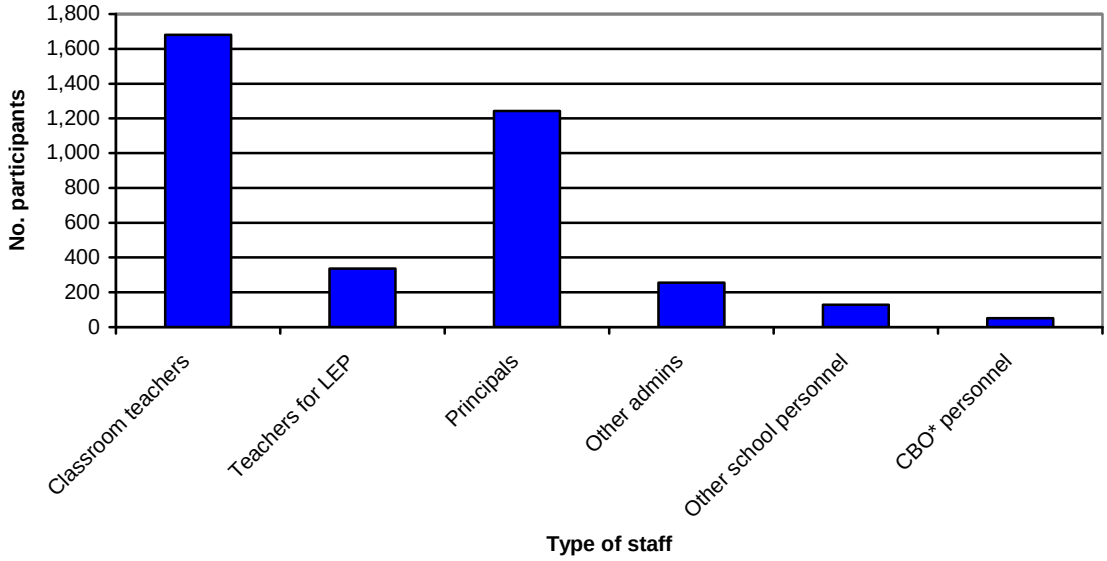
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

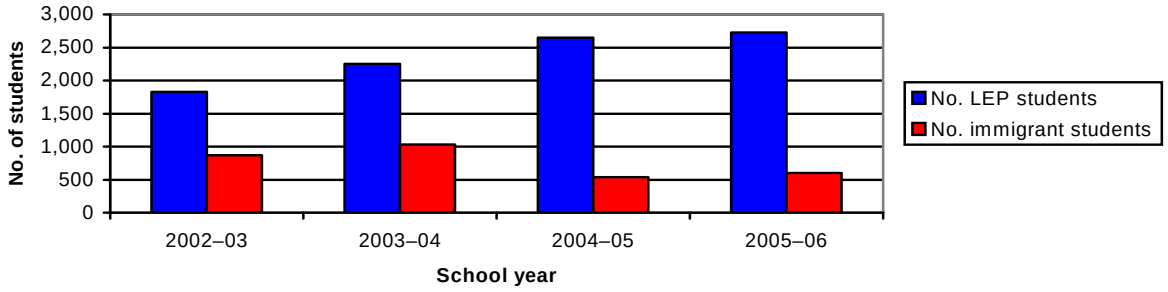


*Community-based organization

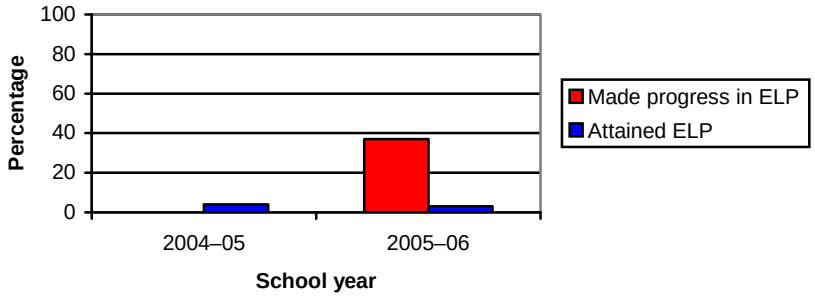
Maine

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



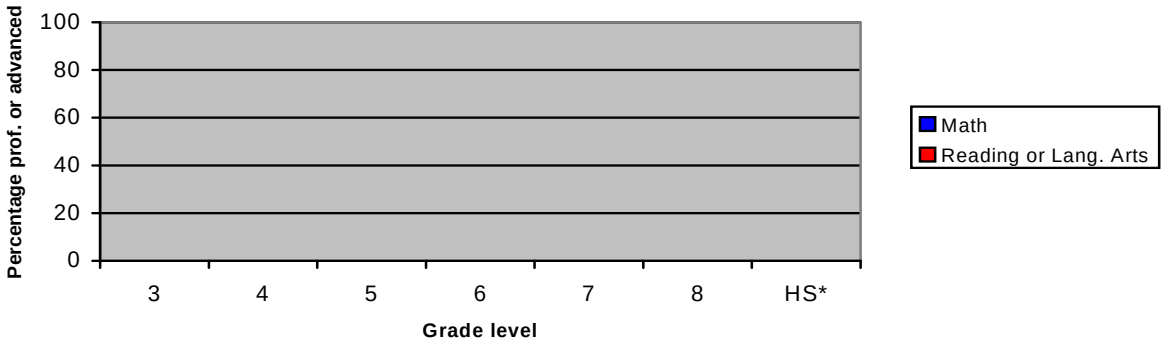
Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having a new assessment measuring English language proficiency for 2004–05. No data on making progess in ELP for 2004–05 could be provided as the new assessment meant data could not be compared across years.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06

No data provided.



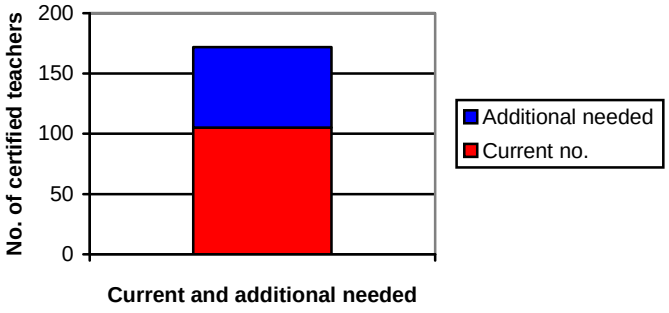
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

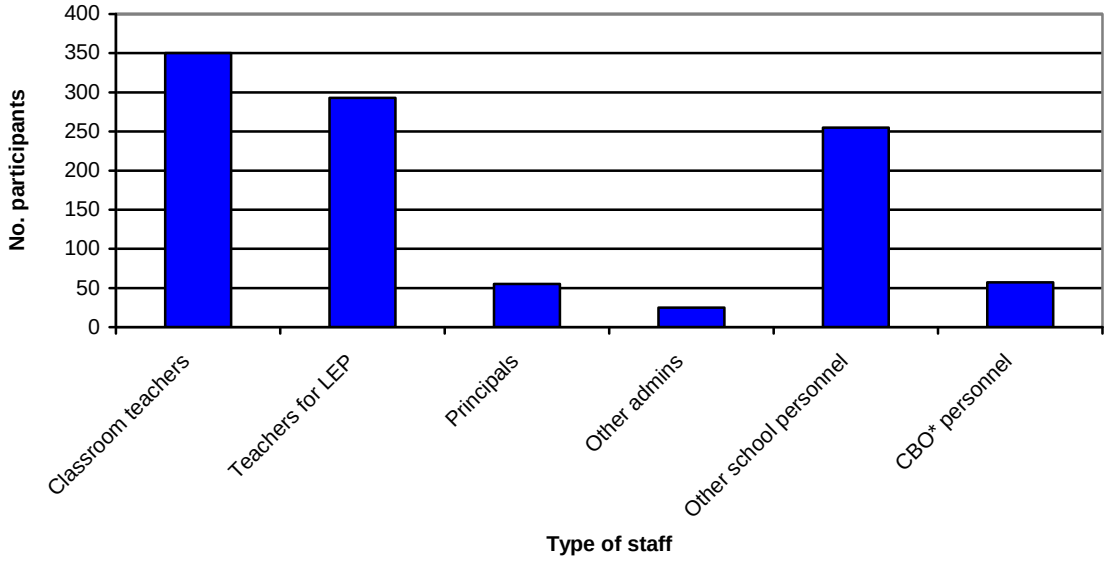
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

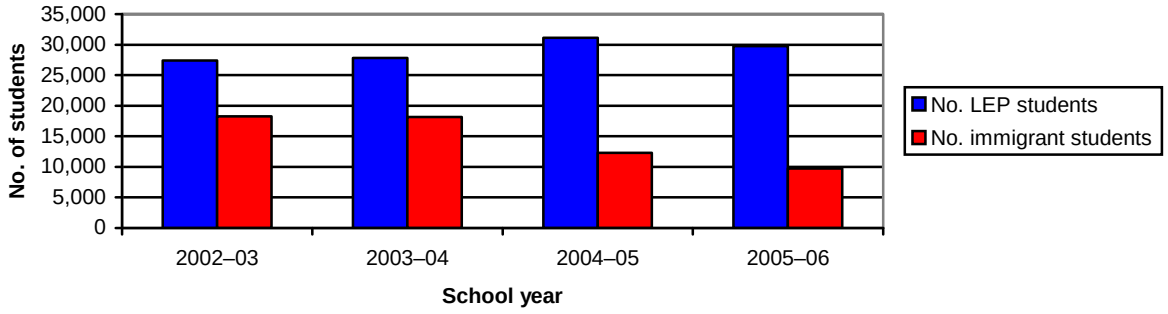


*Community-based organization

Maryland

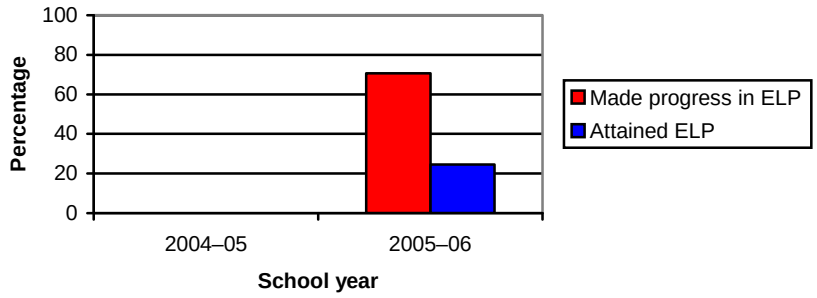
Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

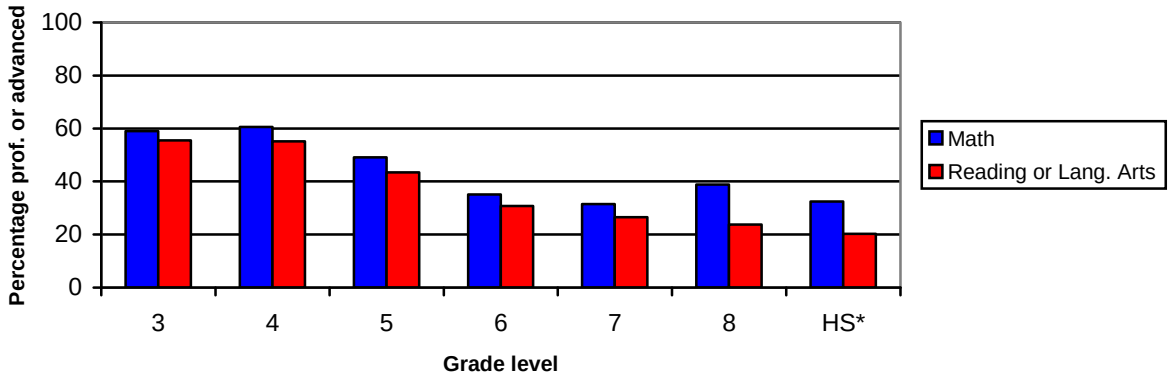


Percentage of students who made progress in ELP and percentage of students who attained ELP

No data provided for 2004–05.



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



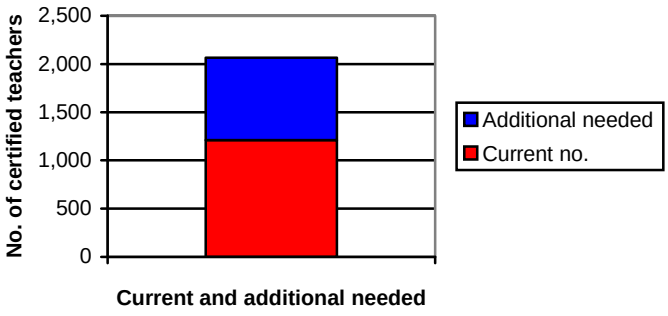
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

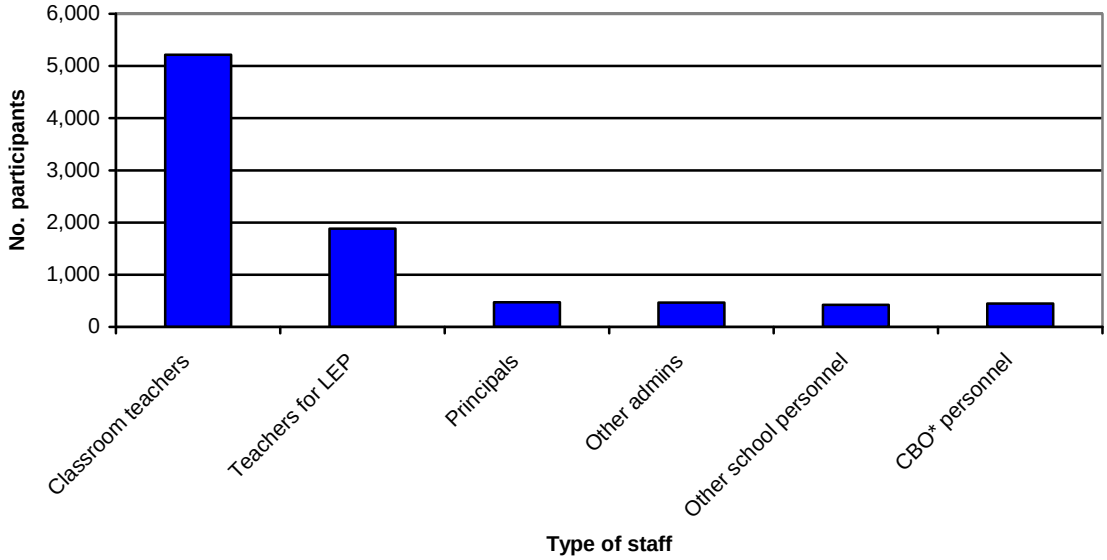
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

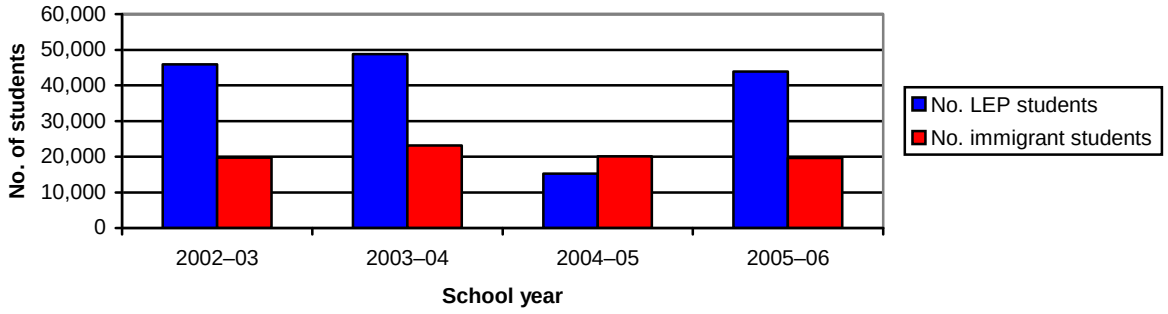


*Community-based organization

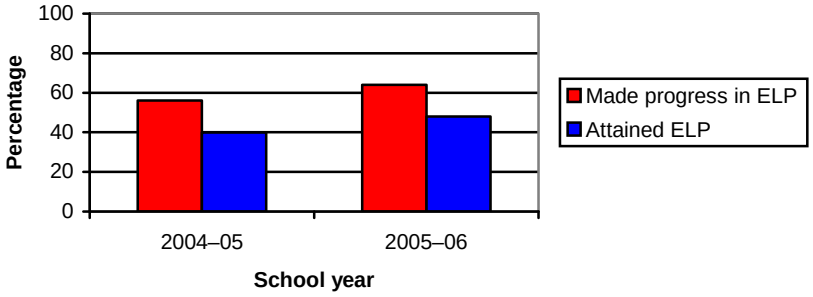
Massachusetts

Student Information

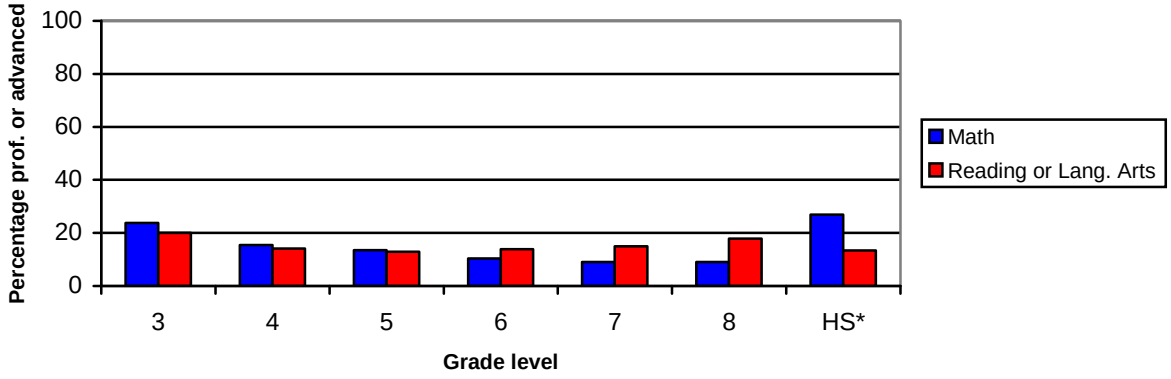
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



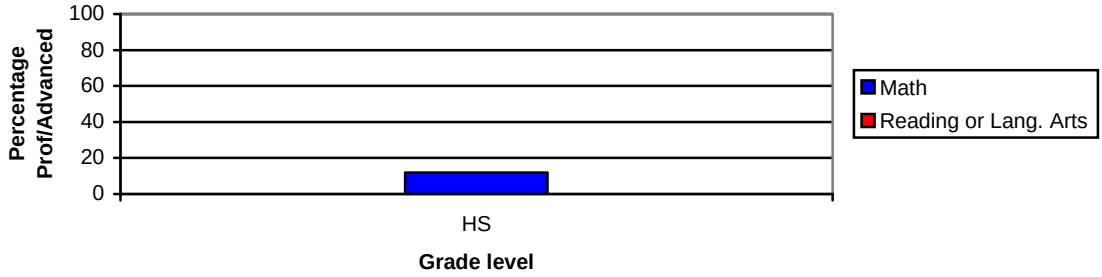
Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	Yes Spanish, high school only

Percentage of students advanced and proficient in Spanish language test of reading or language arts and mathematics achievement, school year 2005–06
No data provided for reading or language arts.

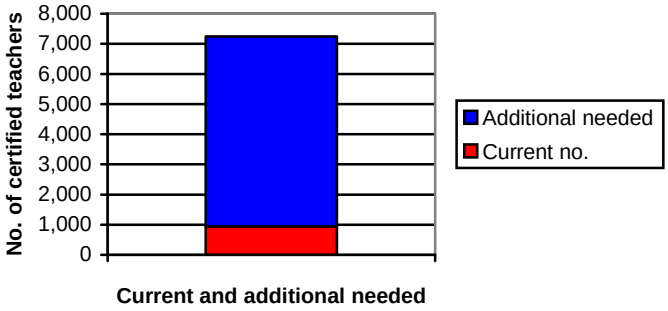


*States test once in high school, at their own discretion.

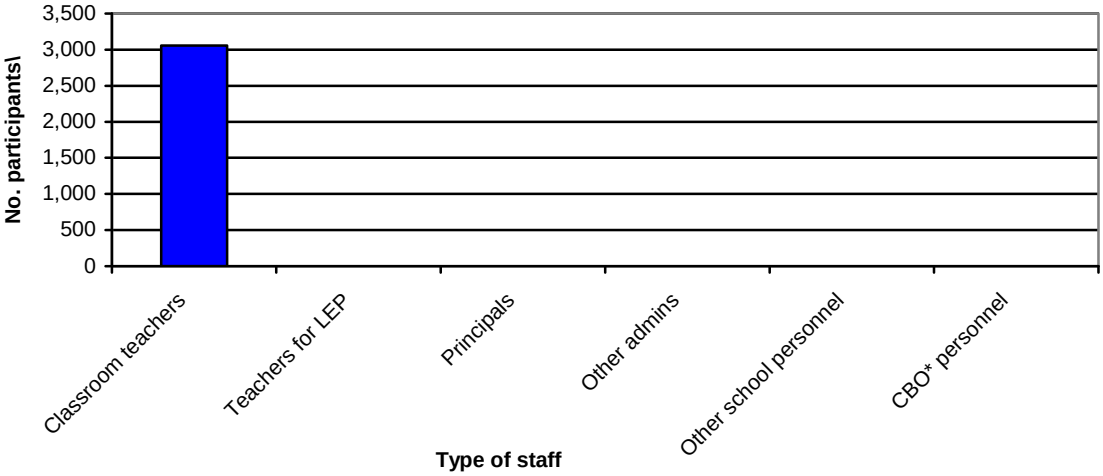
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

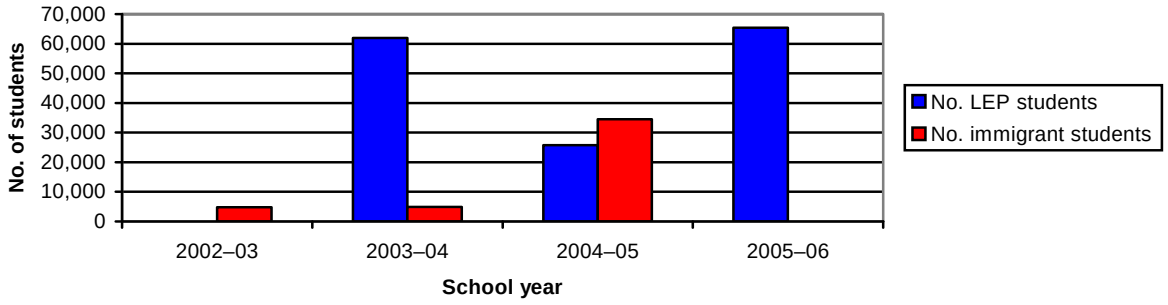


*Community-based organization

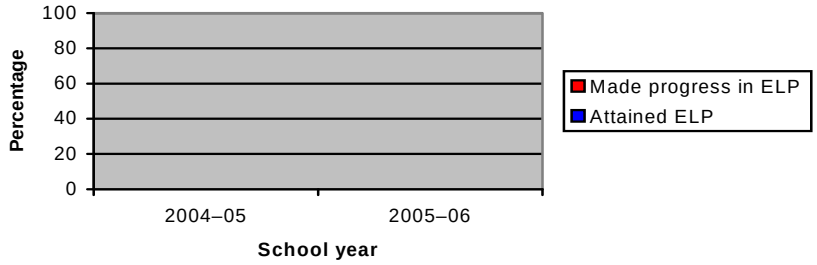
Michigan

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06
No data on no. LEP served provided for 2002–03

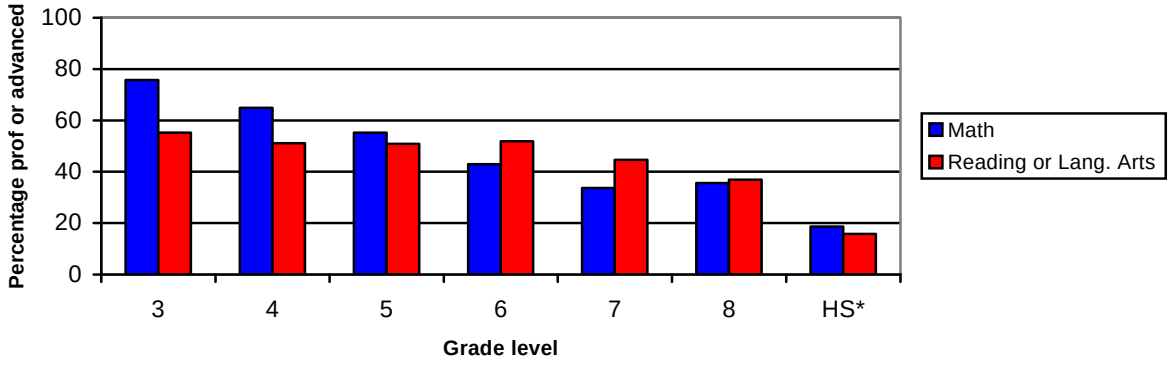


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having a new assessment. No data could be provided on making progress in or attaining ELP as the new assessment meant that data could not be compared across years .

Percentage of students advanced or proficient in academic content achievement, school year 2005–06



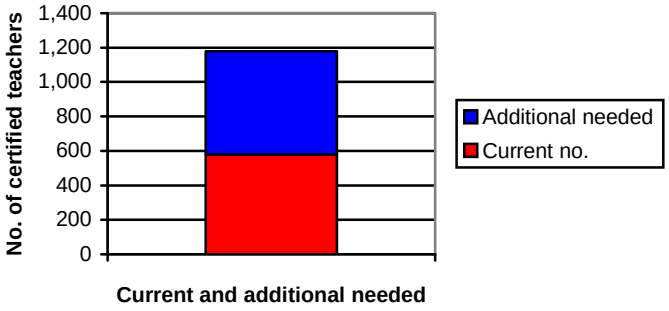
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

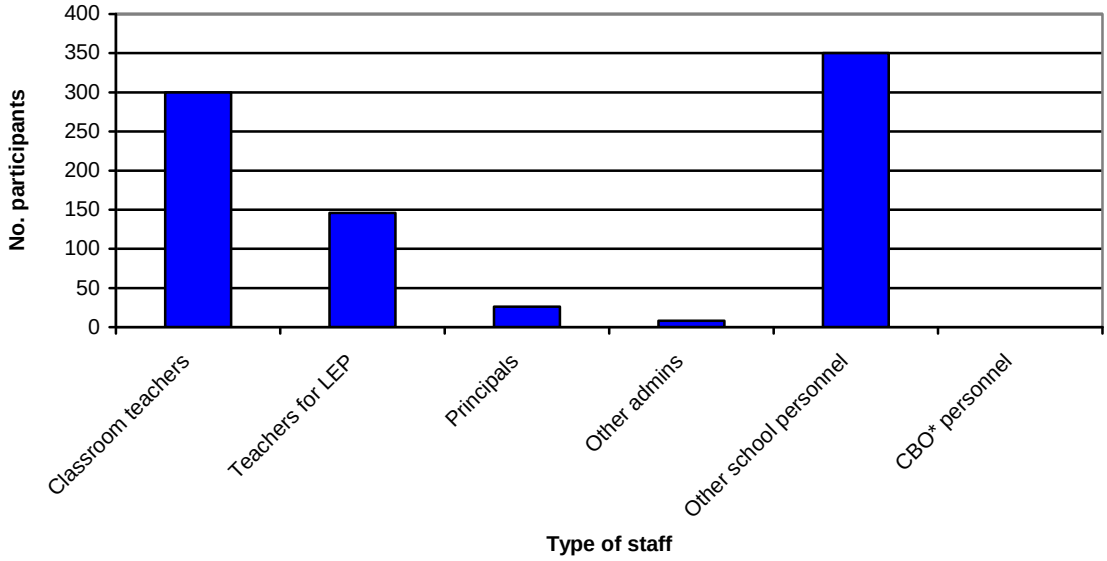
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

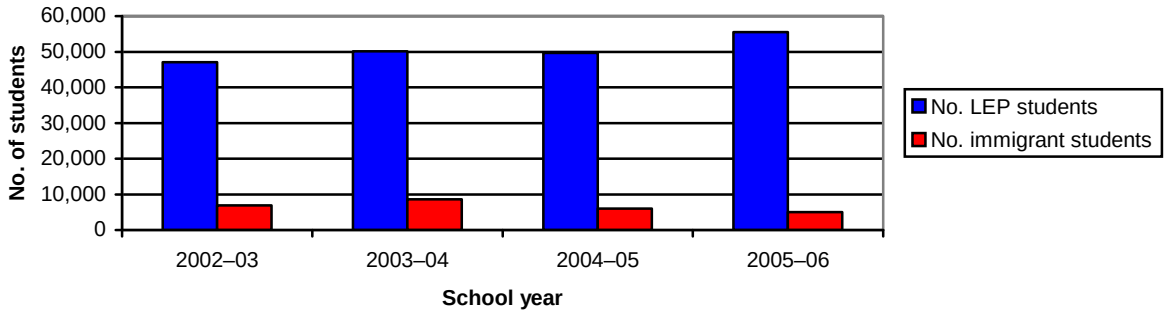


*Community-based organization

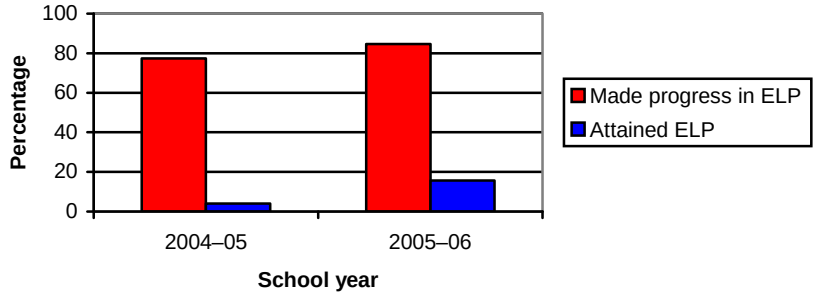
Minnesota

Student Information

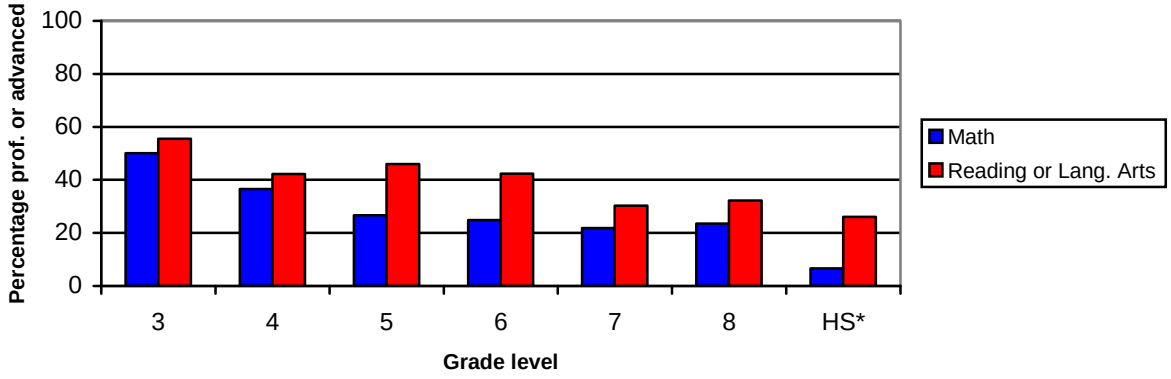
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



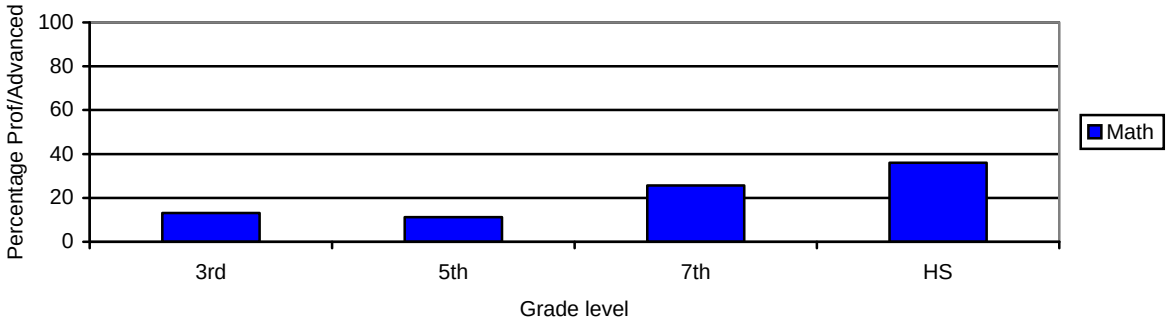
Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	Yes Math achievement: Hmong, Somali, Spanish, Vietnamese

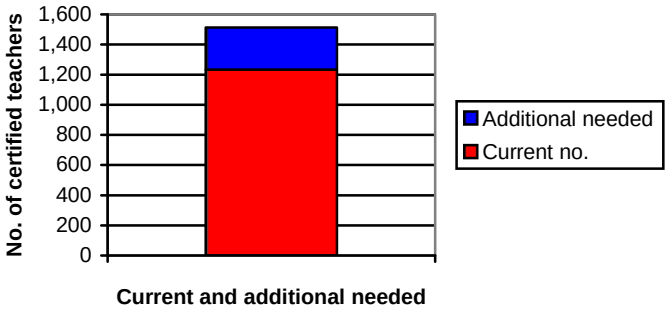
Percentage of students advanced and proficient in native language tests of mathematics achievement, school year 2005–06



Educational Staff Information

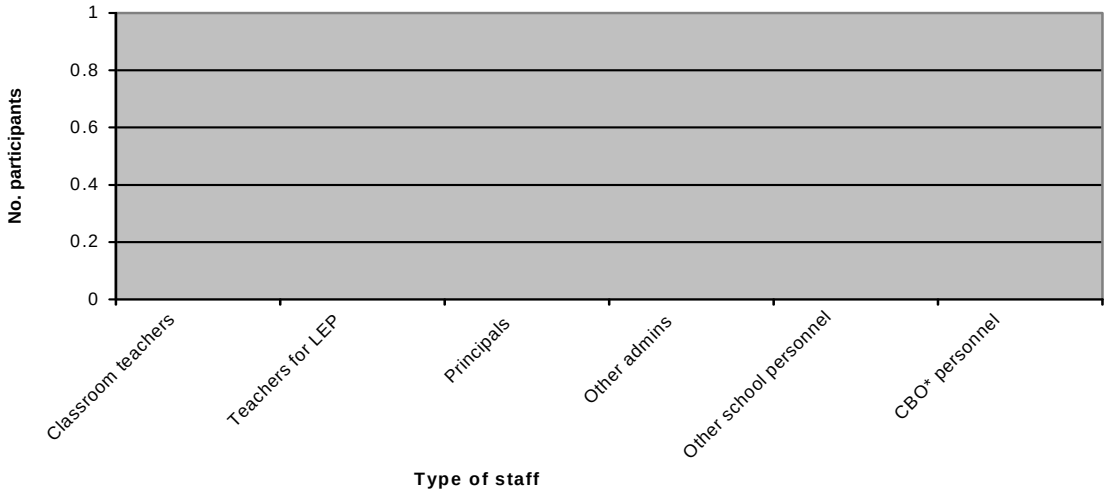
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

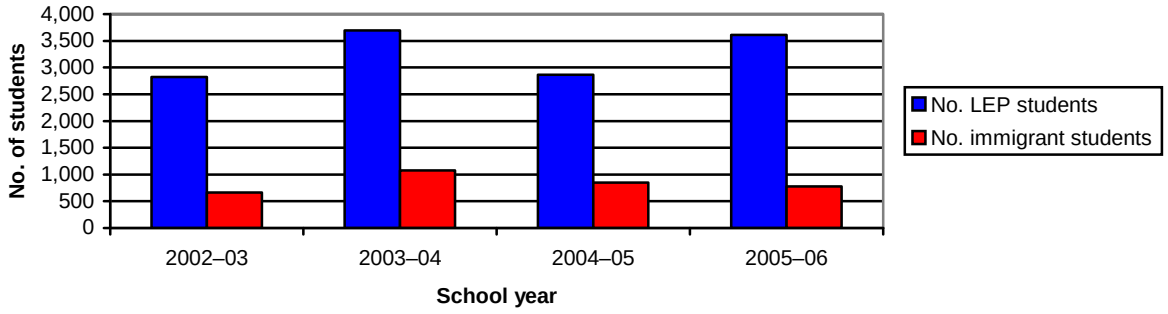


*Community-based organization

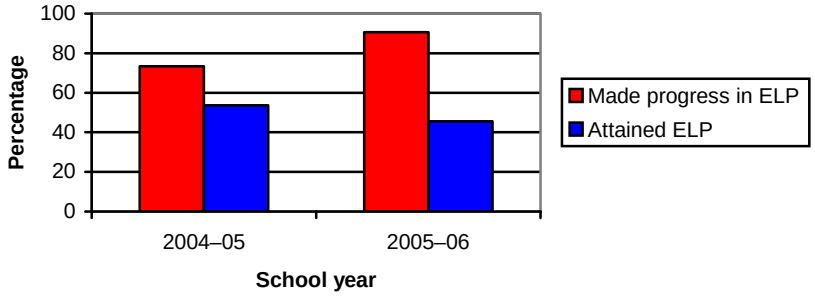
Mississippi

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

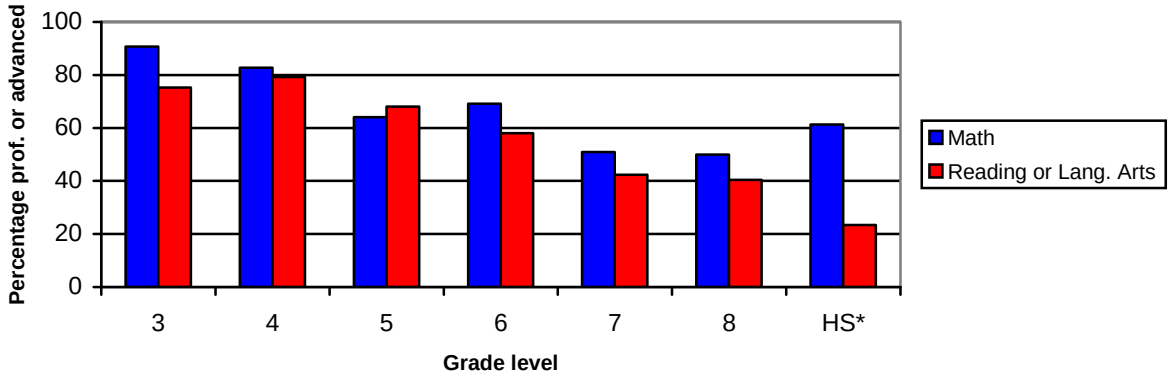


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having multiple cohorts; percentages were adapted for this report.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06



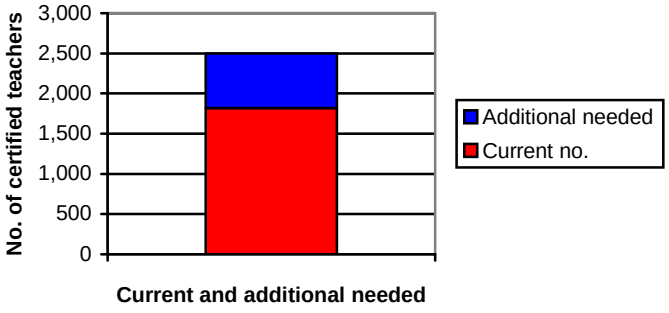
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

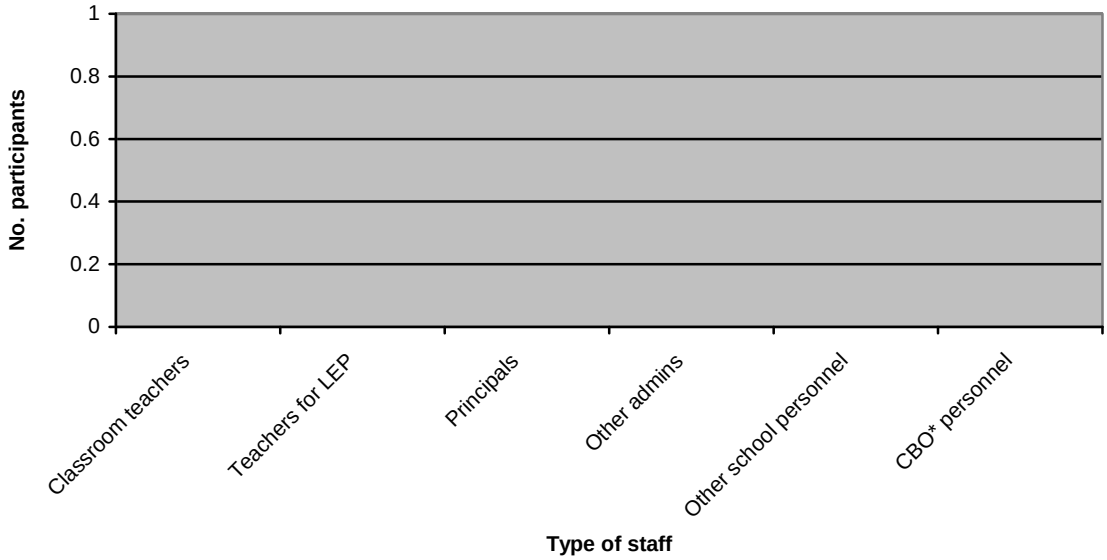
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.



