2015 New York State/New York City
English Language Learner Parent Conference in New York City

Kimmel Center at New York University
Thursday, October 29, 2015
English Language Learners (ELLs)

Students whose primary language is a language other than English are often referred to as English Language Learners (ELLs). In New York State, under Part 154 of the Commissioner’s Regulations (CR Part 154) English Language Learner students are:

- Students with limited English proficiency shall mean students who by reason of foreign birth or ancestry, speak a language other than English, and
- either understand and speak little or no English; or score below a state designated level of proficiency, on the New York State Identification Test for English Language Learners (NYSITELL) or the New York State English as a Second Language Achievement Test (NYSESLAT).

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NYSED Initiatives for ELLs

- Commissioner’s Regulation (CR Part 154 - Amended)
- New York State Parents’ Bill of Rights
- New York State English Language Learners’ Parent Hotline and Website
- Blueprint for ELL Success
- Seal of Biliteracy
What are Commissioner’s Regulations?

Commissioner’s Regulations (CR) specify requirements for elementary, middle and secondary school programs in New York State.
CR PART 154 (AMENDED)

CR Part 154 establishes the legal requirements for the education of English Language Learners (ELLs) in New York State. On September 15, 2014, the NYS Education Department (NYSED) amended CR Part 154.
Areas of CR PART 154 Regulation

- ELL Identification
- Parent Notification and Information
- Retention of Records
- ELL Program Placement
- Program Requirements
- Provision of Programs
- Grade Span
- Program Continuity
- Students with Disabilities
- ELL Exit Criteria
- Intervention Support for ELLs
- Former ELL Services
- Graduation Requirements
- Professional Development and Certification
- District Planning and Reporting Requirements

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IDENTIFICATION OF ELLs

The identification process begins upon the date of the student’s initial enrollment or re-entry in a New York State school district. This process must be completed within 10 school days.

- There is a three-step identification process upon first-time enrollment of a student in the New York State School System

  - **Step 1** - Administration of the Home Language Questionnaire by *qualified personnel* (CR Part 154-2.3(a)(1))

Qualified personnel is defined as a Bilingual Education or ESOL teacher, or a teacher trained in cultural competency, language development and the needs of English Language Learners. (engage ny)
IDENTIFICATION

Step 2 - An informal interview with the student by qualified personnel in:

- English and the student’s home language
- Review of the student’s abilities or work samples in reading and writing in English, in the home language and in Math

Source: CR Part 154-2.3(a)(2)
IDENTIFICATION

- Step 3 - Administration of a formal English assessment

The student will be administered a statewide English language proficiency identification assessment - the New York State Identification Test for English Language Learners (NYSITELL)

- Based on the results of the NYSITELL, the student will be identified either as an ELL or English proficient.
  - If the student is identified as English proficient, he/she will be placed in a monolingual English program.
  - If the student is identified as an ELL, he/she must be placed in a bilingual education or English as a New Language (ENL) program.
FEATURES OF THE ENGLISH PROFICIENCY LEVELS

- Performance levels of English language development within each grade level band of the NYSESLAT

<table>
<thead>
<tr>
<th>Performance Levels</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entering (formerly Beginning)</td>
<td>A student at the Entering level has great dependence on supports and structures to advance his or her academic language skills. A student at this level has yet to meet the linguistic demands necessary to demonstrate proficiency in a variety of academic contexts.</td>
</tr>
<tr>
<td>Emerging (formerly Low Intermediate)</td>
<td>A student at the Emerging level has some dependence on supports and structures to advance his or her academic language skills. A student at this level has yet to meet the linguistic demands necessary to demonstrate proficiency in a variety of academic contexts.</td>
</tr>
<tr>
<td>Transitioning (formerly Intermediate)</td>
<td>A student at the Transitioning level shows some independence in advancing his or her academic language skills. A student at this level has yet to meet the linguistic demands necessary to demonstrate proficiency in a variety of academic contexts.</td>
</tr>
</tbody>
</table>
**FEATURES OF THE ENGLISH PROFICIENCY LEVELS (Continued)**

<table>
<thead>
<tr>
<th>Performance Levels</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Expanding (formerly Advanced)</td>
<td>A student at the Expanding level shows great independence in advancing his or her academic language skills. A student at this level is approaching the linguistic demands necessary to demonstrate proficiency in a variety of academic contexts.</td>
</tr>
<tr>
<td>Commanding (formerly Proficient)</td>
<td>A student at the Commanding level is now designated as a Former ELL, and entitled to receive two years of continued ELL services. A student at this level has met the linguistic demands necessary to demonstrate proficiency in a variety of academic contexts.</td>
</tr>
</tbody>
</table>
IDENTIFICATION (continued)

- If a student had two or more years of Interrupted/Inconsistent Formal Education (SIFE), he/she will be identified during this process.

