

Policy and Reference Guide for Multilingual Learners/English Language Learners

2022-2023 School Year



Limitations on the Use of this Guide

The Policy and Reference Guide for Multilingual Learners/English Language Learners report was produced by the Office of Multilingual Learners (OML) of the New York City Department of Education (NYC DOE). The purpose of this guide is to provide support and guidance to the administration and staff of the NYC DOE. Nothing in this guide is intended to create, nor does it create any enforceable rights, remedies, entitlements, or obligations. The NYC DOE reserves its right to change or suspend any or all parts of this guide.

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This guide is a compilation of current U.S. Federal, New York State, and New York City Multilingual Learner/English Language Learner policy guidance for school year 2022-23.

The most recent version of this document is available on the [Policy and Reference Guide InfoHub](#).

To view the complete Regulations of the New York State Commissioner of Education, including the Part 154 Regulations regarding services for Multilingual Learners/English Language Learners, visit the [New York State Education Department website](#).

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Introduction

Dear Colleagues,

On behalf of the Office of Multilingual Learners (OML), I am pleased to present you with the August 2022 edition of the *Policy and Reference Guide for Multilingual Learners/English Language Learners* for the New York City Department of Education (NYC DOE). This guide consolidates many of the critical federal, state, and city regulations that govern the education of Multilingual Learners/English Language Learners (MLs/ELLs).

Our goal in publishing this guide is to provide you with clear interpretations of policy such as the New York State Commissioner's Regulations (CR) Part 154, which establishes the legal requirements for the education of MLs/ELLs in New York State, and guidance about how to apply policies in different scenarios.

We understand that regulations and NYC DOE structures may change over time, and we are always working to refine our practices and guidance. Therefore, this guide is updated each year based on changes to both policies and feedback from schools and staff serving MLs/ELLs in New York City. This guide should be used as a resource and kept nearby for frequent referencing when planning high-quality services and supports for your MLs/ELLs.

This guide is just one tool that you may use in providing MLs/ELLs with rigorous academic experiences that consider their individual strengths and needs. As you implement these policies, we encourage you to apply an equity lens, to ensure every student has meaningful access to rigorous instruction, resources, and academic choices while maintaining their cultural and linguistic identity.

As you develop your plan for MLs/ELLs for the upcoming school year and beyond (via the Language Allocation Policy), refer to this guide and share it with key members of your school community. The most current version of this guide, as well as additional resources on policies pertaining to MLs/ELLs, can be found on the [Policy and Reference Guide InfoHub](#).

Please contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#) for additional guidance on any of the topics described in these resources and refer to *Principals Digest* for updates.

Sincerely,

Mirza Sánchez-Medina
Chief of Multilingual Learners
Office of Multilingual Learners

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August 2022 Edition Updates

Policy Updates

- Policy changes for SY 2022-23 are highlighted in green call-out boxes throughout this guide. See Policy Updates for SY 2022-23.
- Incorporated [NYSED Guidance](#) into [Step 3: Determine NYSITELL Eligibility and Administer NYSITELL to Eligible Students](#).
- Updated guide to indicate that a parent, student (age 18 or older), or teacher (with parent’s approval) may appeal ELL status within 45 school days *of initial or reentry determination* (not enrollment as previously stated in this guide). Change aligns to [CR Subpart 154-2.3](#).
- Added clarifications throughout the guide that the Home Language Identification Survey (HLIS) must be completed by a licensed and trained pedagogue as outlined in NYSED’s definition of [qualified personnel](#).
- Updated [Determining Prior Enrollment and Scenarios](#) section to include a note that if a student attended a NYS public or charter school within the previous two years, schools must contact the student’s previous NYS public or charter school to obtain their home language designation as well as other related assessments as previously stated in this guide.
- Additional clarifications added to [ELL Transfer Policy and Procedure](#).
- [ELL Testing Accommodations](#) updated to include Next Day Completion of Testing, originally announced [by NYSED in November 2018](#).
- Updated [Frequently Asked Questions: Allowable Use of Title III LEP Funds](#) to include SY 2022-23 guidance for remote per session (see question 13).

Other Updates

- The contact for ML/ELL policy and compliance questions, data entry clerical errors and bilingual programs protocols has been updated to [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#).
- [Required ELL Data Recording and Reporting](#) updated to highlight charter schools may have additional or different reporting requirements and should submit a ticket at charterschools.mojohelpdesk.com with any questions about particular reporting requirements.
- Note added to [Home Language Code Inputting Errors and Changes](#) to highlight that when registering newly admitted students, family welcome centers enter a home language code as part of their registration process but they do not administer the Home Language Identification Survey. If a home language code has been entered in ATS for a newly enrolled student, and the Home Language Identification Survey has not been administered by the qualified personnel (licensed and trained pedagogue at the school), a home language change request may also need to be

submitted if the home language does not match the code entered for the student upon registration.

- Updated [ATS: ELL/LEP Flag Indicators](#) to remove discontinued codes and to include LEP code Y and E.
- Integrated [NYSESLAT Administration Best Practices Overview and FAQ](#) into guide.
- [Comprehensive Education Plan: ELL Components](#) updated to include Title III Immigrant Plan.
- Added [Superintendent Resources](#) section that includes links to template NYSITELL determination approval and denial letters for Language Proficiency Team (LPT) process.
- Updated guide to include gender-neutral language.

Updates to School Resources/Forms

- [10 ELL-Related Items for a Successful Start of the School Year](#)
- [10 Steps for ML/ELL Data Verification, Review, and Update](#)
- [SY 2022-23 School ELL Compliance Calendar](#)
- [Bilingual Opening/Adjustment Forms](#)

Policy Updates for SY 2022-23

Identification Process for English Language Learners

As per NYSED guidance, schools must complete the formal identification process and place ELLs, including incoming students with an Individualized Education Program (IEP), into an ELL program within the timelines listed below.

Note: The provisional identification process is no longer applicable. All schools must complete the ELL identification process for newly enrolled students and reentry students.

Schools must complete the ELL identification process for all newly enrolled and reentry students as per the timelines listed below. Therefore, based on the [current school calendar](#):

- Students who enroll during summer 2022 and the first day of school (September 8) must be identified and placed into an ELL program by **September 21, 2022**. If an incoming student has an Individualized Education Program (IEP), NYSITELL eligibility must be determined by a Language Proficiency Team (LPT) and ELL identification/placement into a program must be completed by **October 11, 2022**.
- All students who enroll after the first day of school, must be identified and placed within the standard 10 school days of enrollment (or 20 school days for incoming students with IEPs).

The ELL identification process includes:

- In-person administration of the [Home Language Identification Survey \(HLIS\)](#) by [qualified personnel](#) (licensed and trained pedagogue) which includes a mandated interview with the student and parent to determine the student's home language.
- If a student has an IEP, the Language Proficiency Team (LPT) should determine NYSITELL eligibility and [complete the NYSITELL determination form](#).
- Administration of the NYSITELL to eligible students.
- Sending parents/guardians [notifications of the NYSITELL results](#) and entitlement/non-entitlement of services in their preferred language.
- Administration of the Spanish Language Assessment Battery (Spanish LAB) to newly identified ELLs whose home language is Spanish.
- Parent orientation and completion of [Parent Survey and Program Agreement form](#). Parent orientations may take place virtually.
- Place the student into an ELL program based on NYSITELL results.

For additional information, please refer to the [Step by Step ELL Identification Process \(8+2 Steps\)](#).

Mandated Instruction

ELLs should be served based on their grade/ and proficiency level as per New York State Commissioner's Regulation (CR) Part 154. School year 2022-23 ELL proficiency levels will be available in ATS Fair Student Funding ELL Report (RFSF) report as they are received from NYSED and will automatically reflect the policy above in reports. Additional instructional support above and beyond the units of study should be considered to ensure each ELL's individual needs are met.

Parent notification letters are available and translated into nine languages and posted on the [InfoHub](#).

Services for Former English Language Learners

Students who exited services based on their Spring 2022 NYSESLAT scores and those students who met the exception of an Expanding level on the 2022 NYSESLAT and a level 3 or 4 on the grades 3-8 NYS ELA exam or 65 or higher on the ELA Regents Exam will be considered former ELLs in SY 2022-23. Former ELLs will continue to be entitled to ENL instruction as per CR Part 154.

Parent notification letters are available and translated into nine languages and posted on the [InfoHub](#).

Programming Considerations

The following should be considered as you plan for ELL programming this upcoming school year:

- Ensure there are opportunities for collaboration for teacher partnerships (for example, ENL co-teachers and co-planning).
- Consider the number of co-teaching partners and subject areas of ENL teachers providing integrated ENL.
- Proactively plan for the identification process so that it does not interrupt the provision of ENL services to current, former, and potential ELLs.
- Plan for home language support for ELLs in various settings.

For information on programming MLs/ELLs, refer to the [2022-23 Programming Guide](#).

Units of Study

All ELLs must be provided the required instructional Units of Study in their English as a New Language (ENL) or bilingual education program based on the information included above.

For additional information, refer to the [CR Part 154 Units of Study Requirements](#).

General Information and Terms

Aspira Consent Decree

Signed in 1974 between the New York City Board of Education and Aspira of New York, it established bilingual instruction as a legal entitlement and further specifies mandates for bilingual education in NYC. See the [Aspira of New York v. New York Board of Education 1974](#) website.

Bilingual Education Program

A research-based program comprised of (1) home language arts and English language arts, (2) English as a new language (ENL), (3) and a bilingual content area (for example, math, science, and social studies). The number of content areas taught in the home language can vary depending on the model and level of proficiency of the students. NYC DOE offers two types of bilingual education programs: Dual Language Bilingual Education and Transitional Bilingual Education. See [Bilingual Education Programs](#).

Commissioner's Regulations (CR) Part 154

New York State law that governs services for ELLs. There are three sections of CR Part 154: CR Parts 154.1 and 154.2 describe previous and amended requirements that went into effect in the 2015-16 school year; CR Part 154.3 describes the requirements of services specific to ELLs with Individualized Education Programs (IEPs). For more information, see the [New York State Education Department website](#).

Commissioner's Regulation (CR) Part 200

New York State law governs education and services to students with disabilities. See the [New York State Education Department website](#) for more information.

English as a New Language (ENL)

Formerly known as English as a Second Language (ESL); ENL is a research-based program comprised of (1) content area instruction in English with home language supports and appropriate scaffolds, and (2) English language development. This program typically serves ELLs from many different home/primary language backgrounds whose only common language is English and therefore cannot participate in a bilingual program. See [English as a New Language Programs](#).

Stand-alone English as a New Language (Stand-alone ENL)

In a Stand-alone ENL class, students receive English language development instruction taught by an NYS-certified teacher of English to Speakers of Other Languages (ESOL) to acquire the English language needed for success in core content areas. A student cannot receive stand-alone English as a new language instead of core content area instruction.

Integrated English as a New Language (Integrated ENL)

Some content area classes are Integrated ENL classes. Students receive core content area and English language development instruction, including the use of the home language as support and appropriate ELL instructional supports to enrich comprehension. Integrated ENL classes are taught by a teacher dually certified in the content area and ENL or are co-taught by a certified content area teacher and a certified ENL teacher.

English Language Learner Subgroups

MLs/ELLs are not a monolithic group, but rather have different linguistic and academic needs. Therefore, categories such as newcomer, developing, long-term, ELLs with IEPs, students with inconsistent/interrupted formal education (SIFE), and former ELL better describe students' needs.

Newcomer ELLs

These are ELLs identified under CR Part 154 who have received English as a New Language instruction, as a component of their bilingual education or English as a New language program, for a total of zero (0) to three (3) enrolled school years in the NYC DOE. There is often a misconception that newcomer ELLs are only those who arrived very recently and exhibit little or no knowledge of English. While newly arrived ELLs are represented among the group of newcomer ELLs, many others are US-born and are at the emerging, transitioning, or higher levels.

Developing ELLs

These are ELLs identified under CR Part 154 who have received English as a New Language instruction, as a component of their bilingual education or English as a New Language program, for a total of four (4) to six (6) enrolled school years in the NYC DOE.

Long-term ELLs

These are ELLs identified under CR Part 154 who have received English as a New Language instruction, as a component of their bilingual education or English as a New Language program, for seven (7) or more enrolled school years in the NYC DOE.

Students with Inconsistent/Interrupted Formal Education (SIFE)

These are ELLs who have attended schools in the United States for less than twelve months and who, upon initial enrollment in such schools are two or more years below grade level in literacy in their home language and/or two or more years below grade level in mathematics due to inconsistent or interrupted schooling before they arrived in the United States. Once a SIFE is performing at or above the transitioning/intermediate level on the annual English language proficiency assessment, the student's status as a Student with Inconsistent/Interrupted Formal Education is removed, even though the student may continue to be identified as an English Language Learner. See [Step 6: Identification of Students with Interrupted/Inconsistent Formal Education](#) for identifying SIFE. See [ATS: BNDC for SIFE](#)

Determination and Paraprofessional Services for entering data into the BNDC screen. In ATS, Y=SIFE, N=not SIFE, Z=former SIFE.

