

February 2, 2015

The Honorable Lamar Alexander  
Chairman  
Health, Education, Labor and Pensions  
Committee  
U.S. Senate  
Washington, D.C. 20510

The Honorable Patty Murray  
Ranking Member  
Health, Education, Labor and Pensions  
Committee  
U.S. Senate  
Washington, D.C. 20510

Dear Chairman Alexander and Ranking Member Murray:

Thank you for continued leadership and commitment to providing every child in the United States with the high-quality education he or she needs and deserves. On behalf of TESOL International Association (TESOL), a global education association representing approximately 13,000 English language educators in 150 countries, I am writing to provide you with TESOL's comments on the draft bill to reauthorize the Elementary and Secondary Education Act (ESEA).

As statistics and census figures have consistently shown, English learners (ELs) continue to be the fastest growing segment of the school-age population in the United States, and are in approximately 75% of public schools in the United States. When it was signed into law, the No Child Left Behind Act of 2001 (NCLB) went further than any preceding version in holding schools accountable for the academic performance of all students—especially ELs. As a result of holding schools and districts accountable for both the content-area achievement and English language proficiency development of their ELs, there has been much greater national attention on the unique needs and academic performance of this student population. This heightened attention, and the resulting constructive actions to support academic achievement for ELs, have been very positive and laudable outcomes.

However, this represents only one side of a very complex picture, as other elements of the current version of ESEA have not yielded positive outcomes for ELs. Challenges in the law's implementation, and an overarching emphasis on academic performance at the risk of sanctions, have often had negative consequences for ELs. More importantly, the accountability system at the heart of the current version of ESEA has been flawed as it relates to ELs. Specifically, the system is not built upon what research has shown about these students and the way academic language proficiency in English is achieved. Lastly—and perhaps most critically—the law has not sufficiently built or expanded the capacity to effectively support the education of the ever-growing population of ELs.

For the purposes of this letter, our comments will be focused on Title III – Language Instruction for English Learners and Immigrant Students.

### *Reporting and Accountability*

Highlighting the needs of ELs through state reporting and accountability provisions was one of the positive outcomes of NCLB. Although not every district receives Title III funds, maintaining the reporting requirements on the progress their ELs are making in achieving English proficiency is a critical piece to ensuring that states and districts are providing the language instructional programs these students are entitled to under law. TESOL appreciates the efforts that have been made in the draft to build upon the knowledge that has been gained in this area by adding a reporting requirement for long-term ELs (i.e. those that that have been an EL for longer than five years).

However, removing the accountability provision under Title III – and thus federal oversight – is a step backwards. Title III funds are intended to supplement – and not supplant – state and local funding for EL services; removing federal oversight of use of Title III funds could send the wrong signal in terms of ensuring that states and districts are using these funds appropriately for a chronically underserved population. Moreover, the lack of federal oversight could have the adverse effect of states and districts taking a more lax approach to providing language instructional programs for their ELs. TESOL strongly urges federal oversight for Title III be maintained in a new ESEA.

### *Funding Authorization*

Under NCLB, funding for Title III is authorized at \$750 million for each fiscal year. However, funding for Title III has rarely met this level of funding, ranging from \$693 million to \$737 million over the past four fiscal years. As the population of ELs continues to grow in the U.S., states and districts continue to struggle to build the capacity to serve this population of students. Reducing the funding authorization is a step in the wrong direction.

### *“Evidence-based” vs. “Scientifically-based”*

Under NCLB, districts receiving Title III funds are required to employ programs and methodologies that were backed by “scientifically-based” research. Although there is a solid body of research in the field of second-language acquisition, research is still evolving. Much of the research in education – including research on teacher preparation, and both English

language and second-language acquisition – is evidence-based, rather than scientifically-based (which infers having a control group.) The change in terminology in the bill is appropriate.

*National Professional Development Project*

As the population of ELs continues to grow in U.S. schools, the capacity of the teacher workforce continues to struggle to keep pace. States and districts continue to report shortages of educators training to worked with ELs, including English as a second language (ESL) and bilingual education specialists, and working with ELs is an issue that new teachers constantly report being unprepared to handle. While TESOL is pleased to see the National Professional Development (NPD) Project under Title III maintained, the draft language removes the provisions that allows these funds to support costs related to fees, books, tuition, or class enrollment in order to meet certification requirements for teachers working in language instruction education programs. The need for training specialists will continue to grow, so we strongly urge that this provision be maintained under the NPD Project.

Thank you for the opportunity to provide comments on this important legislation, and thank you again for your leadership on these issues. TESOL welcomes the opportunity to be a resource to you and your staff, and looks forwards to working with you in passing a reauthorization of ESEA.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rosa Aronson', written over a horizontal line.

Rosa Aronson, PhD, CAE  
Executive Director

CC: Yilin Sun, President  
Andy Curtis, President-elect  
Deena Boraie, Past President