- If a student was misidentified upon enrollment, a review process may be requested by a parent, a teacher with the parent’s consent, the student, if he/she is 18 years of age or older, during the first 45 days of enrollment.

- Before a change in determination is made, there must be consent by the parent, the student, if s/he is 18 years of age or older, the principal, and the superintendent.
IDENTIFICATION (continued)

- If your child is re-entering the New York State public school system, qualified personnel will review your child’s prior experience in the home language and/or English instruction.

- The qualified personnel will determine if your child shall be administered the statewide English language proficiency identification assessment and determine your child’s grade level of literacy in the home language and English, as well as your child’s grade level in math.
Parent Orientation

Prior to placing your child in a Bilingual Education or English as a New Language program, districts/schools are required to provide you with a high-quality ELL Parent Orientation Session. The session must be in a language the parent understands best and must include information regarding:

- Program goals and requirements for Bilingual Education and English as a New Language programs
- NYS Common Core Learning Standards
- State/Local Assessments
- School expectations for ELLs

Source: CR Part 154-2.3(f)(1)
Meeting with school staff members

School staff members will meet with you at least once a year, in addition to other generally required meetings, to discuss your child’s academic content and language development progress and needs. Notification and communication is required to be in the language the parent understands best.

Districts/schools shall collect and maintain

- the records of your preferred language or mode of communication
- the records of notices and forms generated during the identification and placement process in ELL’s cumulative record
Program Placement

- Placement in an appropriate program
  - Bilingual Education (Transitional or Dual Language Program)
  - English as a New Language (formerly ESL)
PROGRAM REQUIREMENTS AND PROVISION OF PROGRAMS

- **Transitional Bilingual Education** provides students of the same home language, which is other than English, the opportunity to speak, understand, read and write in English while continuing to learn in their home language.

- **Dual Language Programs** provide integrated language and academic instruction for native speakers of English and native speakers of another language with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding for all or most of their content area instruction.
PROGRAM REQUIREMENTS AND PROVISION OF PROGRAMS (Continued)

- English as a New Language instruction shall be offered through 2 settings:
  - integrated English as a New Language (ENL methodologies in content area instruction co-taught or taught by a dually-certified teacher); and
  - stand-alone (ENL instruction with an English as a New Language teacher to develop the English language needed for academic success)
**ENGLISH PROFICIENCY LEVELS**

- Performance levels of English language development within each grade level band of the NYSESLAT (See handout of English Proficiency Levels)

<table>
<thead>
<tr>
<th>English Proficiency Levels</th>
<th>Grades K-8 Minutes of ENL Instruction per week</th>
<th>Grades 9-12 Minutes of ENL Instruction per week</th>
<th>Students in Bilingual Programs</th>
</tr>
</thead>
</table>
| Entering (formerly Beginning)              | 360 minutes                                   | 540 minutes                                   | • 1 Home Language Arts Course  
  • Minimum of 2 bilingual content area subjects                                               |
| Emerging (formerly Low Intermediate)       | 360 minutes                                   | 360 minutes                                   | • 1 Home Language Arts Course  
  • Minimum of 2 bilingual content area subjects                                               |
| Transitioning (formerly Intermediate)     | 180 minutes                                   | 180 minutes                                   | • 1 Home Language Arts Course  
  • Minimum of 1 bilingual content area subject                                                   |
| Expanding (formerly Advanced)             | 180 minutes                                   | 180 minutes                                   | • 1 Home Language Arts Course  
  • Minimum of 1 bilingual content area subject                                                   |
| Commanding (formerly Proficient)          | .5 unit of study per week of Integrated ENL   | .5 unit of study per week of Integrated ENL    | Former ELL services for 2 additional years.                                                    |
ELL PROGRAM PLACEMENT

- If a student is identified as an ELL, the student must be placed in an appropriate ELL program within 10 school days of enrollment, and the parent must receive written notification of the ELL’s program placement in a Bilingual Education or an English as a New Language program.

- Bilingual Education (BE) is the default program for ELL instructional placement. However, a parent can decide to have their child enrolled in English as a New Language (ENL) only.

- In a school district where the number of eligible students (15 who speak the same language in one grade or contiguous grade) requires that a BE program be provided, but the school district has been granted an exemption, you will receive notification explaining how the school will offer home language support and its plans for instituting a BE program the following school year.
GRADE SPAN AND PROGRAM CONTINUITY/EXIT CRITERIA

Grade Span and Program Continuity

- Districts shall provide program continuity so that ELLs can continue to receive the program type (Bilingual Education or ENL) in which they were initially enrolled.