ELLs with Individualized Education Programs (IEPs)

English Language Learners who have Individualized Education Programs (IEPs) are referred to as ELLs with IEPs throughout this guide. An IEP team determines a student’s eligibility for special education services and the language in which special education programs and services are delivered. ELLs with IEPs receive accommodations that apply both to ELLs and students with IEPs, as appropriate. ELLs with IEPs are not exempted from the NYSESLAT and may use the test accommodations as listed on their IEP when taking the NYSESLAT (and as permitted in the School Administrator’s Manual for the test). ELL status cannot be a factor for special education eligibility. Response to Intervention (RTI) approaches should be applied to ELLs who enter with lower levels of proficiency in the home language, or if anticipated progress is not seen after a reasonable time.

The procedures for conducting bilingual assessments of ELLs who currently have IEPs or may have IEPs developed as a result of an initial evaluation are described in the NYC DOE’s Standard Operating Procedures Manual. ELLs with IEPs must receive the required level of ELL services, although program placement and parental option procedures may be different for special education programs and services and are facilitated by the IEP team during IEP meetings. IEP teams may not exempt ELLs with disabilities from ENL. All ELLs, including those with IEPs, must be programmed for ENL (at a minimum) for the mandated number of units of ENL as per CR Part 154.

Former ELLs

These are students who had been identified as English Language Learners and subsequently exited from ELL status. For at least two years following the school year in which a student exited from ELL status, former ELLs receive at least one half of one unit of study of integrated English as a New Language (90 minutes per week) and are eligible for certain specified testing accommodations (see ELL Testing Accommodations. For ELL exit criteria, see Exiting ELL Status (“Testing Out”)).

Home Language Arts (HLA)

Formerly known as Native Language Arts (NLA). HLA is a unit of study in language arts in the student’s home or primary language.

Lau v. Nichols

In a 1974 landmark decision, *Lau v. Nichols*, the United States Supreme Court established the right of English Language Learners to have “a meaningful opportunity to participate in the educational program.” As such, ELLs must be provided with equal access to all school programs and services offered to non-ELLs, including access to programs required for graduation. See the NYSED Commissioner’s Regulations Part 154 (CR Part 154) website for more information.

Licensed Pedagogue

An individual who holds a valid New York State teaching license. As per [CR Part 154](#), teachers who hold professional licenses are required to receive 100 hours of professional training every 5 years, 50% of which must be ELL-focused for bilingual and ENL teachers, and 15% must be for non-bilingual or non-ENL teachers.

Multilingual Learner/English Language Learner (ML/ELL)

NYSED and NYC DOE refer to English Language Learners (ELLs) as Multilingual Learners/English Language Learners (MLs/ELLs) except in instances referring to state and federal policy.

Per NYSED, Multilingual learners are:

- Current ELLs
- Students who were once ELLs but have exited out of ELL status
- Students who were never ELLs but are heritage speakers of a language other than English
- World Language Students

Proficiency Levels

In the 2015-16 school year, prior proficiency levels on the NYSITELL, NYSESLAT, or LAB-R (before February 2014) were as follows:

Entering (Beginning)

A student at the entering level has a great dependence on supports and structures to advance academic language skills and has not yet met the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts (settings). ***This student is a current ELL.***

Emerging (Low Intermediate)

A student at the emerging level has some dependence on supports and structures to advance academic language skills and has not yet met the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts (settings). ***This student is a current ELL.***

Transitioning (Intermediate)

A student at the transitioning level shows some independence in advancing academic language skills but has yet to meet the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts (settings). ***This student is a current ELL.***

Expanding (Advanced)

A student at the expanding level shows great independence in advancing academic language skills and is approaching the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts (settings). ***This student is a current ELL.***

Commanding

As measured by the NYSITELL, a student at the commanding level has met the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within their grade level. If a student attains Commanding level on the NYSITELL, the student is not an ELL and is not considered a former ELL; this student is not entitled to former ELL testing accommodations or services. ***This student is not an ELL.***

If a student scores commanding on the NYSESLAT, this is a student who has exited ELL status, and they are mandated for two years of former ELL testing accommodations and services. See [Alternative Pathways to Support Former ELLs' Language Development and Academic Progress](#). ***This student is a former ELL.***

Qualified Interpreter/Translator

A person who is fluent in the language in which they are communicating and in English, has a demonstrated ability to employ the mode of interpretation appropriate to the given situation (for example, simultaneous interpretation for hearings or large-group parent meetings), and has received training in specialized issues, such as confidentiality and any applicable technical vocabulary. School staff members who meet this criterion, such as a bilingual teacher, certified pursuant to State regulations, may be qualified to serve as an interpreter/translator.

Qualified Personnel

As defined in section 154-2.2(u) of CR Part 154, qualified personnel shall mean: (1) a bilingual or English to Speakers of Other Languages teacher, certified pursuant to Part 80 of this Title, who is fluent in the home language of the student and parent or person in parental relation, or uses a qualified interpreter/translator of the language or mode of communication the student or parent or person in parental relation best understands, or (2) a teacher who is certified pursuant to Part 80 of this Title, and has been trained in cultural competency, language development and the needs of English Language Learners, and who is proficient in the home language of the student or parent or person in parental relation or uses a qualified interpreter/translator of the language or mode of communication the student or parent or person in parental relation best understands.

Reentry Identification

The process to determine if a student is an ELL who is reenrolling in a New York State public school after not having been enrolled in a New York State public school at any time during the preceding immediate two years (less than 24 months). See [Step 1: Determine If Enrolling Student was in an NYS Public School within the Past Two Years](#).



Re-Identification Process

The process to allow schools, parents, and students who believe that a student may have been misidentified as an ELL or non-ELL to request (within 45 school days of initial or reentry determination) that the ELL Identification Process be administered a second time. See [Step 10: Review of Re-Identification of ELL Status Reversal \(only used as necessary\)](#).

Unit of Study

180 minutes of instruction per week. See [ML/ELL Programs](#).

Identification Process

All students must go through an identification process to determine if they can be formally classified as an English Language Learner (ELL) and therefore, are entitled to receive ELL supports and services.

Overview

The ELL Identification Process includes eight mandated steps for all potential ELLs enrolling in grades kindergarten to 12 including:

- the administration of the Home Language Identification Survey (HLIS) by qualified personnel¹ (licensed and trained pedagogue)
- a mandated individual interview with the student and parent to determine the student’s home language, including a review of the student’s abilities and/or work samples
- determination of eligibility to take the New York State Identification Test for English Language Learners (NYSITELL)
 - For incoming students with an IEP, this includes convening respective Language Proficiency Teams (LPTs) and completion of the [NYSITELL determination form](#)
- the administration of the NYSITELL² to eligible students, and
- the administration of the Spanish Language Assessment Battery (Spanish LAB) to newly identified ELLs whose home language is Spanish.
- Parent notification and parent orientation in their preferred language.
- Placement into an ELL program.

Helpful Hint: Establish ELL Identification team

All NYC DOE schools should have a designated ELL intake/identification team and planned schedule of team members’ availability. This team might include staff besides a school’s ENL teacher(s) to allow for the provision of mandated ELL services.

¹ As defined in section 154-2.2(u) of CR Part 154, qualified personnel shall mean: (1) a bilingual or English to Speakers of Other Languages teacher, certified pursuant to Part 80 of this Title, who is fluent in the home language of the student and parent or person in parental relation, or uses a qualified interpreter/translator of the language or mode of communication the student or parent or person in parental relation best understands, or (2) a teacher who is certified pursuant to Part 80 of this Title, and has been trained in cultural competency, language development and the needs of English Language Learners, and who is proficient in the home language of the student or parent or person in parental relation or uses a qualified interpreter/translator of the language or mode of communication the student or parent or person in parental relation best understands.

² Prior to February 1, 2014, ELLs were identified through the Language Assessment Battery—Revised (LAB-R).

Timeline

Schools are required to complete the entire ELL Identification Process for all eligible students within 10 school days of enrollment (20 school days for students entering with IEPs).

SY 2022-23 Policy Update: Schools must complete the ELL identification process for all newly enrolled and reentry students as per the timelines listed below:

- Students who enroll during Summer 2022 and the first day of school (September 8) must be identified and placed into an ELL program by **September 21, 2022**. If an incoming student has an Individualized Education Program (IEP), NYSITELL eligibility must be determined by a Language Proficiency Team (LPT) and ELL identification/placement into a program must be completed by **October 11, 2022**.
- All students who enroll after the first day of school, must be identified and placed within the standard 10 school days of enrollment (or 20 school days for incoming students with IEPs).

Helpful Hint:

For a summary of the ELL identification process, see [Summary of the ELL Identification Process](#).

For step-by-step information on the ELL Identification process, see [Step by Step ELL Identification Process \(8 + 2 Steps\)](#).

Step by Step ELL Identification Process (8 + 2 Steps)

Steps 1 to 8 must be completed within 10 school days (20 school days for students entering with IEPs). Steps 9 and 10 are used on an “as necessary” basis.

Step 1: Determine Student’s Enrollment Status

Newly enrolled students must be administered the entire ELL identification process (see [Category 1](#)).

If a student is re-entering a NYC public school, determine whether the student has been outside of the New York State (NYS) public school system for *more than two years*.

- Students who have been outside of the NYS public school system for *more than two years* must be re-administered the entire ELL Identification Process (see [category 2](#)).
- Students who have been outside of the NYS public school system *within two years* are not eligible to complete the ELL identification process. Instead, schools are required to obtain NYSITELL/NYSESLAT scores directly from the sending NYS public school to allow the student to continue in the ELL status (and proficiency level if applicable) in effect at the time of discharge from the NYS public school (see [category 3](#)).

For more information, see the sections below. Once you have determined the student’s enrollment category and taken the appropriate next steps, proceed to [step 2](#).

Determining Prior Enrollment and Scenarios

A student’s prior enrollment determines their eligibility for ELL Identification Process. When parents/guardians enroll their child in a school, the school must determine the enrollment status category to which the student belongs based on prior enrollment at a NYC DOE or New York State (NYS) public school (including NYS charter schools).

Determine the student’s prior enrollment category, take appropriate steps, and proceed to [step 2](#).

Category 1: A new student never enrolled in a NYC DOE or NYS public school.

Students never previously enrolled in any NYC DOE or other NYS public school must complete the entire ELL Identification process outlined in this document beginning with the determination of the home language ([see step 2](#)).

Examples:

- Maria is a student entering kindergarten and has never been to any public school before. As a first-time admit to NYC public schools, Maria is admitted to PS 567. The school determines that the student’s home language is Spanish. The school gives the student an individual interview and determines that Maria should take the NYSITELL to determine ELL status.
- Ming is a student entering kindergarten. As a preschool student with a disability, Ming was also evaluated for school-age special education services through the “Turning 5” process and is

entering kindergarten with an IEP. Ming’s home language is Chinese. Because Ming is entering kindergarten with an IEP and Ming’s home language is Chinese, the principal has the Language Proficiency Team (LPT) determine the child’s eligibility for the NYSITELL. If the LPT determines the NYSITELL should be administered, the administration will proceed. If the LPT determines that the NYSITELL should not be administered, the determination then goes to the principal. If the principal agrees with the LPT (to not give the NYSITELL), a final decision is made by the superintendent (or designee). If it is ultimately determined that Ming is not eligible to take the NYSITELL, the decision should be updated on the [ELLO screen](#).

Category 2: A student enrolling in NYC DOE that was previously enrolled at a NYC DOE or NYS public school within the preceding two years.

Students who reenter NYC DOE after being enrolled in a school outside of NYC and/or NYS for *less than two years* are not eligible to go through the ELL Identification Process. Instead, schools should obtain NYSITELL/NYSESLAT scores directly from the sending NYS public school (see [Enrolling Student in NYS Public Schools within the Preceding Two Years](#)). These students should continue in the ELL status (and proficiency level) at the time of discharge from the previous NYC DOE and/or NYS public schools.

Examples:

- Christopher is entering grade 4 to NYC PS 456 from the William Floyd Public School District in Suffolk County on Long Island. Because Christopher is coming directly from another NYS public school district, PS 456 reaches out to Christopher’s prior school in Suffolk County. They obtain the student’s ELL status, NYSITELL/NYSESLAT scores, SIFE status, home language, parent selection, and ELL program served in. If, however, the William Floyd School District does not respond within 5 days, PS 456 must contact their [Borough Assessment Implementation Director \(BAID\)](#) for assistance. The most recent score determines the student’s proficiency level.
- Jose enrolled at PS 222 as a kindergarten student in September 2014. Jose was discharged to a California district in January 2015 and remained in that school. Jose returned to the NYC DOE public schools in September 2015. The NYC DOE school retains Jose’s previous ELL status because he was out of NYS for less than 2 years.
- Yun-ying was enrolled at HS 999 as a first-time admit to NYC DOE schools from Taiwan in September 2013. Yun-ying remained at HS 999 until March 2014 and was discharged to Yonkers HS. Yonkers HS gave Yun-ying the NYSESLAT in April 2014. In January 2015, Yun-ying returns to HS 999. Because Yun-ying was never out of NYS public schools, HS 999 reaches out to Yonkers HS to get Yun-ying’s NYSESLAT results and HS 999 serves Yun-ying as an ELL based on those results. If the NYSESLAT results indicate that Yun-ying tested at the commanding level, Yun-ying is considered a former ELL and served as such.
- Ali entered Rochester School System in September 2013 and was identified as an ELL. Ali was later discharged from Rochester School System to Georgia in February 2014. Ali was discharged from Georgia in June 2014 and then entered MS 444 in Brooklyn in September 2014. Though Ali

was a first-time admit to NYC public schools, Ali was in NYS public schools less than 2 years ago. Therefore, MS 444 reaches out to the Rochester School System. They obtain the student's ELL status, NYSITELL/LABR/NYSESLAT scores, SIFE status, home language, parent selection, and ELL program served in. As per the [NYSED memo](#), if the Rochester School System does not respond within 5 days, MS 444 should contact the [Borough Assessment Implementation Director \(BAID\)](#).

