# **Attachment 1: Federal and State Law Regarding English Learners**

Table 1: Federal and State Law Regarding English Learners

| **Requirement** | **Federal Title I1** | **Federal Title III2** | **State Law & Regulations** |
| --- | --- | --- | --- |
| English Language Proficiency standards adopted by the state must be derived from the four domains of Speaking, Listening, Reading, and Writing; address the different proficiency levels of EL students; and align with the challenging state academic standards. | 20 United States Code (U.S.C) Section 6311[b][1][F], [b][2][G]; *Code of Federal Regulations,* Title 34, Section 200.5[a][2]). | 20 U.S.C. Section 6823[b][3][E] | California *Education Code (EC)* Section60810[a][1], [b][1] |
| States must develop an assessment of English proficiency that is aligned with the state’s ELP standards, and is fair, valid, and reliable. | 20 U.S.C. Section 6311[b][2][G][ii] | Title III details requirements for language instruction to English learner students, but specific assessment requirements are detailed in Title I. 34 CFR Section 200.2 (2)(i) | *EC* Section60810 [2] |
| LEAs must administer an annual assessment of English proficiency to all ELs served by that LEA in grades kindergarten through twelve. | 20 U.S.C. Section 6311[b][2][G][i] | 20 U.S.C. Section 6823[b][3][B] | *EC* sections 313, 60810; California *Code of Regulations*, Title 5 (5 *CCR*), Sections 11306, 11518.15(a) |
| LEAs are required to provide EL students with effective and appropriate instructional methods, including but not limited to establishing language acquisition programs, to ensure that all EL students have access to the core academic content standards and English language development standards to become proficient in English | 20 U.S.C. Section 6311[b][2][B][vii][III] | 20 U.S.C. sections 6823[b][3][E], 6826[b][1,2] | *EC* sections 305, 306[c] |

1 Required as a condition of receiving federal funds per Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as Amended by the Every Student Succeeds Act (ESSA).

2 Required as a condition of receiving federal funds per Title III of ESEA, as Amended by ESSA.