Exit Criteria

- There are three criteria that allows students to exit ELL status:
  1. Scoring at the Commanding (Proficient) Level on the New York State Identification Test for ELLs NYSESLAT (Grades K-12) ; or
  2. Scoring at the Expanding (Advanced) Level on the NYSESLAT, and 3 or above on the NYS ELA assessment in the same school year (Grades 3-8), or scoring at the Expanding (Advanced) Level on the NYSESLAT and 65 or above on the Regents Exam in English (Gr. 9-12)
  3. A determination is made that an ELL with a disability cannot meet criteria (1) or (2) because of their disability and are not in need of ELL services
SUPPORT AND TRANSITIONAL SERVICES

- Intervention Support for ELLs
  - Annually, the district must identify students who are not demonstrating adequate progress in their academic performance. They are required to provide additional supports to these students.

- Former ELL Services
  - Two years of transitional supports must be provided to ELLs who exit out of ELL status (former ELLs)
The New York State Education Department (NYSED) amended the high school graduation requirements for ELLs in October, 2014. The amendment creates additional ELL-specific pathways to graduation for eligible students, as follows:

(See: http://www.regents.nysed.gov/meetings/2015Meetings/February/215p12a1.pdf)

Also see handout on graduation requirements)
New York State Parents’ Bill of Rights
(See Handout in various languages)

- Your child has a right to a free public school education
  - in a safe and supportive learning environment
  - from kindergarten until age 21 or receipt of a high school diploma
  - bilingual education or English as a Second Language services for your child with limited English proficiency
  - an evaluation for your child with a disability and, if found to be in need of special education, receive a free, appropriate education from age 3 through age 21
New York State Parents’ Bill of Rights (continued)

- full instructional schedule in accordance with the district’s school year calendar
- learn in a safe and supportive learning environment, free from discrimination, harassment, bullying, and bigotry
- equal educational opportunities regardless of actual or perceived race, color, religion, age, creed, ethnicity, national origin, alienage, citizenship status, disability, sexual orientation, gender (sex) or weight
New York State Parents’ Bill of Rights (continued)

Parents have a right to:

- feel welcomed, respected, and supported in their school communities
- receive written or verbal communications about their child’s academic, social and behavioral progress
- meet with their child’s teachers and principal
- participate in parent-teacher conferences to discuss their child’s progress
- be informed of their child’s academic and behavioral progress in school
New York State Parents’ Bill of Rights (continued)

- access information about their child
- due process when their child is subject to discipline
- be accompanied by a friend, advisor, or interpreter at hearings, conferences, interviews or meetings concerning their child
- have an interpreter, if they are hearing impaired, with prior written request
- file complaints and/or appeals on matters affecting their child
be a member of school’s parent association without payment of dues

receive copies of district-wide policies and school-specific policies

participate in elections for any existing leadership team their child’s school

participate on school committees

be a candidate for and vote for members of district school boards attend and participate at meetings of the district school boards
The New York State Education Department’s Office of Bilingual Education and World Languages has determined that it is critical to have an informed, empowered community of parents, guardians and other persons in parental relation to ensure that our English Language Learners (ELLs) are well served. To that end, an ELL Parent Hotline was created to provide parents, guardians and other persons in parental relation of ELLs with information about their rights and services for their children pursuant to Commissioner’s Regulation 154. The Hotline also provides parents with a mechanism to inquire about their rights and the delivery of services for your child. Please refer to the bookmark that is included in the folder.
Helping Your Child to Succeed

- learn about all school policies and applicable regulations
- respond to communications from your child’s school in a timely manner
- attend all conferences, meetings, parent-teacher conferences scheduled by your school.
- schedule an individual meeting with your child’s teacher to learn about specific ways that you can help your child succeed.
- ensure the school is updated with information about your child
Helping Your Child to Succeed

- send your child to school ready to learn
- ensure that your child attends school regularly and arrives on time
- schedule time every day for your child to do homework and, if possible, provide a quiet place, free from distractions, where he or she can work.
- be aware of your child’s work, progress, and problems
- maintain verbal and/or written contact with your child’s teachers and principal
- • In the United States, parents are an integral part of the education system. Ask your child’s teacher how you can participate.
Helping Your Child to Succeed

▶ Read to your child in his or her home/primary language and/or English. Research shows that reading to your child in your home/primary language will help support English literacy skills.

▶ • Tell stories to your child in your home/primary language. Talk about your own childhood or things you remember from the past.

▶ • Show your child that you value your home/primary language. Speak to him or her in that language even if he or she responds in English.
Helping Your Child to Succeed

- Get a library card for your child, go to the library, and borrow books in English or in your home/primary language, if available.

- Plan family outings to museums. Guides at the museum can help you navigate an exhibit with your child. In addition, museums often offer inexpensive and/or free enrichment classes after school or on weekends.

- Know your rights. Please see the Parents’ Bill of Rights for New York State’s English Language Learners.
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English Language Learner
Parent Conference
in New York City

- Sponsored by the NYSED OBE-WL,
- NYS Statewide Language RBERN at NYU,
- and the NYS/NYC RBERN at Fordham University

nysparenthotline@nyu.edu
(800) 469-8224