Category 3: Students previously enrolled in NYC DOE or NYS public schools over two years ago

Students who are reentering a NYC DOE school after having been enrolled outside of NYS public schools for 2 or more years **must** complete the entire ELL Identification Process outlined in this guide beginning with the determination of the student's home language ([see step 2](#)).

Examples:

- Chloe enrolled in grade 2 at PS 777 for the first time in NYC public schools in September 2015. Chloe was administered the NYSITELL and was identified as an ELL. Chloe left the DOE for Florida in September 2016 and returned to a NYC public school in grade 6 in September 2019. Because Chloe was out of NYC public schools and NYS public schools for *more* than 2 years, Chloe goes through the entire ELL identification process again, including determination of home language code, determination of NYSITELL eligibility, and SIFE status.
- Boris entered Albany School System in September 2011 and was identified as an ELL. Boris was later discharged from Albany School System to Idaho in February 2012. Boris was discharged from Idaho in June 2015 and then entered MS 555 in Queens in September 2015. Boris left the NYS public schools as an ELL. Because Boris was out of the NYS public schools for *more* than 2 years, Boris goes through the entire ELL identification process again, including determination of his home language code, determination of NYSITELL eligibility, and SIFE status.

Non-Public Schools

Some non-public schools (NPS), including private and parochial schools, administer the NYSITELL. NYC DOE schools may contact a student's prior NPS to obtain the following assessment scores if the student attended the NPS within NYS within the two years:

- NYSITELL
- NYSESLAT
- Grade 3-8 ELA exam
- ELA Regents exam

However, such outreach is optional. Additionally, once the receiving school administers the NYSITELL, subsequent receipt of assessment scores from an NPS will not be accepted.

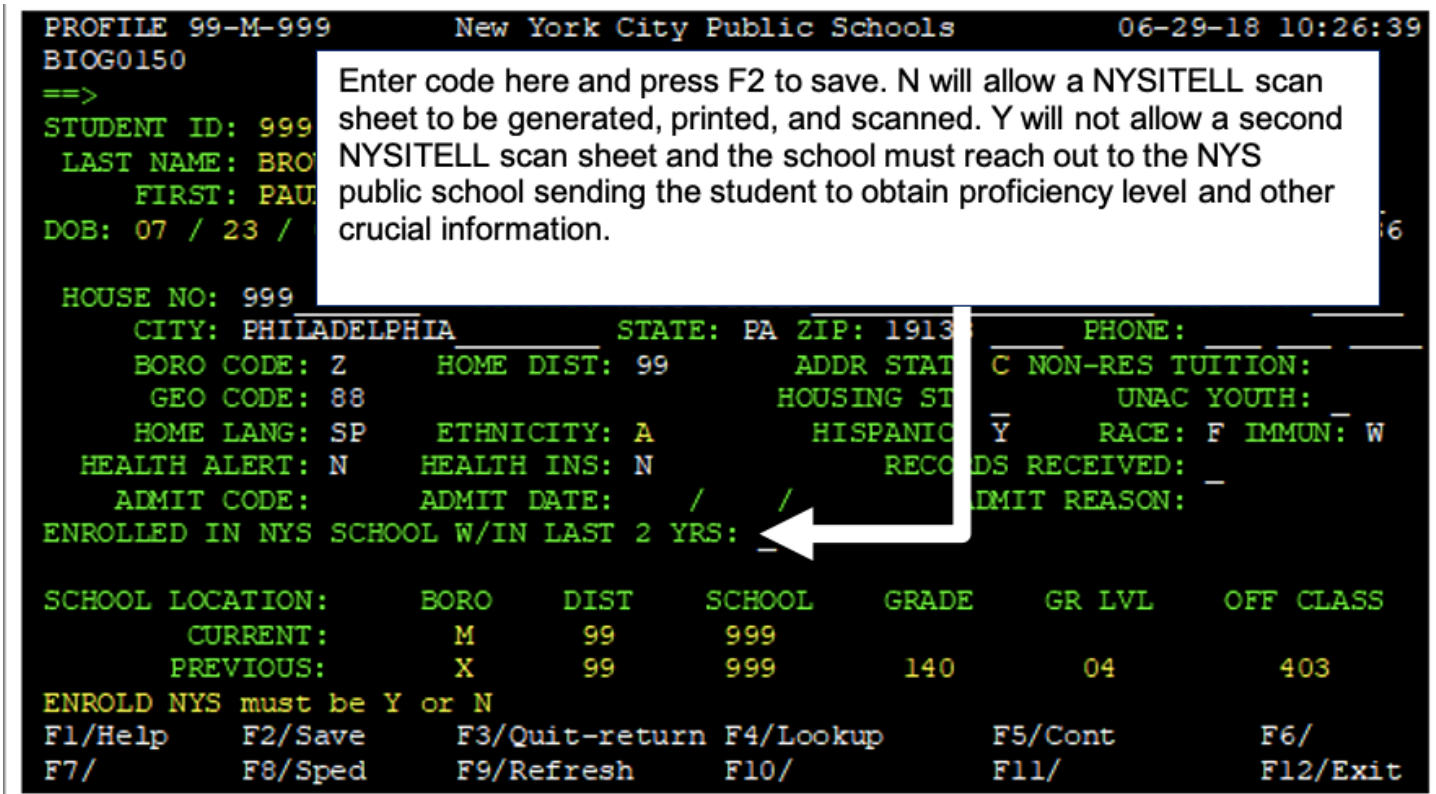
Charter Schools

Charter schools are New York State public schools; therefore, applicable procedures should be followed by NYC DOE schools in accordance with policies outlined in this document for students entering New York City public schools from charter schools.

Note: If a student attended a NYS public or charter school within the previous two years, you or your designee must contact the student’s previous NYS public or charter school to obtain their home language designation as well as their NYSITELL (or LAB-R) and NYSESLAT results within five business days to allow the student to continue in the ELL status (and proficiency level if applicable) in effect at the time of discharge from the NYS public school.

Readmitting Students who Previously Attended a NYC Public School or Charter School

Schools readmitting students who previously attended a NYC public school or charter school/program will be asked if the student was enrolled in a NYS public or charter school within the last two years on the [ATS Transfer Student Records \(TRAF\)](#) function. The question, “Enrolled in NYS school w/in last two years:” contains two values, N (for no) and Y (for yes).



PROFILE 99-M-999 New York City Public Schools 06-29-18 10:26:39
 BIOG0150
 ==>
 STUDENT ID: 999
 LAST NAME: BRO
 FIRST: PAU
 DOB: 07 / 23 /
 HOUSE NO: 999
 CITY: PHILADELPHIA STATE: PA ZIP: 1913
 BORO CODE: Z HOME DIST: 99 ADDR STAT: C NON-RES TUITION:
 GEO CODE: 88 HOUSING ST: UNAC YOUTH:
 HOME LANG: SP ETHNICITY: A HISPANIC: Y RACE: F IMMUN: W
 HEALTH ALERT: N HEALTH INS: N RECORDS RECEIVED:
 ADMIT CODE: ADMIT DATE: / / ADMIT REASON:
 ENROLLED IN NYS SCHOOL W/IN LAST 2 YRS: ←
 SCHOOL LOCATION: BORO DIST SCHOOL GRADE GR LVL OFF CLASS
 CURRENT: M 99 999
 PREVIOUS: X 99 999 140 04 403
 ENROLL NYS must be Y or N
 F1/Help F2/Save F3/Quit-return F4/Lookup F5/Cont F6/
 F7/ F8/Sped F9/Refresh F10/ F11/ F12/Exit

Figure 1: Transfer Student (TRAF) Screen in ATS

Enter **N** (for no) if the student has not been enrolled in a NYS public or charter school within the last two years.

- This response will reset the student's previous ATS ELL/LEP flag so that your school is responsible for and can proceed with administering the entire ELL Identification Process.
- As the ELL Identification process is completed, and the [Home Language Identification Survey \(HLIS\)](#) is administered by [qualified personnel](#) (licensed and trained pedagogue):
 - If the student's home language is other than English, the student's ELL status will become 'E' which means they are eligible to be administered the NYSITELL based on the information entered in ATS (note the mandated interview with the student and parent/guardian must be administered as part of the process to determine NYSITELL eligibility. If a student has an IEP, the Language Proficiency team (LPT) must also convene. See [Step by Step ELL Identification Process \(8 + 2 Steps\)](#).
 - If a student's previous home language was English (ATS code: "NO"), you or a designee can modify the home language using the [ATS Student Biographical Update \(BIOU\)](#) function or by submitting the most current HLIS to your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#) and requesting a home language change.
 - All students with an 'E' LEP flag will appear on the [ATS Print NYSITELL Answer Documents \(RLBA\)](#) function, where the school can generate the student's NYSITELL answer document for test administration.

Enter **Y** (for yes) if the student attended a NYS public or charter school within the previous two years. This will retain the student's previous ATS ELL/LEP flag.

- You or your designee must contact the student's previous NYS public or charter school to obtain their home language designation as well as their NYSITELL (or LAB-R) and NYSESLAT results within five business days to allow the student to continue in the ELL status (and proficiency level if applicable) in effect at the time of discharge from the NYS public school.
- If the data is not received within five school days of enrollment, contact elltransfersnys@schools.nyc.gov for assistance. See below for more details.
- These related documents must be saved in the student's cumulative file after the data is updated on the respective ATS screens.

Helpful Hint: NYSITELL Eligibility

Contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#) in the event of a clerical error for any data entry.

Enrolling Student in NYS Public Schools within the Preceding Two Years

Students who reenter NYC public schools after having been enrolled in a school outside of NYC and/or NYS for *less* than two years are not eligible to go through the ELL Identification Process. These students should continue in the ELL status (and proficiency level if applicable) in effect at the time of discharge from the NYC and/or NYS public schools.

For students entering a NYC DOE school (grades K to 12) who were previously enrolled in an NYS public school (outside of the NYC DOE) within the previous two years, the NYC DOE school must contact the sending NYS public school to request the following data:

- Home language code and copy of the Home Language Identification Survey (HLIS) used
- LAB-R score and proficiency level
- NYSITELL score and proficiency level
- NYSESLAT score and proficiency level
- Grade 3-8 ELA exam or ELA Regents exam scores, if applicable
- SIFE status

The data sent from the NYS public school must be on school letterhead and signed by the school principal. This data and related documents must be placed in the student's cumulative file and entered into designated ATS screens.

- If the data is not received within five school days of enrollment, schools must contact their [Borough Assessment Implementation Directors](#) for assistance. See [NYSED memo](#).
- To request that this information be entered into the DOE's data collection system, complete the [New York State Transfer ELL Data Request Form](#) and email it to ELLTransfersNYS@schools.nyc.gov.

Note: Only students whose home language is not English can have LAB-R, NYSITELL, and/or NYSESLAT scores.

If the home language code differs from the current NYC DOE's home language code, a request to change the home language code should be sent to the [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#) from the principal of the NYC DOE school.

For information on requesting a change of the home language code in ATS, see [Home Language Code Inputting Errors and Changes](#).

If the student is an ELL and has a home language of Spanish, skip to [Step 5: Administering the Spanish LAB](#). If the NYS public school indicates the student is an ELL, the school must provide the parent orientation meeting (see [Step 7: Parent Agreement and Program Placement](#)).

Step 2: Qualified Personnel Administers the Home Language Identification Survey (HLIS)

Qualified personnel (licensed and trained pedagogue) must administer the Home Language Identification Survey (HLIS) as part of general intake procedures for all newly enrolled students. The student's home language is determined based on the results of the HLIS, which includes a mandated individual interview with both the parent and student in English and their home language. A student is considered to have a home language other than English as determined by the licensed and trained pedagogue administering the HLIS.

Qualified personnel (licensed and trained pedagogue) must complete the HLIS with the parent and ensure timely entry of this information into the designated ATS screens (for example, QADM, BIOU).

Determination of Home Language for K-12 Students

The student's home language is determined based on a combination of the mandated individual interview with the parent and student, and responses to the questions on the HLIS. The home language determination is not based solely on the responses to the HLIS questions (regardless of the number of responses of one language or another).

To ensure that parents/guardians can receive language assistance and have their questions answered in their preferred languages, over-the-phone interpretation services are available through the DOE's language access supports.

The completed HLIS forms must be placed in the student's cumulative file and remain a part of the student's permanent record. If the student's home language is English, the ELL Identification Process ends at this step. If the student's home language is not English, the ELL Identification Process continues to Step 3.

Helpful Hint: After qualified personnel (licensed and trained pedagogue) completes the HLIS in person, make sure to:

- Save the completed HLIS in the students' cumulative file.
- Update the student's home language code in ATS.
- Update the HLIS field to "Y" on the ATS BIOU screen.

Confirm HLIS Administration on ATS BIOU Screen

As of June 2020, the HLIS field on the ATS BIOU screen will be used to identify whether a school has administered the HLIS. After qualified personnel (licensed and trained pedagogue) administers the complete HLIS for students in K-12, the HLIS field should be updated to "Y" on the ATS BIOU screen.