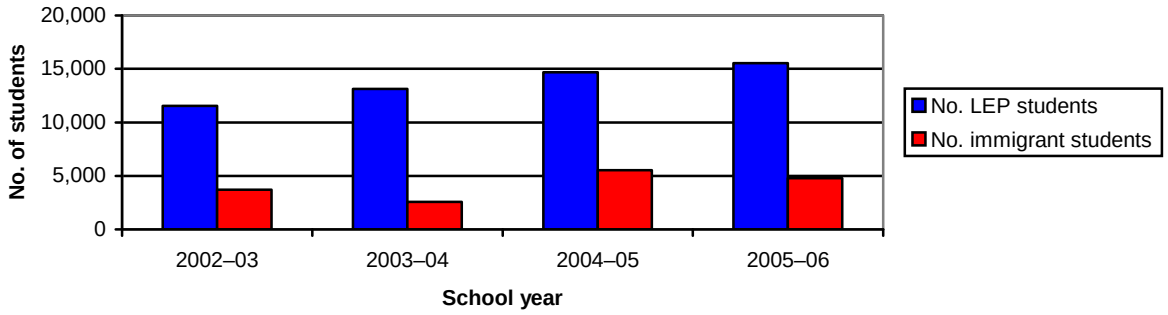
*Community-based organization

Missouri

NOTE: In instances where data are missing, state did not have a system in place to collect all of the necessary data requested by the biennial data collection form (reproduced in Appendix B).

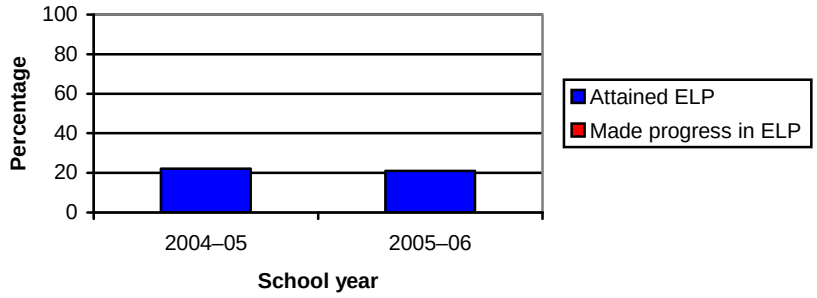
Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

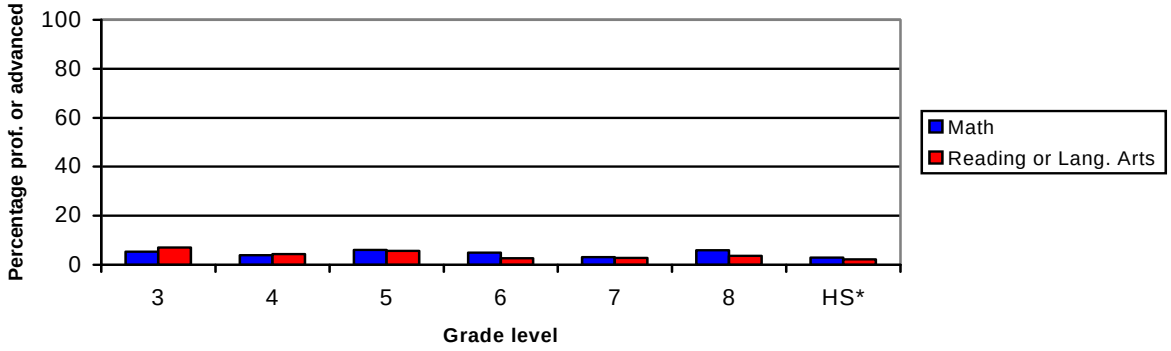


Percentage of students who made progress in ELP and percentage of students who attained ELP

No data provided on making progress.



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



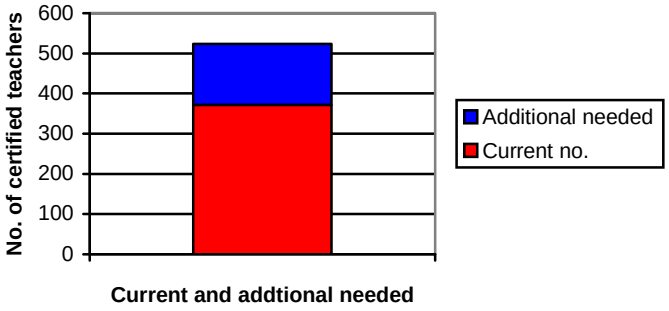
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

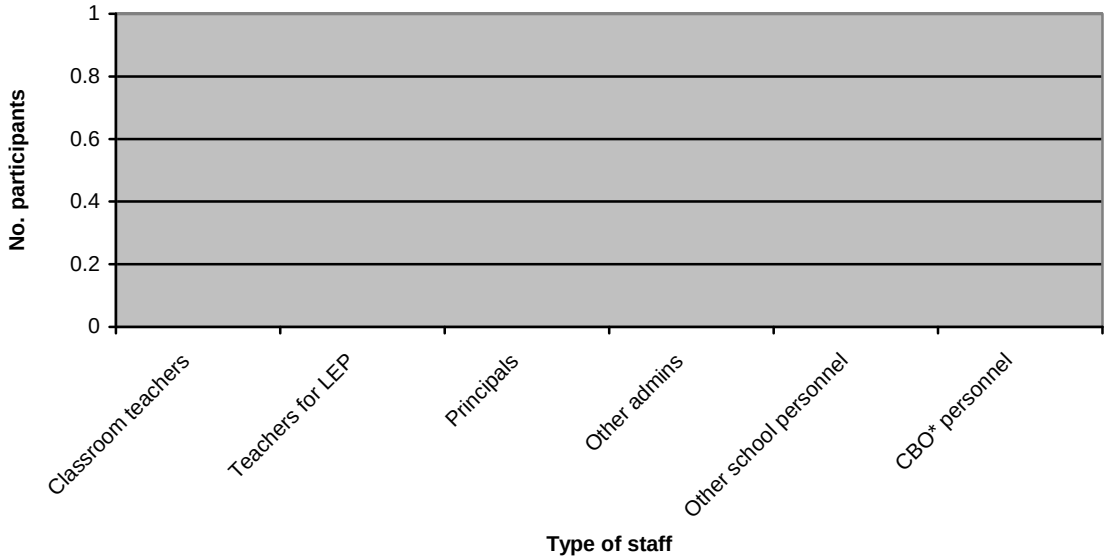
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

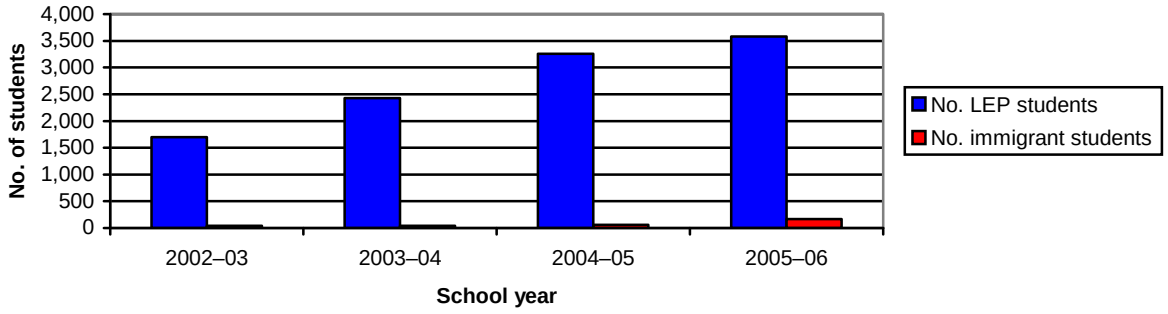


*Community-based organization

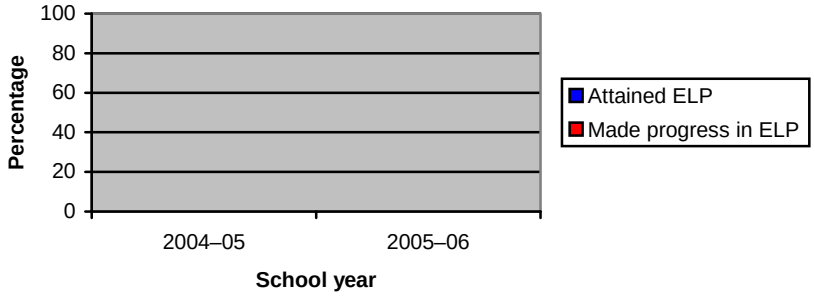
Montana

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

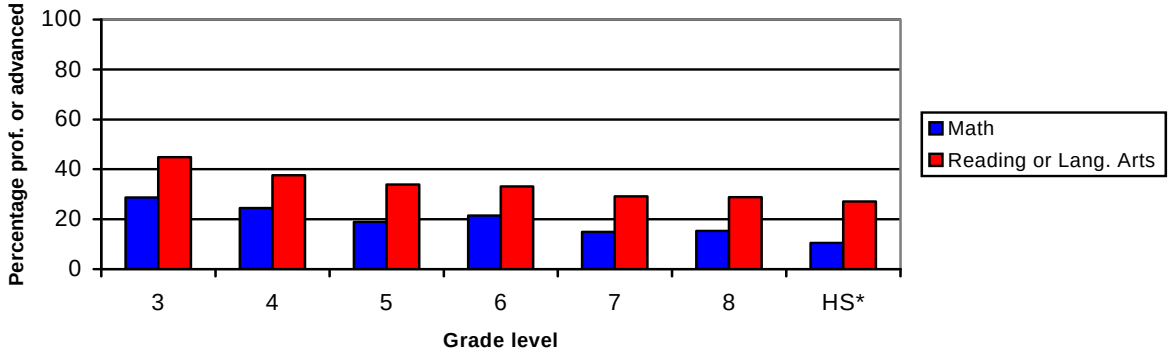


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having a new assessment. No data could be provided on making progress in or attaining ELP as the new assessment meant that data could not be compared across years.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06



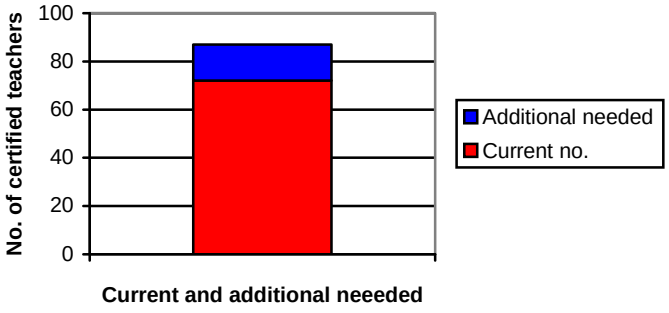
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

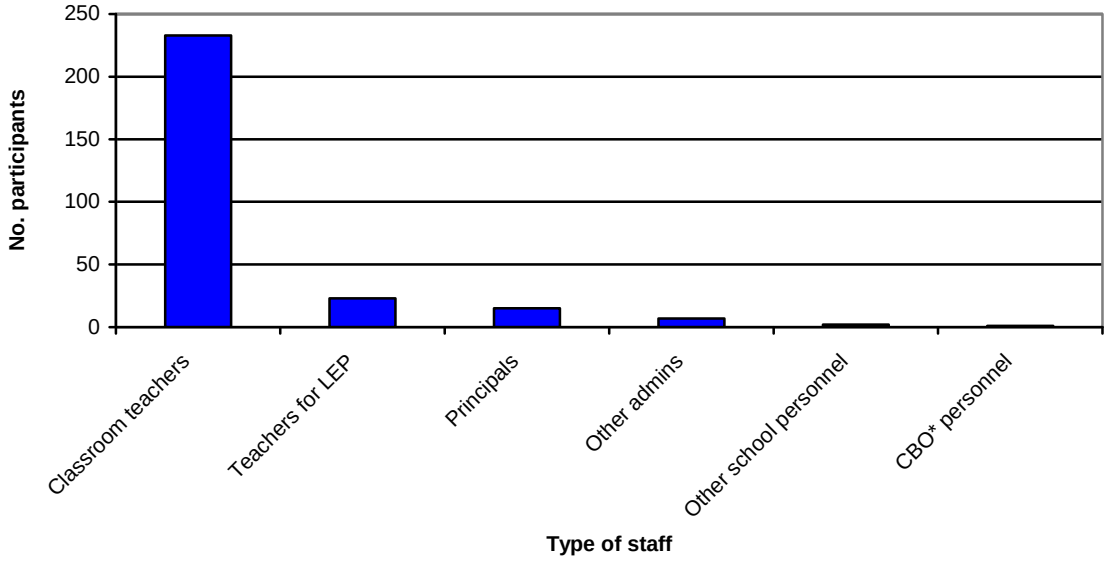
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff



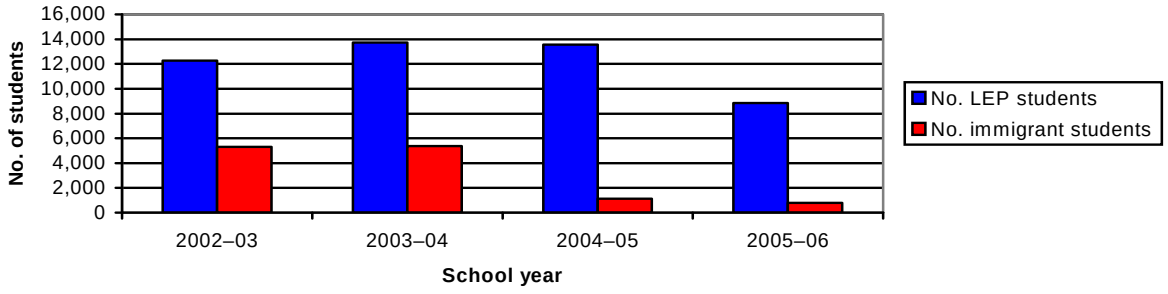
*Community-based organization

Nebraska

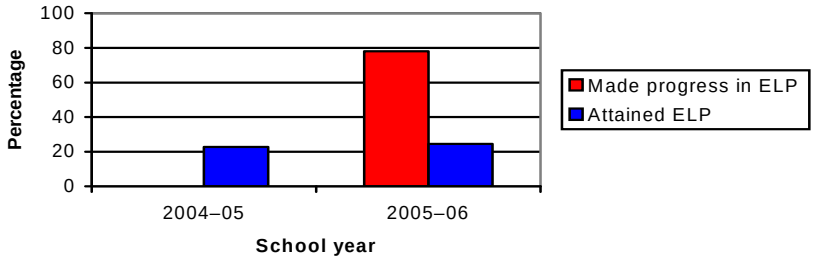
NOTE: State did not have a system in place to collect all of the necessary data requested by the biennial data collection form (reproduced in Appendix B).

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



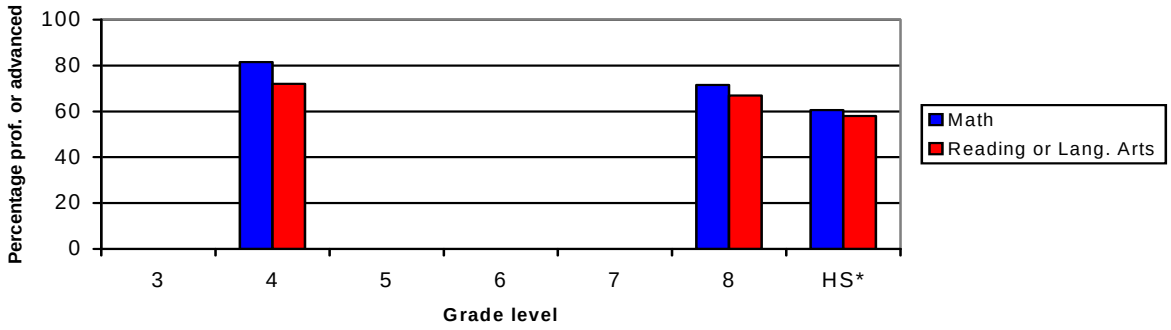
Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having a new assessment measuring English language proficiency for 2004–05. No data on making progess in ELP for 2004–05 could be provided as the new assessment meant data could not be compared across years. State reports having multiple cohorts; percentages were adapted for this report.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06

No data provided for grades 3, 5, 6, and 7.



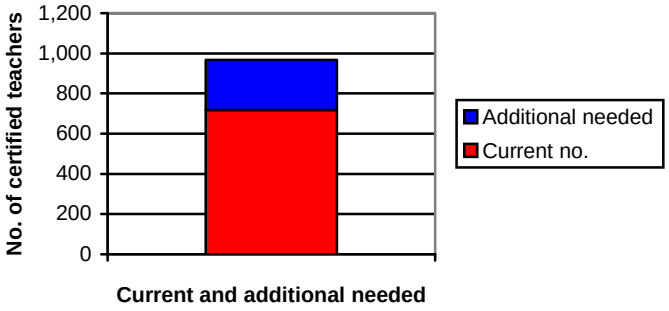
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

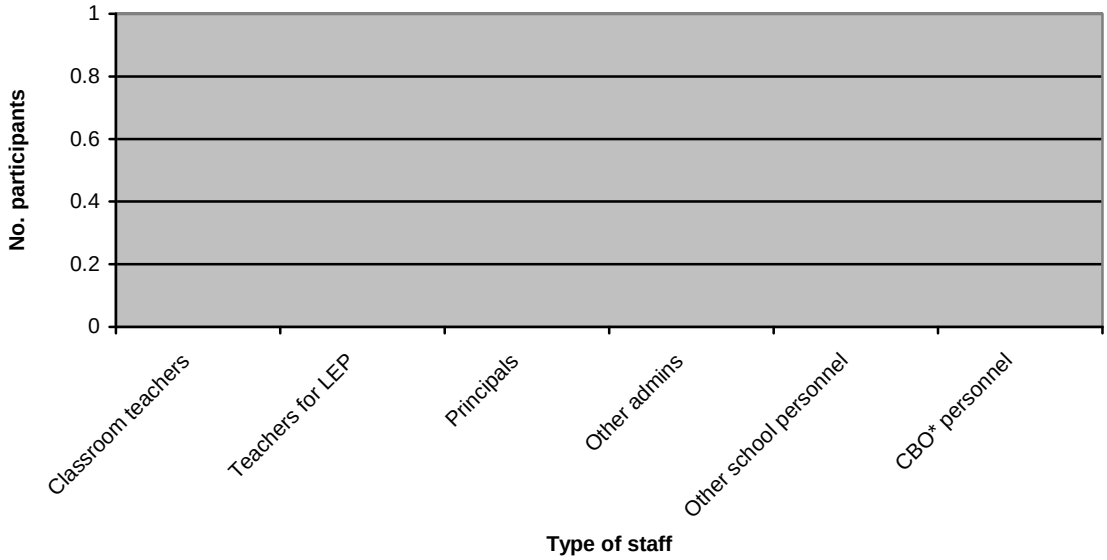
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

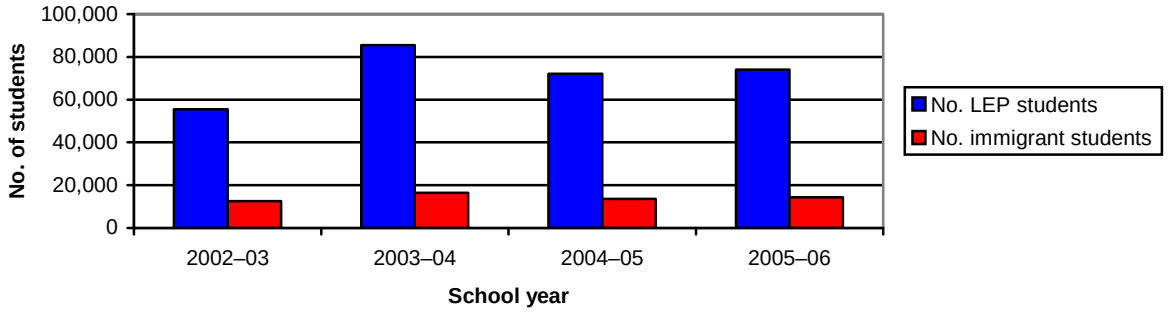


*Community-based organization

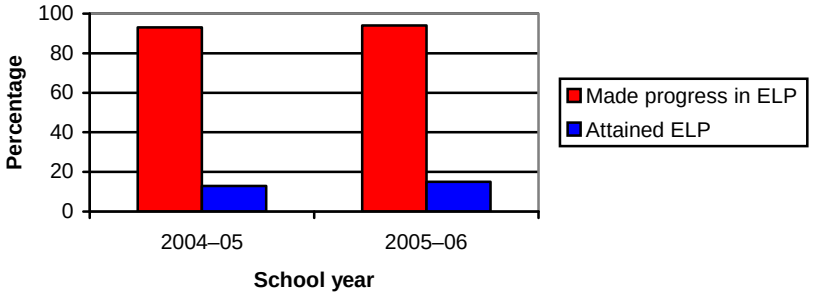
Nevada

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

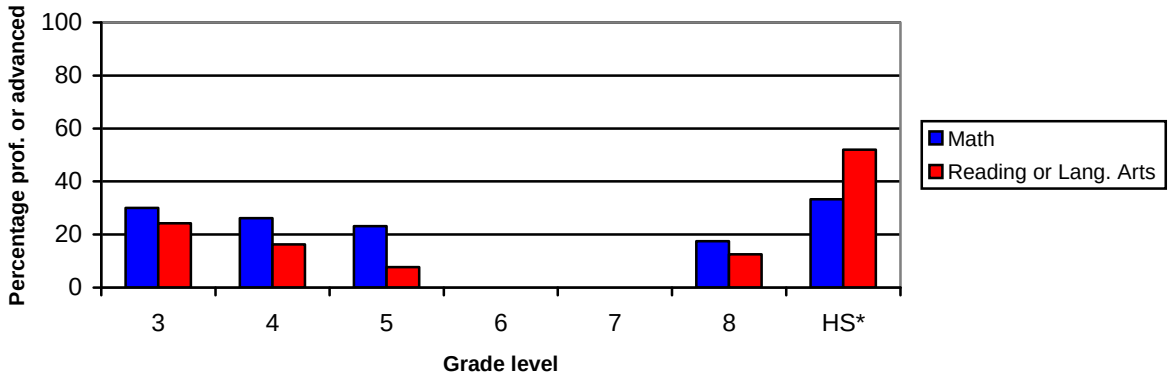


Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06

No data provided for grades 6 and 7.



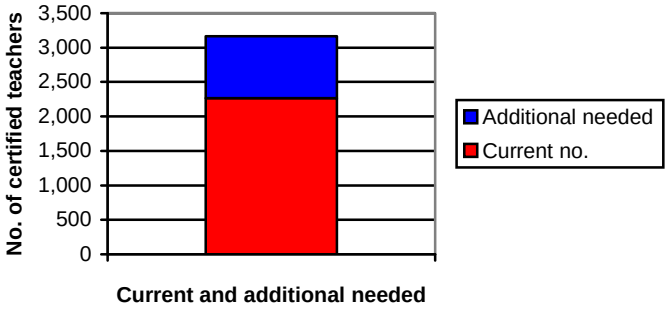
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

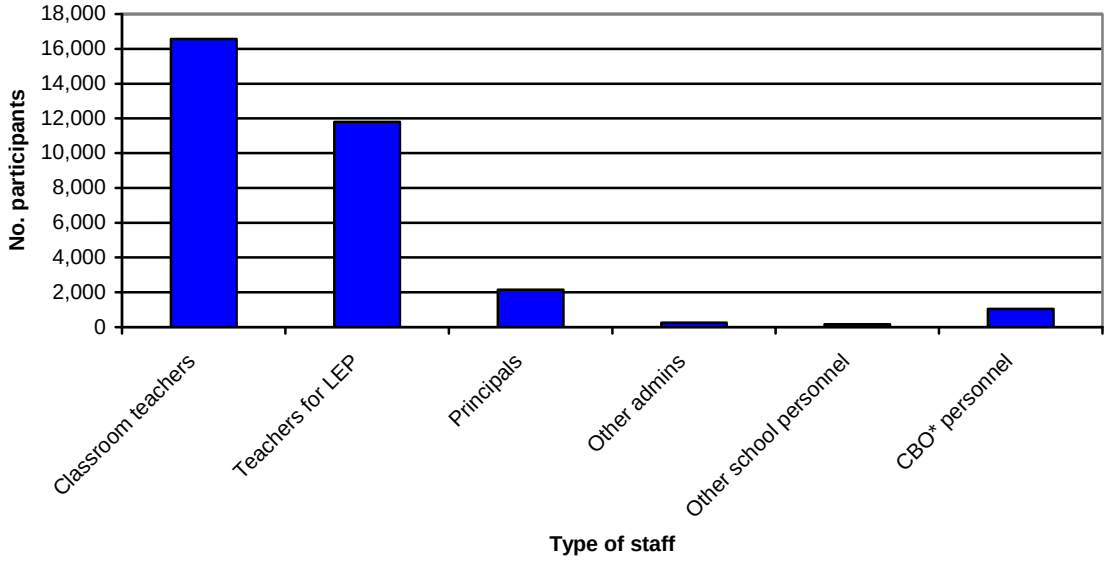
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

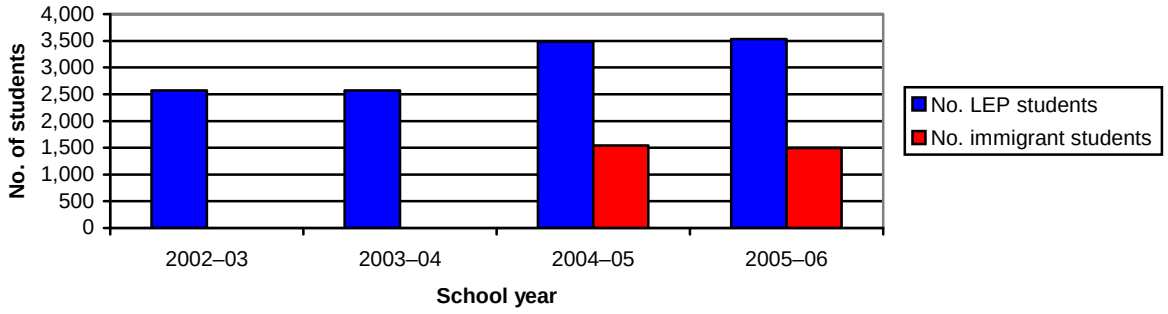


*Community-based organization

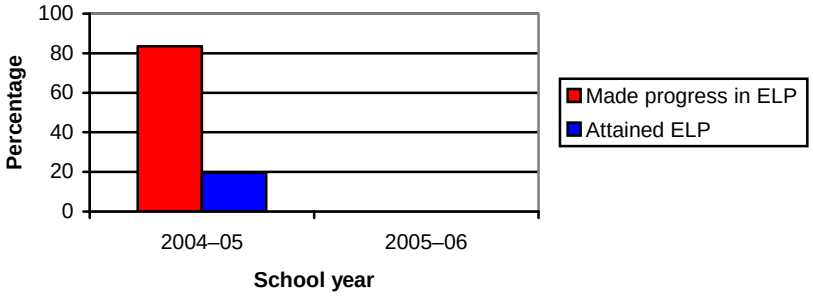
New Hampshire

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

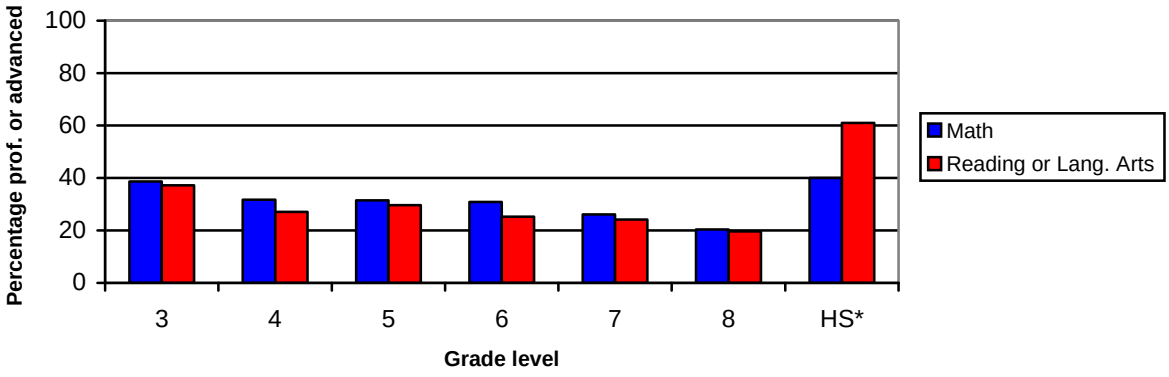


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having a new assessment for 2005–06, so data cannot be directly compared across years, thus no data were provided.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

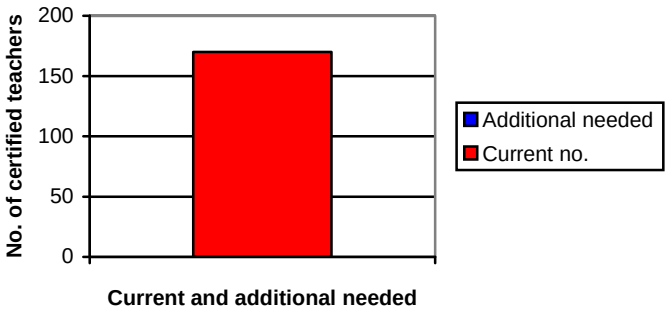
Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

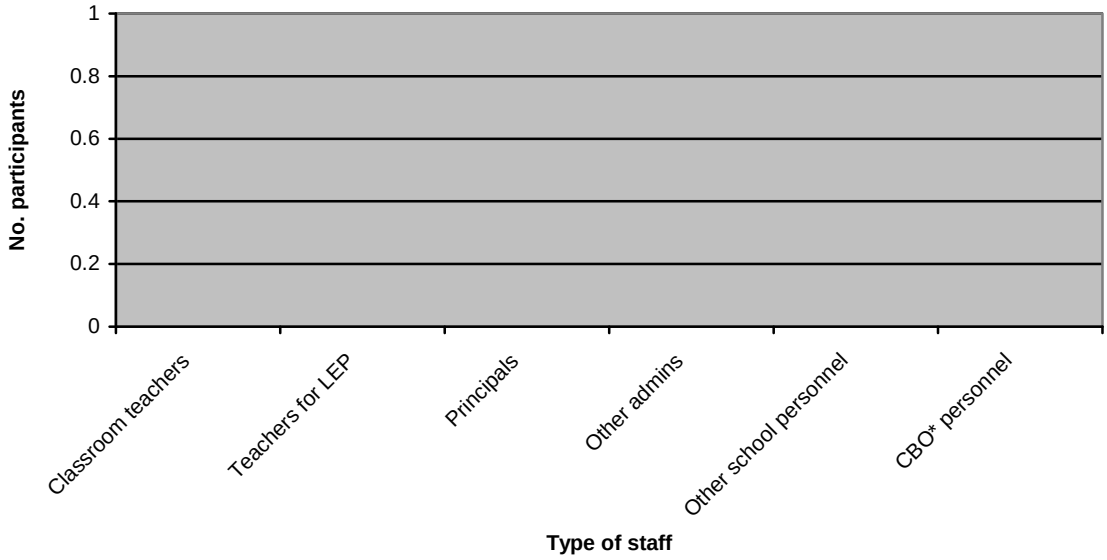
Current number of certified teachers working with LEP students, and additional number needed in five years

No data provided on number of teachers needed in five years.



