

## TITLE III EL DEFINITIONS

The term “English learner” (EL) when used with respect to an individual, means an individual-

- a) who is age 3 through 21\*
- b) who is enrolled or preparing to enroll in an elementary or secondary school
- c) who was not born in the United States or whose native language is a language other than English (who is Native American or an Alaskan Native, or a native resident of the outlying areas and who comes from an environment where a language other than English has had a significant impact on the individual’s level of English Language Proficiency or who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant)
- d) whose difficulties in listening, speaking, reading, or writing the English language may be sufficient to deny the individual:
  - i. the ability to meet the state’s proficient level of achievement on state required assessments.
  - ii. the ability to successfully achieve in classrooms where the language of instruction is English or
  - iii. the opportunity to participate fully in society.

For the count of immigrant students utilized for funding purposes for the Title III immigrant children and youth program, the term “immigrant children and youth” as defined in section 3201 (5) of Elementary and Secondary Education Act (ESEA), means individuals who-

- 1) are aged 3 through 21;
- 2) were not born in any State (of the United States of America) the USDOE defines state as one of the 50 states, Puerto Rico, and the District of Columbia. Adopted children from other countries and children born on military bases are included in this definition; and
- 3) have not been attending one or more schools in any one or more States for more than 3 full academic years.

An immigrant student may or may not also be EL, and an EL student may or may not also be immigrant.

**\*Kentucky does not assess students for EL identification until entry of Kindergarten; therefore, funding for Title III-English Learner is specific to grades K-12.**