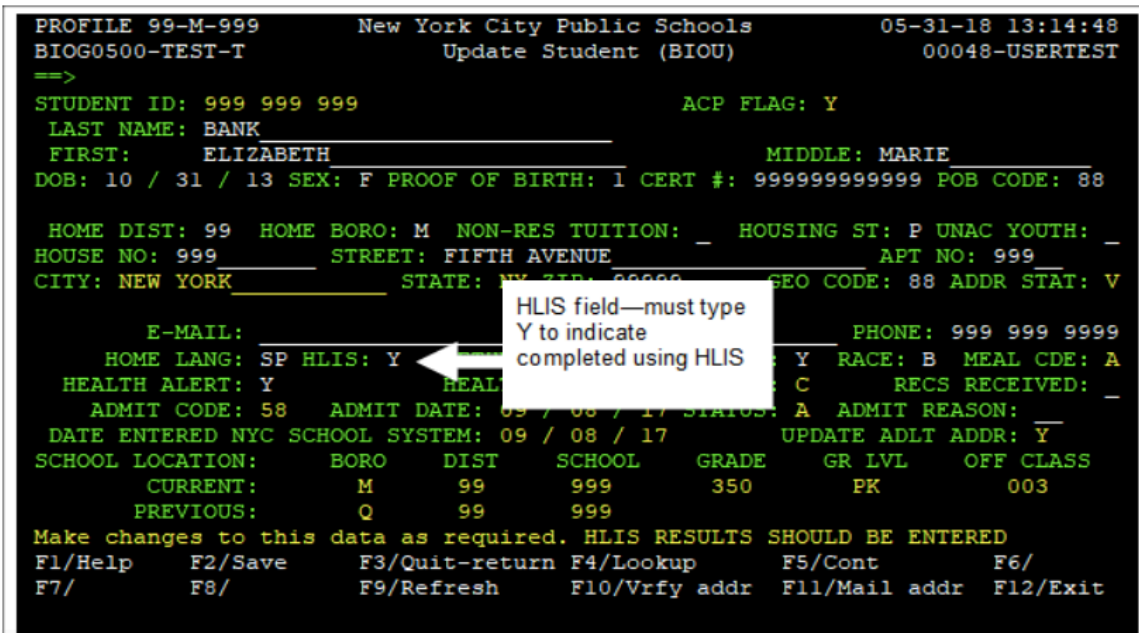


Figure 2: HLIS field on ATS BIOU screen

Home Language Entry for Students Progressing from Pre-K to K

During the pre-k enrollment period, pre-K students who are enrolling in kindergarten in the following school year can be administered the HLIS to determine their HL codes. Once qualified personnel (licensed and trained pedagogue) formally administers the HLIS in its entirety, the school should enter a “Y” in the HLIS field on the Update Biographical Information (BIOU) screen in ATS.

The HL entry process for students articulating from pre-K to K may be utilized for students who meet the following criteria:

1. Student’s grade level is pre-K
2. Student is active during pre-K enrollment period

During the pre-K enrollment period, pre-K students articulating into kindergarten can be administered the HLIS to determine their HL codes. Please note the following changes to ATS’ BIOU screen during this period:

1. The field label of SURVEY has been changed to HLIS
2. Both the HOME LANG field and HLIS field will blink yellow until
 - a. a valid HL code is entered for the student AND the HLIS field is updated to Y (Y indicates that the school confirms it formally administered the HLIS in its entirety to determine the home language of the student)
 - b. the last day of the PK enrollment period

3. Once a valid HL code is entered for HOME LANG and Y is entered for HLIS, then both fields will stop blinking yellow and change to constant green
4. If a HL code other than English is entered, the ELL/LEP Flag will immediately change to reflect the student’s ELL status
5. As of June 2020, the HOME LANG field and HLIS field will not lock after one day and can be updated beyond the previous one day period for students transitioning from pre-K to kindergarten
 - a. Any changes made to HOME LANG or HLIS may affect ELL/LEP Flag
 - b. In the event of a clerical error, contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#).
6. If the HLIS field is not “Y” on the last day of the pre-K enrollment period, the HOME LANG field will be blanked out and the HL code will need to be reentered in August.

Note: If students whose home language is not English are also determined to be NYSITELL eligible through the combination of HLIS responses, mandated individual interview with student and parent (and LPT if applicable), the [NYSITELL](#) may be administered on or after June 1. However, these students will not appear on the [ELLO](#) screen until the end of July.

BIOU – Update Student (before HL update)

A feature has been added (HOME LANG and HLIS blinking yellow). This feature is available for active pre-K students during the pre-K enrollment period. Schools must administer the HLIS as defined in this guide.

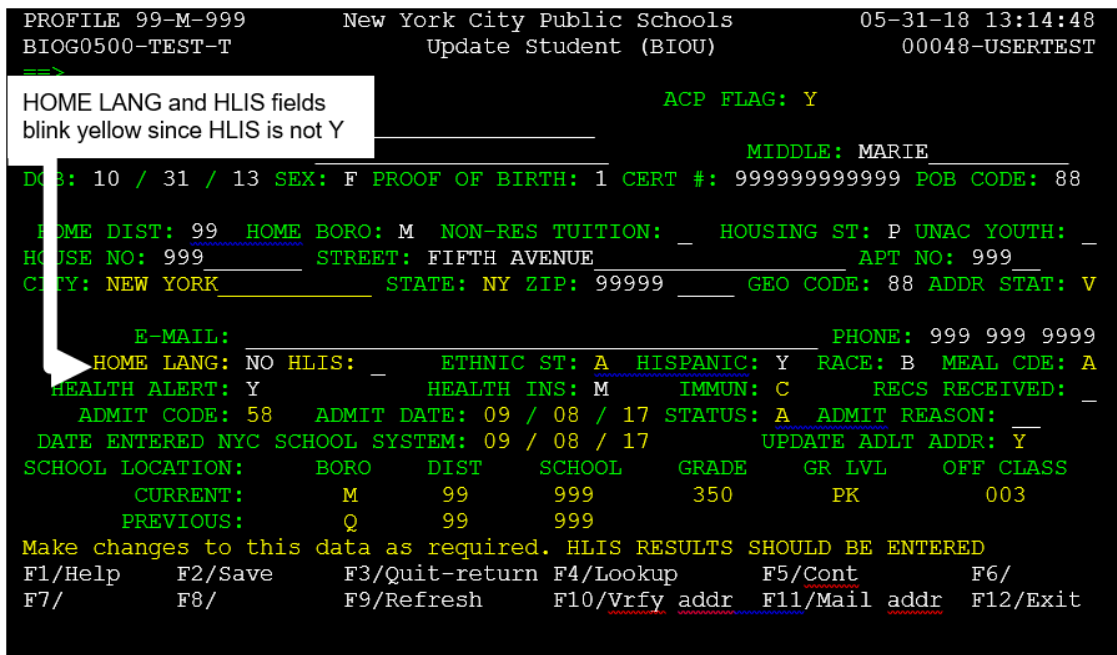


Figure 3: Update Student (BIOU) Screen in ATS

BIOD – Display Student (after HL update)

If a HL code other than English is entered, the ELL/LEP Flag will immediately calculate.

```

PROFILE 99-M-999          New York City Public Schools          05-31-18 13:27:38
BIOG0260-TEST-T          Display Student (BIOD)                00048-USERTEST
==>
NAME: BANKS, ELIZABETH    DOB: 10/31/13    SEX: F    STUDENT ID: 999 999 999

                                AIS SERVICES
- BILINGUAL                    A ELIG            - SCHOOL A            - INTV
- ESL                          A PART            - SCHOOL B            - POST GRD PL
E LEP ← LEP Flag becomes E when   TH ELIG           - SCHOOL C            - MAINSTRM
SPEC ED                        TH PART           - DIST A              7 YTD ATTEND
IEP SPEC ED                   SCI PART          - DIST B              - ELA PROF
RES ROOM                       EXTEND DAY        - DIST C              - MATH PROF
ADD'L RS                       CHAP 53           C 407 FLAG           - CHRONIC ABS
COUNSEL                        PLUS PROG         - ELA AT RISK        - ONGNG SVC           Y HEALTH ALRT
SPCH SVC                       PID               - CELL PH XMT        - SECT 504            - FUT EX INST
CTT PART                       A MEAL CODE       - BESIS ST            - SL COMM              - RETAIN FLAG
SETSS                          C IMMUN STATUS    TEST MOD             - COHORT YR           - EX INSTR PD
SPED PROG1                     SPED PROG2

F1/Help    F2/         F3/Quit-return  F4/         F5/Comments    F6/
F7/         F8/         F9/              F10/        F11/           F12/Exit
  
```

Figure 6: Display Student (BIOD) Screen in ATS

Home Language Code Inputting Errors and Changes

The Home Language Identification Survey (HLIS) is administered one time during the enrollment process by qualified personnel (licensed and trained pedagogue). Therefore, upon enrollment and entry of the home language code, the home language code field is locked, except in the case of pre-K students matriculating to kindergarten.

Note: When registering newly admitted students, family welcome centers enter a home language code as part of their registration process, but they do not administer the Home Language Identification Survey. If a home language code has been entered in ATS for a newly enrolled student, and the Home Language Identification Survey has not been administered by the qualified personnel (licensed and trained pedagogue at the school), a home language change request may also need to be submitted if the home language does not match the code entered for the student upon registration.

If a clerical error is made, send the following information and documentation to your ML/ELL Director and/or ML/ELL Compliance Performance Specialist for review:

- Copy of the original completed and signed Home Language Identification Survey
- A request to change the home language code

These requests can only be made by the principal or by the assistant principal with a cc to the principal.

The home language may also be changed as a result of one of the following:

- Enrolling as a new student to New York City and is coming from a New York State public school (either directly or was enrolled in a New York State public school within the preceding two years), or
- Enrolling as a former New York City or New York State public school student after having been outside a New York State public school for two or more years

Relevant information, documentation, and the completed NYS ELL Transfer Form should be sent to your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#) for review. The form is available on the [Policy and Reference Guide InfoHub](#).

Step 3: Determine NYSITELL Eligibility and Administer NYSITELL to Eligible Students

For students whose home language is not English, [qualified personnel](#) (licensed and trained pedagogue) at the school must administer the mandated individual interview with the student and parent in English and the student's home language. In addition, the following should also be completed:

- a review of the student's schoolwork (if available); and
- If the student has an IEP, the Language Proficiency Team (LPT) must convene to determine NYSITELL eligibility (whether the student should take the NYSITELL).

A student may come from a home in which a language other than English is spoken; however, due to prior educational, social, and/or personal experiences, the student's primary (dominant) language is English. As a result, [qualified personnel](#) (licensed and trained pedagogue) must determine whether the student has English oral and literacy skills sufficient for the grade into which the student is enrolling. Therefore, [qualified personnel](#) (licensed and trained pedagogue) must complete the following:

1. Interview the student in both English and the home language (see [HLIS Individual Interview Sample Questions](#)).
2. Review student's prior schoolwork in reading, writing, and mathematics, in both English and the home language. In the absence of sufficient schoolwork, schools may use age- and grade-appropriate informal, culturally sensitive, school-based assessments or formal and informal screeners.

Once the school determines student's eligibility to take the NYSITELL:

- If the student is ineligible to take the NYSITELL, the ELL Identification Process terminates at this step; indicate the NYSITELL ineligibility through the ELL Options ([ELLO](#)) screen in ATS (see [codes](#) for correct indicator).
- If the student is eligible to take the NYSITELL, see [Administer the NYSITELL](#).

Note: If the student is determined to be an ELL, the information gathered in steps 1 and 2 should be used to determine if the student requires further assessments for SIFE status (see [Step 6: Identification of Students with Interrupted/Inconsistent Formal Education](#) for more information on SIFE).

Determine NYSITELL Eligibility for Incoming Students with IEPs

NYSITELL eligibility for incoming students with IEPs must be based on the determination of the Language Proficiency Team (LPT). Per NYSED’s [Guidance on Determining English Language Learner/Multilingual Learner \(ELL/MLL\) Status of and Services for Students with Disabilities \(subpart 154-3\)](#), students whose NYSITELL eligibility must be determined by the LPT include “new entrants or re-entering students who:

- were identified in NYS as preschool students with disabilities³ and who are entering a public school and continue to be eligible for special education as school-age students with disabilities; or
- come from other states⁴ in the United States, including the District of Columbia and the Commonwealth of Puerto Rico and the outlying areas⁵, with both an identified disability and an IEP.”

These procedures must be used for newly admitted students to DOE schools or re-entering students after two years (see categories 1 and 3 under [Determining Prior Enrollment and Scenarios](#)).

Helpful Hint:

For additional resources on ELL identification for incoming students with IEPs, see [NYSED’s website](#). You may also refer to this [NYSED guide](#).

LPT Composition

Below are the minimum required members of the LPT:

- A school/district administrator
- A certified teacher or related service provider with a bilingual extension and/or a teacher of English to speakers of other languages
- The director of special education or individual in a comparable title (or their designee)
- The student’s parent or guardian

³ For students transitioning from preschool special education, the LPT should consider the extent to which the student received preschool special education services in the student’s home/primary language or only in English and the effect on the student’s continued need for ELL services.

⁴ According to 34 CFR § 300.717(c), “as used in this subpart, State means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.”

⁵ Outlying areas means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

A qualified interpreter must be present at each meeting of the LPT and translations in the language or mode of communication the parent/guardian best understands must be provided.