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

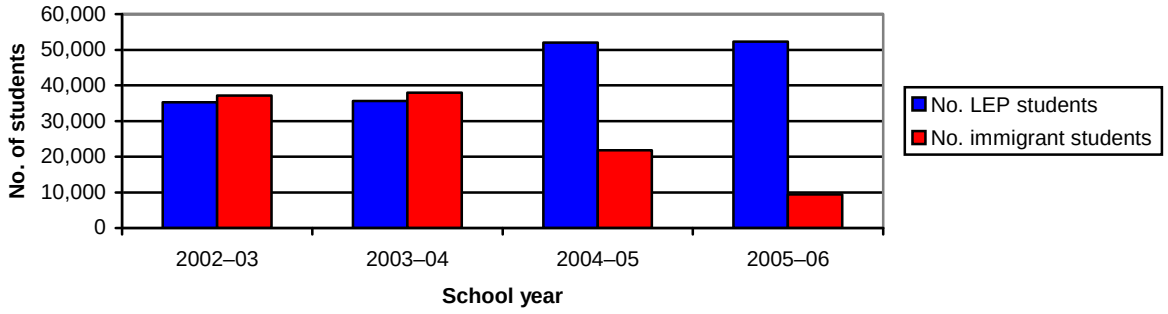


*Community-based organization

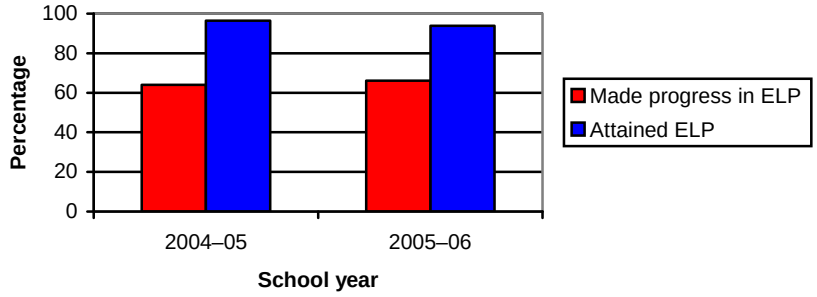
New Jersey

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

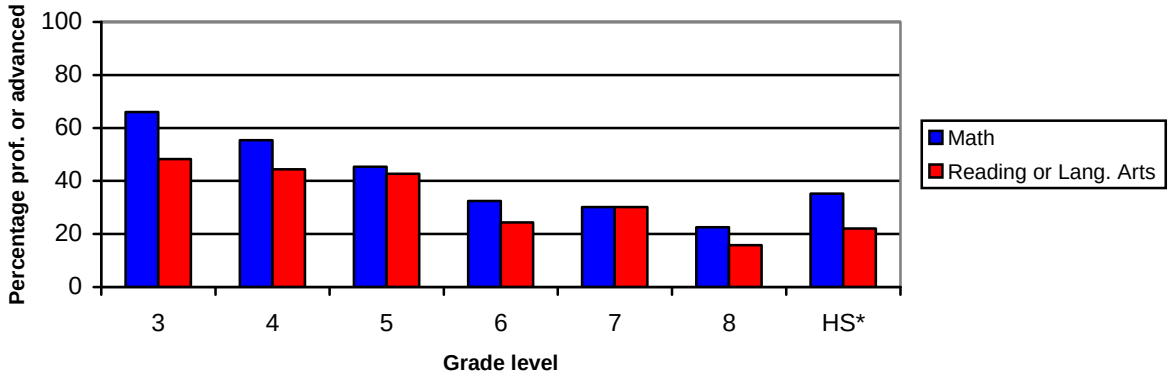


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having a new assessment and data collection process for 2005–06, so data may not be directly comparable across years.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06



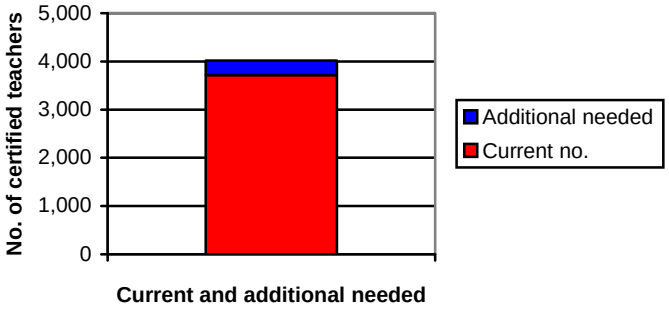
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

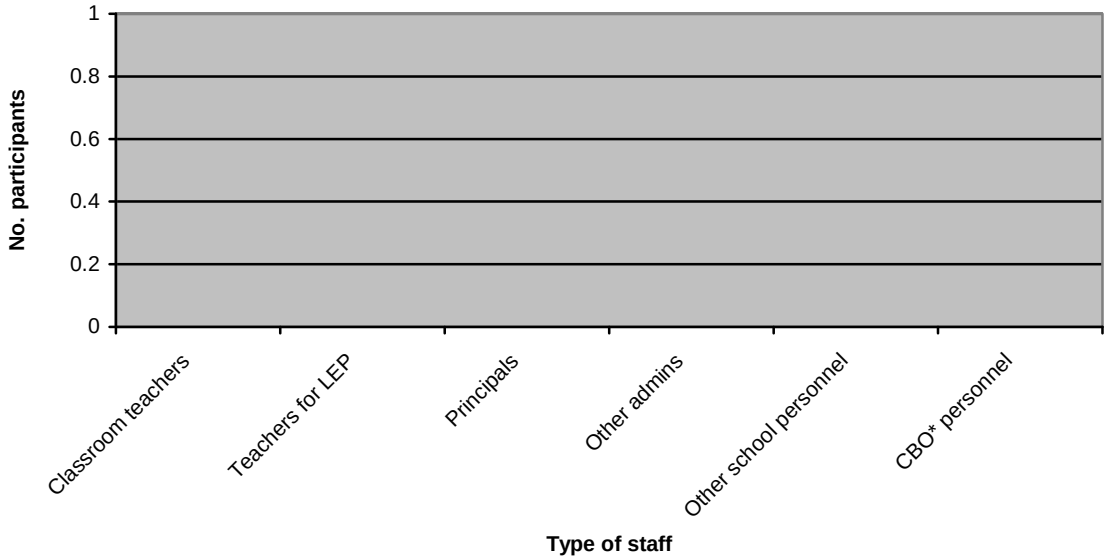
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

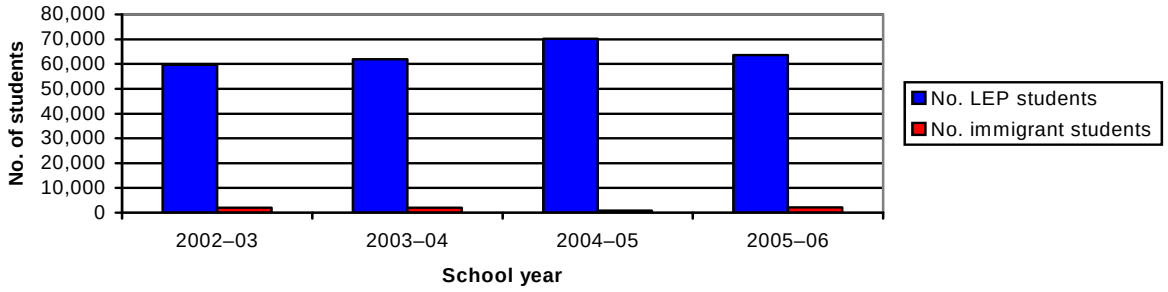


*Community-based organization

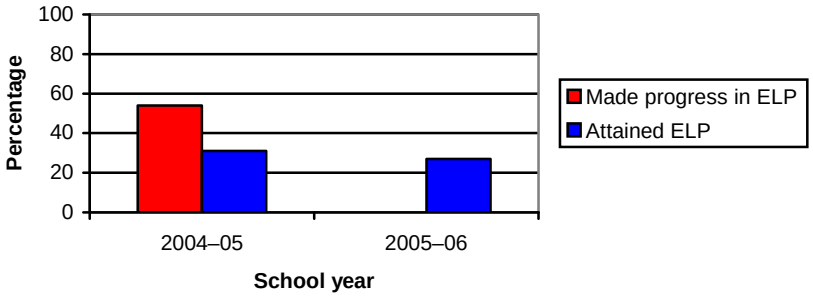
New Mexico

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

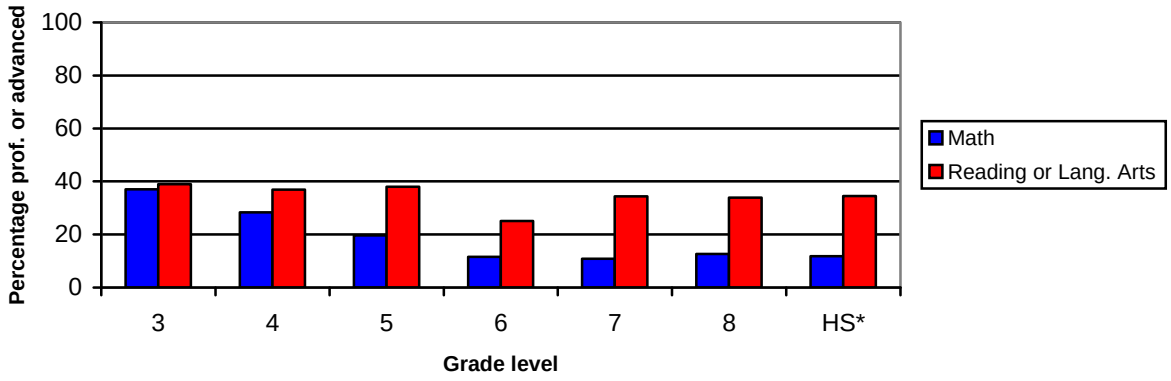


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State reports having a new assessment measuring progress in ELP for 2005–06 and did not provide 2005–06 data because it cannot be directly compared to 2004–05 data.

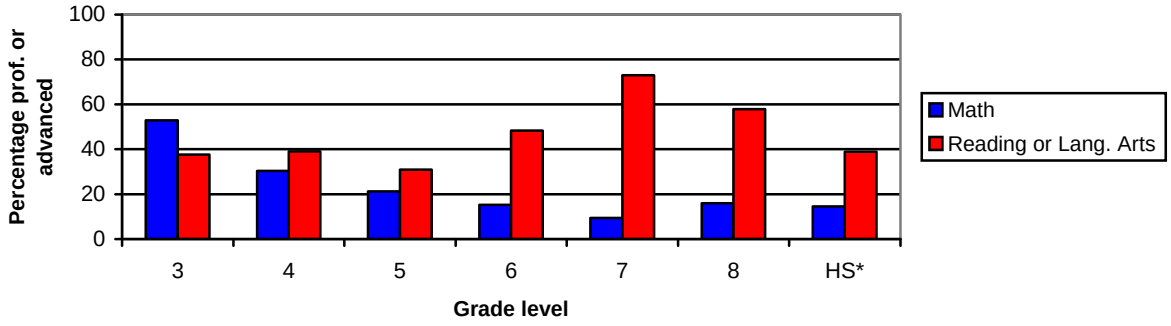
Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	Yes
If yes, what language(s)?	Spanish

Percentage of students advanced and proficient in Spanish language test of reading or language arts and mathematics achievement, school year 2005–06

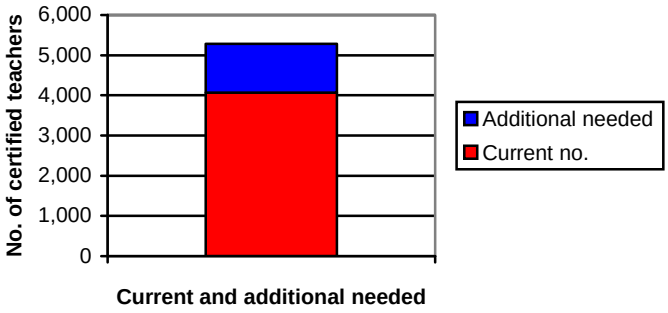


*States test once in high school, at their own discretion.

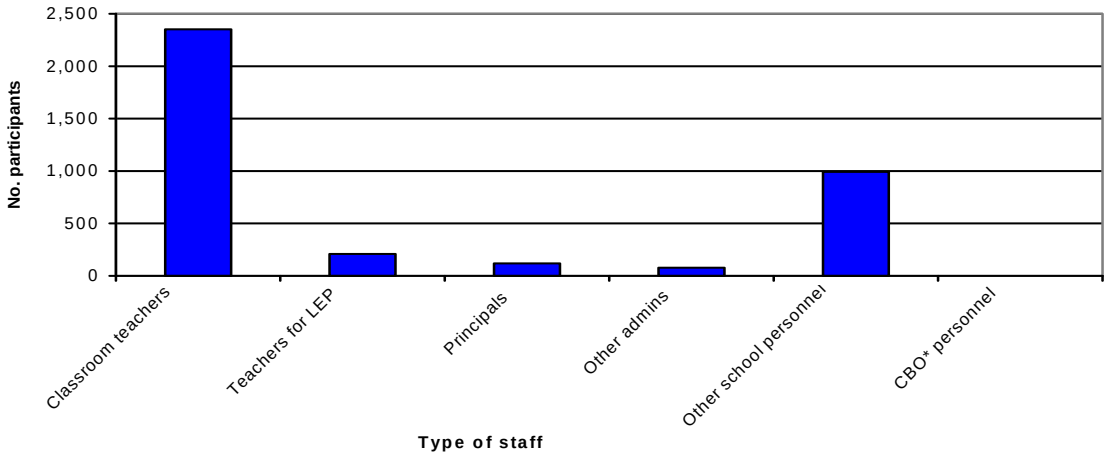
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

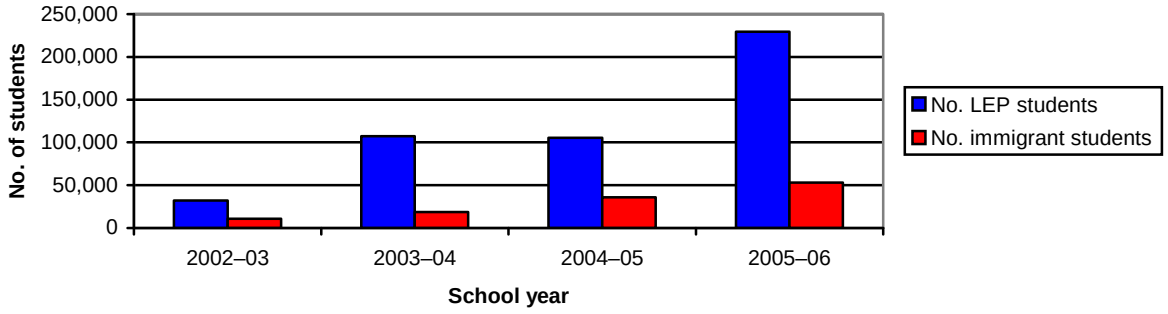


*Community-based organization

New York

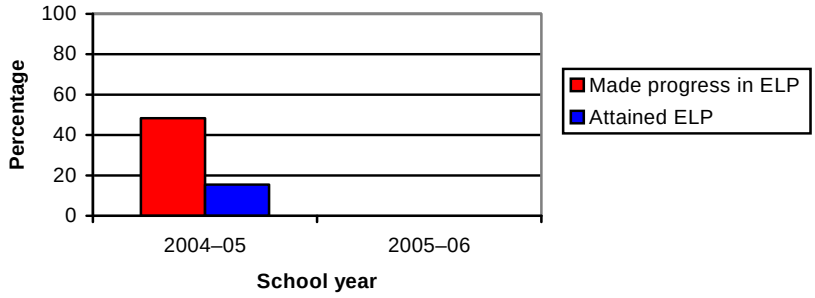
Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



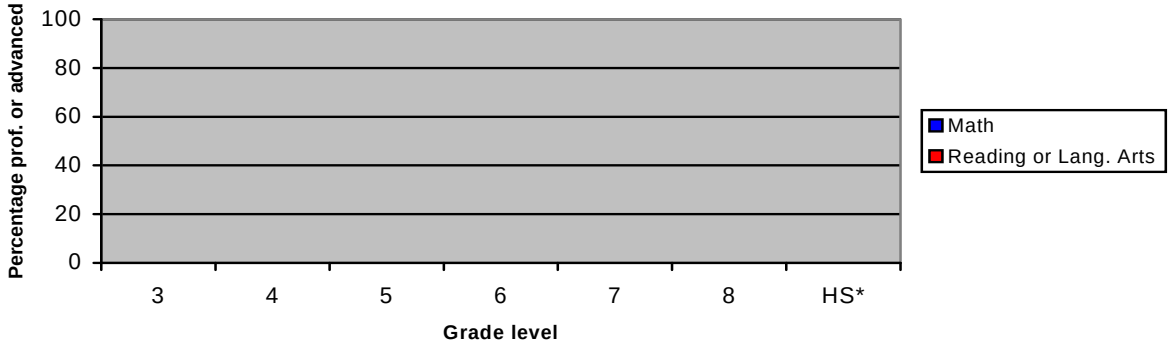
Percentage of students who made progress in ELP and percentage of students who attained ELP

No data provided for 2005–06.



Percentage of students advanced or proficient in academic content achievement, school year 2005–06

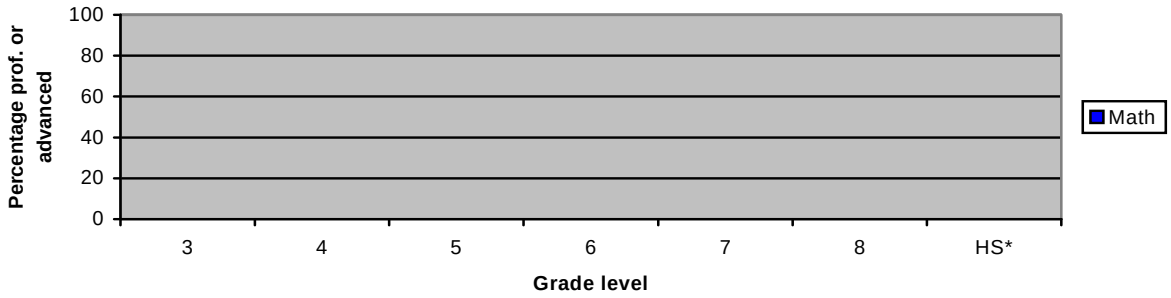
No data provided.



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	Yes Math achievement: Chinese, Haitian Creole, Korean, Russian, Spanish

Percentage of students advanced and proficient in native language tests of mathematics achievement, school year 2005–06
No data provided.

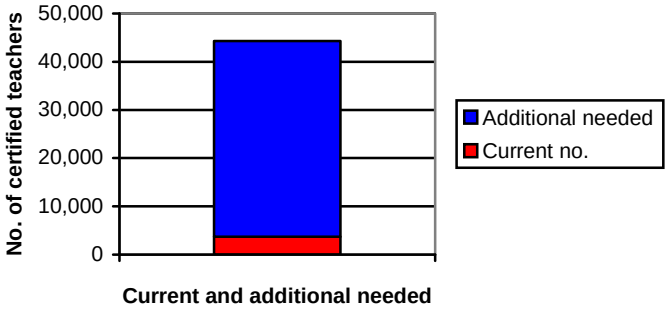


*States test once in high school, at their own discretion.

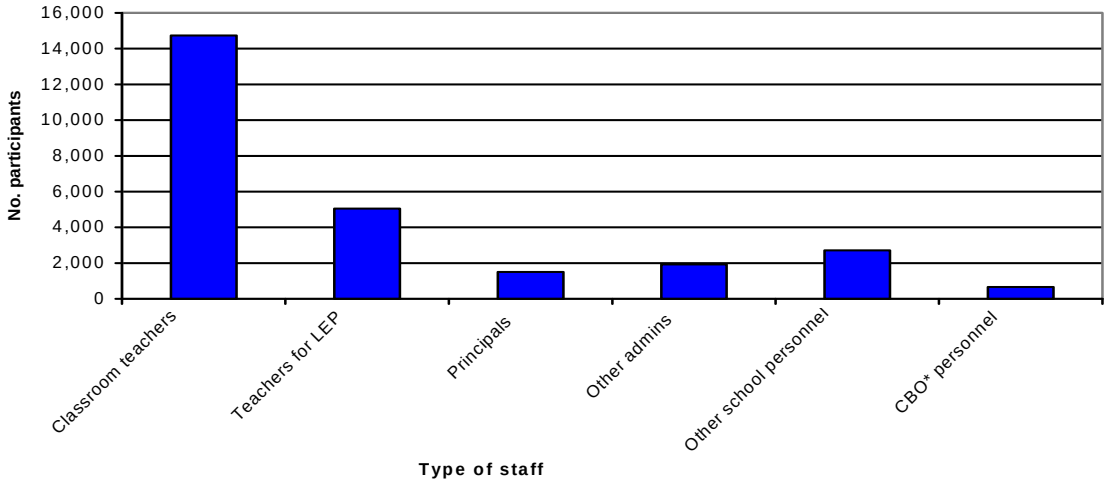
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff



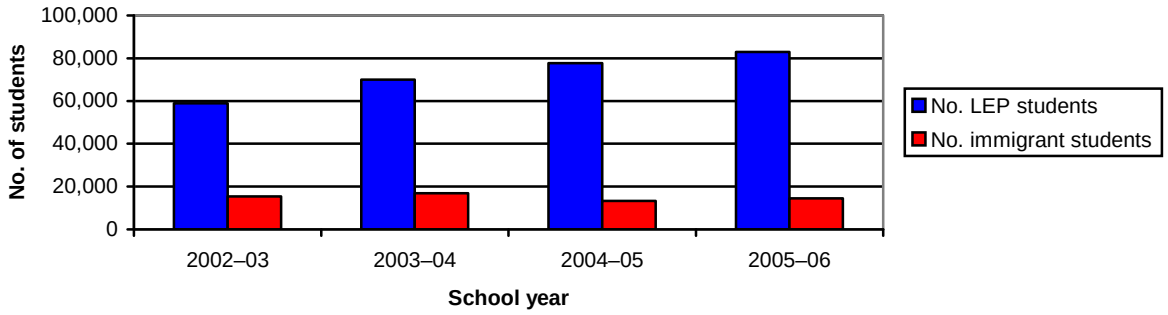
*Community-based organization

North Carolina

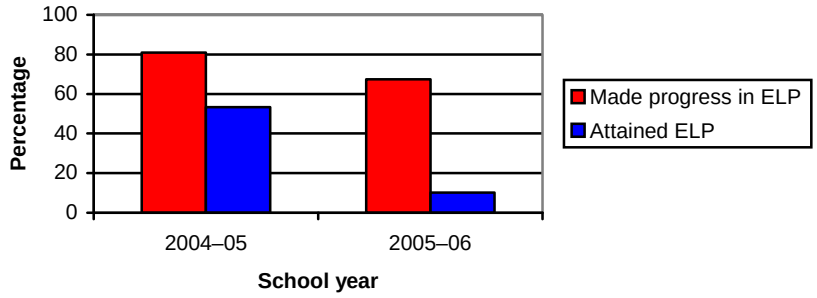
NOTE: In instances where data are missing, state did not have a system in place to collect all of the necessary data requested by the biennial data collection form (reproduced in Appendix B).

Student Information

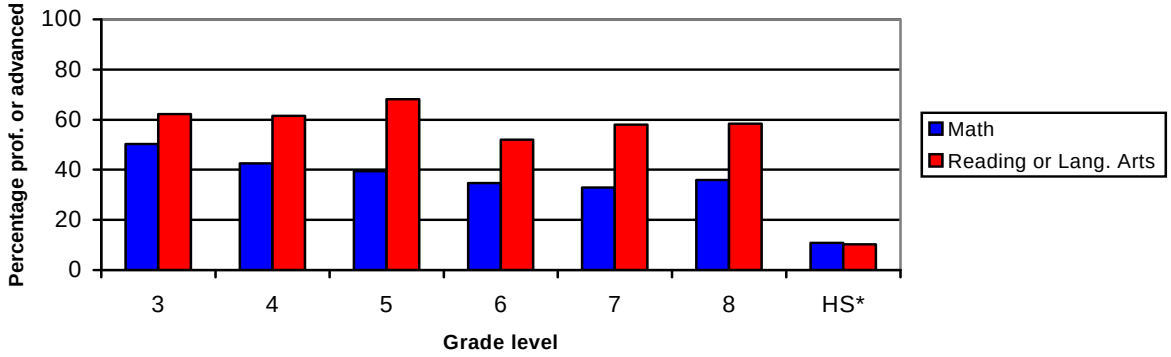
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



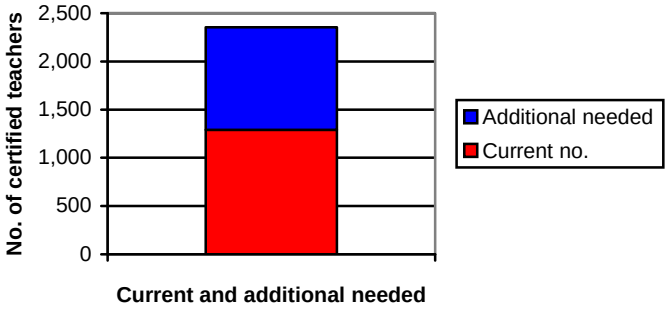
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

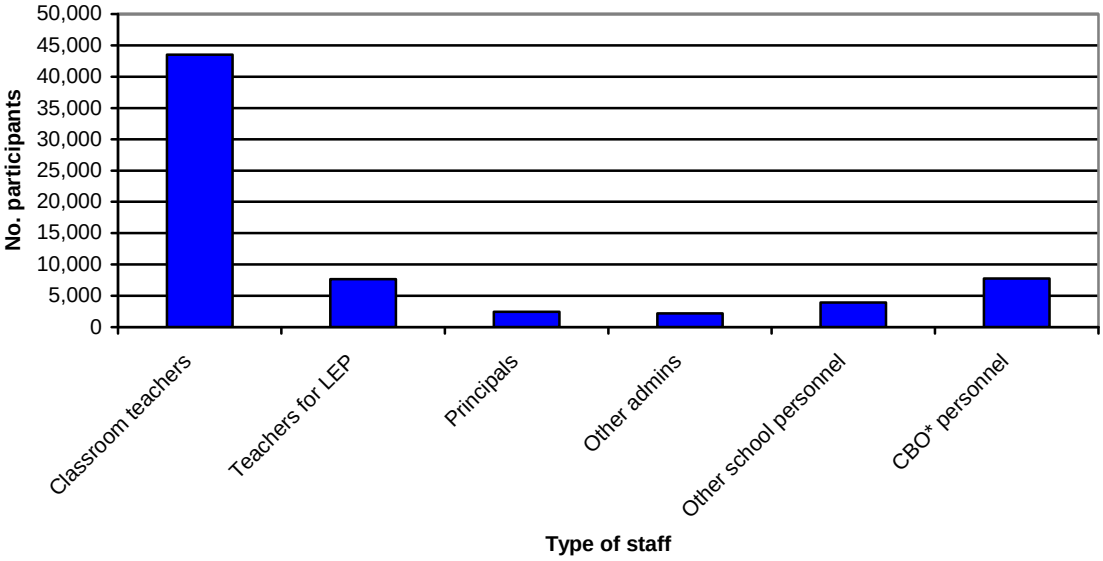
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

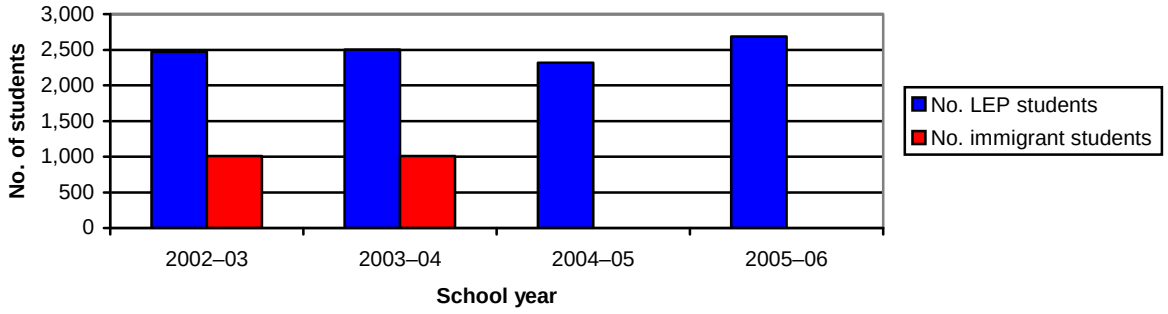


*Community-based organization

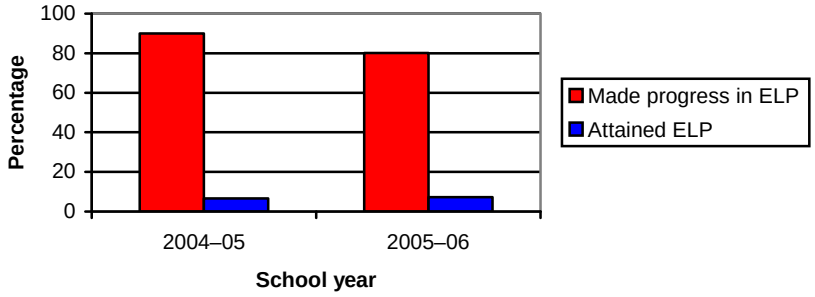
North Dakota

Student Information

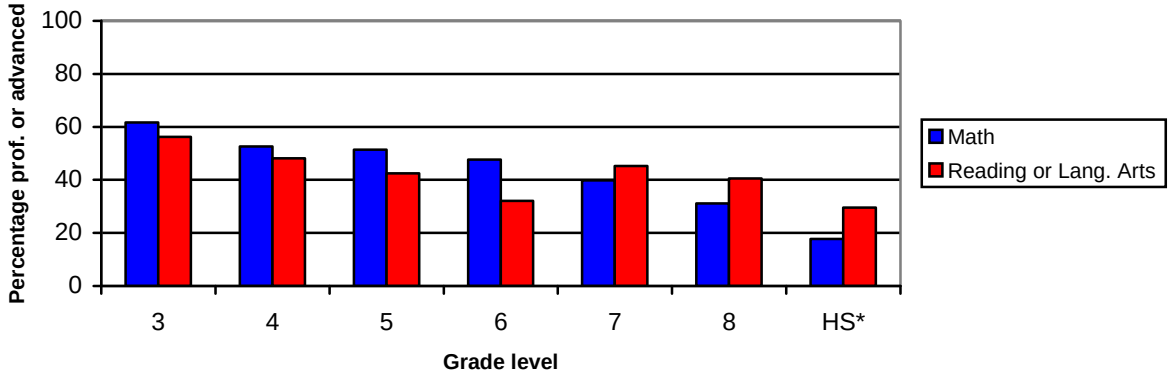
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



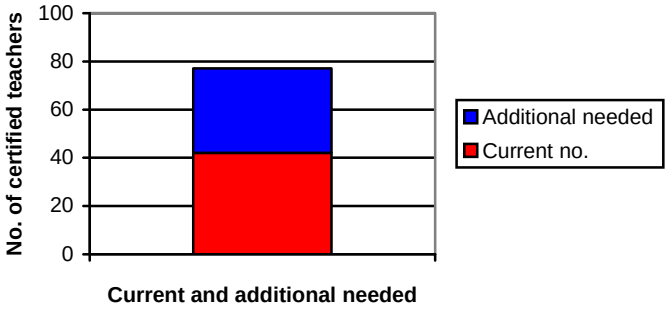
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

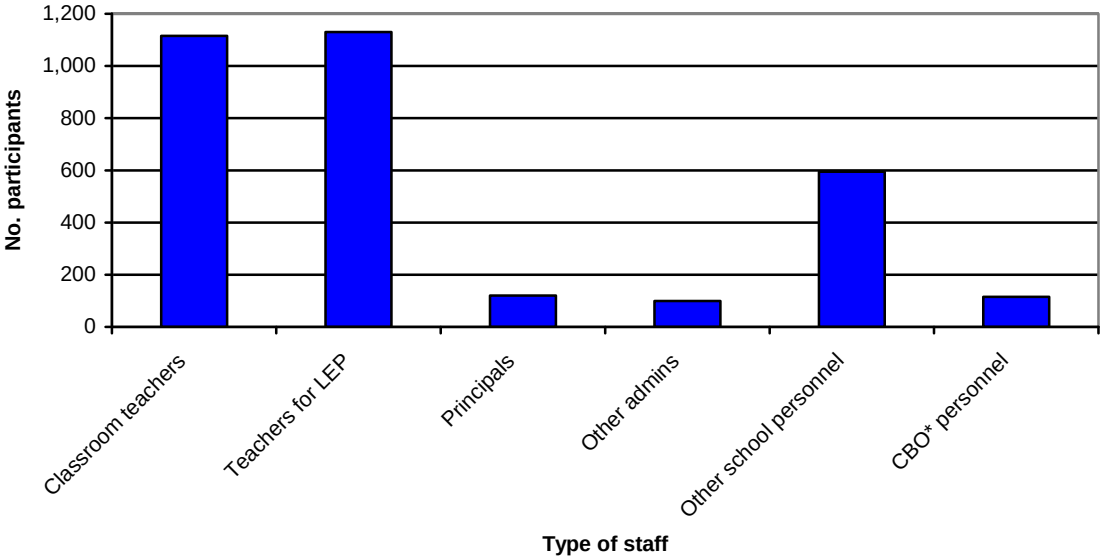
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

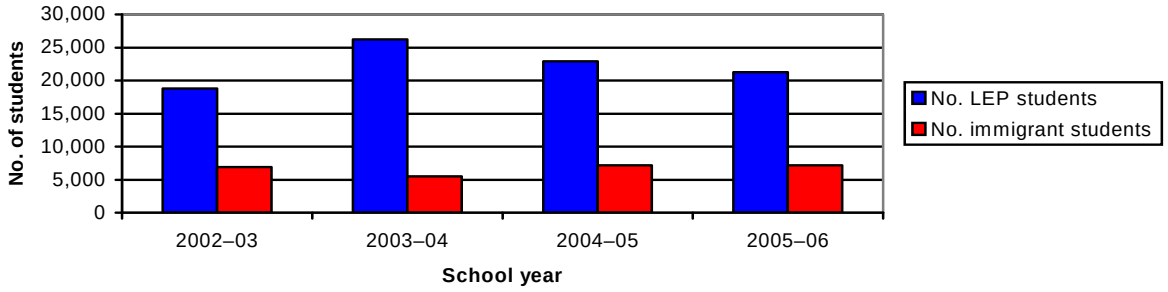


*Community-based organization

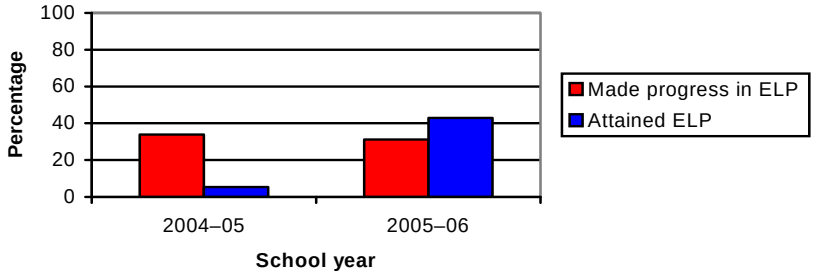
Ohio

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

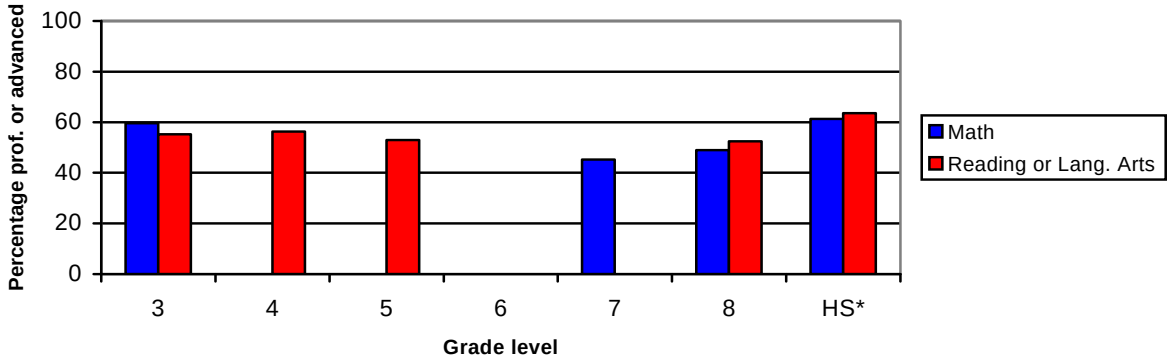


Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06

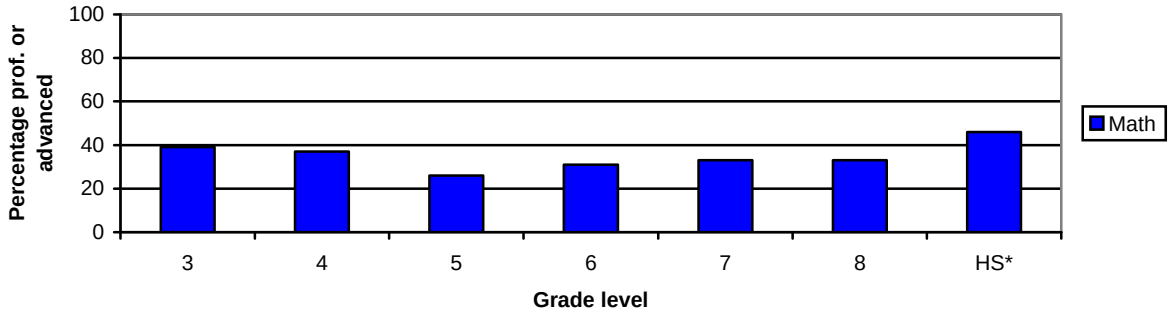
Data not provided for all grade levels for either mathematics or reading or language arts



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	Yes Math achievement: Written version of test available in Japanese, Somali, Spanish. Oral or CD version of test available in other languages.

Percentage of students advanced and proficient in native language tests of mathematics achievement, school year 2005–06

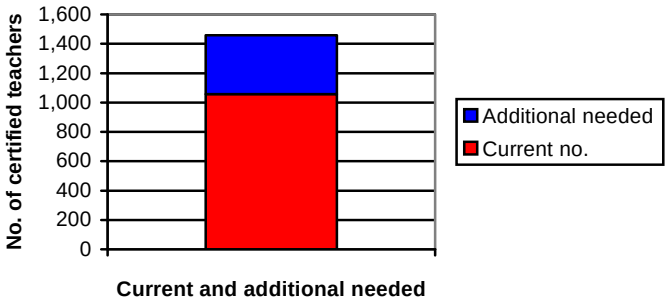


*States test once in high school, at their own discretion.

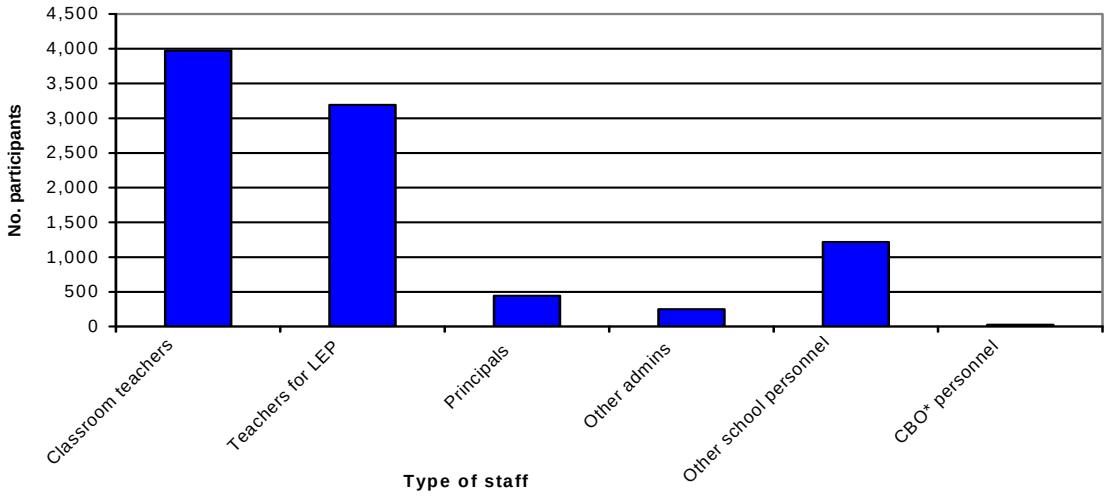
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

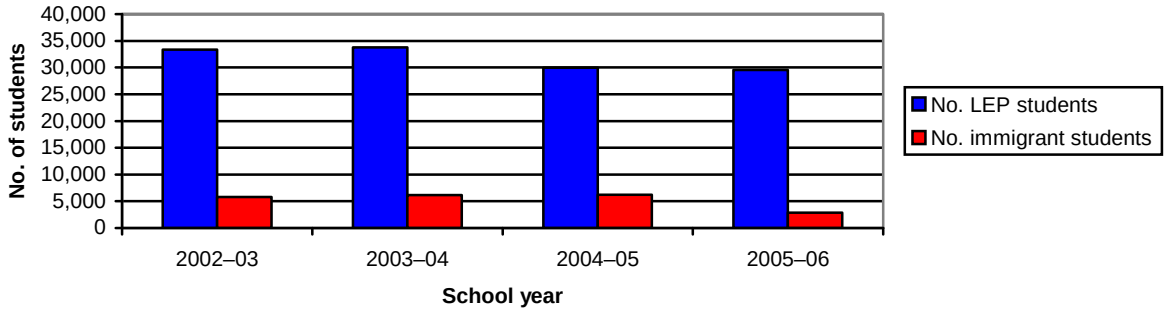


*Community-based organization

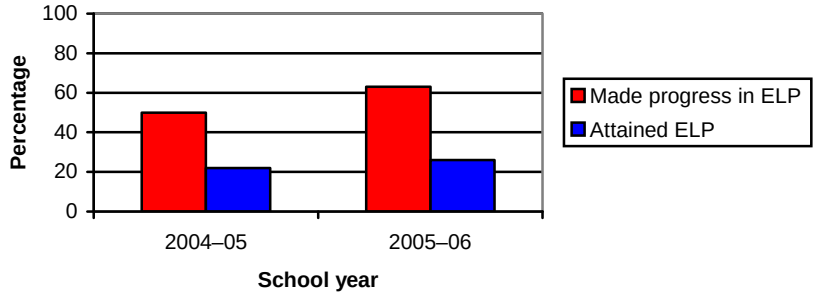
Oklahoma

Student Information

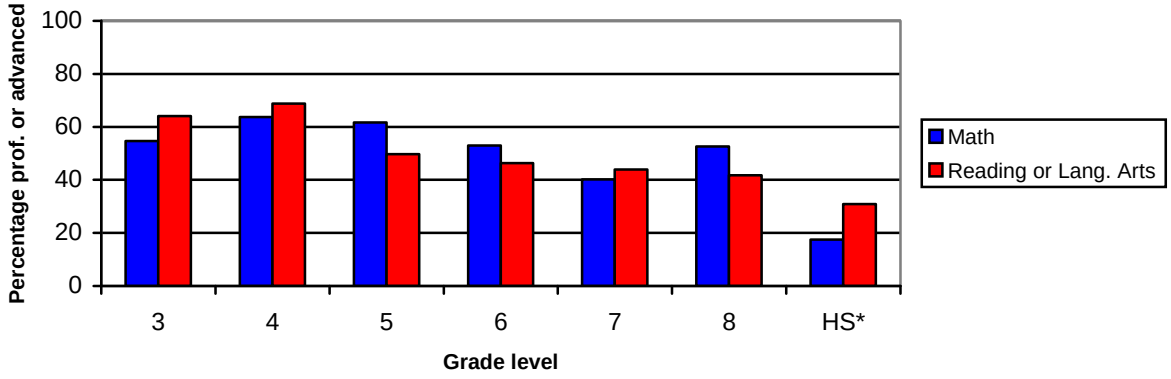
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



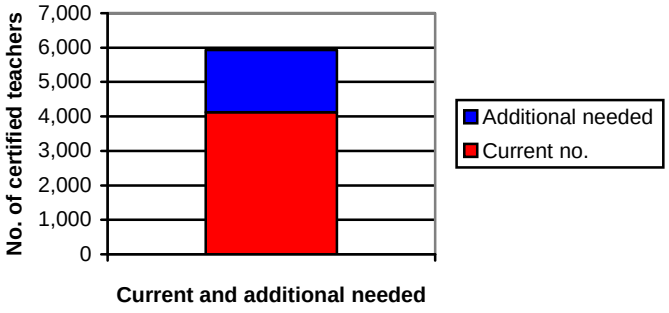
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

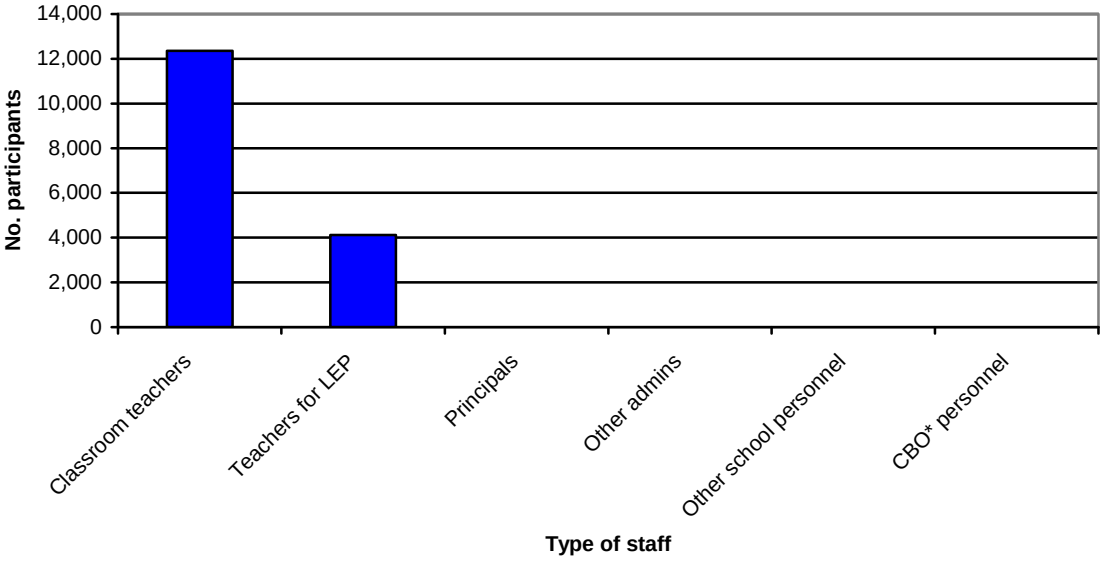
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

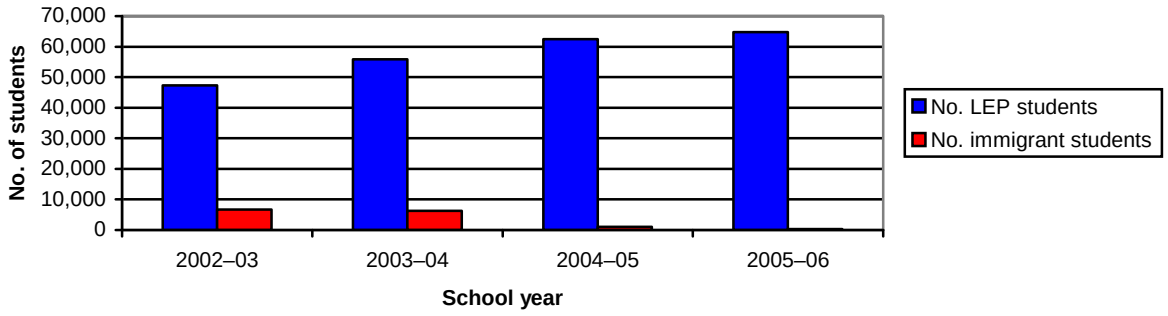


*Community-based organization

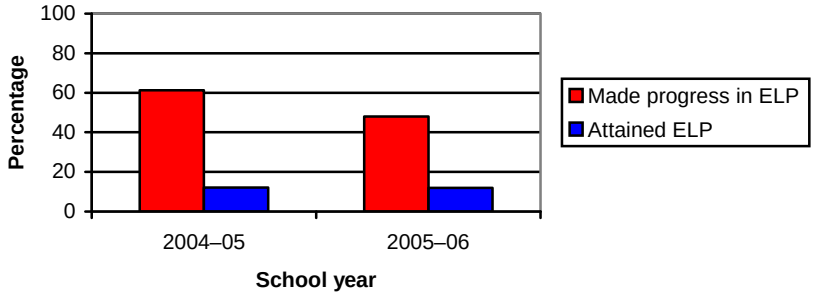
Oregon

Student Information

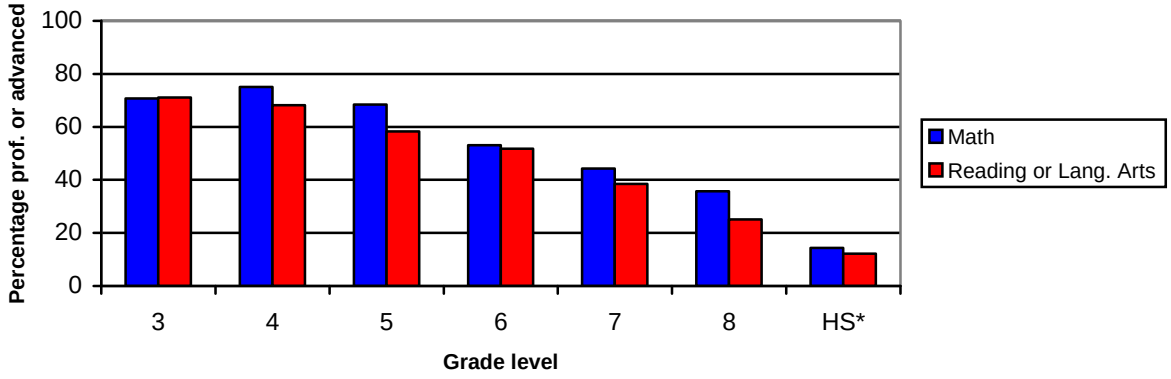
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



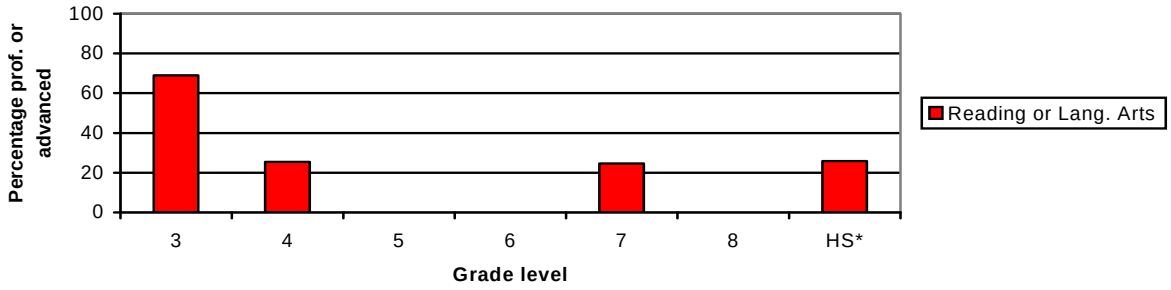
Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	Yes Reading achievement: Spanish

Percentage of students advanced and proficient in Spanish language test of reading or language arts achievement, school year 2005–06
Data provided at four grade levels.

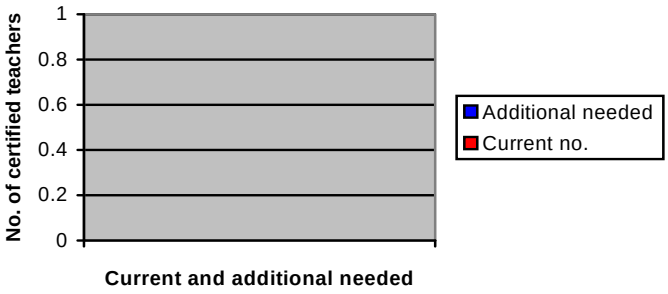


*States test once in high school, at their own discretion.

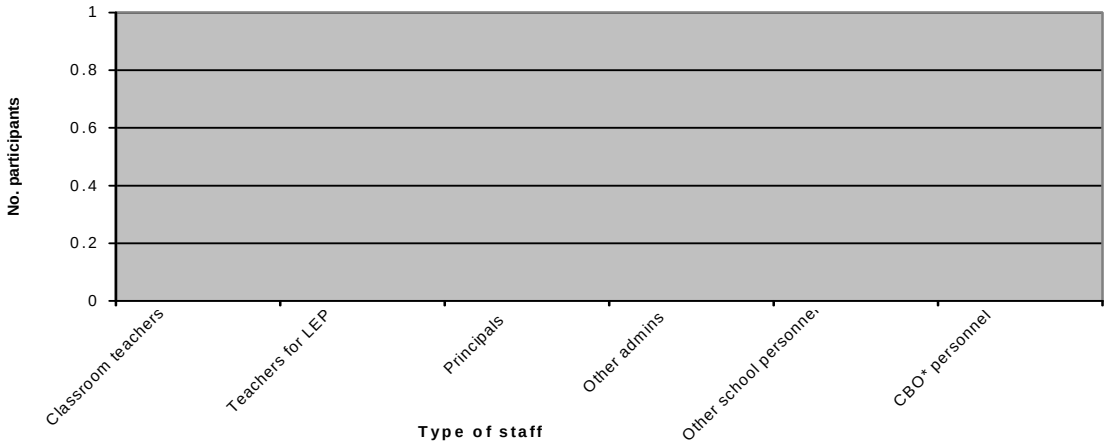
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years
No data provided.



Number of educational staff receiving professional development via subgrantees, by type of staff
No data provided.

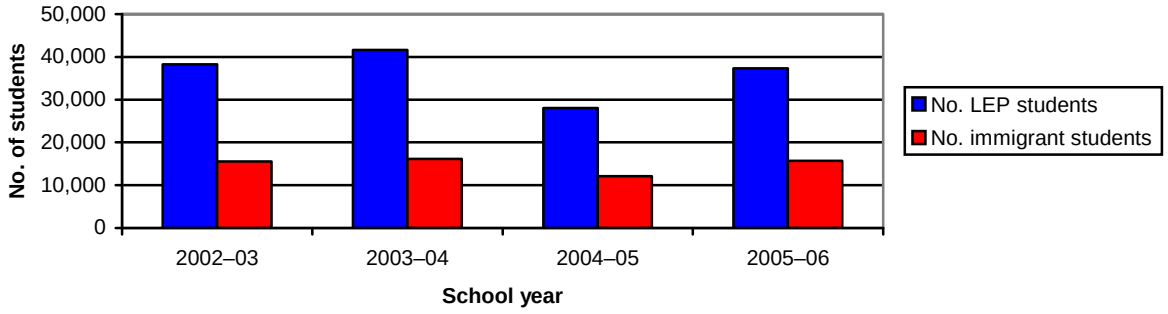


*Community-based organization

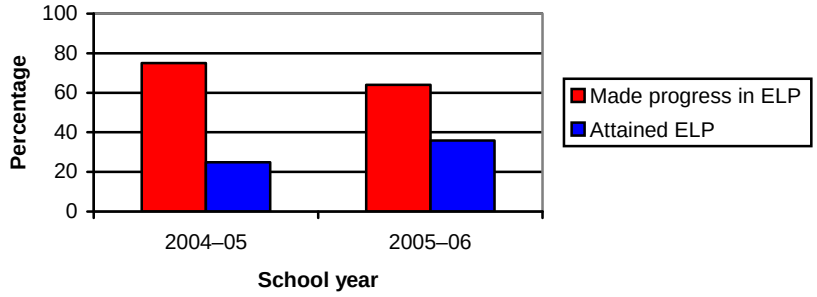
Pennsylvania

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

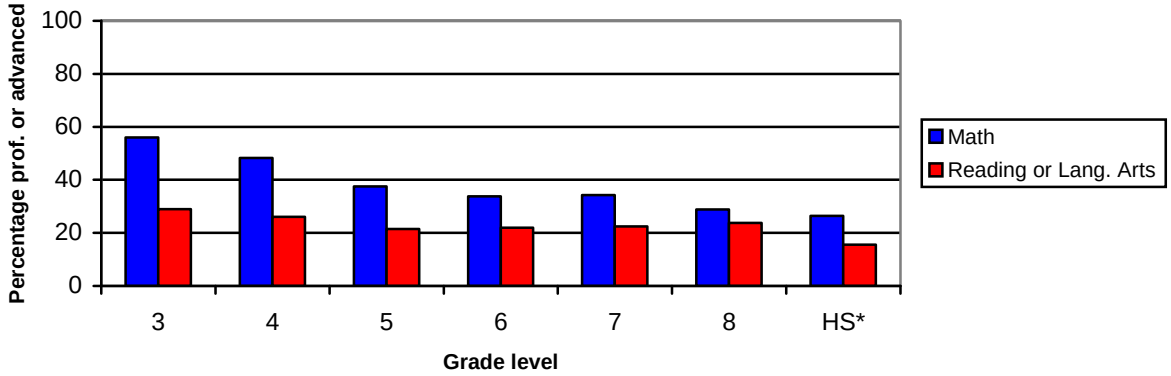


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: Data may not be comparable across years as state reports having a new assessment.

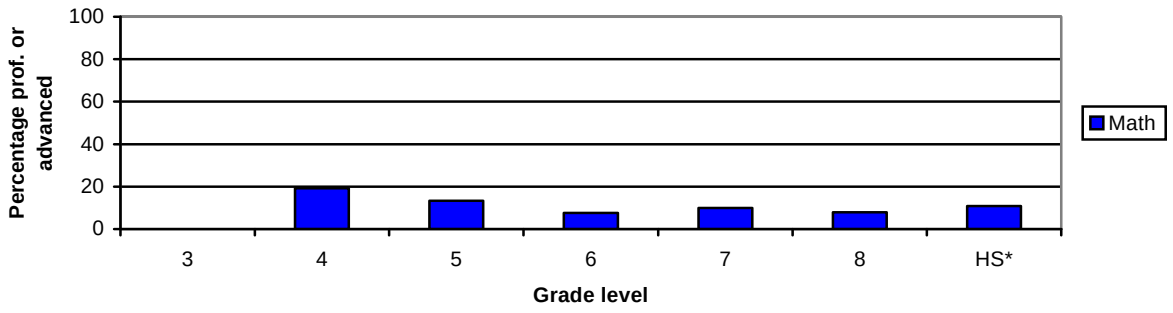
Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	Yes Math achievement: Spanish

Percentage of students advanced and proficient in Spanish language test of mathematics achievement, school year 2005–06
No data provided for grade 3.

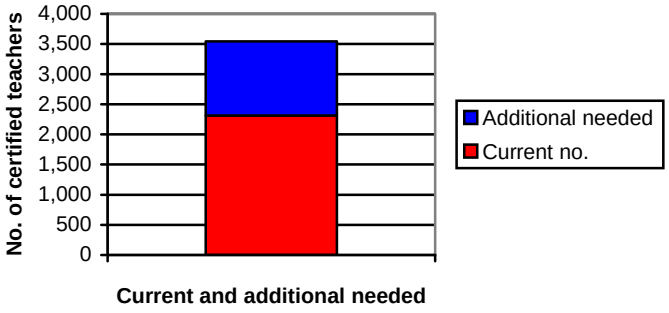


*States test once in high school, at their own discretion.

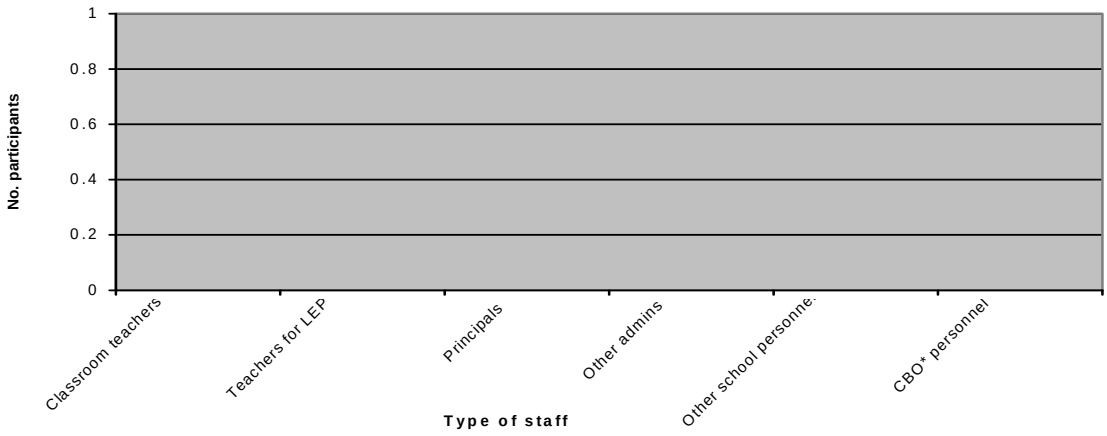
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff
No data provided.



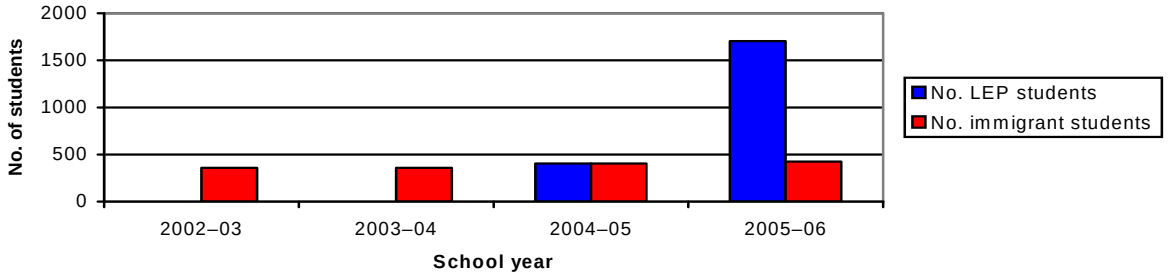
*Community-based organization

Puerto Rico

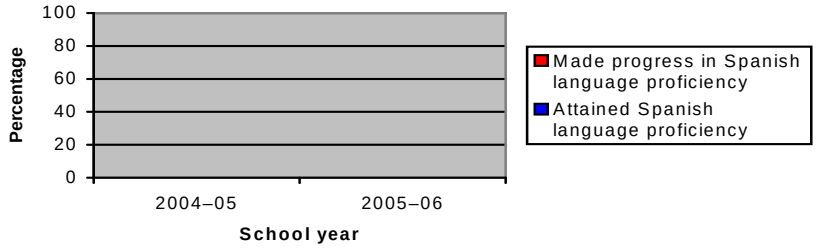
NOTE:In instances where data are missing, state did not have a system in place to collect all of the necessary data requested by the biennial data collection form (reproduced in Appendix B).

Student Information

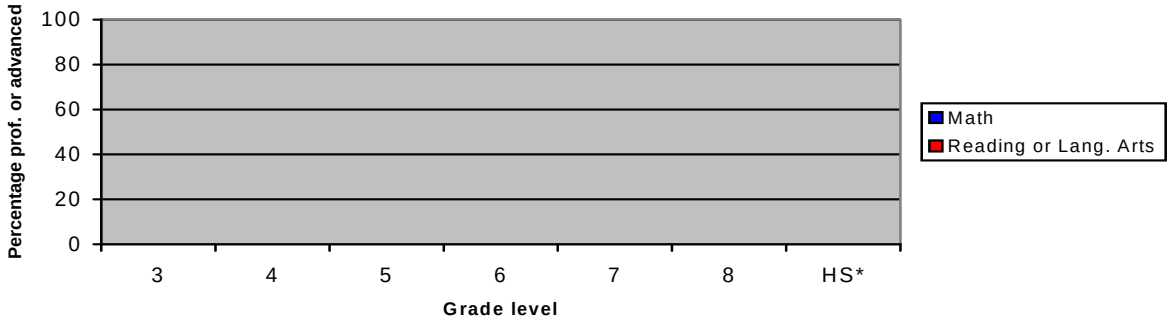
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06
No data provided for no. of LEP students served in 2002–03 and 2003–04. Data presented for 2004–05 and 2005–06 are the number of limited English proficient students; however, the other data in this profile represent the performance of limited Spanish proficient students.



Percentage of students making progress in Spanish language proficiency and percentage of students attaining Spanish language proficiency
No data provided.



Percentage of students advanced or proficient in academic content achievement, school year 2005–06
No data provided.



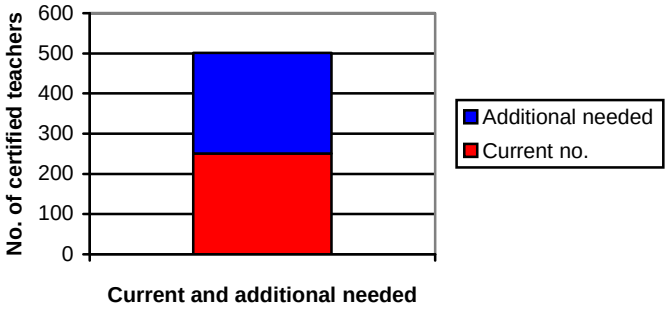
*Test is administered once in high school, at discretion of the jurisdiction.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

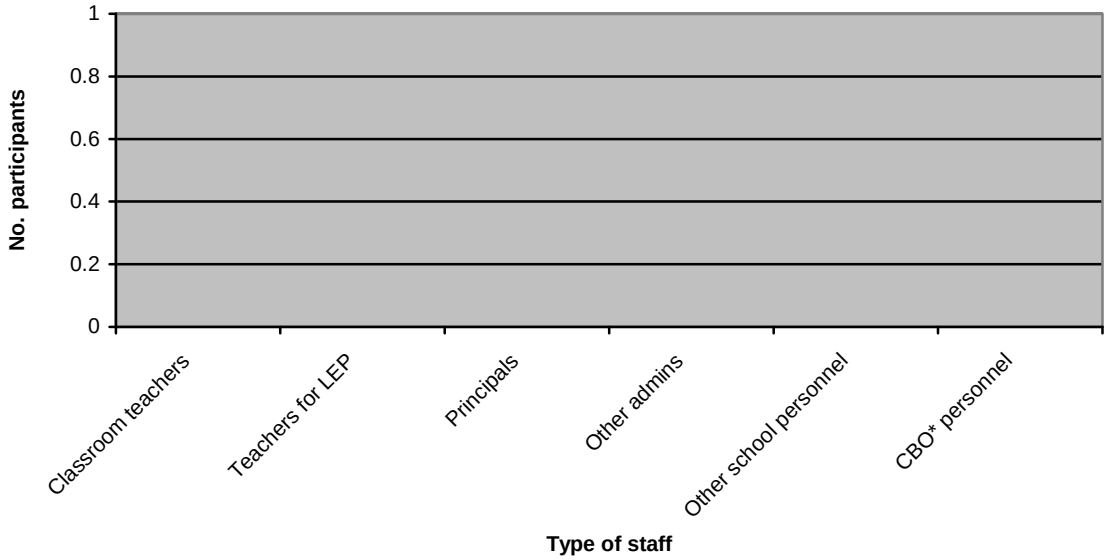
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with limited Spanish proficient students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

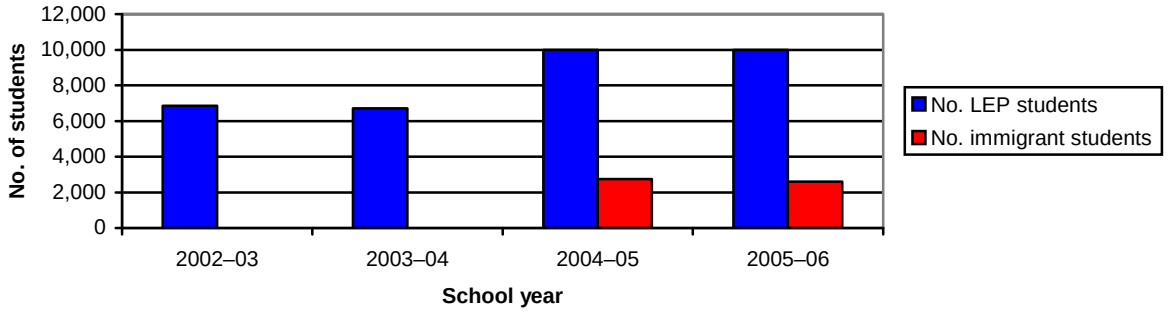


*Community-based organization

Rhode Island

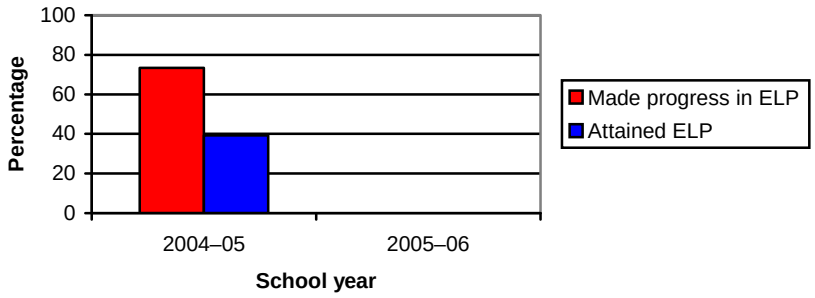
Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

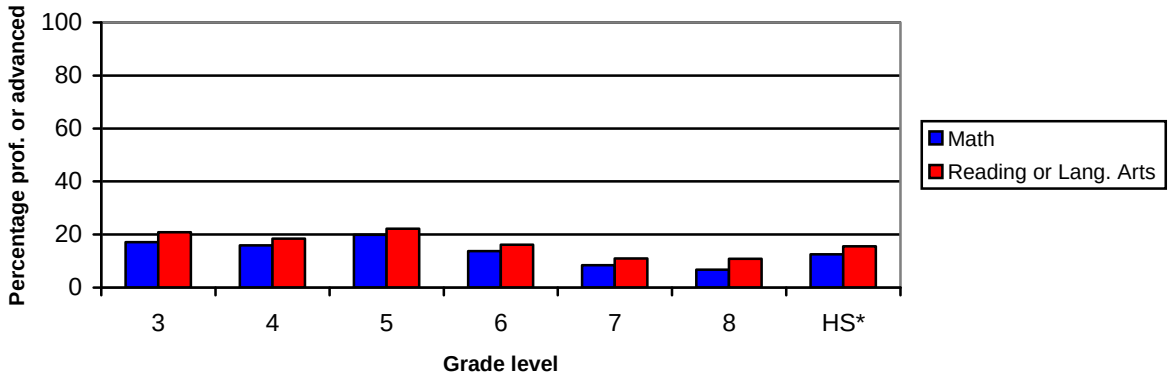


Percentage of students who made progress in ELP and percentage of students who attained ELP

No data provided for 2005–06.