Note: The principal should not be on the LPT as the principal may need to review the LPT's recommendation. All members of the LPT must be documented on the NYSITELL Determination form available on the [Language Proficiency Team InfoHub](#). Completed forms should be kept in the student's cumulative file and copies should be maintained in the school's record-keeping location.

LPT Determination

The LPT determines whether the student should take the NYSITELL. The LPT should consider evidence of the student's English language development, including, but not limited to the following:

- The result of [Step 2 \(Administer HLIS\)](#)
- The student's history of language use in the school and home or community
- The results of the individual evaluation of the student conducted in accordance with procedures in [CR Part 200.4\(b\)\(6\)](#), which includes assessments administered in the student's home language
- Information provided by the IEP Team/[Committees on Special Education](#)⁶ (CSE) as to whether the student's disability is the determinant factor affecting whether the student can demonstrate proficiency in English

Based on the evidence, the LPT must make a determination as to whether the student may have second language acquisition needs or whether the student's disability is the determinant factor affecting whether the student can demonstrate proficiency in English.

- If the LPT determines that the student may have English language acquisition needs, the student must take the NYSITELL with accommodations recommended in the student's IEP, consistent with NYSED policy. Schools must send the ELL services [entitlement or non-entitlement letter after NYSITELL](#) within five school days of final determination to parents/guardians in their preferred language.
- If the LPT determines that the student does *not* have English language acquisition needs and should *not* take the NYSITELL, the recommendation is sent to the principal for review.

⁶ Committees on Special Education (CSEs) coordinate and carry out the special education process for students who are not enrolled in DOE schools. This includes: • Students attending a private, parochial, charter, State Supported or State Approved Non-Public school • Students attending non-public schools outside New York City and New York State • Students who receive home or hospital instruction as their placement on their IEP (this does not include students on temporary home instruction, as these students are expected to return to their prior school) • Students who are being home-schooled • Students who are non-attending There are 10 CSEs. If your child is enrolled in school, your CSE is the one in the same geographical district as that school.

Note: The LPT's recommendation should be documented on the NYSITELL Determination form available on the [Language Proficiency Team InfoHub](#). Completed forms should be kept in the student's cumulative file and copies maintained in the school's record-keeping location.

The LPT does not make determinations on special education classification or eligibility for services; these determinations are made solely by the student's Committee on Special Education or IEP team. For more information on determining special education services, refer to the [Special Education Standard Operation Procedures Manual](#).

Principal Determination

If the LPT determined that the student does not have English language acquisition needs and should not take the NYSITELL, the principal must review the LPT recommendation and accept/reject the recommendation made by the LPT team.

- If the principal **rejects** the recommendation of the LPT to not administer the NYSITELL, parent's/guardians must be notified and the NYSITELL must be immediately administered to the student with accommodations recommended in the student's IEP, consistent with NYSED policy. Schools must send the [entitlement or non-entitlement letter after NYSITELL](#) within five school days of final determination to parents/guardians in their preferred language.
- If the principal **accepts** the recommendation of the LPT not to administer the NYSITELL, the recommendation is sent to the superintendent or the superintendent's designee for a final decision. Additionally, the parent or guardian must be notified within 3 school days of the decision in the parent's/guardian's preferred language.

Note: The principal must complete the principal determination section of the [NYSITELL Determination Form](#). This section includes principal's determination, date of principal's determination, date sent to superintendent (if applicable), and date letter was sent to parent notifying parent of principals' determination. Completed forms should be kept in the student's cumulative file and copies maintained in the school's record-keeping location.

Superintendent Determination

In cases where the principal accepts the LPT recommendation *not* to administer the NYSITELL, the recommendation is sent to the superintendent or the superintendent's designee for a final decision.

The superintendent or designee has 10 calendar days to accept or reject the LPT's recommendation. Superintendents or their designees can refer to the [template approval/denial letters](#) to inform schools of their decision.

- If the superintendent or their designee **rejects** the LPT’s and principal’s recommendation and determines that the student must take the NYSITELL, the school has five additional school days to administer the NYSITELL (if necessary). Schools can print the NYSITELL answer sheet through the RLBA function in ATS. Schools must notify the parent or guardian of the results of the NYSITELL and their right to request a review within five school days of final determination. Parent notifications and translations are available [here](#).
- If the superintendent **accepts** the LPT’s recommendation that the student should not be administered the NYSITELL, the student should *not* take the NYSITELL, and the student is not an ELL. Superintendents/designees must notify parents/guardians within five school days of the final determination and their right to request a review. Parent notifications and translations are available [here](#). After receiving the final decision from the superintendent or superintendent’s designee, it is entered into the [ELLO](#) screen by the school.

Note: The superintendent or their designee must complete the superintendent determination section of the [NYSITELL Determination Form](#). Completed forms should be kept in the student’s cumulative file and copies maintained in the school’s record-keeping location. Template letters and translations notifying parents/guardians of superintendent’s final decision are available on the [Language Proficiency Team InfoHub](#).

Completion of NYSITELL Determination Form

Schools should ensure the [Language Proficiency Team NYSITELL Determination Form](#) is completed and placed in the student’s cumulative folder and copies maintained in the ELL folder of critical documents.

The following sections must always be completed on the NYSITELL Determination Form:

- Student and school information
- Names and Titles of LPT members
- [LPT recommendation](#)
- Date of LPT recommendation
- Date final decision was communicated to parent

If the LPT’s recommendation is that the student should not take the NYSITELL, the following sections *must also* be completed:

- Date LPT recommendation was sent to principal
- [Principal determination](#)

If the principal accepts the LPT’s recommendation that the student should not take the NYSITELL, the following sections must also be completed:

- Superintendent determination
- If the final decision is to not administer the NYSITELL, indicate date entered in the ELLO screen and code entered in the ELLO screen.

Similarities between Learning Disability and Language Acquisition

It is important to understand how certain elements of the second language acquisition process compare to learner characteristics associated with a learning disability. While components of language acquisition can seem to mirror a learning disability, they do not necessarily indicate a learning disability. It is vital to distinguish this so that schools are appropriately meeting the needs of their students—referring them for special education services only when an actual disability is suspected. Care must be taken to ensure that issues of language differences are not conflated with a language disability and that a student’s educational background or lack of formal education (meaning, SIFE status) is not mistaken for signs of a disability. Some of the characteristics are listed below:

Behaviors Associated with Learning Disability

- Difficulty following directions
- Difficulty with phonological awareness
- Slow to learn sound-symbol correspondence
- Difficulty remembering sight words
- Difficulty retelling a story in sequence
- Confused by figurative language
- Slow to process challenging language
- May have poor auditory memory
- May have difficulty concentrating
- May seem easily frustrated

Behaviors Related to Acquiring a Second Language

- Difficulty following directions
- Difficulty distinguishing between sounds not in the native language
- Confusion with sound-symbol correspondence when different than in native language; difficulty pronouncing sounds not in the native language
- Difficulty remembering sight words when word meanings not understood
- May understand more than able to convey in English
- Confused by figurative language in English
- Slow to process challenging English
- May have poor auditory memory in English
- May have difficulty concentrating
- May seem easily frustrated

Documenting Non-Eligibility to Take the NYSITELL - ELL Options (ELLO) Screen

Schools should access the ELLO screen in ATS only for students:

- whose home language is other than English; and,
- who have been determined to **not** have English language acquisition needs.

Note: These students are not ELLs and do not need to take the NYSITELL.

Decisions indicating that a student does not have language acquisition needs can be determined by the school for students without an Individualized Education Program (IEP) or a Language Proficiency Team (LPT), principal, and superintendent for students with an IEP. This decision needs to be entered within 10 school days of a student's admit date, and it only applies to newly admitted students to NYC DOE or re-entering students that have not been enrolled in an NYS public school in the past two years and have been determined to not have language acquisition needs.

If you have a pre-K student entering kindergarten in September, the student will not appear on the ELLO screen until mid-July, at which time you can enter this decision.

```

PROFILE 99-M-999          New York City Public Schools          07-17-18 13:09:37
ELLO0050                  Ell Options (ELLO)                      02266-ATSTEST2
=>                                                                    PAGE 1 OF 2

STUDENT NAME                LEP HM    NYS      AIMIT
LAST, FIRST                 STUDENT ID  FLG LN  <2Y     OPT      DATE
-----
AWE, ANA                    123456789      SP      Y      A      09/07/17
BUTLER, TIMOTHY             987654321      Y AR    Y      B      07/02/18
CRUZ, ARIE                  123789456      SP      Y      C      09/07/17
DANCY, AVEN                 123654987      SP      Y      C      09/07/17
DIAZ, SUMMER                456123789      SP      Y      C      09/07/17
JAMES, BRETT                456789123      Y AR    Y      D      07/02/18
LAYNE, JOHN                 789456123      FR      Y      D      07/02/18
MANN, JAYLEE                789123456      Y UK    Y      -      09/07/17
MUKHLIS, DALANI            452178956      Y VN    Y      -      09/07/17
NICHOLS, SANYIA            654123987      Y FR    Y      -      09/07/17
PAUL, ADLER                 693258741      Y PO    Y      -      09/07/17
QUINN, MUJAZ               857412369      Y SP    Y      -      09/07/17

Make changes as required, F2 to save changes.
F1/Help   F2/Save   F3/Quit-return  F4/Lookup   F5/       F6/
F7/       F8/Forward F9/Refresh     F10/        F11/      F12/Exit
  
```

Enter code here and press F2 to save.

Figure 7: ELL Options (ELLO) Screen in ATS

Helpful Hint:

If a student was appropriately and accurately identified as an ELL through the established ELL identification process, which includes the NYSITELL, no further action is necessary, and no data needs to be entered into the ELLO screen. In addition, if a student was appropriately administered the NYSITELL and scored Commanding (and is not an ELL), no data needs to be entered into the ELLO screen.

ELLO Codes

Below are descriptions of codes A-D that can be entered on the ELLO screen in ATS.

- **Code A:** The student was determined not to have language acquisition needs by the current NYC public school.
- **Code B:** The student was determined not to have language acquisition needs by the current NYC public Language Proficiency Team (LPT).
- **Code C:** The student was determined not to have language acquisition needs by the previous NYS public school.
- **Code D:** The student was determined not to have language acquisition needs by the previous NYS public Language Proficiency Team (LPT).

ELLO Screen Errors and Changes

The ELLO code is entered once the determination has been made by the appropriate personnel. This field is locked upon entering the code. If a clerical error is made, send the following information and documentation to your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#) for review:

- Copy of the original completed and signed Home Language Identification Survey.
- All relevant documentation that indicates a clerical error or technical issue, which shows an ELLO Option Code different than that which was entered on the HLIS and subsequently entered into ATS.

These requests can only be made by the principal or by the assistant principal with a cc to the principal.

Note: A clerical or technical error for this protocol is defined as a failure to execute a task or the execution of the task was an error; however, the task or intent was clearly within the timeframe as stipulated in this guide. For information on entering data into the ELLO screen, see [the ELLO Wiki page](#).

Administer the NYSITELL

If a student is determined to be eligible for the NYSITELL, schools must administer the test within 10 school days of enrollment (20 school days for incoming students with IEPs).

SY 2022-23 Policy Update: Schools must complete the ELL identification process for all newly enrolled and reentry students as per the timelines listed below:

- Students who enroll during Summer 2022 and the first day of school (September 8) must be identified and placed into an ELL program by **September 21, 2022**. If an incoming student has an Individualized Education Program (IEP), NYSITELL eligibility must be assessed by a Language Proficiency Team (LPT) and ELL identification/placement into a program must be completed by **October 11, 2022**.
- All students who enroll after the first day of school, must be identified and placed within the standard 10 school days of enrollment (or 20 school days for incoming students with IEPs).

Principals must order NYSITELL exams through the [NYSSED portal](#). Ordering is ongoing throughout the year. Along with the exams, schools will receive directions for administration.

If the student is eligible for the NYSITELL, print and provide parents/guardians the [Parent Guide to the NYSITELL](#).

Answer documents must be generated and printed via ATS printers using the [RLBA](#) function in ATS. For more information on generating these answer documents, see the [NYSITELL Scanning Handbook](#). All information needed to identify students will automatically print on the answer documents.

After the NYSITELL exam is administered, answer documents must be scanned into ATS via the attendance scanner within 10 school days of enrollment. Scanning beyond 10 school days will result in non-compliance (20 school days for students entering with IEPs).

Helpful Hint:

Make sure to print the [RLCB](#) Scan Report from ATS, which indicates the students' proficiency levels and any scanning errors; scanning errors should be addressed immediately. See the [NYSITELL Scanning Handbook for directions](#).

The NYSITELL may be administered to students entering kindergarten the following school year no earlier than June 1 and to all other students no earlier than July 15. Adherence to state policy is determined by the NYSITELL scan date, not the bubble date. An administration of the NYSITELL that has a bubble date that predates the end of the 10-day testing window, but a scan date that exceeds the 10-day testing window will be considered out of compliance.

Note: Ten (and 20) school days: (1) refers to days the school is in session, (2) begins the first day of school or the first day the student is enrolled at the school (whichever is later), and (3) includes days the student was absent.

The “clock” cannot begin before the first day of school (for example, if a student enrolls on July 7 for the fall, the clock will still begin the first day of school in September). The timeliness is based on the day on which the NYSITELL and Spanish LAB (if applicable) answer documents are scanned.