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



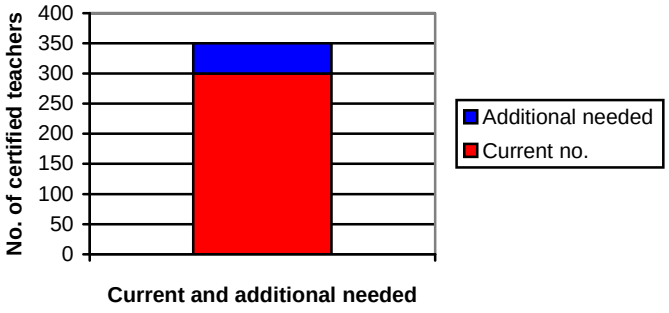
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)? If yes, what language(s)?	No Not applicable

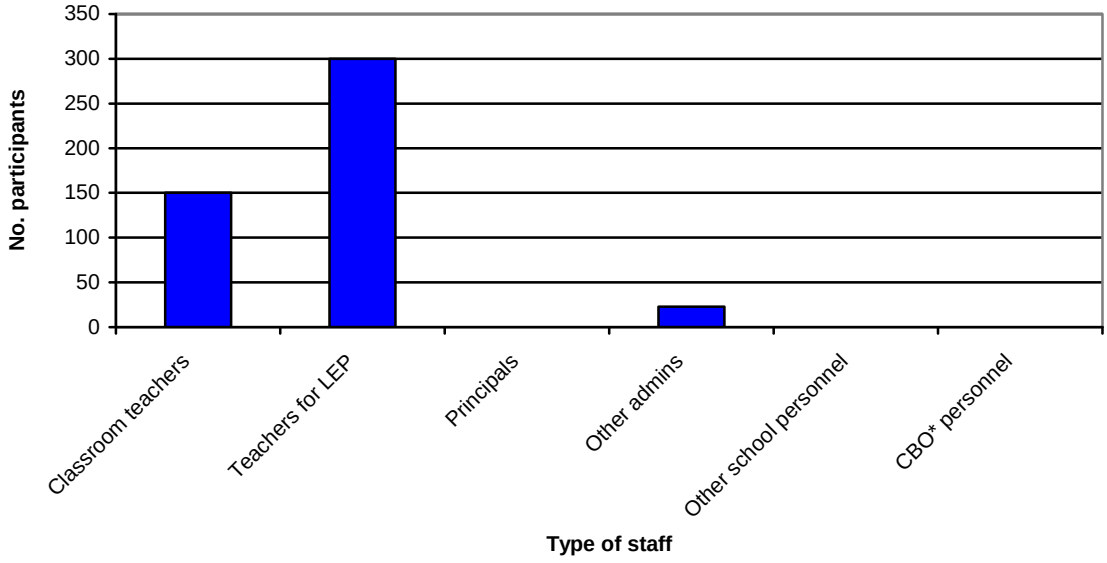
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

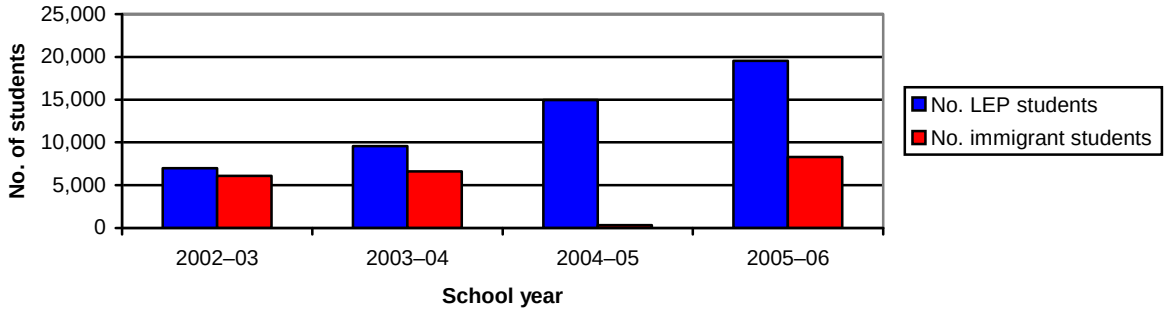


*Community-based organization

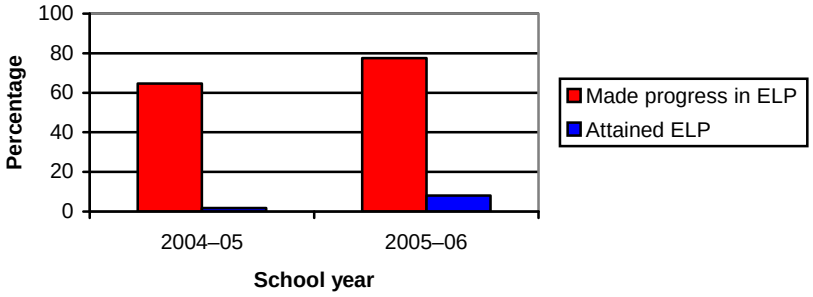
South Carolina

Student Information

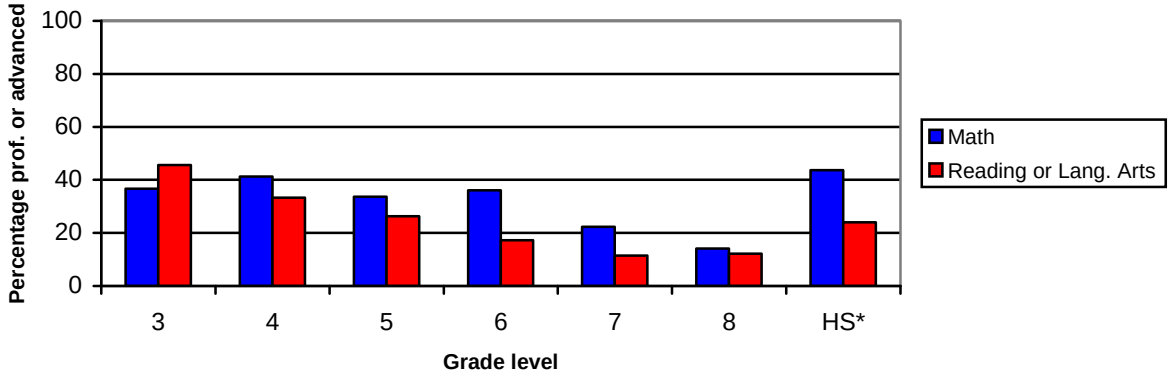
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



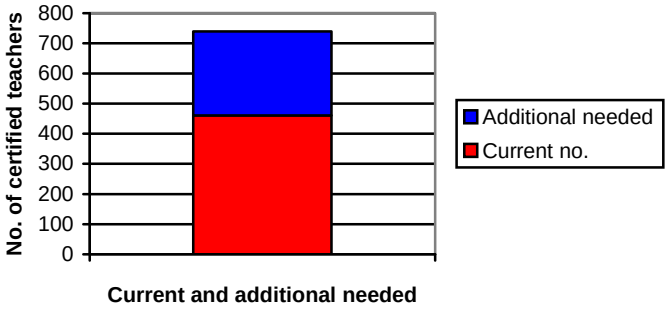
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

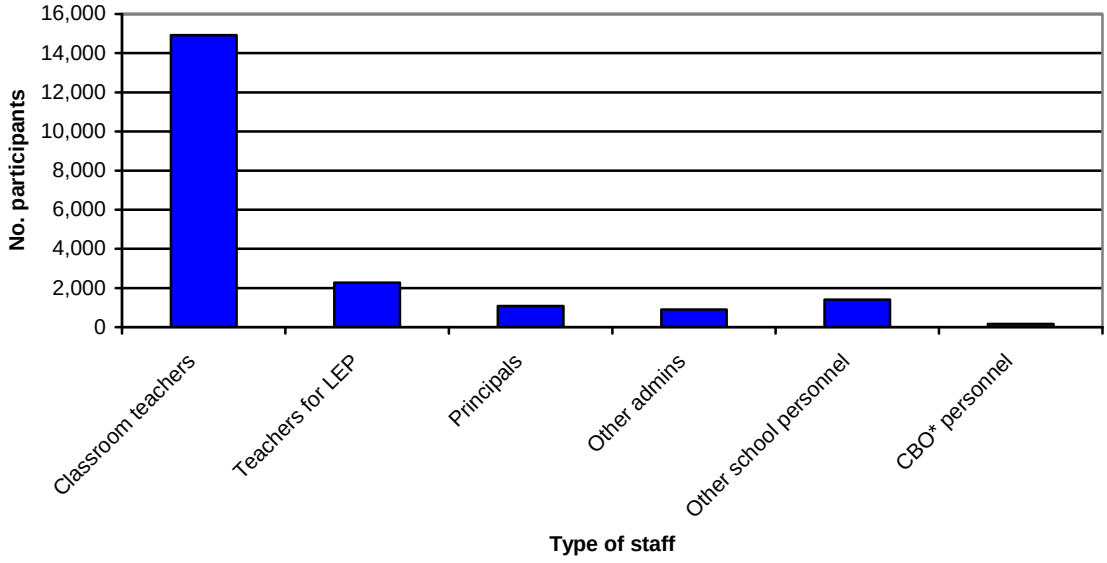
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

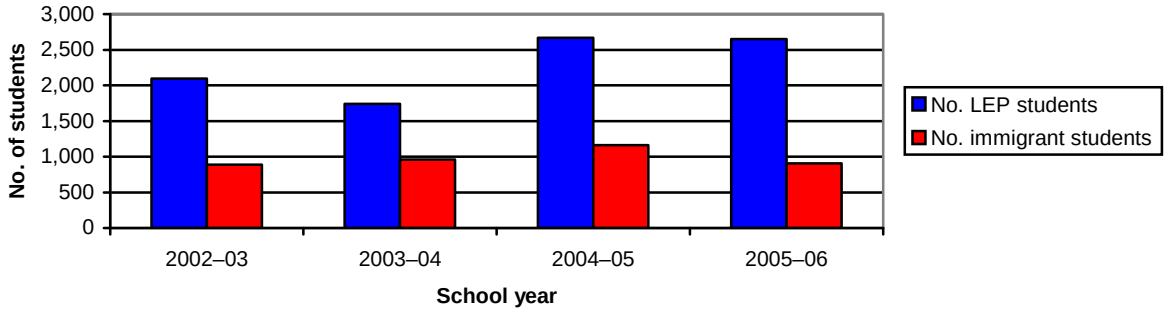


*Community-based organization

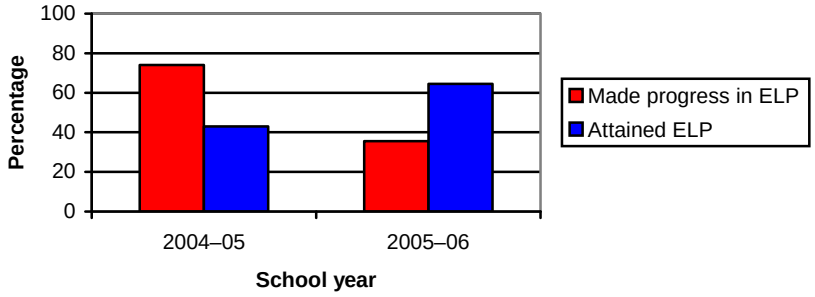
South Dakota

Student Information

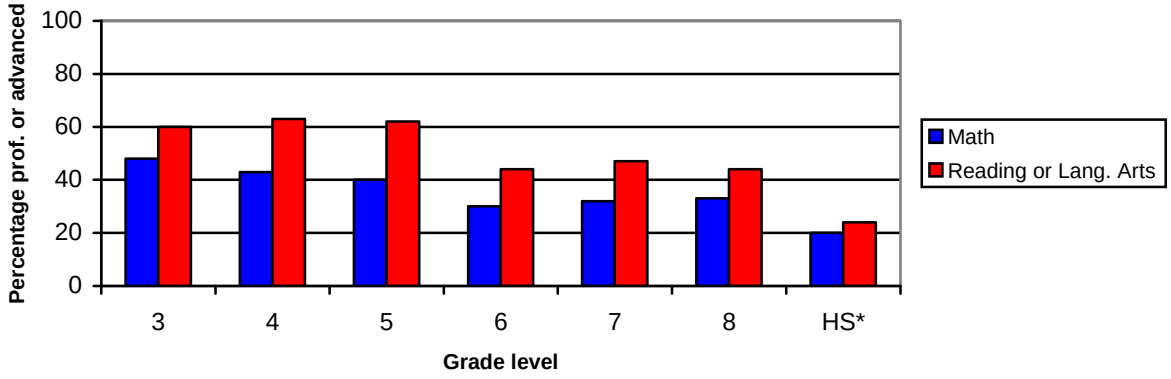
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



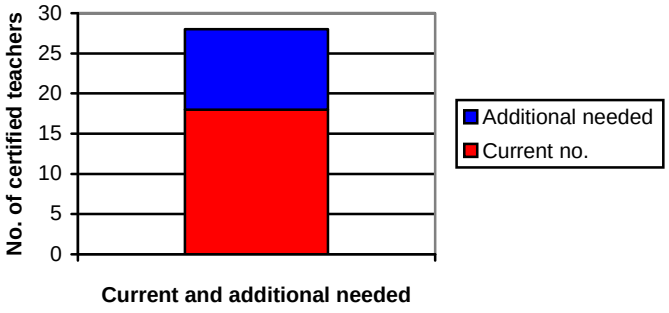
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

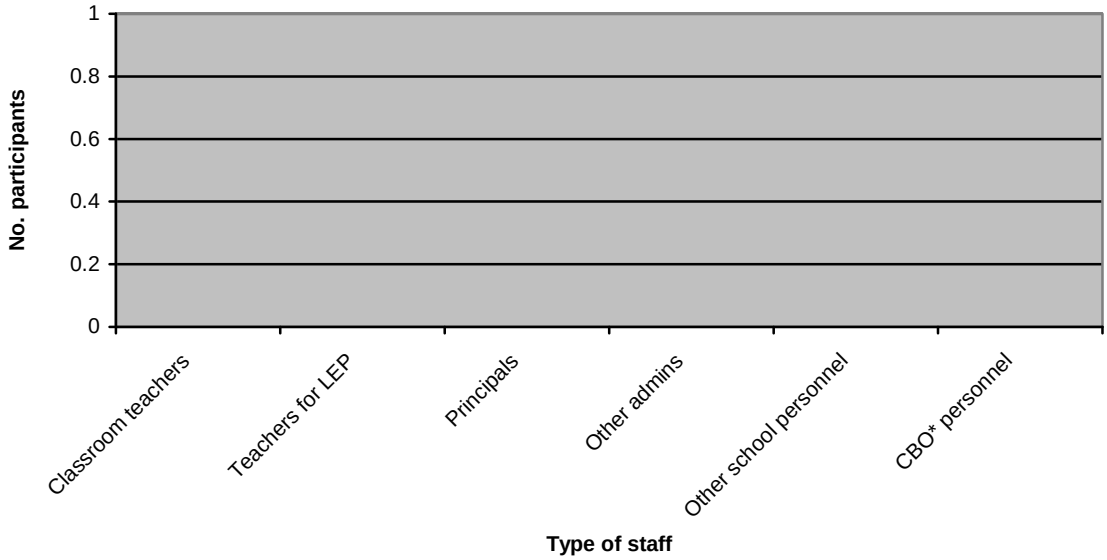
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

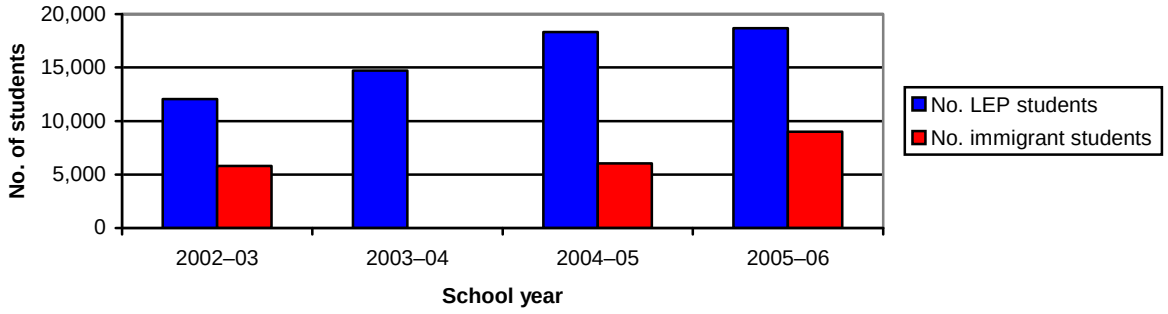


*Community-based organization

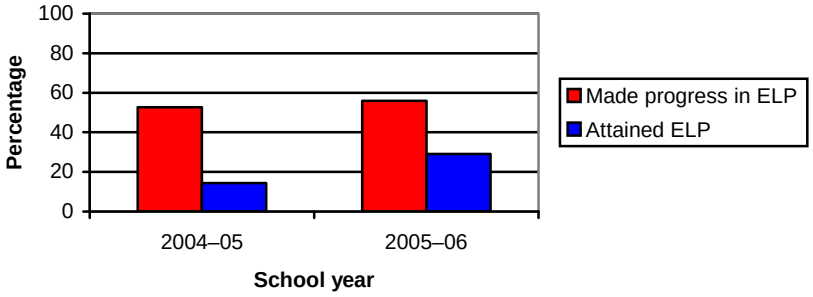
Tennessee

Student Information

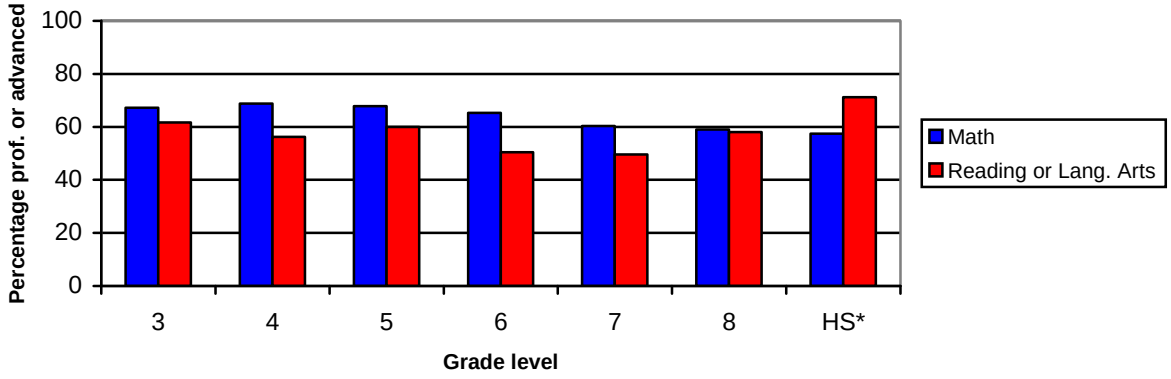
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



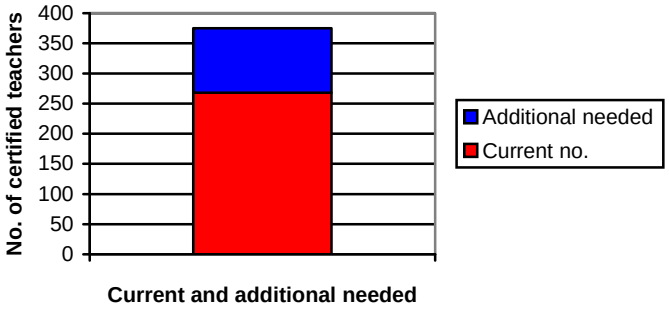
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

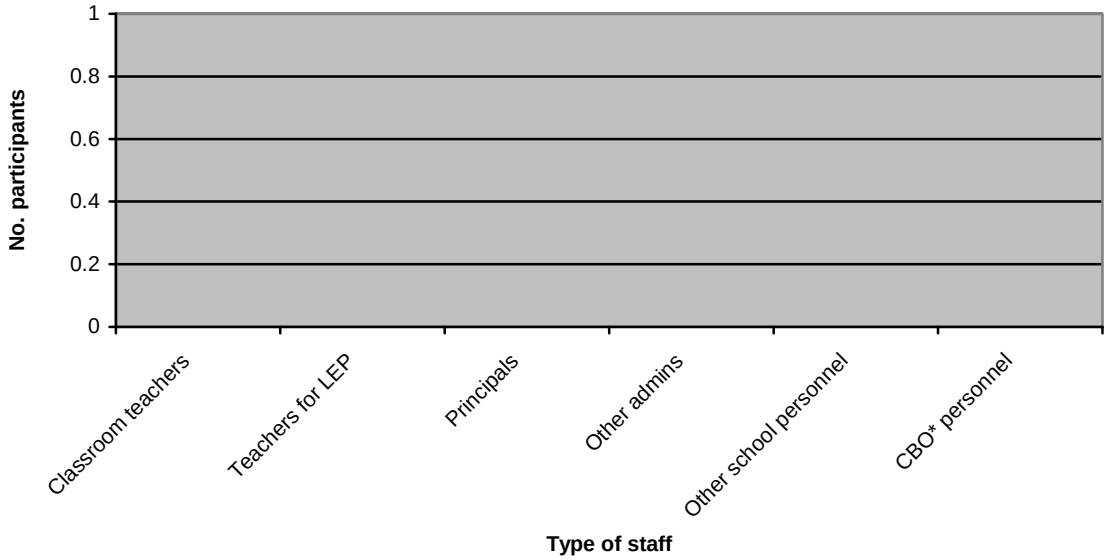
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

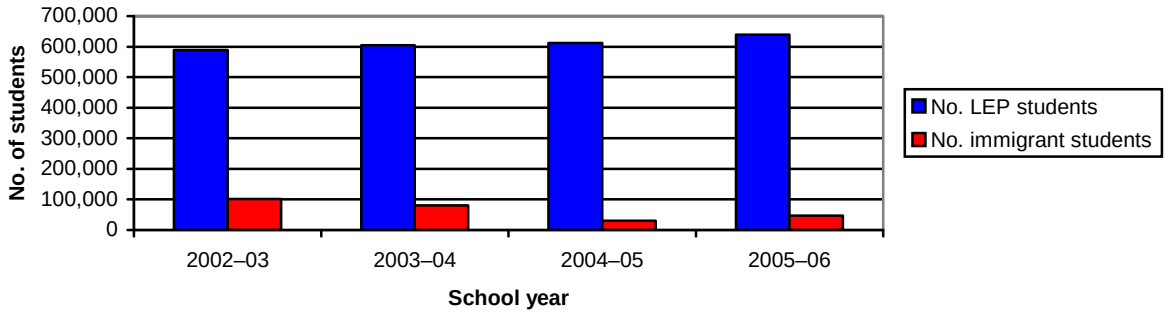


*Community-based organization

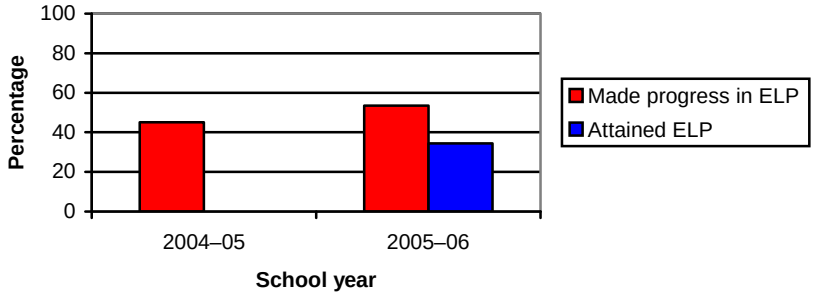
Texas

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

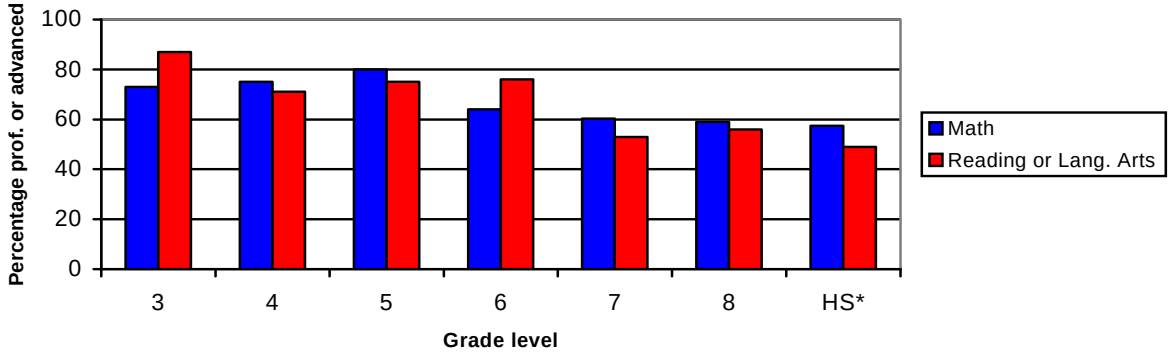


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: State provided data for students who attained ELP in 2004–05; however, the data was broken down such that it could not be adapted into a single figure.

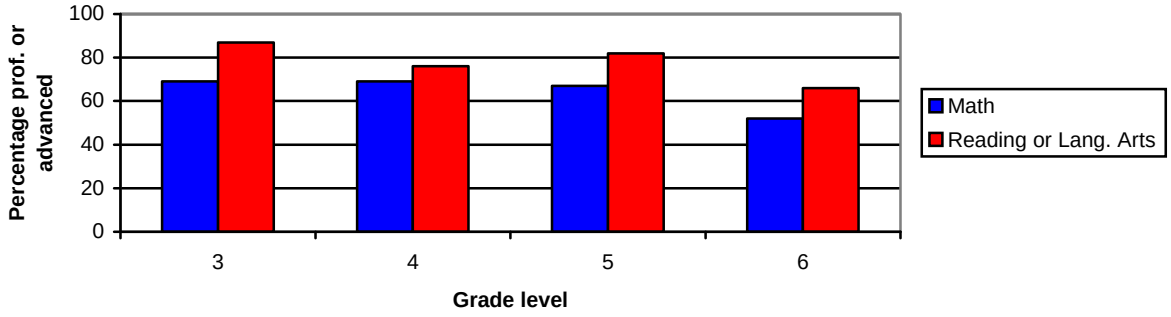
Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	Yes
If yes, what language(s)?	Spanish

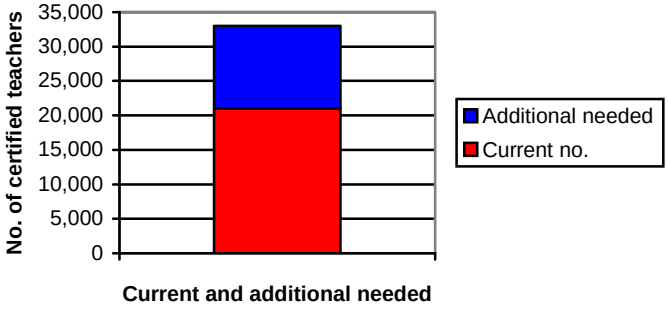
Percentage of students advanced and proficient in Spanish language tests of achievement, school year 2005–06
Spanish-language tests only available in elementary school.



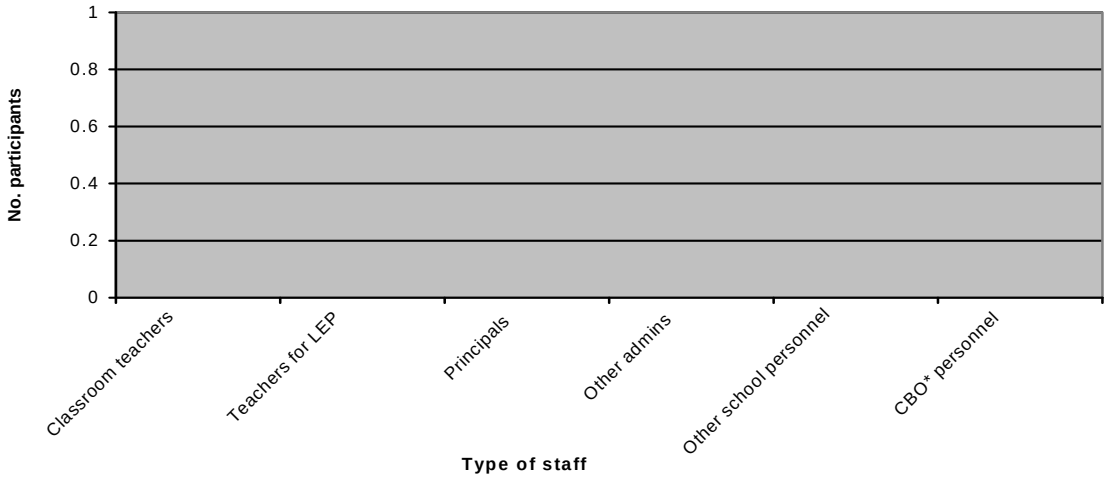
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff
No data provided.

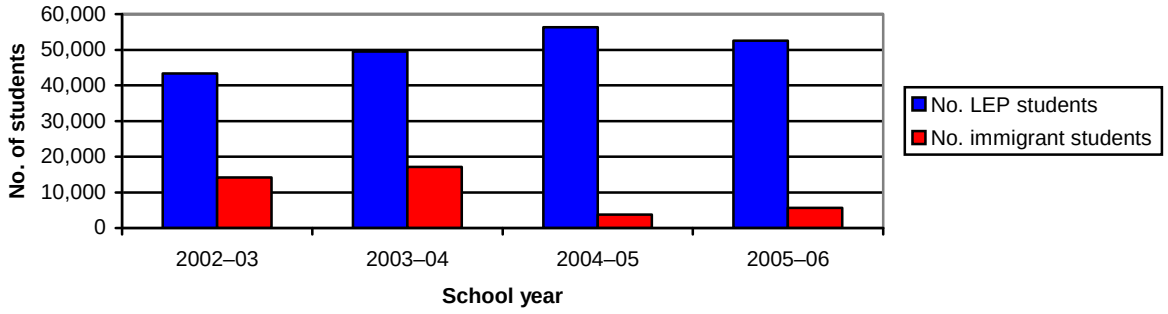


*Community-based organization

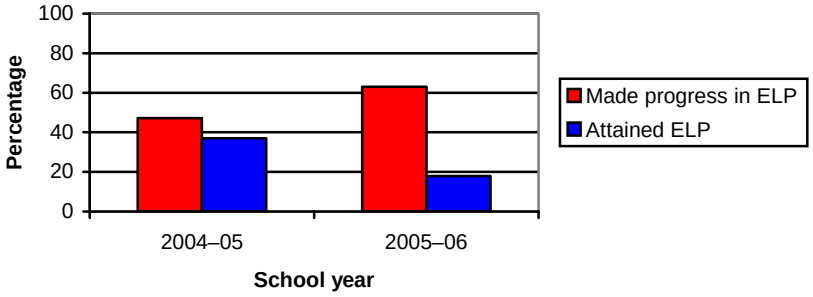
Utah

Student Information

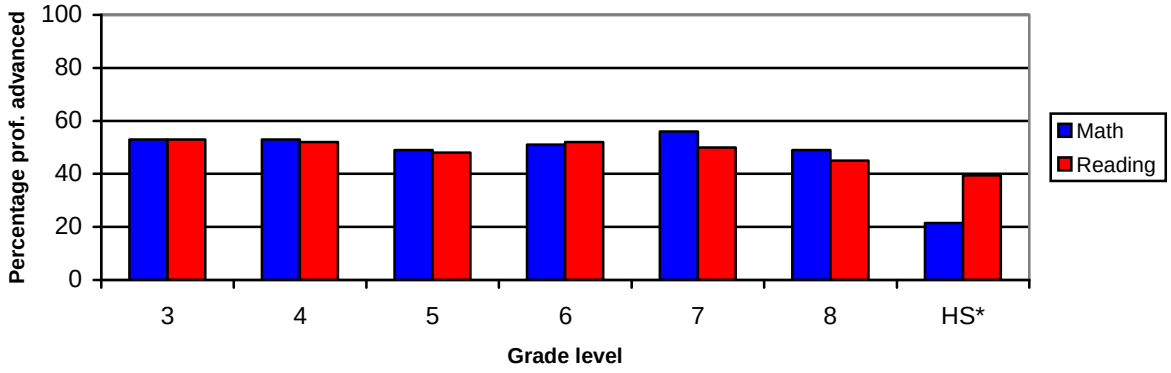
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



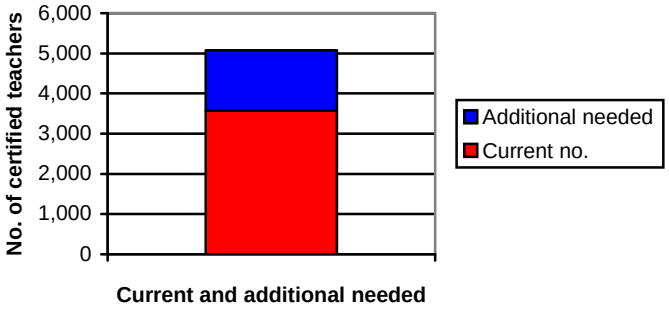
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

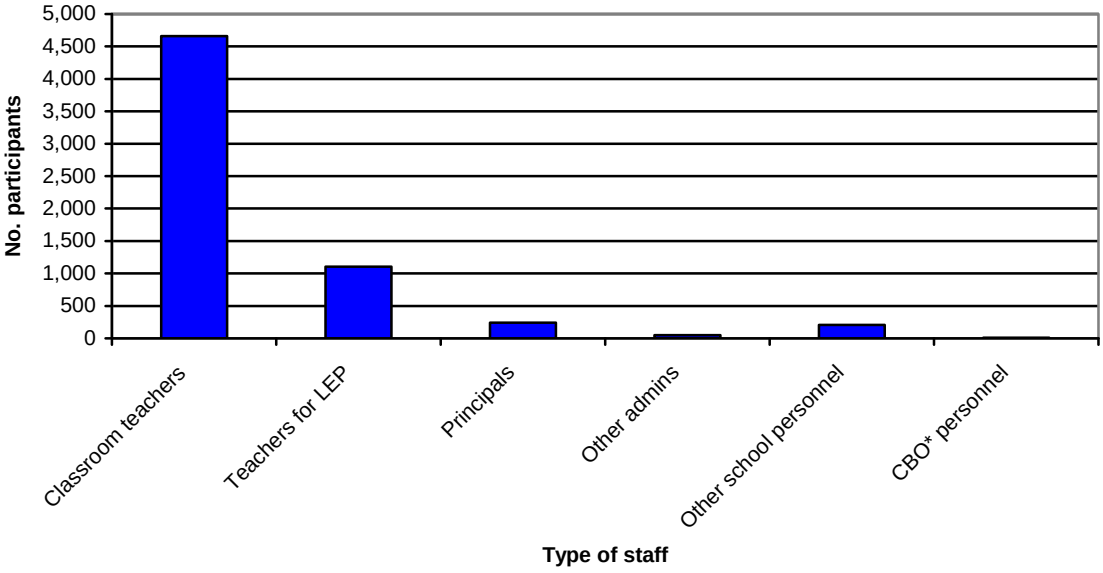
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

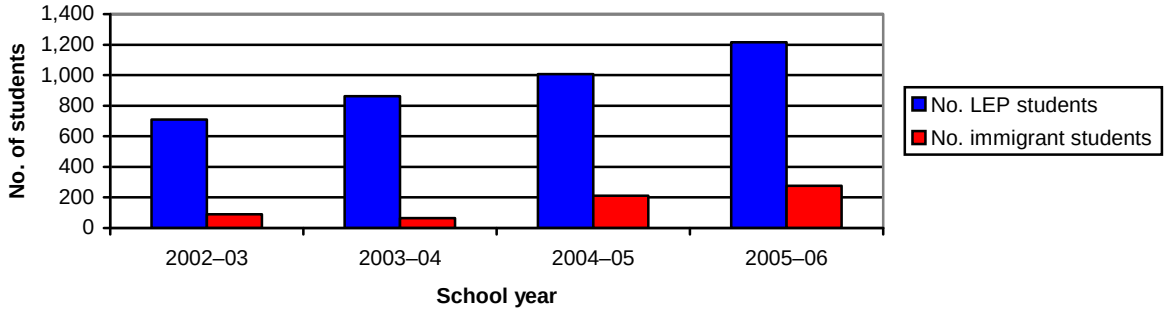


*Community-based organization

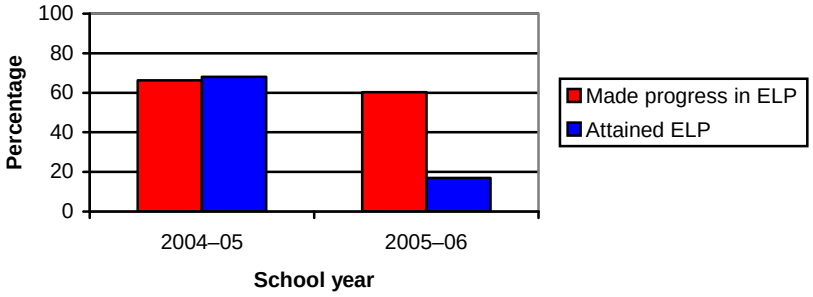
Vermont

Student Information

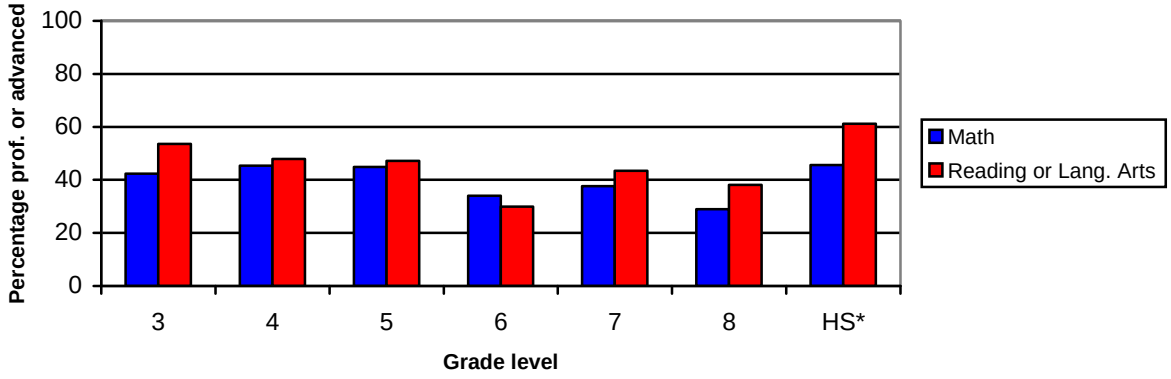
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



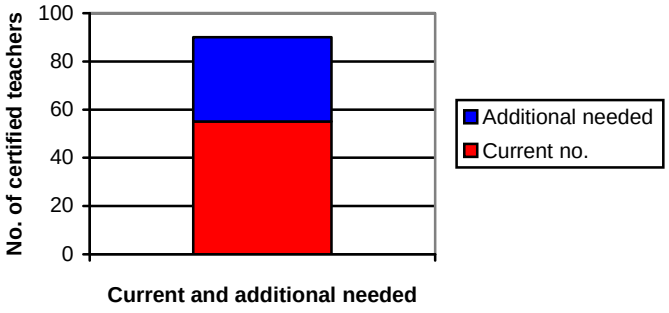
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

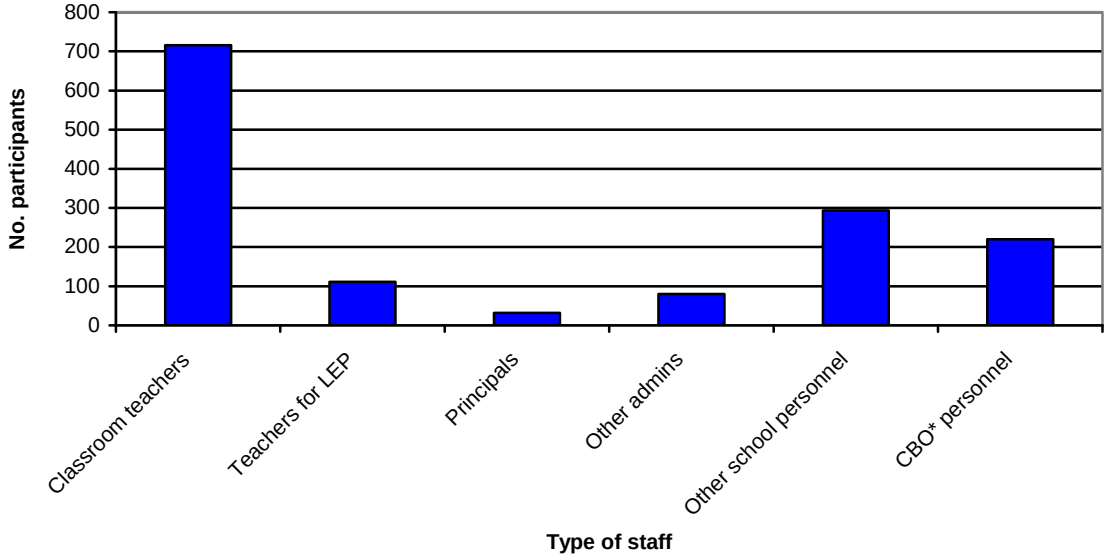
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

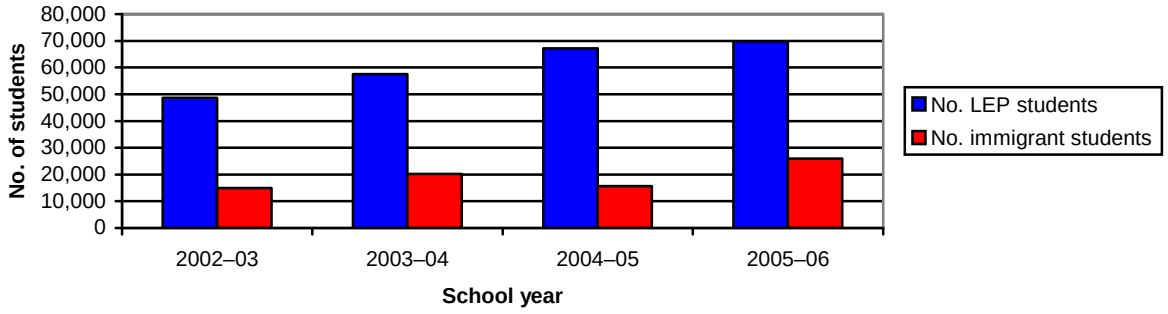


*Community-based organization

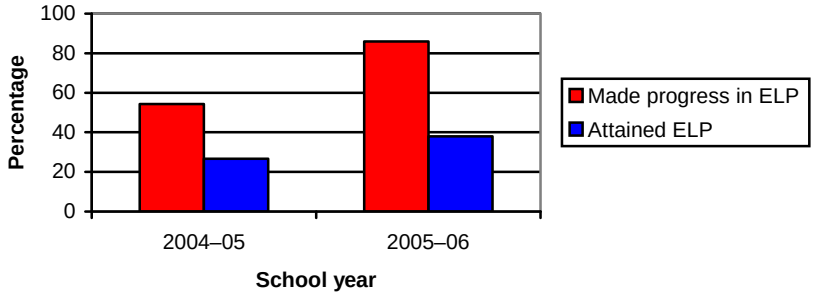
Virginia

Student Information

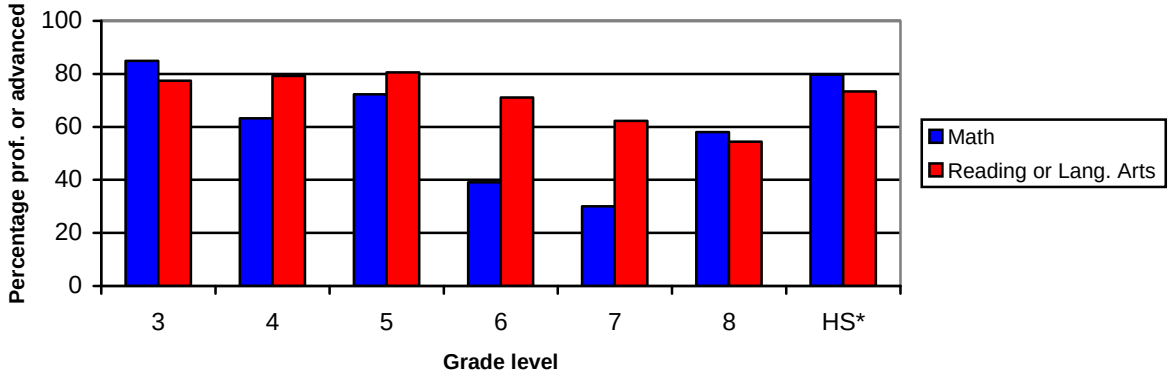
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

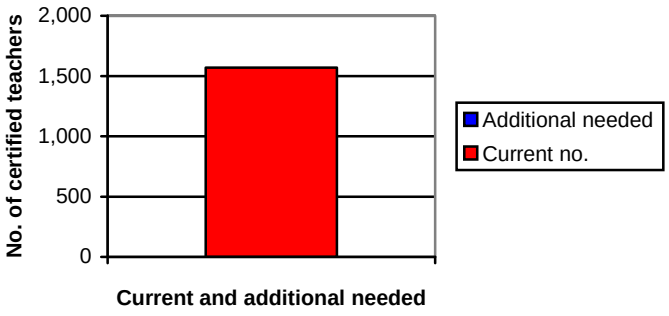
Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

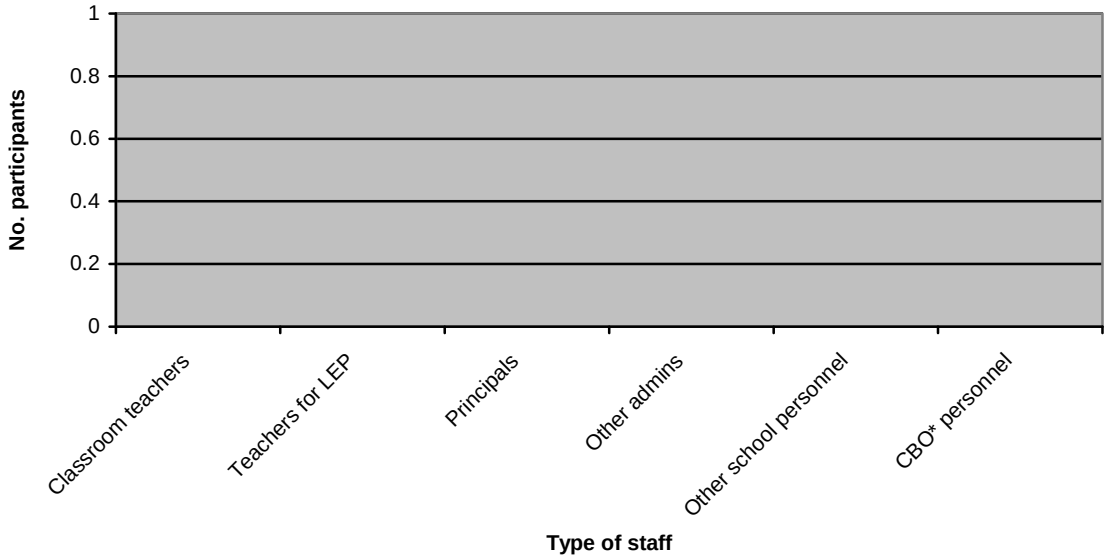
Current number of certified teachers working with LEP students, and additional number needed in five years

No data provided on number of teachers needed in five years.



Number of educational staff receiving professional development via subgrantees, by type of staff

No data provided.

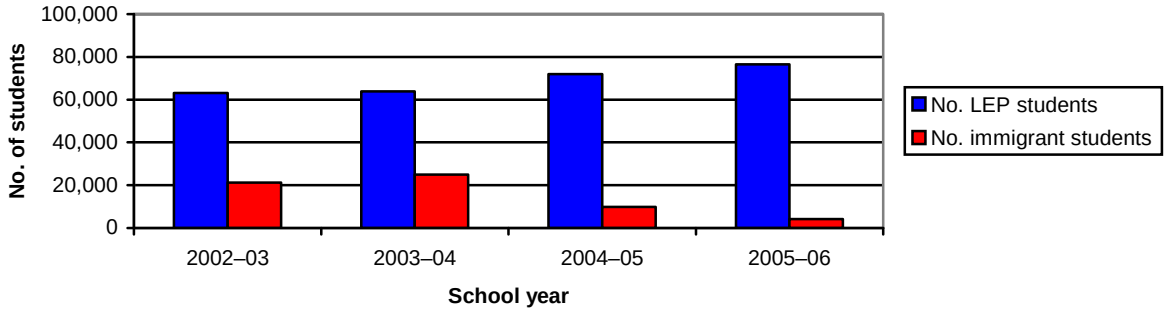


*Community-based organization

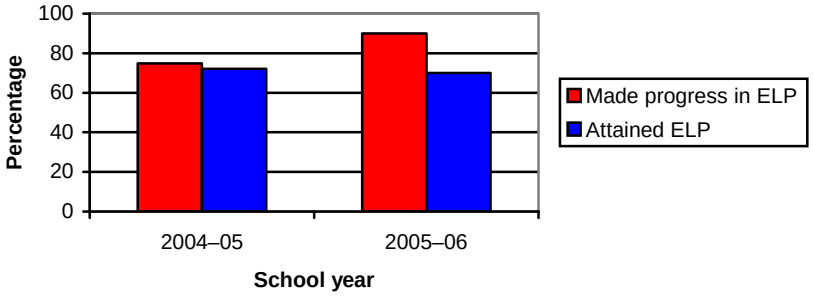
Washington

Student Information

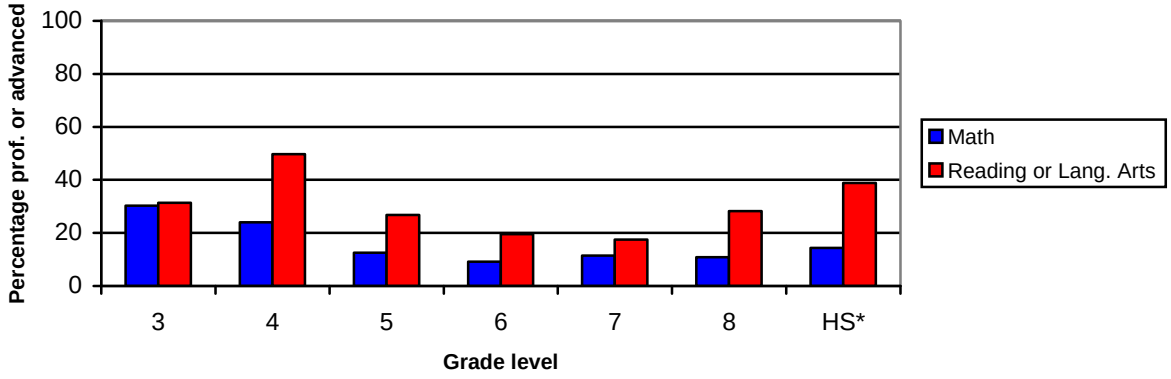
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



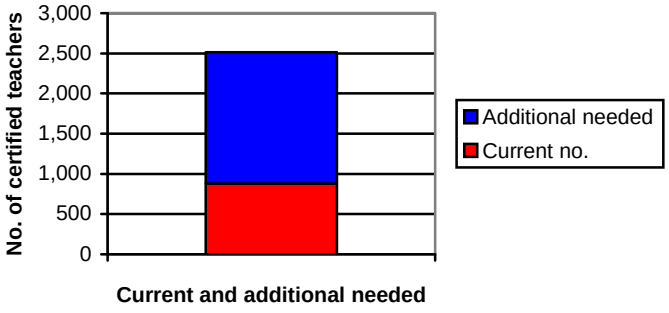
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

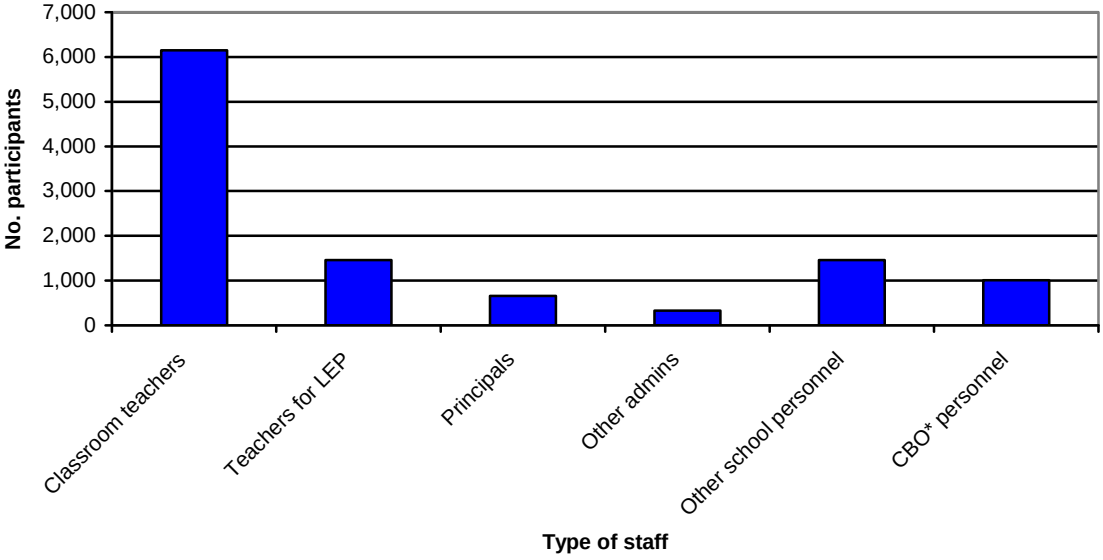
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

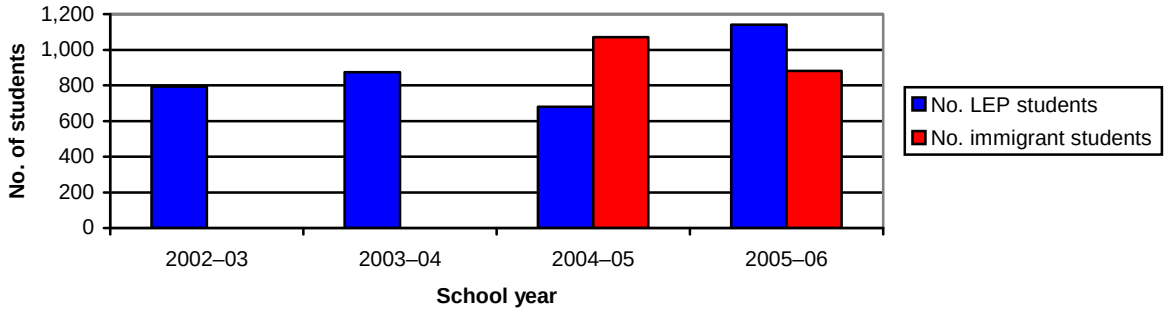


*Community-based organization

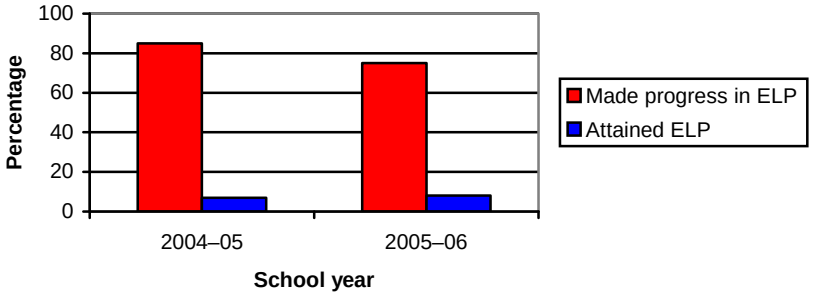
West Virginia

Student Information

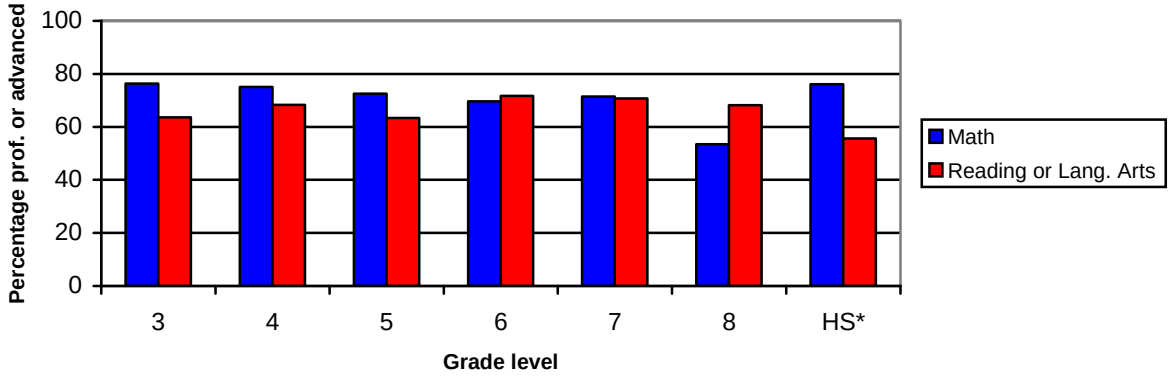
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06



Percentage of students who made progress in ELP and percentage of students who attained ELP



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



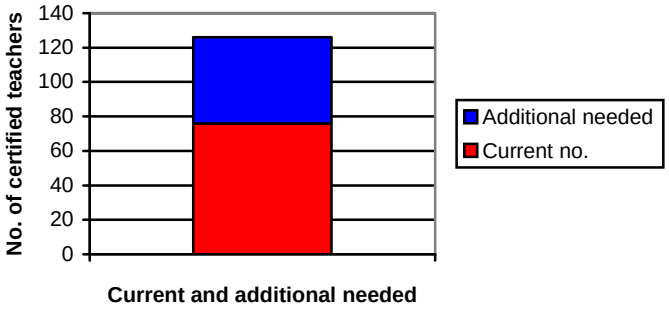
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

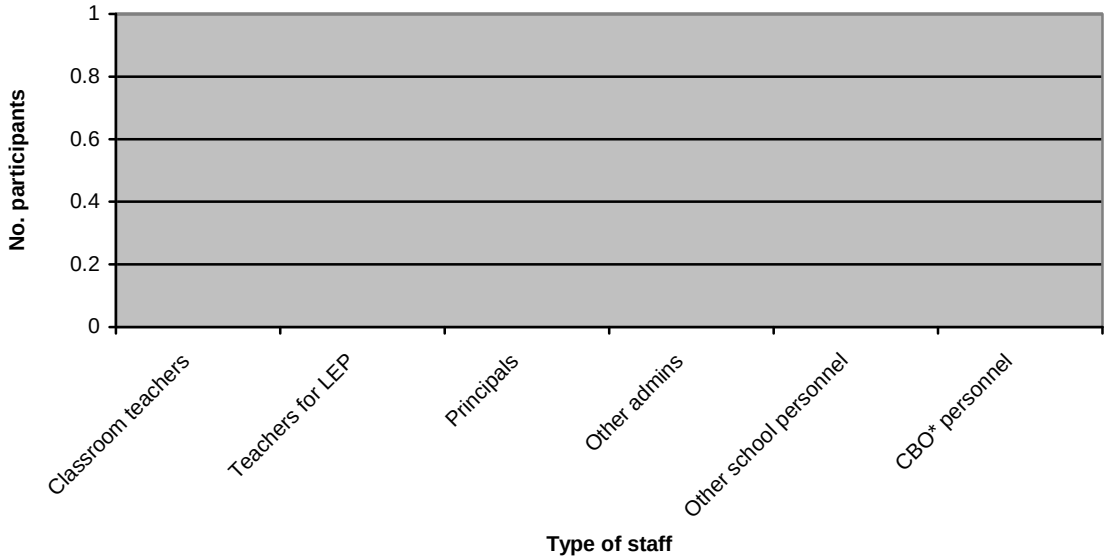
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff
No data provided.

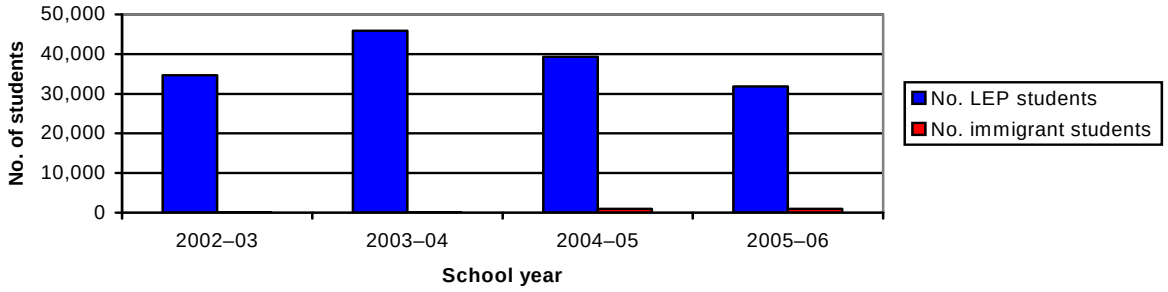


*Community-based organization

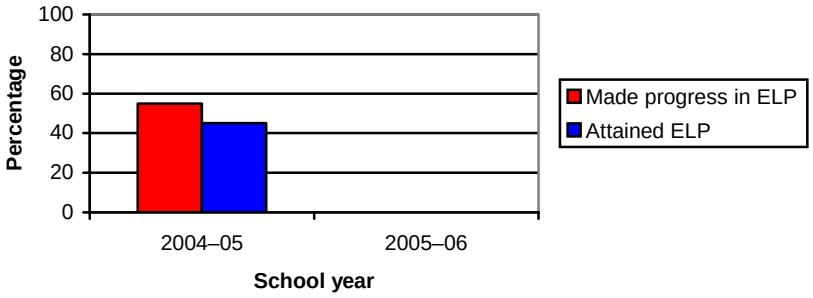
Wisconsin

Student Information

Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06

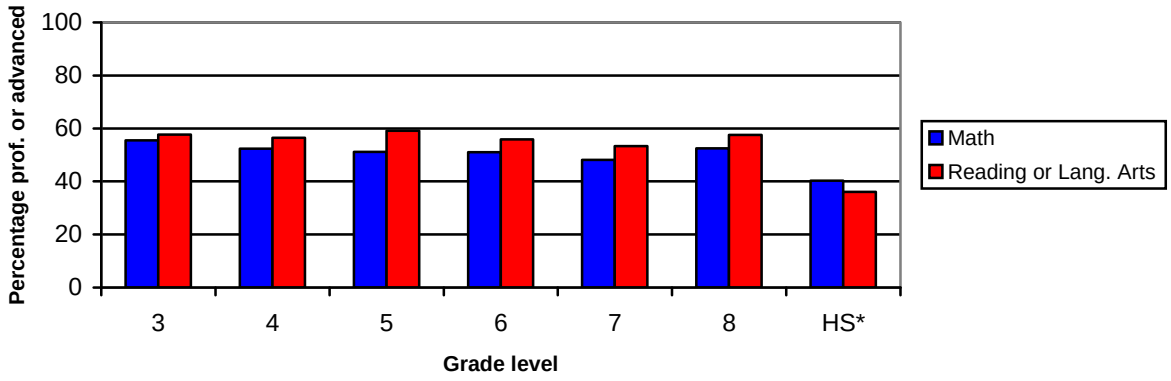


Percentage of students who made progress in ELP and percentage of students who attained ELP



NOTE: No data provided for 2005–06 due to state law that did not allow student-specific data collection, as required for Annual Measurable Achievement Objectives.

Percentage of students advanced or proficient in academic content achievement, school year 2005–06



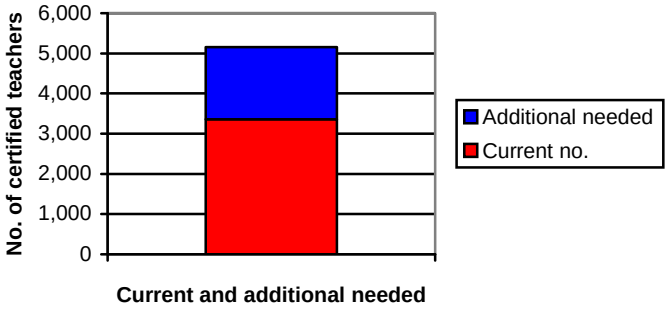
*States test once in high school, at their own discretion.

Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

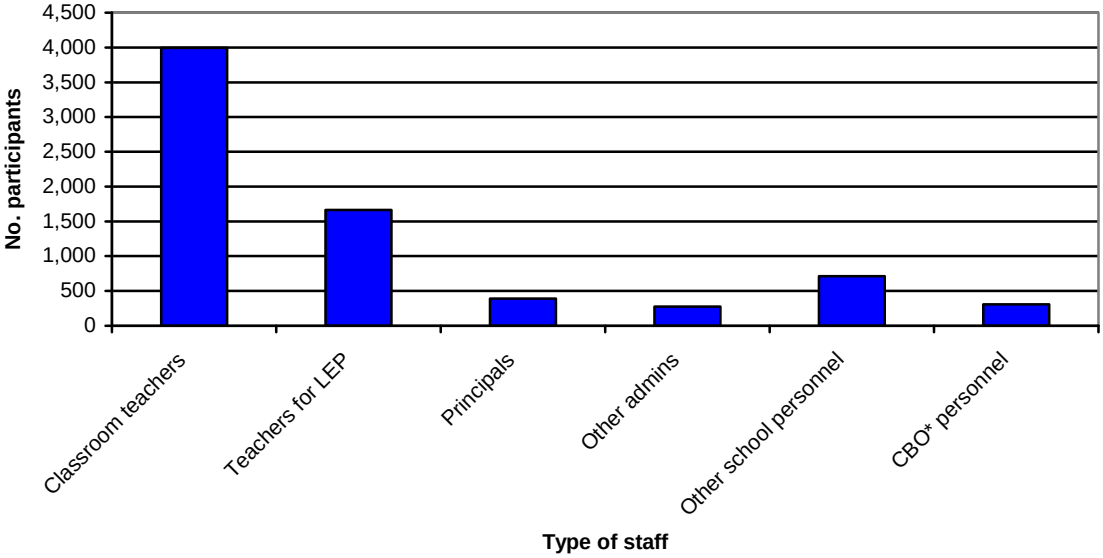
Educational Staff Information

NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years



Number of educational staff receiving professional development via subgrantees, by type of staff

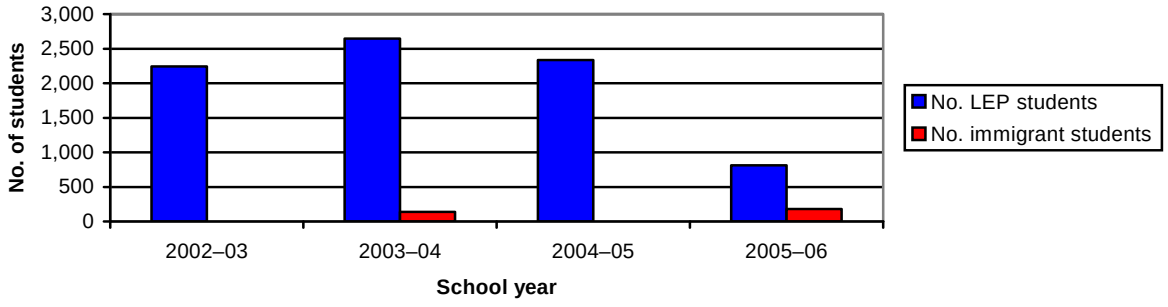


*Community-based organization

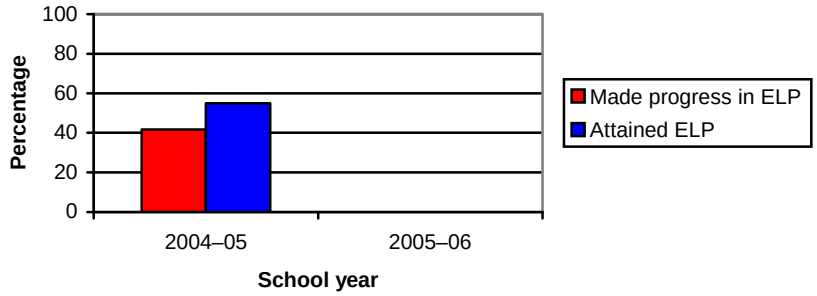
Wyoming

Student Information

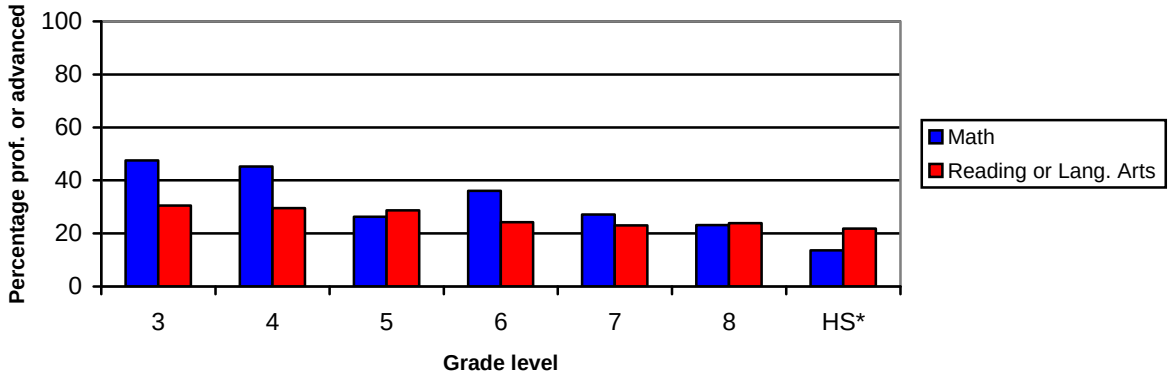
Number of LEP and immigrant students served by Title III funds, 2002–03 through 2005–06
No data provided for no. immigrant students served in 2002–03 or 2004–05.



Percentage of students who made progress in ELP and percentage of students who attained ELP
No data provided for 2005–06; State has a new assessment.



Percentage of students advanced or proficient in academic content achievement, school year 2005–06



*States test once in high school, at their own discretion.

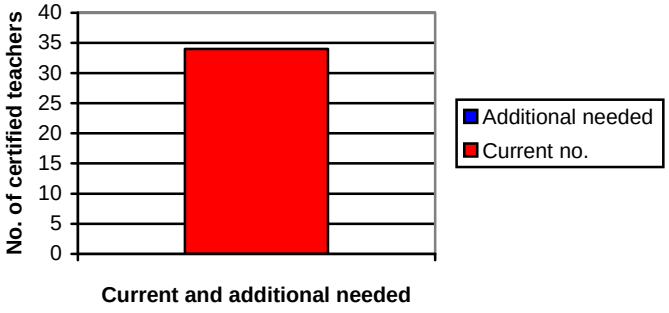
Testing in Native Language:	
Is testing offered in students' native language(s)?	No
If yes, what language(s)?	Not applicable

Educational Staff Information

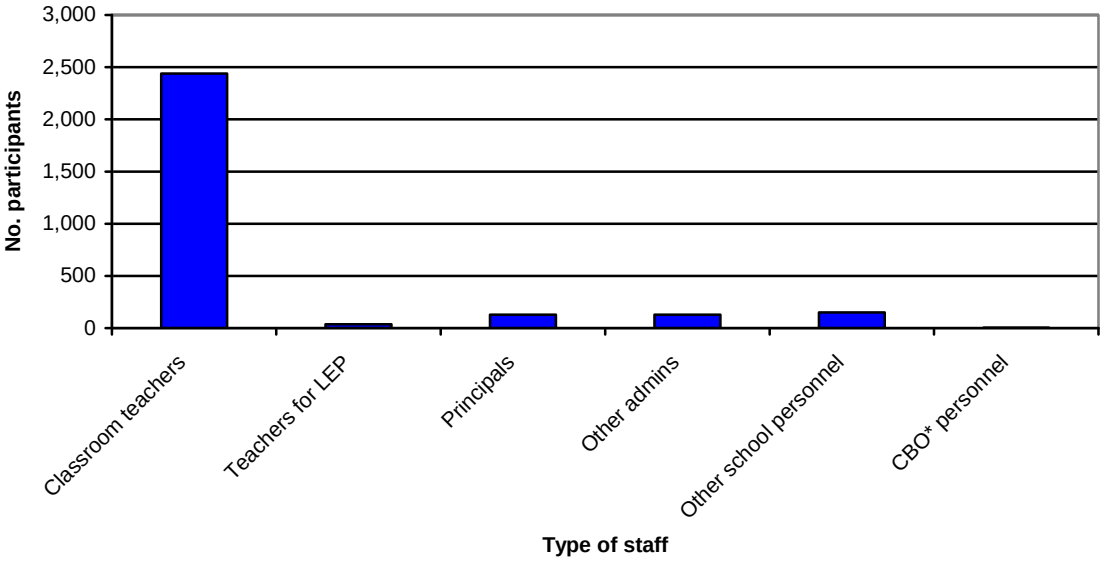
NOTE: Numbers for educational staff information are current as of data collection; see Appendix C for details.

Current number of certified teachers working with LEP students, and additional number needed in five years

No data provided on additional number of teachers needed in five years.



Number of educational staff receiving professional development via subgrantees, by type of staff



*Community-based organization

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APPENDIX A: SUMMARY OF SURVEY RESULTS ORGANIZED AROUND THE NINE STATUTE-BASED EVALUATION ELEMENTS

This *Biennial Report to Congress* reports on data from an Office of Management and Budget (OMB) approved biennial data collection form (see Appendix B). All nine evaluation elements described in §3123(b)(1–9) have been addressed within the main body of the report, but are repeated below, with a summary of the findings related to each. Data from 2005–06, the most recent school year for which data were collected and the first year in which all grades 3–8 plus at least one high school grade[25] were tested to measure students' academic content proficiency in reading or language arts and mathematics, are reviewed in this section; much more complete data are presented in the previous sections of this report.

EVALUATION ELEMENT 1: Programs and activities carried out to serve LEP children and the effectiveness of those programs [as stipulated in §3121(a)(1), §3121(b)(2), §3123(b)(1)]

This evaluation element requires states to report information on two areas related to program effectiveness:

- The number of students participating in Title III-funded LIEPs—4,287,853 Limited English Proficient (LEP) students participated in such programs in 2005–06, 86 percent of all identified LEP students and
- The number of subgrantees funded within the state—4,923 subgrantees were funded in 50 states and the District of Columbia (see pages 8–12 for elaborations on these data).

In order to describe fully the effectiveness of programs for any students, data must be collected on the same set of students, responding to the same set of assessments, over a period of time. Those students must be followed individually for the analysis to be valid. This type of data is not available. Therefore, for the purposes of this report, the best data available are from National Assessment of Educational Progress (NAEP)—the same set of assessments administered over time, but to different (albeit

[25] The grade tested in high school is at the discretion of the state.

similar) sets of students. These data show that the percentage of fourth and eighth-grade LEP students scoring at or above the basic level in math, and the percentage of fourth-grade LEP students scoring at or above the basic level in reading have improved significantly, with 2007 results better than previous years. In addition, the percentage of former LEP students in grades 4 and 8 scoring at or above basic is about twice that of their LEP peers in both mathematics and reading. These data are elaborated upon in pages 19–23 in this report.