For more information on ordering and administering the NYSITELL, or printing and scanning the answer documents, see the DOE’s NYSITELL Assessment Memorandum, NYSED Guide to NYSITELL, Scanning Handbook, and other useful resources on the [NYSITELL InfoHub](#).

Step 4: Send Parent Notifications in Preferred Language

Within five school days of ELL determination, schools must inform parents/guardians of the results of the NYSITELL, ELL status, and their right to seek review of this determination. Schools should use the NYC DOE standard parent notification letters (in the parents’ preferred language), which are available on the [Multilingual Learner Parent Notification Letters InfoHub](#).

- Entitlement Letter (after NYSITELL)
- Non-Entitlement Letter (after NYSITELL)

Note: If the student is 18 years or older, the student must also receive a copy of the letter. Copies of dated and signed letters must be retained in the student’s cumulative folder.

Step 5: Administer the Spanish LAB

All newly identified ELLs whose HLIS responses indicate a home language of Spanish must be administered the [Spanish LAB](#) at the time of initial enrollment during the same 10 school day testing window (or 20 school days for incoming students with IEPs).

SY 2022-23 Policy Update: Schools must complete the ELL identification process for all newly enrolled and reentry students as per the timelines listed below:

- Students who enroll during Summer 2022 and the first day of school (September 8) must be identified and placed into an ELL program by **September 21, 2022**. If an incoming student has an Individualized Education Program (IEP), NYSITELL eligibility must be assessed by a Language Proficiency Team (LPT) and ELL identification/placement into a program must be completed by **October 11, 2022**.

- All students who enroll after the first day of school, must be identified and placed within the standard 10 school days of enrollment (or 20 school days for incoming students with IEPs).

The Spanish LAB is used to support schools in instructional planning in providing bilingual and English as a New Language (ENL) services to these students. Spanish LAB results are not used to determine ELL status or service entitlement.

Note: The Spanish LAB is not administered to students re-entering the DOE after two years. The Spanish LAB is administered only once.

Schools must print Spanish LAB answer documents using the RSLA function in ATS. After the Spanish LAB is administered, answer documents are scanned into ATS via the attendance scanner within 10 school days of enrollment (20 school days for incoming students with IEPs). Scanning beyond this window will result in noncompliance. For more information on ordering and administering the Spanish LAB, or printing and scanning the answer documents, see the DOE's [Spanish LAB Scanning Handbook](#).

Note: Adherence to policy is determined by the Spanish LAB answer document scan date, not the bubble date. For example, an administration of the Spanish LAB that has a bubble date that predates the end of the 10-day testing window, but a scan date that exceeds the 10-day testing window will be considered out of compliance.

Step 6: Identification of Students with Interrupted/Inconsistent Formal Education

Students with Interrupted/Inconsistent Formal Education (SIFE) are ELLs who have attended schools in the United States (the 50 States and the District of Columbia) for less than twelve months and who, upon initial enrollment in such schools are two or more years below grade level in literacy in their home language and/or two or more years below grade level in mathematics due to inconsistent or interrupted schooling before arrival in the United States.

Schools have 30 school days from initial enrollment to make an initial SIFE determination. Determining SIFE status begins at the time of the completion of the Home Language Identification Survey (HLIS) when the parent is asked to indicate prior schooling. Follow all of the same steps as outlined in this guide to identify an ELL. If there are indications within the ELL Identification Process that a student has had an interruption or inconsistency in their formal schooling, proceed with the SIFE Identification Process as outlined below for students who are:

- Newly identified ELLs, *and*
- In grades 3 to 9, *and*
- At the beginner/entering or low Intermediate/emerging level of proficiency as indicated by the NYSITELL results

SIFE Identification Process

1. NYSED Oral Interview Questionnaire
2. NYSED Multilingual Literacy SIFE Screener (MLS)
3. Writing Screener

Visit the [NYSED website](#) for a full description of resources, guidance documents, and the SIFE identification tools. NYSED tools replace those that were previously available only to NYC DOE schools (LENS).

Helpful Hints: SIFE Identification

You can refer to the [NYSED SIFE Identification flow chart](#) for more information on the process to identify a SIFE.

Once SIFE status is determined, enter this information into the BNDC screen in ATS.

Schools have 30 school days from initial enrollment to determine SIFE status; however, schools have up to one year to change the SIFE status if necessary.

A SIFE will automatically be declassified as SIFE if the student attains transitioning level or higher on the NYSESLAT.

Initial SIFE status must be indicated in ATS (BNDC) no later than 30 school days from initial enrollment (see [ATS: BNDC for SIFE Determination and Paraprofessional Services](#)). As per CR Part 154, schools have up to one year to make a final determination of SIFE status; therefore, initial SIFE identification within the 30 days may be modified for up to one year. SIFE status is removed once the ELL scores at intermediate/transitioning level or higher on the NYSESLAT. For further information on SIFE, visit the [Multilingual Learners InfoHub](#) and the [NYSED SIFE website](#).

Step 7: Parent Agreement and Program Placement

Parents/guardians are the sole determinants of the ELL programs their children receive, initially and in subsequent years. Schools must notify parents of their child's eligibility for ELL services and provide information and program selection through parent orientations (in the parents' preferred languages), following the steps outlined below. Schools may not refuse admission to zoned students or students assigned by the DOE's Office of Student Enrollment based on their ELL status or program needs.

When a new ELL enrolls, schools must inform parents of the three instructional models available in New York City (see [ML/ELL Programs](#)), regardless of whether the preferred model is currently offered in the school.

Helpful Hint: Program Placement before Parent Orientation

When a student is identified as an ELL, he/she must first be placed in a bilingual program, before the orientation meeting, if one exists. Newly identified ELLs who do not speak a common language and for whom a bilingual program cannot be formed (because minimum thresholds have not been met) must be placed in ENL.

Parent Orientation Session

To inform parents of these options, schools must provide parents of newly enrolled ELLs with a parent orientation where they can view the [parent orientation video](#) (which explains the three program options and is available in multiple languages).

During the orientation, schools should also provide information on standards, curriculum, and assessments. The parent orientation session must also provide a high-quality orientation section on the Next Generation Learning Standards, assessments, and school expectations for English Language Learners, as well as the program goals and requirements for bilingual education and English as a New Language (formerly English as a Second Language but now referred to as ENL) programs.

The orientation must be in a language or mode of communication that the parent or guardian best understands. Schools should refer to the DOE's [language access supports](#) if they require an interpreter for any language that is not spoken by the school staff.

Note: Attendance records, staff members present at the orientation, and languages used other than English must be recorded using existing procedures established in the school.

ELL Parent Survey & Program Agreement Form

After parents are informed of all three program models at the parent orientation, schools must provide parents with the [ELL Parent Survey & Program Agreement Form](#) (in the parents' preferred language), where parents/guardians can indicate their program selection.

Helpful Hint: Parent Selection

Though it is discouraged, if a parent changes their ELL program selection, subsequent requests are entered into the [BNDC](#) screen in ATS. The school should also maintain records for any change to parent option in the student's cumulative file.

The parent must return the completed and signed form within five school days.

Note: The [ELL Parent Survey & Program Agreement Form](#) is a formal record of the parent's preference of ELL program for their child and must be retained in the student's permanent record and accessible for State or City audits and reviews. A copy

of the completed Parent Survey & Program Agreement Form can be provided to the parent upon request.

Placement Letters

Upon receiving the completed [Parent Survey & Program Agreement Form](#), schools should then send the parent the [Placement Letter \(After Receiving Parent Survey\)](#) in their preferred language to confirm their child's placement into an ELL program.

If the parent does not return the Parent Survey & Program Agreement Form within five school days, the student remains in the bilingual program if one exists at the school; otherwise, the student remains in ENL. In this case, the school should notify the parent by sending the [Default Program Placement Letter](#) in the parent's preferred language.

Note: The school must document and include attempts to gather initial parent option; documentation should be maintained using existing procedures established by the school.

Students who are placed in ENL as a result of the parents' not returning the survey must be counted toward minimum thresholds established by NYSED's CR Part 154, as amended by the Aspira Consent Decree, which requires the opening of a bilingual program, which are as follows:

- In kindergarten to grade 8, 15 or more ELLs who speak the same language in one or two contiguous grades
- In grades 9 to 12, 20 or more ELLs who speak the same language in one grade

Update parent selection in ATS

Schools are responsible for entering parent selection as indicated on the Parent Survey & Program Agreement Form in the designated screen in ATS (ELL Parent Choice ([ELPC](#)) within 20 school days of enrollment (30 school days for students entering with IEPs).

The parent's first choice should be entered as noted on the selection form, regardless of whether that selection is currently offered at the school.

For more information on the ELPC screen, see [ATS: ELL Parent Choice Update Screen \(ELPC\)](#).

Note: Any student who was admitted over a year ago will not appear on the ELPC screen. Enter the parent option for these students on the BNDC screen.

Placement into ELL program

ELLs must be placed in the parent/guardian's selected program within 10 school days of enrollment (20 school days for incoming students with IEPs).

If a parent/guardian selects an option that is currently available in the school, the school must place the student in that program immediately and provide the student with a full schedule.

If a parent/guardian's program selection is not currently available in the school, the school must inform the parent that the selection is not available at the school, and provide the parent with the following two options, and maintain a record of the parent's response.

- Keep the student enrolled at the current school in an available program; if the parent chooses this option, the school should immediately place the student in that program and begin serving the student; OR
- Request a transfer to a different school where the parent's selection is currently available (view the [bilingual program list](#) and [ELL transfer policy and procedure](#)).

Note: All schools must have an ENL program at minimum. An ELL transfer option is only available in cases where parents/guardians have requested a bilingual program and one is not available at the school and the school does not meet the minimum thresholds to create one.

ELL Transfer Option

In accordance with [Commissioner's Regulation Part 154](#), families of English Language Learners (ELLs) have the right to request a bilingual program (Transitional Bilingual Education or Dual Language). CR Part 154 as amended by the Aspira Consent Decree requires schools to create bilingual programs if there are 15 ELLs (for elementary or middle school) in two contiguous grades or 20 ELLs (for high school) that speak the same home language in one contiguous grade. If the student's current school does not have a bilingual program or the sufficient number of students of the same home language to create the bilingual program, the student has the right to request a transfer to a school with that bilingual program.

Note: Schools must continue to provide English as a New Language (ENL) services to the student while the transfer is being pursued.

ELL Transfer Policy and Procedure

The Office of Multilingual Learners (OML) and ATS have developed a new function in ATS that replaces the external system that processes ELL Transfer Requests. This new process (ELTR) is the source of submitting, tracking, and reporting for ELL Transfer Requests.

Note: Transfer requests for students with Bilingual Special Education (BSE) recommendations on their IEP (ICT or special class in a language other than English) must be submitted to BSEPrograms@schools.nyc.gov.

ELL Transfer Pre-Requisites

Before submitting an ELL Transfer Request on the ELTR screen in ATS, schools must make sure the following steps have been completed:

1. ELL Identification
 - a. Qualified personnel (licensed and trained pedagogue) administers Home Language Identification Survey (HLIS)
 - b. If student is eligible, administer and scan results of New York State Identification Test for English Language Learners (NYSITELL) in ATS
2. ELL Program Selection
 - a. Enter Parent Survey and Program Selection response on ELPC in ATS
 - b. For updates, enter the change of Program Selection response on BNDC in ATS

ELL transfer eligibility

The ELL Transfer Request process is available for currently active ELLs in grades K-12 who request a transfer to a school that has the bilingual program they requested. The ELTR screen will only display students who are eligible for an ELL Transfer Request who meet the following criteria:

1. Student is currently an ELL
2. Student is in Grade Level K-12
3. Student's Home Language is not English or not unknown (meaning, UK, ZZ, EN, NULL/blank)
4. Student's current Bilingual Parent Choice is Dual Language (D) or Transitional Bilingual Education (B)

Note: Students with an ENL program option are not eligible for an ELL transfer as all schools are expected to have an ENL program at minimum.

Procedures to Request an ELL Transfer

As part of the ELL Identification process, parents/guardians of English Language Learners (ELLs) have the option to select the ELL program of their choice. If the parent selects a transitional bilingual education program or dual language program that is not available at the current school, the family can request a transfer to another school with that bilingual program. To request an ELL transfer, please follow the steps below:

1. Share the [Family Request for ELL Transfer](#) form with the family in their preferred language.

Note: The [Family Request for ELL Transfer](#) form indicates the family's consent to request the ELL transfer.

If the transfer is approved by the Office of Multilingual Learners and a placement option is identified by the Family Welcome Center, the parent/guardian must indicate whether they accept or reject the placement on a separate [Family Authorization for ELL Transfer](#) form.

If the parent/guardian accepts the offered placement, the parent/guardian may also have to submit a signed enrollment assignment letter as part of this process before registering at the new school.

2. Once the [Family Request for ELL Transfer](#) form is complete, the principal must submit the ELL Transfer Request on the ELTR screen in ATS. Principals should follow the steps listed below to submit the ELL transfer request in ATS:
 - o Go to the ELTR screen in ATS.
 - o Find the student's name. Under the SEL column, by the student's name enter S and then hit enter on your keyboard.
 - o Principals will then be prompted to answer three questions on the ELTR submit screen and to submit a distance code indicating how far the family is willing to travel. The principal should refer to the completed Family Request for ELL Transfer form, respond to the three questions and enter the appropriate distance code.
 - o Once the request is successfully submitted an "S" will appear under the status column and an automated email will be generated and sent to ELLProgramTransfers@schools.nyc.gov copying the user who submitted the request in ATS.