In addition, a description of the progress being made on a statewide level toward increasing the ELP and academic content achievement (Annual Measurable Achievement Objectives [AMAO] 1–3) of LEP students in Title III-funded LEAs is elaborated upon in pages 19–32 in this report.

EVALUATION ELEMENT 2: Types of language instruction educational programs (LIEPs) used by subgrantees to teach LEP students [as stipulated in §3121(a)(1), §3123(b)(2)]

Title III requires subgrantees to use funds to "increase the English proficiency of LEP children by providing high-quality LIEPs that are based on scientifically-based research demonstrating the effectiveness of the programs in increasing English proficiency and student academic achievement in the core academic subjects" (§3115(c)(1)). Using a list of nationally recognized LIEP types, states indicated which types of programs were used by subgrantees in the state. Data show that:

- The subgrantees of 47 states, the District of Columbia, and the Commonwealth of Puerto Rico have LIEPs that use English as the language of instruction;
- The subgrantees of 40 states and the District of Columbia have LIEPs that use two languages, including English, for instruction; and
- The subgrantees of 16 states and the District of Columbia support "other" types of instructional programs.

These data are elaborated upon in pages 16–19 of this report.

EVALUATION ELEMENT 3: Critical synthesis of data reported by subgrantees on student performance [as stipulated in §3121(a)(2,4), §3123(b)(3)]

This third evaluation element is a synthesis of the data submitted to each state by its subgrantees and a description of the progress being made on a statewide level toward increasing the ELP and academic content knowledge of LEP students in Title III-funded LEAs. LEP student academic content achievement and progress toward the attainment of ELP are measured by state-developed AMAOs.

Overall, the data indicate that:

- 24 states and the Commonwealth of Puerto Rico reached their targets for making progress in ELP (AMAO 1);
- 28 states reached their targets for attaining ELP (AMAO 2); and
- 49 states and the District of Columbia reported to Title I a wide range of percentages of the LEP subgroup reaching at least the proficient level in mathematics and reading or language arts achievement (please see pages 23–33).

When testing for academic content knowledge, states must provide "reasonable accommodations on assessments … including, to the extent practicable, assessment in the language and form most likely to yield accurate data on what students know and can do in academic content areas" (§1111(b)(3)(C)(ix)(III)). The most frequently offered accommodations were testing in small groups or individually, reading directions aloud, and allowing extra time for the test. Additionally, 11 states reported that they offer tests in students' native languages. These data are elaborated upon on pages 33–35 and 33, respectively, in this report.

EVALUATION ELEMENT 4: Technical assistance provided by state education agencies under section 3111(b)(2)(C) [as stipulated in §3122(b), §3123(b)(4)]

Title III requires that states provide technical assistance to subgrantees to ensure that they can implement LIEPs successfully. Within the statute, four general areas of technical assistance are suggested. Data for this report indicate that states provided technical assistance in the following areas:

- Identifying and implementing English language instructional programs and curricula based on scientific research (49 states, the District of Columbia, and the Commonwealth of Puerto Rico);
- Helping LEP students to meet academic content and student academic achievement standards expected of all students (49 states, the District of Columbia, and the Commonwealth of Puerto Rico);
- Identifying or developing and implementing measures of ELP (50 states, the District of Columbia, and the Commonwealth of Puerto Rico); and
- Promoting parental and community participation in programs that serve LEP children (47 states, the District of Columbia, and the Commonwealth of Puerto Rico).

In addition, states may reserve up to 5 percent of their Title III grant allocation to carry out various activities described within the statute. These include the following:

- Professional development (49 states, the District of Columbia, and the Commonwealth of Puerto Rico);
- Conduct planning (48 states), evaluation (43 states), administration (36 states), and inter-agency coordination (43 states);
- Provide technical assistance (50 states, the District of Columbia, and the Commonwealth of Puerto Rico); and
- Provide recognition to subgrantees that have exceeded annual measurable achievement objectives (7 states and the District of Columbia).

These data are elaborated upon on pages 41–43 of this report.

EVALUATION ELEMENT 5: An estimate of the number of certified or licensed teachers working in LIEPs and educating LEP children, and an estimate of the number of such teachers that will be needed for the succeeding 5 fiscal years
[as stipulated in §3115(c)(2), §3116(c), §3123(b)(5)]

Title III requires that all teachers working in any Title III-funded LIEP for LEP students have fluent written and oral communication skills in English and any other language

used for instruction (§3116(c)). This evaluation element elicited the following data from states:

- There currently are 319,624 teachers employed in Title III-funded LIEPs;
- An additional 104,394 teachers will be needed in five years (a total of 424,018 teachers); and
- A total of 41 states and the Commonwealth of Puerto Rico require at least a basic teaching certificate, with some type of endorsement to teach LEP students. In many cases, states require language proficiency testing (16 states test in English, 11 states test in another language) or that the teaching certificate include an endorsement pertaining to language fluency (33 states).

These data also are elaborated upon in pages 41–43 of this report.

EVALUATION ELEMENT 6: The major findings of scientifically based research carried out under this part [as stipulated in §3123(b)(6)]

No states reported that any scientifically based research projects were funded during 2004–05 or 2005–06.

EVALUATION ELEMENT 7: Number of programs or activities that were terminated for failure to reach program goals [as stipulated in §3121(b)(3), §3123(b)(7)]

This evaluation element documents the termination of any Title III LIEPs or activities, including a description of terminated programs or activities and the circumstances surrounding the termination. Program termination is based on student outcome results and program performance. During the two years this biennial report covers, there were no LIEPs or activities terminated in any state.

EVALUATION ELEMENT 8: Number of LEP students transitioned out of language instruction educational programs into classrooms where instruction is not designated for LEP students [as stipulated in §3121(a)(4), §3123(b)(8)]

The primary goal of any LIEP is that LEP students learn English and achieve the same high academic standards set by the state for all students. In order to achieve this goal, LEP students must learn English and meet the criteria established by the state to transition from the LIEP into classrooms where instruction is not designed for LEP students.[26] These transitioned students must then be monitored for two years to ensure that their academic content achievement and ELP continue to increase. The data show that:

- 380,894 LEP students were being monitored in 2004–05 and 439,536 LEP students were being monitored in 2005–06; and
- Of the monitored students, nearly half tested at the proficient level or higher in mathematics in both 2004–05 and 2005–06 and over half tested at the proficient level or higher in reading or language arts in both 2004–05 and 2005–06.

These data are elaborated upon in pages 35–39 of this report.

EVALUATION ELEMENT 9: Other information gathered from the evaluations from specially qualified agencies and other reports [as stipulated in §3123(b)(9)]

No other information was gathered from specially qualified agencies and other reports. The biennial report data collection form requested additional information on a voluntary basis, but too few states replied to make any general statements about the data.

[26] Exceptions are such programs as dual language, two-way immersion, maintenance, and some heritage language and developmental bilingual education programs in which the programmatic goal is full literacy in two languages, English and another language, as well as high academic achievement. Students in these programs are not transitioned when they attain ELP, but rather remain in the program because they are receiving high-level academic content instruction in two languages, one of which is English. See figure 2 for more detail on LIEPs which focus on developing literacy in two languages.

APPENDIX B: OMB-APPROVED DATA COLLECTION FORM

The following form is the result of multiple revisions, meetings with states and contractors, and internal discussions. It was provided to states on Sept. 30, 2006, via e-mail from OELA with the suggestion that they could begin in-house data collection. The online system was opened for states from Dec. 1–Dec. 31, 2006, for data input.

Office of English Language Acquisition
Washington, D.C. 20024-6510

Title III Biennial Report

State Formula Grants under Title III, Part A, English Language Acquisition, Language Enhancement and Academic Achievement Act

(Public Law 107-110)

CFDA NUMBER: 84.365A
FORM APPROVED
OMB NO. 1885-0553, EXP. 8/31/2009

DATED MATERIAL – OPEN IMMEDIATELY

DUE DATE: DECEMBER 31, 2006

GENERAL INSTRUCTIONS AND TIMELINES

All States that received funding on the basis of the Consolidated State Application for each of these years (2004-05 and 2005-06) must respond to this Title III Biennial Report (TBR) by **December 31, 2006**. This report is based on student performance data and other related information from the two preceding years 2004-05 and 2005-06.

The format states will use to submit the Title III Biennial Report has changed to an online submission. This online submission system is being developed through the Education Data Exchange Network (EDEN) and will make the submission process less burdensome. Please see the following section on transmittal instructions for more information on how to submit this year's Title III Biennial Report.

TRANSMITTAL INSTRUCTIONS

The Title III Biennial Report data will be collected online from the SEAs, using the EDEN web site. The EDEN web site will be modified to include a separate area (sub-domain) for TBR data entry. This area will utilize EDEN formatting to the extent possible and the data will be entered in the order of the revised TBR form. The data entry screens will include or provide access to all instructions and notes on the revised TBR forms; additionally, an effort will be made to design the screens to balance efficient data collection and reduction of visual clutter.

Initially, a state user will log onto EDEN and be provided with an option that takes him or her to the "2006 TBR". The main TBR screen will allow the user to select the section of the TBR that he or she needs to either view or enter data. After selecting a section of the TBR, the user will be presented with a screen or set of screens where the user can input the data for that section of the TBR. A user can only select one section of the TBR at a time. After a state has included all available data in the designated sections of the TBR, a lead state user will certify it and transmit it to the Department. Once the form has been transmitted, ED will have access to the data. States may still make changes or additions to the transmitted data, by creating an updated version of the TBR. Detailed instructions for transmitting the 2006 TBR will be found on the main TBR page of the EDEN website (https://EDEN.ED.GOV/EDENPortal/).

According to the Paperwork Reduction Act of 1965, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1885-0553. The time required to complete this information collection is estimated to average 2.50 hours (or 150 minutes) per response, including the time to review instructions, search existing data resources, gather the data needed, complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-6510. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: OELA, U.S. Department of Education 550 12th Street SW, Room PCP 10-113, Washington, D.C. 20202-6510. Questions about the new electronic TBR submission process, should be directed to the EDEN Partner Support Center at 1-877-HLP-EDEN (1-877-457-3336).

State Response for Meeting Title III State Biennial Reporting Requirements

Reporting Instructions

States are to provide information for each section required for the Title III Biennial Report. States should respond to the items listed under each of the elements. If any of the information requested is not available, please **explain** why it is not available.

Please note the following:

- ***Specific instructions for each item are shown in bold type and/or enclosed in parentheses in this format.***
- ***Responses are required for all sections in the Title III Biennial Report.***
- ***Note that comment boxes are provided for each response should further information be needed however there is a limitation to the number of characters available therefore it is recommended that written responses be comprehensive and concise. Do not provide web site links or references and no attachments.***

Critical Elements (List of Sections within this Form)

1 Types of language instruction educational programs used by subgrantees [SEC. 3115 (c)(1) p.1698, 3121(b)(1) p.1701, 3123(b)(2) p.1704]

2 Critical synthesis of data reported by Title III subgrantees [SEC. 3121(a) p.1701, 3123(b)(1, 3) p.1704]

- LEP Student Progress Meeting AMAOs for English Language Proficiency
- Performance of LEP Subgroup in Meeting State AYP Targets
- LEP Students in Grades not Tested for AYP
- Content Assessment in Native Languages
- Accommodations for LEP Students

3 Academic content assessment results of monitored LEP students [SEC. 3121(a)(4) p.1701, 3123(b)(8) p1705]

- Number of Former LEP Students by Year Monitored
- Academic Achievement of Former LEP Students Tested for AYP

4 Title III Subgrantee Performance and State Accountability [SEC. 3122(b)(2) p. 1703, 3123(b)(1, 4) p.1704-5, 3121(b)(2) p. 1701,]

5 Programs and activities for immigrant children and youth [SEC. 3115(e)(1)(A-G) p. 1699]

- Number of Immigrants and Immigrant Subgrants
- Subgrantee Programs or Activities
- Distribution of Funds

6 Title III programs or activities conducted by subgrantees, as described in Section 3115 (c, d & e), terminated for failure to reach program goals during the two preceding years [SEC. 3123(b)(7) p.1705]

7 Teacher information and professional development activities conducted by the subgrantees [SEC. 3115(c)(1)(B) p. 1698, 3116 (c) p.1701, 3123(b)(5) p. 1705,]

- Number of Teachers
- Teacher Certification
- Teacher Language Fluency
- Professional Development

8 State level activities conducted and technical assistance provided to subgrantees [SEC. 3111(b)(2)(A-D) p.1691-2, 3123(b)(4) p. 1705]

- Technical Assistance Provided by the State
- Other State Activities
- Parental Participation Compliance

9 Optional

1. TYPES OF LANGUAGE INSTRUCTION EDUCATIONAL PROGRAMS USED BY SUBGRANTEES [SEC. 3115 (c)(1) p. 1698, 3121(b)(1) p.1701, 3123(b)(2) p. 1704]

1.1 Indicate the number of Title III subgrantees that use each type of language instruction educational program (as defined in Section 3301(8)) in Table 1.1.

Note: A significant amount of information needed to generate the Biennial Report to Congress will be gathered through other information collections. Specifically, the Consolidated State Performance Report (CSPR) for the 2004-2005 (OMB # 1810-0614) and 2005-2006 school years, the Annual Collection of Elementary and Secondary Education Data for the Education Data Exchange Network (EDEN) for 2004-2005 and 2005-2006 (OMB # 1880-0541). Each provides information to the OELA Biennial Report. Information from other collections, which will be utilized in the OELA Biennial Report, has been marked in this collection form with the exact question or element number in the specific data collections.

It is not necessary to respond to items that reference other collections in this form. Information provided by SEAs to the referenced collections will be collected and utilized to produce the Biennial Report.

Blackened cells in this form indicate information which, each SEA should collect and maintain, but which is not being collected at this time for use in the current Biennial Report to Congress.

Definitions:

1. **# of Subgrantees Using Program =** Number of subgrantees that reported using a specific type of language instruction educational program. Subgrantees may have multiple programs. If multiple programs are used, report each program.
2. **Type of Program =** type of programs described in the subgrantee local plan (as submitted to the State or as implemented) that is closest to the descriptions in http://www.ncela.gwu.edu/expert/glossary.html

Table 1.1 Summary of Language Instruction Educational Programs					
# of Subgrantees Using Program		Type of Program	Language of Instruction		Other Language
2004-05	2005-06		% English	% OLOI*	
		Dual language			
		Two way immersion			
		Transitional bilingual			
		Developmental bilingual			
		Heritage language			
		Sheltered English instruction			
		Structured English immersion			
		Specially designed academic instruction delivered in English (SDAIE)			
		Content-based ESL			
		Pull-out ESL			
		Other (explain)			

State response 1.1: (Provide further information as to the variations of the types of programs e.g., dual language, two-way/one-way, as implemented by subgrantees, including "Other". In reference to the type of instructional programs, see descriptions listed on NCELA's website: http://www.ncela.gwu.edu/expert/glossary.html**)**

1.2 Language Instruction Based on Scientific Research

Title III language instruction educational programs must be based on scientific research and proven to be effective (Section 3115 (c)(1)).

1.2.1 Does the State provide written guidance for selecting a scientifically research based language instruction educational programs? (See SEC. 9101(37) for scientifically based research) _____ Yes _____No

1.2.2 How does the State ensure that subgrantees implement scientifically research based language instruction educational programs?

State response 1.2.2: **(Provide narrative here)**

2. CRITICAL SYNTHESIS OF DATA REPORTED BY TITLE III SUBGRANTEES [SEC. 3121(a) p. 1701, 3123(b)(1, 3) p.1704]

2.1 LEP Student Progress in Meeting State AMAOs for English Language Proficiency

Included in this section are several tables that provide evidence of LEP student progress in meeting the Title III State annual measurable achievement objectives (AMAOs) for English language proficiency (i.e., AMAO/making progress; AMAO/attainment) and academic achievement (AMAO/AYP).

It is not necessary to respond to items that reference other collections in this form. Information provided by SEAs to the referenced collections will be collected and utilized to produce the Biennial Report.

2.1.1 Number of LEP Students

	2004-05	2005-06
Total number of **"ALL LEP"** students in the State for each year.	***CSPR 1.6.3.1.3***	***CSPR 1.6.3.1.3***

Note: **"ALL LEP" students =** All students in K-12:

(1) who were newly enrolled in the year of reporting and assessed for English language proficiency using a State selected/approved ELP placement assessment and who meet the LEP definition in section 9101(25), and

(2) who were assessed by State annual English language proficiency assessment and achieved below "proficient,"

a) in the previous year and continued to be enrolled in the year of reporting, (if the State English language proficiency assessment is at the end of the school year); or

b) in the year of reporting, (if the State English language proficiency is at the beginning of the school year).

"All LEP" students should include the newly enrolled and continually enrolled LEP students in the State for each year of this report, whether or not they receive services in a Title III language instruction educational program.

2.1.2 Number of LEP Students who Received Services

	2004-05	2005-06
Total number of LEP students in the State who **received services in a Title III language instruction educational program** for each year.	***CSPR 1.6.3.3.2***	***CSPR 1.6.3.3.2***

2.1.3 Results on Achieving AMAO's in English Language Proficiency

Provide the results of Title III LEP students in meeting the State English language proficiency (ELP) annual measurable achievement objectives (AMAOs) for making progress and attainment of English language proficiency as required in Table 2.1

Instructions:

Report **ONLY** the results from State annual English language proficiency assessment(s) for LEP students who participate in Title III English language instruction educational programs in grades K-12.

It is not necessary to respond to items that reference other collections in this form. Information provided by SEAs to the referenced collections will be collected and utilized to produce the Biennial Report.

Blackened cells in this form indicate information that each SEA should collect and maintain, but which is not being collected at this time for use in the current Biennial Report to Congress.

Definitions:

1. **MAKING PROGRESS =** as defined by the State and submitted to OELA in the State Consolidated Application (CSA), or as amended.
2. **DID NOT MAKE PROGRESS =** The number and percentage of Title III LEP students who did not meet the State definition of "Making Progress."
3. **ELP ATTAINMENT =** The number and percentage of Title III LEP students who attained English language proficiency as defined by the State and submitted to OELA in the State Consolidated Application (CSA), or as amended. (If the State is tracking true cohorts of LEP students, the number of monitored former LEP students included in the cohorts can be cumulative from year to year for up to two years.)
4. **AMAO TARGET =** the AMAO target for the year as established by the State and submitted to OELA in the CSA (September 2003 submission), or as amended and approved, for each of "Making progress" and "Attainment" of English language proficiency.
5. **AMAO RESULTS =** The number and percentage of Title III LEP students who met/did not meet the State definitions of "Making Progress" and the number and percentage of Title III LEP students who met the definition for "Attainment" of English language proficiency.
6. **Met AMAO Target =** Designation of whether the LEP students in Title III language instruction educational programs did or did not meet the AMAO targets for the year.

Table 2.1.3 Title III LEP Student English Language Proficiency Results								
	2004-2005				2005-2006			
	AMAO TARGET	AMAO RESULTS		Met AMAO Target	AMAO TARGET	AMAO RESULTS		Met AMAO Target
	%	#	%	Y/N	%	#	%	Y/N
MAKING PROGRESS	CSPR 1.6.9	CSPR 1.6.9	CSPR 1.6.9	Auto calc	CSPR 1.6.9	CSPR 1.6.9	CSPR 1.6.9	Auto calc
DID NOT MAKE PROGRESS						SEE NOTE		
ELP ATTAINMENT	CSPR 1.6.9	CSPR 1.6.9	CSPR 1.6.9	Auto calc	CSPR 1.6.9	CSPR 1.6.9	CSPR 1.6.9	Auto calc

NOTE: CSPR table 1.6.9 must be modified before it can be used to provide this information. It is hoped that modifications can be made for the 2005-2006 CSPR.

2.1.4. Monitored Former LEP Students

Check the answer to the following question.

Are **monitored former LEP** students reflected in Table 2.1.3 "Attainment"/"AMAO Results"? (**Note:** ONLY if the State is using true cohort data, i.e., the State tracked the same LEP students in the same groups for progress each year and has longitudinal data available.) ____ Yes _____ No

Note: Monitored former LEP students are those who

- **have achieved "proficient" on the State ELP assessment;**
- **have transitioned into classrooms that are not designed for LEP students;**
- **are no longer receiving Title III services; and who**
- **are being monitored for academic content achievement for 2 years after transition.**

2.1.4. State response

(**Provide narrative here if needed.**)

2.1.5 Unduplicated count of Title III LEP students in the State.

Definitions:

1. **# Total LEP Enrolled =** the unduplicated count of LEP students who enrolled in a Title III language instruction educational program in the State.
2. **# Tested/State Annual ELP =** the number of LEP students in Title III language instruction educational programs who took the State annual English language proficiency assessment.
3. **# Not Available for State Annual ELP =** the number of LEP students in Title III language instruction educational programs who were enrolled at the time of testing, but were not available for State annual English language proficiency assessment for an excusable reason, acceptable "excusable reason" being the student was seriously ill, injured or in some way physically incapacitated state, to the point of keeping the student from attending school.
4. **Subtotal =** the sum of "Tested/State Annual ELP" and "Not Available for State Annual ELP."
5. **# LEP/One Data Point =** the number of LEP students in Title III language instruction educational programs who took the State annual English language proficiency assessment for the first time. This number should be part of the total number of "Tested/State Annual ELP" in 2 above.

Table 2.1.5 Title III LEP Student/Testing Status

	2004-05		2005-06
# Total LEP Enrolled			
# Tested / State Annual ELP			
# Not Available for State Annual ELP Test			
Subtotal			
# LEP/One Data Point			

2.2 Report performance of the LEP subgroup in meeting the State adequate yearly progress (AYP) targets in math and reading/language arts in Table 2.2.

Instructions:
Fill in the number and percentage of LEP subgroup scoring at "Proficient & Advanced" compared to the State's AYP targets for math and reading/language arts, for grades tested in 2004-2005 and for all grades listed in 2005-2006.

It is not necessary to respond to items that reference other collections in this form. Information provided by SEAs to the referenced collections will be collected and utilized to produce the Biennial Report.

Definitions:

1. **Grade =** the grade tested for AYP
2. **3-HS not proficient =** the number of LEP students in all grades 3-8 and the HS grade tested for the year who were below proficient.
3. **Total # Tested =** the number of students in the LEP subgroup in all grades tested for the year. Provide the State aggregate number in the column labeled "Proficient & Advanced #"
4. **Total # 3-HS LEP not tested =** the total number of LEP students not tested and/or not counted as participating for AYP in grades 3-8 and the HS grade for the year.
5. **Proficient & Advanced =** the number and the percent of the students in the LEP subgroup that achieved "proficient" and "advanced", in each of the content areas for the year
6. **Target =** the AYP target established by the State for that subject in that year

Table 2.2 LEP Subgroup Content Results								
	2004-05				2005-06			
	GRADE	PROFICIENT & ADVANCED		TARGET	GRADE	PROFICIENT & ADVANCED		TARGET
		#	%	%		#	%	%
MATHEMATICS	3	***CSPR 1.3.1***	***CSPR 1.3.1***	***Acct. Wkb***	3	***CSPR 1.3.1***	***CSPR 1.3.1***	***Acct. Wkb***
	4	***CSPR 1.3.3***	***CSPR 1.3.3***	***Acct. Wkb***	4	***CSPR 1.3.3***	***CSPR 1.3.3***	***Acct. Wkb***
	5	***CSPR 1.3.5***	***CSPR 1.3.5***	***Acct. Wkb***	5	***CSPR 1.3.5***	***CSPR 1.3.5***	***Acct. Wkb***
	6	***CSPR 1.3.7*** [1.1.4.1.]	***CSPR 1.3.7*** [1.1.4.2.]	***Acct. Wkb*** [1.1.4.3.]	6	***CSPR 1.3.7*** [1.2.4.1.]	***CSPR 1.3.7*** [1.2.4.2.]	***Acct. Wkb*** [1.2.4.3.]
	7	***CSPR 1.3.9*** [1.1.5.1.]	***CSPR 1.3.9*** [1.1.5.2.]	***Acct. Wkb*** [1.1.5.3.]	7	***CSPR 1.3.9*** [1.2.5.1.]	***CSPR 1.3.9*** [1.2.5.2.]	***Acct. Wkb*** [1.2.5.3.]
	8	***CSPR 1.3.11*** [1.1.6.1.]	***CSPR 1.3.11*** [1.1.6.2.]	***Acct. Wkb*** [1.1.6.2.]	8	***CSPR 1.3.11*** [1.2.6.1.]	***CSPR 1.3.11*** [1.2.6.2.]	***Acct. Wkb*** [1.2.6.2.]
	HS	***CSPR 1.3.13*** [1.1.7.1.]	***CSPR 1.3.13*** [1.1.7.2.]	***Acct. Wkb*** [1.1.7.3.]	HS	***CSPR 1.3.13*** [1.2.7.1.]	***CSPR 1.3.13*** [1.2.7.2.]	***Acct. Wkb*** [1.2.7.3.]
	3-HS **NOT** PROFICIENT	***Auto Calc*** [1.1.8.1.]			3-HS **NOT** PROFICIENT	***Auto Calc*** [1.2.8.1.]		
	TOTAL # TESTED	***EDEN DG#588*** [1.1.9.1.]			TOTAL # TESTED	***EDEN DG#588*** [1.2.9.1.]		
	TOTAL # 3-HS LEP **NOT** TESTED	[1.1.10.1.]			TOTAL # 3-HS LEP **NOT** TESTED	[1.2.10.1.]		
READING/ENGLISH LANGUAGE ARTS	3	***CSPR 1.3.2*** [2.1.1.1.]	***CSPR 1.3.1*** [2.1.1.2.]	***Acct. Wkb*** [2.1.1.3.]	3	***CSPR 1.3.2*** [2.2.1.1.]	***CSPR 1.3.1*** [2.2.1.2.]	***Acct. Wkb*** [2.2.1.3.]
	4	***CSPR 1.3.4*** [2.1.2.1.]	***CSPR 1.3.3*** [2.1.2.2.]	***Acct. Wkb*** [2.1.2.3.]	4	***CSPR 1.3.4*** [2.2.2.1.]	***CSPR 1.3.3*** [2.2.2.2.]	***Acct. Wkb*** [2.2.2.3.]
	5	***CSPR 1.3.6*** [2.1.3.1.]	***CSPR 1.3.5*** [2.1.3.2.]	***Acct. Wkb*** [2.1.3.3.]	5	***CSPR 1.3.6*** [2.2.3.1.]	***CSPR 1.3.5*** [2.2.3.2.]	***Acct. Wkb*** [2.2.3.3.]
	6	***CSPR 1.3.7*** [2.1.4.1.]	***CSPR 1.3.7*** [2.1.4.2.]	***Acct. Wkb*** [2.1.4.3.]	6	***CSPR 1.3.7*** [2.2.4.1.]	***CSPR 1.3.7*** [2.2.4.2.]	***Acct. Wkb*** [2.2.4.3.]
	7	***CSPR 1.3.10*** [2.1.5.1.]	***CSPR 1.3.9*** [2.1.5.2.]	***Acct. Wkb*** [2.1.5.3.]	7	***CSPR 1.3.10*** [2.2.5.1.]	***CSPR 1.3.9*** [2.2.5.2.]	***Acct. Wkb*** [2.2.5.3.]
	8	***CSPR 1.3.12*** [2.1.6.1.]	***CSPR 1.3.11*** [2.1.6.2.]	***Acct. Wkb*** [2.1.6.3.]	8	***CSPR 1.3.12*** [2.2.6.1.]	***CSPR 1.3.11*** [2.2.6.2.]	***Acct. Wkb*** [2.2.6.3.]
	HS	***CSPR 1.3.14*** [2.1.7.1.]	***CSPR 1.3.13*** [2.1.7.2.]	***Acct. Wkb*** [2.1.7.3.]	HS	***CSPR 1.3.14*** [2.2.7.1.]	***CSPR 1.3.13*** [2.2.7.2.]	***Acct. Wkb*** [2.2.7.3.]
	3-HS **NOT** PROFICIENT	***Auto Calc*** [2.1.8.1.]			3-HS **NOT** PROFICIENT	***Auto Calc*** [2.2.8.1.]		
	TOTAL # TESTED	***EDEN DG#588*** [2.1.9.1.]			TOTAL # TESTED	***EDEN DG#588*** [2.2.9.1.]		
	TOTAL # 3-HS LEP **NOT** TESTED	[2.1.10.1.]			TOTAL # 3-HS LEP **NOT** TESTED	[2.2.10.1.]		

Does the State exercise the LEP flexibility afforded States by the Secretary for recent arrivals in AYP determination? (http://www.ed.gov/legislation/FedRegister/finrule/2006-3/091306a.html) [2.2.3.] ____ Yes ____ No

2.3 LEP Students in Grades not Tested for AYP

Instructions:
Provide the total number of LEP students in grades that were not tested for AYP. These figures reflect all students in grades K-2 and in the high school grades not tested for AYP.

Table 2.3
LEP Students/Non-AYP Grades [2.3.x.x.]

Grade	2004-05	2005-06
# LEP K-2	[1.1.]	[2.1.]
# LEP HS	[1.2.]	[2.2.]
# LEP Other Grades	[1.3.]	[2.3.]

2.4 Content assessment in Students' Native Language

2.4.1. Does the State offer the State academic content tests in the students' native language(s)? [2.4.1.]

_____ Yes _____ No

(If no, go to 2.5. If yes, complete Tables 2.4.2 and 2.4.3.)

2.4.2 If the answer is **yes to 2.4.1**, list the languages other than English, of the academic content tests provided in the State by the grades for which these native language tests are available, in Table 2.4.2. If more than one language is available for the grade, place a hard return (if electronic) in the row to add more space.

State should only report tests used for AYP purposes in the table

Definitions:

1. **Grade =** grades for which the native language version of the academic content test is offered
2. **Language(s) =** name of the language in which the academic content test is offered

Table 2.4.2 Test in Student's Native Language [2.4.2.x.x.]					
	GRADE	LANGUAGE		GRADE	LANGUAGE
MATHEMATICS	3	[1.1.]	RDG/LANGUAGE ARTS	3	[2.1.]
	4	[1.2.]		4	[2.2.]
	5	[1.3.]		5	[2.3.]
	6	[1.4.]		6	[2.4.]
	7	[1.5.]		7	[2.5.]
	8	[1.6.]		8	[2.6.]
	HS	[1.7.]		HS	[2.7.]

State response 2.4.2: (**Provide narrative here if needed.**) [2.4.2.3.]

Instructions:

If State response to 2.4.1 is YES, fill in the number and percentage of LEP subgroup scoring at "Proficient & Advanced" compared to the State's AYP targets for math and reading/language arts, for grades tested in 2004-2005 and for all grades listed in 2005-2006.

It is not necessary to respond to items that reference other collections in this form. Information provided by SEAs to the referenced collections will be collected and utilized to produce the Biennial Report.

This table is populated only if the state's response to 2.4.1 is YES.

Definitions:

1. **Grade =** grades in which the native language versions of the State academic content assessment is provided for LEP students
2. **Proficient & Advanced =** the number and the percent of students of the LEP subgroup that achieved "proficient" and "advanced", for each year
3. **Total Tested =** total number of ALL LEP students in all grades tested for each year through native language versions of the State academic content assessments

Table 2.4.3 Native Language Version of State Academic Content Assessment Results						
	2004-05			2005-06		
	GRADE	PROFICIENT & ADVANCED		GRADE	PROFICIENT & ADVANCED	
		#	%		#	%
MATHEMATICS	3	[1.1.1.1]	[1.1.1.2.]	3	[1.2.1.1]	[1.2.1.2.]
	4	[1.1.2.1.]	[1.1.2.2.]	4	[1.2.2.1.]	[1.2.2.2.]
	5	[1.1.3.1.]	[1.1.3.2.]	5	[1.2.3.1.]	[1.2.3.2.]
	6	[1.1.4.1.]	[1.1.4.2.]	6	[1.2.4.1.]	[1.2.4.2.]
	7	[1.1.5.1.]	[1.1.5.2.]	7	[1.2.5.1.]	[1.2.5.2.]
	8	[1.1.6.1.]	[1.1.6.2.]	8	[1.2.6.1.]	[1.2.6.2.]
	HS	[1.1.7.1.]	[1.1.7.2.]	HS	[1.2.7.1.]	[1.2.7.2.]
	TOTAL TESTED	***Auto Calc*** [1.1.8.1.]		TOTAL TESTED	***Auto Calc*** [1.2.8.1.]	
		#	%		#	%
READING/ENGLISH LANGUAGE ARTS	3	[2.1.1.1]	[2.1.1.2.]	3	[2.2.1.1]	[2.2.1.2.]
	4	[2.1.2.1.]	[2.1.2.2.]	4	[2.2.2.1.]	[2.2.2.2.]
	5	[2.1.3.1.]	[2.1.3.2.]	5	[2.2.3.1.]	[2.2.3.2.]
	6	[2.1.4.1.]	[2.1.4.2.]	6	[2.2.4.1.]	[2.2.4.2.]
	7	[2.1.5.1.]	[2.1.5.2.]	7	[2.2.5.1.]	[2.2.5.2.]
	8	[2.1.6.1.]	[2.1.6.2.]	8	[2.2.6.1.]	[2.2.6.2.]
	HS	[2.1.7.1.]	[2.1.7.2.]	HS	[2.2.7.1.]	[2.2.7.2.]
	TOTAL TESTED	***Auto Calc*** [2.1.8.1.]		TOTAL TESTED	***Auto Calc*** [2.2.8.1.]	

State response 2.4.3.3: (**Provide narrative here if needed.**) [2.4.3.3.]

2.5 Accommodations on State academic content assessments for LEP students

If the State allows accommodations for academic content assessments, check the accommodations used by subgrantees for LEP students in Table 2.5.

Note: if the State has provided information regarding academic content assessment in the students' native language in Table 2.4, check "Assessment in the native language" in this table.

Table 2.5 Test Accommodations [2.5.x.]	
Accommodations to Presentation	**Accommodations to Response**
[1.] Assessment in the native language [2.] Text changes in vocabulary [3.] Modification of linguistic complexity [4.] Addition of visual supports [5.] Use of glossaries in native language [6.] Use of glossaries in English [7.] Linguistic modification of test directions [8.] Additional example items/tasks [9.] Oral directions in the native language [10.] Use of dictionaries [11.] Reading aloud of questions in English [12.] Directions read aloud or explained	[13.] Answers written directly in test booklet [14.] Answers dictated [15.] Responses in native language **Accommodations to Timing/Scheduling** [16.] Extra assessment time [17.] Breaks during testing [18.] Administration in several sessions **Accommodations to Setting** [19.] Small-group or individual administration [20.] Separate room administration [21.] Other (Explain)

Rivera, C. and C. Stansfield (2000). *An analysis of state policies for the inclusion and accommodation of English language learners in state assessment programs during 1998-1999* (Executive Summary). Washington, DC: Center for Equity and Excellence in Education, The George Washington University.

State response 2.5: (Provide narrative here if "Other" is checked and/or provide additional information as needed.) [2.5.1.1.]

3. ACADEMIC CONTENT ASSESSMENT RESULTS OF MONITORED FORMER LEP STUDENTS [SEC. 3121(a)(4) p.1701, 3123(b)(8) p1705]

Monitored former LEP students are those who

- have achieved "proficient" on the State ELP assessment,
- have transitioned into classrooms that are not designed for LEP students,
- are no longer receiving Title III services, and who
- are being monitored for academic content achievement for 2 years after transition

Note: Monitoring of these students is required for 2 consecutive years and results must be reported whether or not they are in a grade counted for AYP.

3.1 Provide the count of "monitored former LEP students" in Table 3.1 below.

Definitions:

1. **# year one =** number of former LEP students in their first year of being monitored
2. **# year two =** number of former LEP students in their second year of being monitored

3. **Non-AYP Grades 3+ =** Grades 3 and above not tested for AYP.
4. **Total =** The sum of the subtotal of monitored LEP students in grades tested for AYP and the number of former LEP students in grades not tested for AYP.

Table 3.1 Former LEP Student by Year Monitored [3.1.X.X.X.]

	2004-05		2005-06	
GRADE	# YEAR ONE	# YEAR TWO	# YEAR ONE	# YEAR TWO
3	[1.1.1.]	[1.1.2.]	[2.1.1.]	[2.1.2.]
4	[1.2.1.]	[1.2.2.]	[2.2.1.]	[2.2.2.]
5	[1.3.1.]	[1.3.2.]	[2.3.1.]	[2.3.2.]
6	[1.4.1.]	[1.4.2.]	[2.4.1.]	[2.4.2.]
7	[1.5.1.]	[1.5.2.]	[2.5.1.]	[2.5.2.]
8	[1.6.1]	[1.6.2]	[2.6.1]	[2.6.2]
HS	[1.7.1.]	[1.7.2.]	[2.7.1.]	[2.7.2.]
Subtotal	[1.8.1.]	[1.8.2.]	[2.8.1.]	[2.8.2.]
Non-AYP Grades 3+	[1.9.1.]	[1.9.2.]	[2.9.1.]	[2.9.2.]
TOTAL	[1.10.1.]	[1.10.2.]	[2.10.1.]	[2.10.2.]

3.2 Academic achievement results by grade of monitored former LEP students tested for AYP.

It is not necessary to respond to items that reference other collections in this form. Information provided by SEAs to the referenced collections will be collected and utilized to produce the Biennial Report.

Definitions:

1. **Subject =** academic content subject areas in which former LEP student achievements are monitored
2. **Grade** = grade of the monitored former LEP students
3. **# monitored** = number of former LEP students being monitored for each year (year 1 plus year 2)
4. **# Proficient & Advanced =** the sum of the number of monitored former LEP students who achieved the "Proficient" level and the number of monitored LEP students who achieved the "Advanced" level on the State content tests
5. **# Below proficient =** the number of monitored former LEP students who did not achieve proficient level on the State academic content test at grade level
6. **Total =** the total numbers for each column and each subject

Table 3.2 Monitored Former LEP Student Results by Grade [3.2.X.X.X.X.]							
		2004-05			2005-06		
SUBJECT	GRADE	# MONITORED	# PROFICIENT & ADVANCED	# BELOW PROFICIENT	# MONITORED	# PROFICIENT & ADVANCED	# BELOW PROFICIENT
MATHEMATICS	3	*Auto Calc* [1.1.1.1.]	*CSPR 1.6.11.2* [1.1.1.2.]	*Auto Calc* [1.1.1.3.]	*Auto Calc* [1.2.1.1.]	*CSPR 1.6.11.2* [1.2.1.2.]	*Auto Calc* [1.2.1.3.]
	4	*Auto Calc* [1.1.2.1.]	*CSPR 1.6.11.2* [1.1.2.2.]	*Auto Calc* [1.1.2.3.]	*Auto Calc* [1.2.2.1.]	*CSPR 1.6.11.2* [1.2.2.2.]	*Auto Calc* [1.2.2.3.]
	5	*Auto Calc* [1.1.3.1.]	*CSPR 1.6.11.2* [1.1.3.2.]	*Auto Calc* [1.1.3.3.]	*Auto Calc* [1.2.3.1.]	*CSPR 1.6.11.2* [1.2.3.2.]	*Auto Calc* [1.2.3.3.]
	6	*Auto Calc* [1.1.4.1.]	*CSPR 1.6.11.2* [1.1.4.2.]	*Auto Calc* [1.1.4.3.]	*Auto Calc* [1.2.4.1.]	*CSPR 1.6.11.2* [1.2.4.2.]	*Auto Calc* [1.2.4.3.]
	7	*Auto Calc* [1.1.5.1.]	*CSPR 1.6.11.2* [1.1.5.2.]	*Auto Calc* [1.1.5.3.]	*Auto Calc* [1.2.5.1.]	*CSPR 1.6.11.2* [1.2.5.2.]	*Auto Calc* [1.2.5.3.]
	8	*Auto Calc* [1.1.6.1.]	*CSPR 1.6.11.2* [1.1.6.2.]	*Auto Calc* [1.1.6.3.]	*Auto Calc* [1.2.6.1.]	*CSPR 1.6.11.2* [1.2.6.2.]	*Auto Calc* [1.2.6.3.]
	HS	*Auto Calc* [1.1.7.1.]	*CSPR 1.6.11.2* [1.1.7.2.]	*Auto Calc* [1.1.7.3.]	*Auto Calc* [1.2.7.1.]	*CSPR 1.6.11.2* [1.2.7.2.]	*Auto Calc* [1.2.7.3.]
	TOTAL	*Auto Calc* [1.1.8.1.]	*Auto Calc* [1.1.8.2.]	*Auto Calc* [1.1.8.3.]	*Auto Calc* [1.2.8.1.]	*Auto Calc* [1.2.8.2.]	*Auto Calc* [1.2.8.3.]
RDG/LANGUAGE ARTS	3	*Auto Calc* [2.1.1.1.]	*CSPR 1.6.11.2* [2.1.1.2.]	*Auto Calc* [2.1.1.3.]	*Auto Calc* [2.2..1.1.]	*CSPR 1.6.11.2* [2.2..1.2.]	*Auto Calc* [2.2..1.3.]
	4	*Auto Calc* [2.1.2.1.]	*CSPR 1.6.11.2* [2.1.2.2.]	*Auto Calc* [2.1.2.3.]	*Auto Calc* [2.2..2.1.]	*CSPR 1.6.11.2* [2.2..2.2.]	*Auto Calc* [2.2..2.3.]
	5	*Auto Calc* [2.1.3.1.]	*CSPR 1.6.11.2* [2.1.3.2.]	*Auto Calc* [2.1.3.3.]	*Auto Calc* [2.2..3.1.]	*CSPR 1.6.11.2* [2.2..3.2.]	*Auto Calc* [2.2..3.3.]
	6	*Auto Calc* [2.1.4.1.]	*CSPR 1.6.11.2* [2.1.4.2.]	*Auto Calc* [2.1.4.3.]	*Auto Calc* [2.2..4.1.]	*CSPR 1.6.11.2* [2.2..4.2.]	*Auto Calc* [2.2..4.3.]
	7	*Auto Calc* [2.1.5.1.]	*CSPR 1.6.11.2* [2.1.5.2.]	*Auto Calc* [2.1.5.3.]	*Auto Calc* [2.2..5.1.]	*CSPR 1.6.11.2* [2.2..5.2.]	*Auto Calc* [2.2..5.3.]
	8	*Auto Calc* [2.1.6.1.]	*CSPR 1.6.11.2* [2.1.6.2.]	*Auto Calc* [2.1.6.3.]	*Auto Calc* [2.2..6.1.]	*CSPR 1.6.11.2* [2.2..6.2.]	*Auto Calc* [2.2..6.3.]
	HS	*Auto Calc* [2.1.7.1.]	*CSPR 1.6.11.2* [2.1.7.2.]	*Auto Calc* [2.1.7.3.]	*Auto Calc* [2.2..7.1.]	*CSPR 1.6.11.2* [2.2..7.2.]	*Auto Calc* [2.2..7.3.]
	TOTAL	*Auto Calc* [2.1.8.1.]	*Auto Calc* [2.1.8.2.]	*Auto Calc* [2.1.8.3.]	*Auto Calc* [2.2..8.1.]	*Auto Calc* [2.2..8.2.]	*Auto Calc* [2.2..8.3.]

3.2.3 Does the State include the students reported in Table 3.2 in the calculations for the LEP subgroup AYP? [3.2.3.]

_____ Yes _____ No

3.2.4 Provide the number of the Year 1 and Year 2 monitored former LEP students in grades not tested for AYP who met grade level academic achievement standards in Math and Reading/Language Arts based on State/local criteria.

3.2.4 Performance of Monitored Former LEP Students /Non-AYP Grades [3.2.4.X.X.]			
2004 – 2005		2005 - 2006	
# Achieved Grade level Standards		# Achieved Grade level Standards	
Monitored Year 1	Monitored Year 2	Monitored Year 1	Monitored Year 2
[1.1.]	[1.2.]	[2.1.]	[2.2.]

State response 3.2.4: **(Describe how the monitored former LEP students in the State are performing at grade level or meeting grade level standards.)** [3.2.4.3.]

3.2.5 What percentage of the monitored former LEP students were returned to LEP services, if the State exercises such practices?

State response 3.2.5: (Explain the criteria and process of returning monitored former LEP students to LEP services.) [3.2.5.]

3.2.6 If monitored former LEP students were returned to LEP services, how does this impact the performance of the subgrantees and the State in meeting Title III AMAO for "Attainment" of English proficiency? [3.2.6.]

State response 3.2.6:

3.3 What is the State's policy on monitored former LEP students when they fail to meet state academic achievement standards? What technical assistance does the State provide to subgrantees whose monitored former LEP students do not meet State academic achievement standards during the 2 years while those students were being monitored?

State response 3.3: **(Provide narrative here)** [3.3.]

4. TITLE III SUBGRANTEE PERFORMANCE AND STATE ACCOUNTABILITY
[SEC. 3122(b)(2) p. 1703, 3123(b)(1, 4) p.1704-5, 3121(b)(2) p. 1701]

4.1 Provide the count for each year in Table 4.1.

It is not necessary to respond to items that reference other collections in this form. Information provided by SEAs to the referenced collections will be collected and utilized to produce the Biennial Report.

Table 4.1 Title III Subgrantee Performance Information [4.1.X.X.]		
	2004-05	**2005-06**
Total number of subgrantees for each year	***CSPR 1.6.10*** [1.1.]	***CSPR 1.6.10*** [2.1.]
Total number of subgrantees that met all three Title III AMAOs*	***CSPR 1.6.10*** [1.2.]	***CSPR 1.6.10*** [2.2.]
Total number of subgrantees that met 2 AMAOs only	***Auto Calc*** [1.3.]	***Auto Calc*** [2.3.]
Number of subgrantees that met AMAOs of Making Progress and ELP Attainment	[1.4.]	[2.4.]
Number of subgrantees that met AMAOs of Making Progress and AYP	[1.5.]	[2.5.]
Number of subgrantees that met AMAOs of ELP Attainment and AYP	[1.6.]	[2.6.]
Total number of subgrantees that met 1 AMAO only	***Auto Calc*** [1.7.]	***Auto Calc*** [2.7.]
Number of subgrantees that met AMAO of Making Progress	[1.8.]	[2.8.]
Number of subgrantees that met AMAO of Attainment of ELP	[1.9.]	[2.9.]
Number of subgrantees that met AMAO AYP	[1.10.]	[2.10.]
Total number of subgrantees that did not meet any AMAO	[1.11.]	[2.11.]
Total number of subgrantees that did not meet AMAOs for two consecutive years	[1.12.]	[2.12.]
Total number of subgrantees with an improvement plan for not meeting Title III AMAOs		***CSPR 1.6.10*** [2.13.]
Total number of subgrantees who have not met Title III AMAOs for four consecutive years (beginning in 2007-08)		

4.2 Did the **State** meet **all** three Title III AMAOs in 2005-2006? * [4.2.] _____ YES _____ NO

*Meeting all three Title III AMAOs means meeting each State set target for each objective: Making Progress, Attaining Proficiency and making AYP.

State response 4.2.1: **(Provide narrative here if needed.)** [4.2.1.]

4.3 Describe the State plan to provide technical assistance in developing improvement plans and other technical assistance to subgrantees that have failed to meet Title III AMAOs for two or more consecutive years.

State response 4.3: **(Provide narrative here.)** [4.3.]

5. PROGRAMS AND ACTIVITIES FOR IMMIGRANT CHILDREN AND YOUTH

[SEC. 3115(e)(1)(A-G) p. 1699]

5.1 Complete Table 5.1

It is not necessary to respond to items that reference other collections in this form. Information provided by SEAs to the referenced collections will be collected and utilized to produce the Biennial Report.

Definitions:

1. **# immigrants enrolled in the State =** the number of students, who meet the definition of immigrant children and youth in Section 3301(6), enrolled in elementary or secondary schools in the State
2. **# immigrants served by Title III =** the number of immigrant students who participated in programs for immigrant children and youth funded under Section 3114(d)(1), using the funds reserved for immigrant education programs/activities
3. **# of immigrant subgrants =** the number of subgrants made in the State under Section 3114(d)(1), with the funds reserved for immigrant education programs/activities

Table 5.1 Education Programs for Immigrant Students [5.1.X.X.]					
2004-2005			**2005-2006**		
# Immigrants enrolled in the State	**# Immigrants served by Title III**	**# Immigrant subgrants**	**# Immigrants enrolled in the State**	**# Immigrants served by Title III**	**# Immigrant subgrants**
[1.1.]	***CSPR 1.6.4.2*** [1.2.]	***CSPR 1.6.4.3*** [1.3.]	***SEE NOTE*** [2.1.]	***CSPR 1.6.4.2*** [2.2.]	***CSPR 1.6.4.3*** [2.3.]

State response 5.1: (Provide information on what has changed, e.g., sudden influx of large number of immigrant children and youth, increase/change of minority language groups, or sudden population change in school districts that are less experienced with education services for immigrant students in the State during the 2 previous years.) [5.1.3.]

5.2 Provide information on the programs or activities conducted by subgrantees for immigrant children and youth.

Instructions: Provide the number of subgrantees who have conducted each of the activities in Table 5.2 for the education enhancement of immigrant children and youth. A subgrantee may conduct more than one such activity. This table requires the aggregated number of activities conducted in the 2 years covered by this biennial report. The State should provide more detailed information for each year in the narrative if needed.

Table 5.2 Subgrantee Activities for Immigrant Youth and Children [5.2.1.X.]	
# subgrantees	**Activity conducted**
[1.]	family literacy, parent outreach, and training
[2.]	support for personnel, including teacher aides, to provide services for immigrant children and youth
[3.]	provision of tutorials, mentoring, and academic career counseling
[4.]	identification and acquisition of curricular materials, software, and technologies
[5.]	basic instructional services
[6.]	other instructional services, such as programs of introduction to the educational system and civics education
[7.]	activities coordinated with community based organizations, institutions of higher education, private sector entities, or other entities to assist parents by offering comprehensive community services
[8.]	Other authorized activities for the education of immigrant children and youth (Describe)

State response 5.2: (Summarize the most common activities conducted and discuss the effectiveness of the activities in meeting the needs of the immigrant children and youth and in achieving the goals of this program.) [5.2.2.]

5.3 Distribution of Funds

How does the State distribute the funds reserved for the education of immigrant children and youth to subgrantees? (Check those that apply) [5.3.1.x.]

[1.] _____ Annual
[2.] _____ Multi-year
[3.] _____ Competitive
[4.] _____ Formula

State response 5.3: (Provide additional information on the State's subgrant process, as needed) [5.3.2.]

6 TITLE III PROGRAMS OR ACTIVITIES (AS DESCRIBED IN SECTION 3115 (c, d & e)) CONDUCTED BY SUBGRANTEES TERMINATED FOR FAILURE TO REACH PROGRAM GOALS DURING THE TWO PROCEEDING YEARS [SEC. 3123(b)(7) p.1705]

6.1 Programs/Activities for Immigrant Children and Youth Terminated for Failing to Reach Program Goals

Were any Title III language instruction educational programs **OR** programs and activities for immigrant children and youth terminated for failure to reach program goals during the two preceding years in the State? [6.1.1.]

_____ YES _____ NO

(If NO, proceed to 7. If YES, provide the number in 6.1.2.)

6.1.2 [6.1.2.] _____ Number of terminated programs or activities

State response 6.1.2: (Provide a summary explaining why these programs or activities did not reach program goals.) [6.1.2.1.]

7. TEACHER INFORMATION AND PROFESSIONAL DEVELOPMENT ACTIVITIES CONDUCTED BY SUBGRANTEES [SEC. 3115(c)(1)(B) p. 1698, SEC. 3116(c) p.1701, 3123(b)(5) p. 1705]

7.1 Provide the number of teachers in the State who are working in the Title III language instruction educational programs as defined in SEC. 3301(8) and reported in Table 1.1.

Note: Section 3301(8) - The term 'Language instruction educational program' means an instruction course – (A) in which a limited English proficient child is placed for the purpose of developing and attaining English proficiency, while meeting challenging State academic content and student academic achievement standards, as required by section 1111(b)(1); and (B) that may make instructional use of both English and a child's native language to enable the child to develop and attain English proficiency, and may include the participation of English proficient children if such course is designed to enable all participating children to become proficient in English and a second language.)

[7.1.1.] _____ Total number of certified/licensed teachers **currently** working in Title III language instruction educational programs in the State.

[7.1.2.] _____ Total estimated number of **additional** certified/licensed teachers that the State will need for the Title III language instruction educational programs in the next 5 years *

*This number should be the total additional teachers needed for the next five years. **Do not** include the number of teachers currently working in Title III English language instruction educational programs.

State response 7.1: **(Provide narrative here if needed.)** [7.1.3.]

7.2.1 **Does the State require special certification/licensure/endorsement for teachers who teach in language instruction educational programs (Section 3301(8))?** [7.2.1.1.]

____ Yes _____ No

If **yes**, describe the eligibility requirements for teachers to teach in language instruction educational programs in the State.

If **no**, does the State plan to develop eligibility requirements for teachers to teach in language instruction educational programs?

State response 7.2.1: **(Provide narrative here if needed.)** [7.2.1.2.]

7.2.2 Does the State have specific qualification requirements in addition to those cited in Section 1119(3)(g) for paraprofessionals who assist teachers in Title III language instruction educational programs? [7.2.2.]

_____ Yes _____ No

State response 7.2: **(Provide narrative here if necessary)** [7.2.3.]

7.3 How is teacher language fluency determined for English and any other language of instruction used in Title III language instruction educational programs? (SEC. 3116(c))

Instructions :

Fill in the number of subgrantees that use each of the following methods. This table requires the aggregated data for the 2 years covered by this biennial report. The State should provide additional information for each year in the narrative response, if needed.

# of Subgrantees	Table 7.3 Methods of Determining Language Fluency [7.3.1.X.]
[1.]	State required English fluency exam for oral and written skills
[2.]	State required exam for fluency in another language for oral and written skills
[3.]	State certification/recertification/licensing requirement
[4.]	LEA required English fluency exam for oral and written communication skills
[5.]	LEA required fluency exam for another language for oral and written skills
[6.]	LEA testing/interview during hiring
[7.]	LEA endorsed, based on professional development and other training
[8.]	LEA determined other evidence of language fluency (**explain**)
[9.]	Other (**explain**) [10]

State response 7.3: **(Provide narrative here if needed.)** [7.3.2.]

7.4 Provide information on the subgrantees that conducted professional development activities that met Title III requirements (SEC. 3115 (c)(2 A-D) in Table 7.4.

Instructions:
Report professional development activities that are funded under Title III and/or related to Title III required activities ONLY. The table covers the period of this report.

Definitions:

1. **Professional Development Activity =** subgrantee activities for professional development required under Title III [SEC. 3115(c)(2)(A-D)]
2. **# subgrantees =** the number of subgrantees who conducted each type of professional development activity. A subgrantee may conduct more than one professional development activity.
3. **Total Number of Participants =** the total number of teachers, administrators and other personnel who participated in each type of the professional development (PD) activities

Table 7.4 Subgrantee Professional Development Activities [7.4.X.X.X.]

Type of PD Activity	# Subgrantees	
Instructional strategies for LEP students	[1.1.1.]	
Understanding and implementation of assessment of LEP students	[1.2.1.]	
Understanding and implementation of ELP standards and academic content standards for LEP students	[1.3.1.]	
Alignment of the curriculum in language instruction educational programs to ELP standards	[1.4.1.]	
Subject matter knowledge for teachers	[1.5.1.]	
Other (Explain)	[1.6.1.]	
Participant Information	**# Subgrantees**	**Total Number of Participants**
PD provided to content classroom teachers	[2.1.1.]	[2.1.2.]
PD provided to LEP classroom teachers	[2.2.1.]	[2.2.2.]
PD provided to principals	[2.3.1.]	[2.3.2.]
PD provided to administrators/other than principals	[2.4.1.]	[2.4.2.]
PD provided to other school personnel/non-administrative	[2.5.1.]	[2.5.2.]
PD provided to community based organizational personnel	[2.6.1.]	[2.6.2.]

7.4 State Response: (Explain what the State did to ensure that PD activities conducted by subgrantees meet the Title III requirements under Section 3115 (c)(2)(A-D), including how the PD activities were based on scientific research and were effective in enhancing teacher knowledge and skills in teaching LEP students.) [7.4.3.]

8. STATE LEVEL ACTIVITIES CONDUCTED AND TECHNICAL ASSISTANCE PROVIDED TO SUBGRANTEES [SEC. 3111(b)(2)(A-D) p.1691-2, 3123(b)(4) p. 1705]

8.1 Technical Assistance Provided by the States [8.1.1.x.]

During the two preceding years, what technical assistance was provided by the State to subgrantees?

(Check all that apply)

The State provided technical assistance to subgrantees in:

[1.] 1. Identifying and implementing English language instructional programs and curricula based on scientific research

[2.] 2. Helping LEP students to meet academic content and student academic achievement standards expected of all students

[3.] 3. Identifying or developing and implementing measures of English language proficiency

[4.] 4. Promoting parental and community participation in programs that serve LEP children

State response 8.1: (Describe how the State evaluates the effectiveness of State level technical assistance (TA), including how the TA has improved subgrantees' performance in assisting LEP students to achieve English proficiency and academic standards.) [8.1.2.]

8.2 Other State activities conducted during the two preceding years, and the effectiveness of such activities.

Check all that apply.

1) Professional development and other activities to assist personnel in meeting certification requirements [8.2.1.x.]

__[1.]__ Increased the number of certified/licensed/endorsed teachers for language instruction educational programs in the State

__[2.]__ Increased the number of teachers trained in teaching LEP students by course credits or professional development points towards certification/endorsement

__[3.]__ Increased teacher knowledge and ability in using State ELP standards and assessment

__[4.]__ Other (Explain) [8.2.1.4.1]

2) Planning, evaluation, administration, and interagency coordination related to subgrants [8.2.2.x.]

__[1.]__ Planning: facilitated comprehensive services for LEP students

__[2.]__ Planning: facilitated utilizing all professional development resources for the training of all teachers on the teaching and learning of LEP students

__[3.]__ Evaluation: informed improvement of Title III program implementation

__[4.]__ Interagency Coordination: facilitated establishing State level standards and/or guidelines for instructional and other educational services for LEP students

__[5.]__ Consolidating Title III SEA Administrative Funds: provided additional resources for Title III program implementation/administration

__[6.]__ Other (Explain) [8.2.2.6.1]

3) Recognition of subgrantees that exceeded AMAOs [8.2.3.]
4) Other state level authorized activities [8.2.4.]

State response 8.2: **(Describe how the State evaluates the effectiveness of State level activities conducted, including how these activities have improved sub-grantees' performance in assisting LEP students to achieve English proficiency and academic standards.)** [8.2.5.x.]

1. [1.]
2. [2.]
3. [3.]
4. [4.]

8.3 Compliance with parental notification and parental participation requirements under Section 3302. Describe how the State ensured that subgrantees:

1. complied with parental notification provisions for identification and placement. Ensured that parents were informed on all the requirements specified in [SEC. 3302(a)(1-8) p. 1732]

2. complied with parental notification when the LEA failed to meet Title III annual measurable achievement objectives each year within prescribed time frame [SEC. 3302(b) p. 1732]

3. provided parental notifications in an understandable and uniform format, and, to the extent practical, in a language that the parent could understand. [SEC. 3302(c) p. 1732-3]

4. fulfilled the parental participation and outreach provisions. [SEC. 3302(e) p. 1732-3]

State response 8.3: **(Address each of the items above.)**

1. [8.3.1.]
2. [8.3.2.]
3. [8.3.3.]
4. [8.3.4.]

9. OPTIONAL QUESTIONS

RESPONSES TO THE FOLLOWING QUESTIONS ARE NOT REQUIRED, BUT WOULD BE HELPFUL TO THE DEPARTMENT IN UNDERSTANDING SERVICES TO LEP STUDENTS IN THE STATE.

9.1 Do LEAs provide information to the State on mobility rates for all students? (Mobility rate has been collected by NCES. It is defined in the Common Core of Data collection and in the national education data dictionary.) [9.1.]

____ Yes _____ No

(If yes, Please provide that rate.) [9.1.1.]

9.2 Does the State calculate a State LEP mobility rate? [9.2.]

____ Yes _____ No

(If yes, please provide that rate.) [9.2.1.]

9.3 Does the State calculate the difference between the LEP subgroup AYP status with or without the inclusion of monitored former LEP students' achievement results? [9.3.]

____ Yes _____ No

If yes, what is the difference? [9.3.1.]

APPENDIX C: METHODOLOGY

Requirements

ESEA requires that each eligible entity receiving Title III funds (referred to as a "subgrantee") prepare a biennial report for the state. Subgrantees must provide:

> (1) A description of the programs and activities conducted by the entity with funds received under [Title III] subpart 1 during the two immediately preceding fiscal years;
> (2) A description of the progress made by children in learning the English language and meeting challenging State academic content and student academic achievement standards;
> (3) The number and percentage of children in the programs and activities attaining English proficiency by the end of each school year, as determined by a valid and reliable assessment of English proficiency; and
> (4) A description of the progress made by children in meeting challenging State academic content and student academic achievement standards for each of the two years after such children are no longer receiving services under this part [of Title III] (§3121(a)).

The state collects and synthesizes the data from its subgrantees, adds state-level data, and provides the Department of Education with this information. As described in §3123(a) –

> STATES—Based upon the evaluations provided to a State educational agency under section 3121, each such agency that receives a grant under this part shall prepare and submit every second year to the Secretary a report on programs and activities carried out by the State educational agency under this part and the effectiveness of such programs and activities in improving the education provided to children who are limited English proficient.

Based on state-reported data, the secretary of education, through OELA, prepares the biennial report to Congress, pursuant to §3123(b)(1–9).

> (b) SECRETARY—Every second year, the Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representations and the Committee on Health, Education, Labor, and Pensions of the Senate a report—
> (1) on programs and activities carried out to serve limited English proficient children under this part, and the effectiveness of such pro-

grams and activities in improving the academic achievement and English proficiency of children who are limited English proficient;
(2) on the types of language instruction educational programs used by local educational agencies or eligible entities receiving funding under this part to teach limited English proficient children;
(3) containing a critical synthesis of data reported by eligible entities to States under §3121(a);
(4) containing a description of technical assistance and other assistance provided by State educational agencies under §3111(b)(2)(C);
(5) containing an estimate of the number of certified or licensed teachers working in language instruction educational programs and educating limited English proficient children, and an estimate of the number of such teachers that will be needed for the succeeding 5 fiscal years;
(6) containing the major findings of scientifically based research carried out under this part;
(7) containing the number of programs or activities, if any, that were terminated because the entities carrying out the programs or activities were not able to reach program goals;
(8) containing the number of limited English proficient children served by eligible entities receiving funding under this part who were transitioned out of language instruction educational programs funded under this part into classrooms where instruction is not tailored for limited English proficient children; and
(9) containing other information gathered from the evaluations from specially qualified agencies and other reports submitted to the Secretary under this title when applicable.

These reporting requirements are reflective of the accountability provisions of *ESEA* and of the expectations for states with regard to data collection. *ESEA* requires that states report, on a statewide basis, on the progress LEP students are making in learning and attaining English at the same time as they are included in the same academic achievement targets established for all students (§1111(b)(3)(C)(xiii)).

Data Collection Approach

To collect the needed data in a systematic fashion, OELA staff analyzed the legislative requirements for the biennial report to Congress and worked with the Office of Management and Budget (OMB) to create a biennial report data collection form. The final biennial report form approved by OMB (OMB No. 1885-0553, which expires Aug. 31, 2009) requests data from the states on the nine “evaluation elements” listed in

§3123(b)(1–9). The questionnaire was the tool used to gather the information on which this biennial report is based.

The biennial report form includes items that ask respondents to choose one or more responses from a list, to fill in tables with specific data, such as the percentage or number of LEP students reaching certain levels of English fluency and content achievement, and to provide some responses in narrative form. (See Appendix B for a copy of the OMB-approved biennial report form.) OELA sent this biennial report form to SEAs on Sept. 30, 2006. The online data collection system, with online and telephone support, was open for states from Dec. 1 through Dec. 31, 2006. Much of the data required for this biennial report now are collected through the annual online data collection for the Consolidated State Performance Reports (CSPRs), and other data already were available through the states' Accountability Workbooks.[29] In order to minimize the data entry for states and maximize the comparability of the two data collection efforts —CSPR and biennial report—data from both the CSPRs and the states' Accountability Workbooks were migrated to the online OMB data collection form, as appropriate.

Data Review

There were two types of data collected through the biennial report form: (1) counts and numbers (e.g., number and type of LIEPs implemented in each state, number of LEP students served, percentage of students achieving at the proficient or advanced level in reading or language arts) and (2) narrative responses, such as descriptions of successful professional development activities, that states provided.

Although all 50 states, the District of Columbia, and the Commonwealth of Puerto Rico submitted responses, they varied in depth and breadth. Once the data were reviewed, states were contacted to clarify answers, to determine whether missing data could be obtained, or both. States were informed that further explanations and additional data would be accepted for inclusion in the report until Jan. 12, 2007. Further, some data were modified to reflect responses that states provided in the written comments.

[29] The Consolidated State Performance Report (CSPR) is the required annual reporting tool for of each state as authorized under *ESEA* §9303. Each state is additionally required to submit to the U.S. Department of Education, a workbook that detailes the implementation of its single accountability system under Title I.

Data collection and review processes are summarized briefly below. The summaries cover data from the CSPRs (for both 2004–05 and 2005–06, listed separately) and from the OMB biennial report data collection form.

The process related to data collection and review from the 2004–05 CSPR is as follows.

- Data were collected in the fall of 2005. Once completed, the state chief or superintendent "certified" that the data were correct. During August 2006, personnel from the Department of Education and its contractor NCELA reviewed the Title III-related data for missing or anomalous data. Follow-up phone calls and e-mails were made; some states provided additional or modified data during September 2006. These corrected data are referred to herein as "verified" data.
- Verified data were migrated into the Title III biennial report online data collection form. These data were received on Dec. 3, 2006. If a Title III state director believed that data were erroneous, he or she could request, in writing, a change in the data.

The process related to data collection and review from the 2005–2006 CSPR is as follows.

- Data were collected during November 2006. Once completed, the state chief or superintendent "certified" that the data were correct.
- Certified data were migrated into the Title III biennial report online data collection form. If a Title III state director believed that data were erroneous, he or she could request that the data be modified within the CSPR system. These changes are reflected in both the Title III biennial report database and the Department of Education database (EDEN). These data still are referred to as "certified" since they have not gone through a formal review.
- Certified data were received on Dec. 3, 2006. NCELA staff reviewed the data for missing or anomalous data. States were contacted by Dec. 15 to request further data or explanations of anomalous data by Dec. 22. Only the most obvious and egregious omissions and defects were identified and addressed. These data are as correct as possible, given the quick turnaround. They are referred to herein as "verified," but are not yet "final." They may or may not match the data available in the EDEN system; the Department of Education reviewed these data later in Spring 2007.

The process related to data specific to Title III that were collected first and only with the OMB-approved Title III biennial report data collection form is as follows.

- These data were collected during December 2006. Once completed, the state chief or superintendent "certified" that the data were correct.
- Certified data were provided on Jan. 6, 2007. NCELA staff reviewed the data for missing or anomalous data. States were contacted by Jan. 8 to request further data or explanations of these data by Jan. 15. Only the most obvious and egregious omissions and defects were identified and addressed with states. These data are as correct as possible, given the quick turnaround. They are referred to herein as "verified," but are not yet "final."

A "final" Department of Education data set was provided on Jan. 18, 2007. At this point, all comments and narrative information related to items in the data collection form that required numeric data were reviewed by NCELA staff. Where appropriate, some data were modified to meet the explanations provided by the states. For instance, some states indicated that they had difficulty in entering certain data in the format specified by the OMB-approved data collection form and provided those data in the "comments" fields of the form. These "new" data were entered into the database. These are the data on which this report is based, and they may not match the data within the EDEN system.

Data from the various states are not equivalent, and should not be compared. While *ESEA* provides a definition of "limited English proficient" (see §9101(25)), there is no one, common, approved method to operationalize this term either for initial identification purposes or to exit LEP students from LIEPs. States use different assessments to determine levels of ELP, and even states that use the same instrument may use different cut scores for classifying students as LEP. Data submitted by the states are as varied as the states themselves. Aggregating or comparing test results across states is like comparing apples and oranges. As stated by the School Information Partnership, a public-private collaboration designed to empower parents, educators, and policymakers to use the *ESEA* data to make informed decisions and improve school results (funded by the Broad Foundation and the U.S. Department of Education):

> The No Child Left Behind Act allows states to set their own curricular standards and to design state assessments to measure mastery of those standards. In addition, each state has established a different definition for what it means to a student to be "proficient." Consequently, … making cross state comparisons would not yield analytically sound results. (School Information Partnership, n.d.)

Each state defined "limited English proficient" for its own purposes, then created its own ELP standards, identified or created its own assessments, developed its own cut scores, and identified different cohorts for which data would be reported. Therefore, the information in the body of this report is presented in individual state profiles that provide an overview of the activities and programs supported by Title III, and the progress students are making in each state. To the extent possible, data are reported as provided by the states. There are exceptions: (1) When questions arose, NCELA staff contacted the state, and requested clarification(s), and data reported herein are based on those "new" data, (2) when appropriate, numbers have been reported at one decimal place using standard rounding procedures, and (3) some minor adjustments had to be made so data could be reported in as systematic a fashion as possible.[30]

Several items on the biennial report form offered states the opportunity to provide explanations of numbers provided "as appropriate" or "if necessary." Some states provided detailed narrative responses, others chose not to respond to one or more items. Narrative responses were reviewed carefully and grouped together in coherent categories. This information is used when appropriate to further understand states' activities.

Challenges

The stipulations for reporting set forth in §3121(a)(1-4) require a data collection and reporting system that no state had in place at the time of the reauthorization of *ESEA*. The nine evaluation elements address not only descriptive data on practices and services, but precise quantitative data on teachers and students in a broad range of areas. Some states still are establishing or refining systems to collect these data. Thus, in a number of areas, states have reported that data are not yet available or that

[30] As an example, some states reported no data in the tables provided, but did include data from multiple cohorts in the narrative text area. When possible, these data were manipulated to provide one number that could be reported. However, in some cases, these states indicated that they had used complicated formulae (which were not provided or explained further) to create test scores for students in different cohorts—these scores could not be manipulated.

data on LEP students served by Title III cannot be separated from data on all LEP students or cannot be separated from Title I-served LEP students. These problems are most prevalent in reporting on academic achievement in the content areas with regard to both students currently served and students who have been transitioned out of LIEPs.

Similarly, several states have developed or implemented new ELP or academic achievement assessments. Some of these states have indicated that they have not yet used these assessments for a long enough period of time to develop appropriate AMAOs. While OELA has consistently reminded states of the need to provide these data, there are missing data in virtually every area of data collection.

States have reported challenges in dealing with students new to public schools in the United States and in showing academic and language proficiency gains among the varying LEP groups of students. To help alleviate these challenges, the secretary introduced two provisions in February 2004 allowing states flexibility in (1) the testing of LEP students "newly arrived" to public schools in the United States,[31] as well as (2) the LEP students who have made sufficient progress in English language acquisition to exit the LEP category.

Regarding the testing of newly arrived LEP students, states have indicated that it often is difficult to test them in English because of their lack of familiarity with the English language and the content being tested. During LEP students' first year of enrollment in a U.S. school, the LEAs have the option of using an ELP assessment in place of a reading or language arts content assessment, in addition to the mathematics content assessment, with accommodations as necessary (these students may be "counted" as tested, but the ELP test score is not combined with reading or language arts test scores). This is a one-time exemption only. If a state develops and administers a native-language content assessment it does count toward the first year of participation in assessment.

The second challenge reported by states is that LEP students typically exit the LEP subgroup once they attain ELP and new students join the LEP subgroup when they enter the schools. States have maintained that they have difficulty demonstrating that the LEP subgroup is making progress because: (1) "successful" students leave the

[31] "Newly arrived" students are those students who have been enrolled in school in the United States for less than one year.

subgroup and (2) students join the subgroup who are less proficient in English and score poorly on English-language content assessments. Accordingly, the flexibilities allow states to combine assessment results of current LEP students and students who have exited from LIEPs within the past two years. This means that “successful” students’ test scores are maintained in the LEP subgroup for two years. This should make it possible for states and LEAs to show growth (ELP and academic content) in the LEP subgroup.

While both of these provisions offer states flexibility in demonstrating progress for the two groups of students—newly arrived and the LEP subgroup—there remains a challenge to data collection: For many states, the ability to collect and maintain these data is not yet in their accountability system. And, until states have this ability, they will not have complete data on either newly arrived LEP students or on the entire LEP subgroup.

Collecting and reporting these data have not been without challenges. However, taken collectively, reasonable profiles of activities and progress within each state are possible. The “Profiles of States, District of Columbia, and Commonwealth of Puerto Rico” section of this report examines the evaluation elements and the information each provides on Title III programs and services.

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