The principal will receive an email confirmation once the ELTR request is successfully submitted in ATS; this email confirmation will also be forwarded to ELLProgramTransfers@schools.nyc.gov.

Note: Only students that may be eligible for an ELL transfer appear on the ELTR screen. If a student is not listed on the ELTR screen, make sure all the pre-requisites have been

met (NYSITELL was previously administered and scanned, and student is an active ELL with a current bilingual program option in either the ELPC or BNDC screen).

3. Once the transfer request is submitted in ATS, submit the signed [Family Request for ELL Transfer](#) form to ELLProgramTransfers@schools.nyc.gov.

Helpful Hint: Submitting Family Request for ELL Transfer Form

When submitting the completed [Family Request for ELL Transfer](#) form to the ELL transfer inbox, please make sure:

- All relevant fields/boxes have been completed by the parent/guardian
- The ELTR request has already been submitted by your principal in ATS
- Your email contains the following information to expedite your request: Student Name, NYC ID (OSIS) and your school DBN.
- You have copied any relevant parties at your school that will be able to follow up with the family throughout this process.
- If the student was not recently identified as an English Language Learner within the current school year or has been served in an ENL program until recently requesting a bilingual program, please include an explanation that details why the family is requesting an ELL transfer at this particular point in time.

4. Once the transfer request has been successfully submitted in ATS by the principal and the completed [Family Request for ELL Transfer](#) has been submitted to ELLProgramTransfers@schools.nyc.gov, OML will review the transfer request. If OML, the ML/ELL Director, and the Superintendent determine that the school cannot create a bilingual program, OML approves the request and reaches out to the Family Welcome Center to identify a potential placement, copying the [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#) and relevant contacts from the school.
4. The Family Welcome Center will determine if there is an available placement option for the student.
5. The school should notify the parent/guardian regarding any potential placement options and obtain the family's decision on the [Family Authorization for ELL Transfer](#). The parent/guardian's decision to accept (transfer to new school) or reject (remain at school and receive ENL) should be recorded on the [Family Authorization for ELL Transfer](#) form.
6. Once the family has indicated whether they accept/reject the offer on the [Family Authorization for ELL Transfer](#) form, submit the completed [Family Authorization for ELL Transfer](#) form to

ELLProgramTransfers@schools.nyc.gov. If possible, share the form on the most recent e-mail chain pertaining to your transfer request.

7. Principals should also indicate whether the family accepts/rejects the offer on the ELTR screen in ATS. To update the request in ATS, principals should follow these instructions:
 - o Go to the ELTR screen in ATS
 - o On the ELTR screen, please find the student's name.
 - o Under the Status column, overwrite the existing S and enter O, hit F2
 - o Overwrite the existing O and enter (A - if accepted; N- if not accepted), hit F2
 - o If the offer was not accepted, enter the [appropriate code](#), hit F2.
8. OML follows up with Family Welcome Center and shares the completed [Family Authorization for ELL Transfer form](#).
9. Family Welcome Center advises of next steps and may prepare an enrollment assignment letter. The requesting school should share the enrollment assignment letter with the family.
10. Requesting school shares signed enrollment assignment letter with Family Welcome Center. Family Welcome Center will advise of the next steps.

Helpful Hint: For any questions or guidance on this process, please reach out to ELLProgramTransfers@schools.nyc.gov. If you have questions about a specific student, please make sure to provide the student's full name, NYC DOE Student ID and your school DBN.

Timeline for ELL Transfer Requests

1. ELL Transfer Requests must be completed within the school year it is submitted.
2. If the ELL Transfer Request is from a previous year, then the request is closed.
3. If the ELL Transfer Request is not completed within the school year, a new request must be submitted.

ELL Transfer Request (ELTR) Screen in ATS

Principals can now submit and track the progress of an ELL Transfer Request on the ELTR screen in ATS. The ELTR screen can be found with other similar ELL functions on the BES1 screen (BESIS Functions). You can also enter the ELTR screen directly by entering ELTR in the top left corner of ATS.

Note: Only principals have access to this functionality. Principals unable to access this function should ensure they have principal level access in ATS. Please contact systemsaccess@schools.nyc.gov to request principal level access.

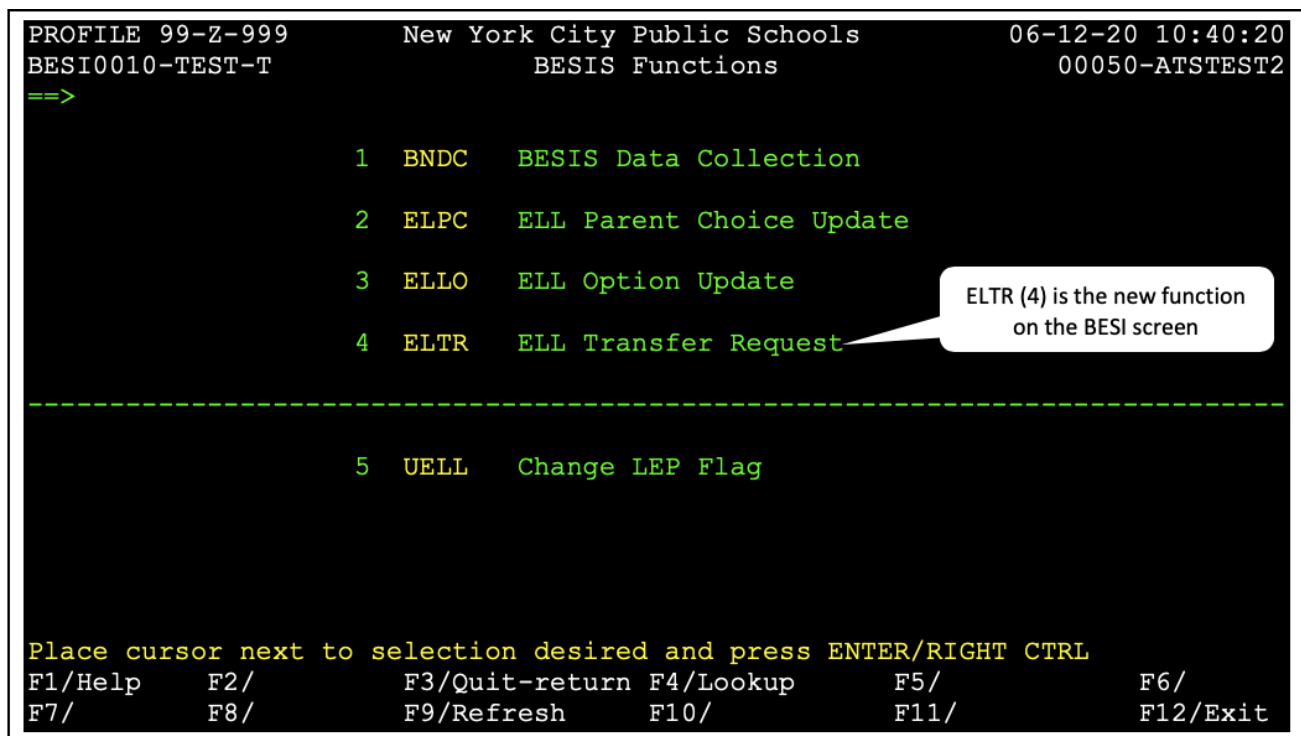


Figure 8: BESIS functions screen

ELTR Main Screen

The ELTR main screen lists all eligible students for an ELL Transfer Request in alphabetical order by Last Name. If a student and family are not requesting a transfer, then no further action is required on this screen. This screen will allow principals to:

1. Submit an ELL Transfer Request for a student
2. Track a student’s ELL Transfer Request

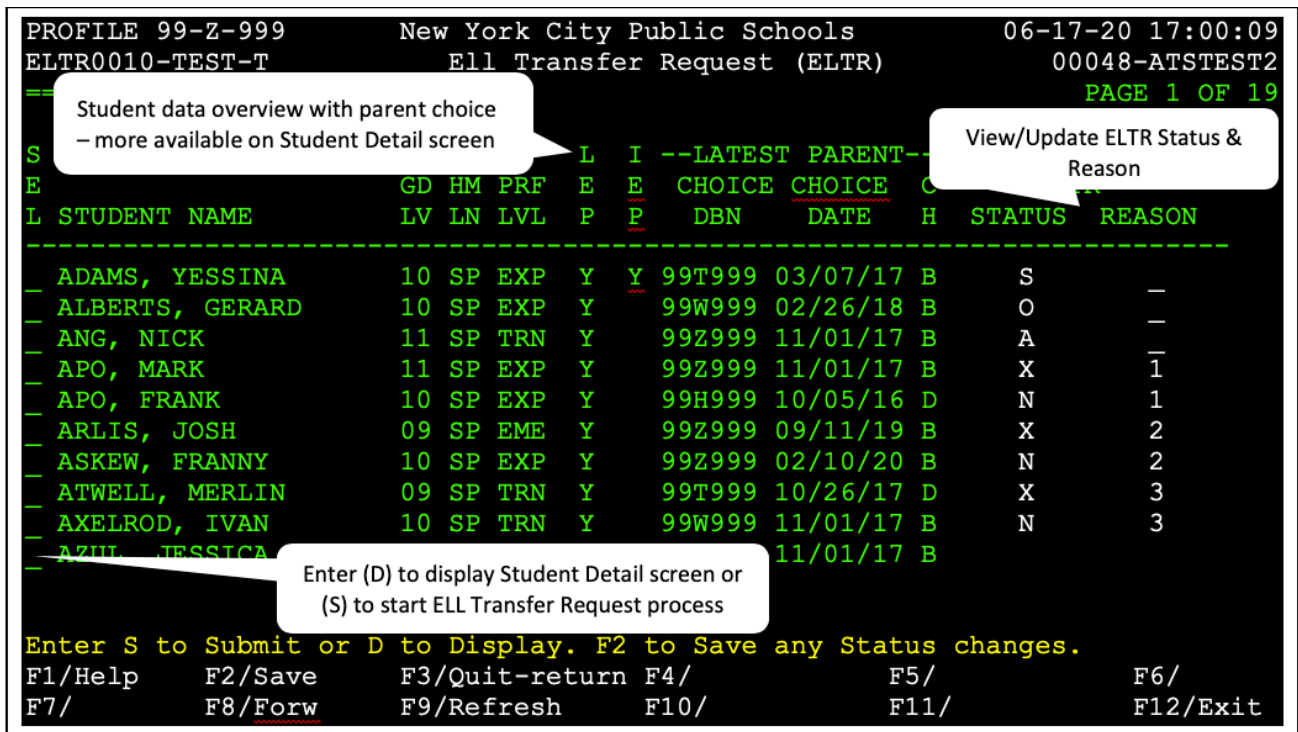
This screen and the following ELTR screens will allow principals to make the most informed decision about placement options for the student.

On the ELTR main screen, principals can view key student information (Name, Grade Level, Home Language, Proficiency level, LEP flag, Parent Option, etc.). Principals can also view the status of an ELL Transfer Request, and if applicable, the reason for the status ([more on this later](#)).

To see more details for a student, a principal should enter “D” next to the student’s name under the SEL column and then hit enter.

To start the ELL Transfer Request process, a principal should enter “S” next to the student’s name under the SEL column and then hit enter.

Note: If you are requesting a transfer for a student with a Bilingual Special Education (BSE) recommendation on their IEP, please contact BSEPrograms@schools.nyc.gov for assistance. A BSE recommendation is for either an ICT or special class with a language of instruction other than English.



PROFILE 99-Z-999 New York City Public Schools 06-17-20 17:00:09
 ELTR0010-TEST-T Ell Transfer Request (ELTR) 00048-ATSTEST2
 == Student data overview with parent choice - more available on Student Detail screen == PAGE 1 OF 19

SEL	STUDENT NAME	GD LV	HM LN	PRF LVL	E P	E P	CHOICE DBN	CHOICE DATE	C H	STATUS	REASON
	ADAMS, YESSINA	10	SP	EXP	Y	Y	99T999	03/07/17	B	S	-
	ALBERTS, GERARD	10	SP	EXP	Y		99W999	02/26/18	B	O	-
	ANG, NICK	11	SP	TRN	Y		99Z999	11/01/17	B	A	-
	APO, MARK	11	SP	EXP	Y		99Z999	11/01/17	B	X	1
	APO, FRANK	10	SP	EXP	Y		99H999	10/05/16	D	N	1
	ARLIS, JOSH	09	SP	EME	Y		99Z999	09/11/19	B	X	2
	ASKEW, FRANNY	10	SP	EXP	Y		99Z999	02/10/20	B	N	2
	ATWELL, MERLIN	09	SP	TRN	Y		99T999	10/26/17	D	X	3
	AXELROD, IVAN	10	SP	TRN	Y		99W999	11/01/17	B	N	3
	AZIH, JESSICA							11/01/17	B		

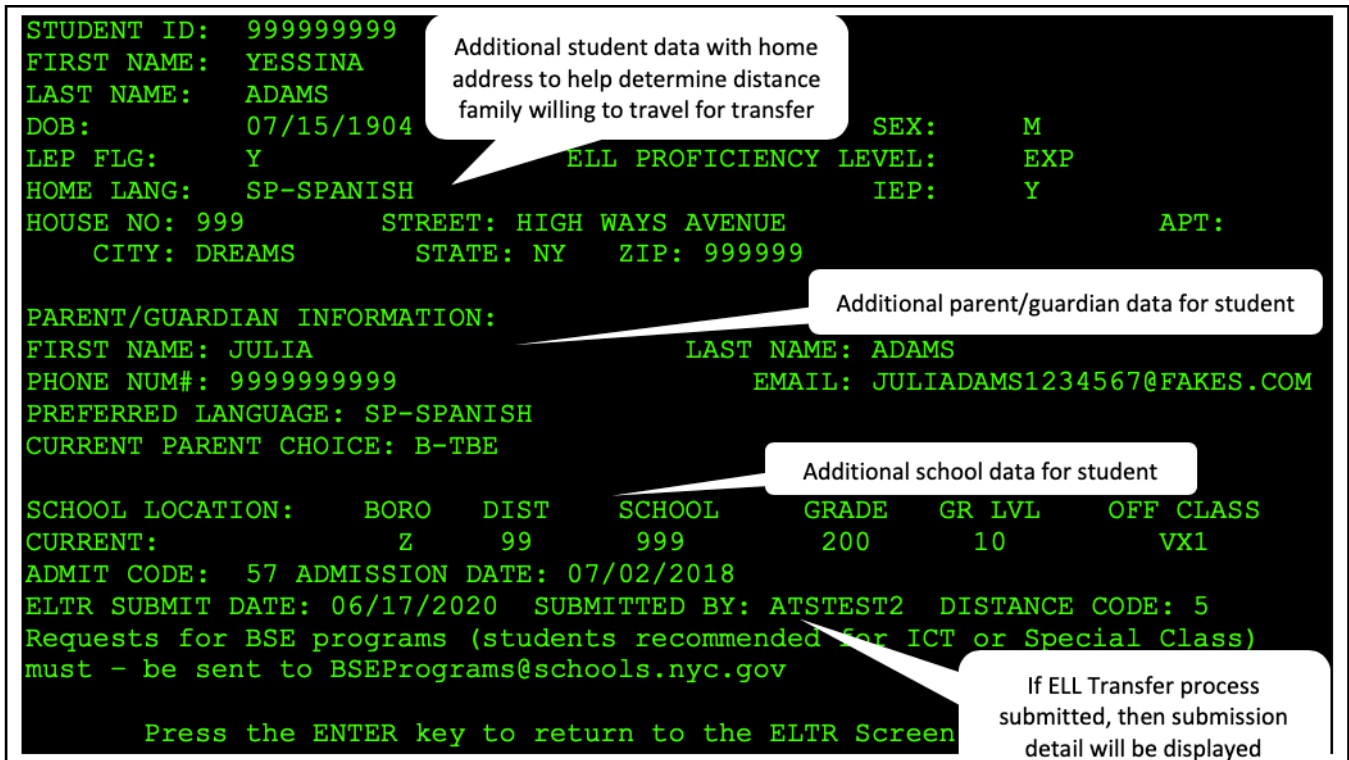
Enter S to Submit or D to Display. F2 to Save any Status changes.
 F1/Help F2/Save F3/Quit-return F4/ F5/ F6/
 F7/ F8/Forw F9/Refresh F10/ F11/ F12/Exit

Figure 9: ELTR main screen

Note: ELL Transfer Request statuses of X and N will not be displayed after one day since those requests will be considered closed ([more below](#)).

ELTR Student Detail Screen

When “D” is entered under the SEL column on the ELTR main screen, the following ELTR Student Detail screen will be displayed. This screen is for informational purposes only (no updates can be made to this screen). If an ELL Transfer Request has been submitted for this student, then you can see the date of that submission, the user who submitted the application, and the Distance Code.



STUDENT ID: 999999999
 FIRST NAME: YESSINA
 LAST NAME: ADAMS
 DOB: 07/15/1904
 LEP FLG: Y
 HOME LANG: SP-SPANISH
 HOUSE NO: 999
 CITY: DREAMS

Additional student data with home address to help determine distance family willing to travel for transfer

SEX: M
 ELL PROFICIENCY LEVEL: EXP
 IEP: Y
 STREET: HIGH WAYS AVENUE
 STATE: NY
 ZIP: 999999
 APT:

PARENT/GUARDIAN INFORMATION:
 FIRST NAME: JULIA
 PHONE NUM#: 9999999999
 PREFERRED LANGUAGE: SP-SPANISH
 CURRENT PARENT CHOICE: B-TBE

Additional parent/guardian data for student

LAST NAME: ADAMS
 EMAIL: JULIADAMS1234567@FAKES.COM

SCHOOL LOCATION: BORO DIST SCHOOL GRADE GR LVL OFF CLASS
 CURRENT: Z 99 999 200 10 VX1

Additional school data for student

ADMIT CODE: 57 ADMISSION DATE: 07/02/2018
 ELTR SUBMIT DATE: 06/17/2020 SUBMITTED BY: ATSTEST2 DISTANCE CODE: 5
 Requests for BSE programs (students recommended for ICT or Special Class) must - be sent to BSEPrograms@schools.nyc.gov

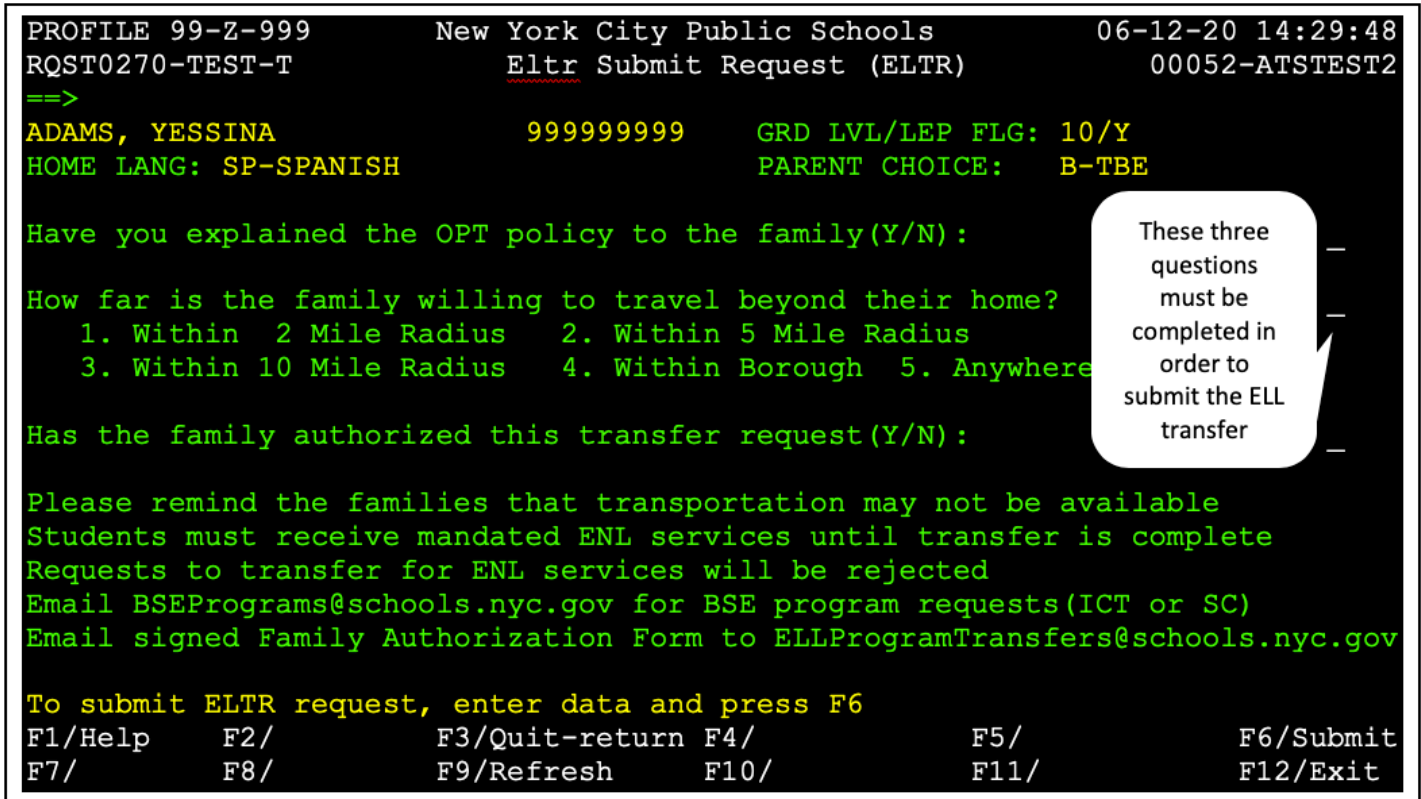
Press the ENTER key to return to the ELTR Screen

If ELL Transfer process submitted, then submission detail will be displayed

Figure 10: ELTR student detail screen

Note: ELTR Submit Date, Submitted By, and Distance Code are only available after the request is submitted on the ELTR Submit Screen.

When “S” is entered under the SEL column on the ELTR main screen, the following screen will be displayed. For the ELL Transfer Request to be submitted, each of the questions listed below must be answered. These questions align to the information collected on the ELL transfer request form. If an incorrect value is entered, a red message on the bottom of the screen will guide principals to the appropriate actions.



These three questions must be completed in order to submit the ELL transfer

Figure 11: ELTR submit screen

Three Questions

1. Have you explained the OPT policy to the family (Y/N)?
2. How far is the family willing to travel beyond their home?
3. Has the family authorized this transfer request (Y/N)?

Distance Codes

- 1 = Within 2 Mile Radius
- 2 = Within 5 Mile Radius
- 3 = Within 10 Mile Radius
- 4 = Within Borough



ELTR Confirmation Email

Once an ELL Transfer Request is successfully submitted, ATS will generate a summary email that will automatically be sent to the ELLProgramTransfers@schools.nyc.gov inbox with the requesting user copied. For the ELL Transfer Request to be processed, the school must follow up and submit the signed [Family Request for ELL Transfer](#) form to ELLProgramTransfers@schools.nyc.gov.

We recommend forwarding the automated email to ELLProgramTransfers@schools.nyc.gov with the signed [Family Request for ELL Transfer](#) form and copying any relevant staff that will be responsible for following up with the family regarding the transfer request and status. This will allow both the school and OML to have all the information regarding the ELL Transfer Request in one place.

An example of the auto-generated email is below:

Student ID : 123456789
First Name : DIANA
Last Name : DOVER
Birth Date : 07/15/1984
Grade Level : 10
School DBN : 99Z999
School Name : SCHOOL 123
Admission Date : 07/02/1998
Parent Choice : B-TBE
Home Language : SP-SPANISH
IEP Flag :
Proficiency Level : EXP
Distance willing to travel : Anywhere

Requesting User ID : ATSTEST2
Date of Request : JUN 17, 2020

Please remind families that transportation may not be available

Students must receive mandated ENL services until transfer is complete

Requests to transfer for ENL services will be rejected

Email BSEPrograms@schools.nyc.gov for BSE program requests (ICT or SC)

Email signed Family Authorization Form to ELLProgramTransfers@schools.nyc.gov

ELTR Statuses and Reasons

To accurately track and report an ELL Transfer Request, six ELL Transfer Request statuses were created to maintain this information.

ELL Transfer Request Statuses

1. (S) = ELL Transfer Request Submitted by School
 - a. Initial Status based on signed [Family Request for ELL Transfer](#)
 - b. Next logical Status is Offered (O) or Not Offered (X)
2. (O) = ELL Transfer Offered to Family
 - a. If a transfer is available, the school offers to family and update Status
 - b. Next logical Status is Accepted (A) or Not Accepted (N)
 - c. Status can also be changed to Not Offered (X) (for example, data entry error)
3. (X) = ELL Transfer Not Offered to Family
 - a. If a transfer is not available, the school notifies the family and updates Status
 - b. Status can also be changed to Offered (O), but only on the same day (for example, data entry error)
 - c. Status is locked the next day and the request will be considered closed
 - i. The student can request another transfer, but a new request needs to be submitted by the school
4. (A) = ELL Transfer Accepted by Family
 - a. If the family accepts transfer based on signed [Family Authorization for ELL Transfer](#), school updates Status
 - b. Next Logical Status is Transfer Completed (T) (automated by ATS)
 - c. Status can also be changed to Not Accepted (N) (for example, data entry error, family changes mind, etc.)
5. (N) = ELL Transfer Not Accepted by Family
 - a. If the family does not accept transfer, the school updates Status
 - b. Status can also change to Offered (O), but only on the same day (for example, data entry error)
 - c. Status is locked the next day and the request will be considered closed
 - i. The student can request another transfer, but a new request needs to be submitted by the school

6. (T) = ELL Transfer Completed by ATS

- a. This is system driven based on the student being admitted to receiving school

To accurately track and report the reason an ELL Transfer Request is not processed, five ELL Transfer Request Reasons were created to maintain this information depending on the ELL Transfer Request status.

ELL Transfer Request Reasons

1. When ELL Transfer Status is Not Offered (X), the school will enter one of the following Reasons:

- a. (1) Program Not Available (manual)
b. (2) Administrative Failure (manual)
c. (3) Program Not Beneficial (manual)

2. When ELL Transfer Status is Not Accepted (N), the school will enter one of the following Reasons:

- a. (1) Transportation Concerns (manual)
b. (2) School Environment (manual)
c. (3) Request Withdrawn (manual)

3. When ELL Transfer Status is "Pending" (S, O, or A), ATS will populate the following Reasons:

- a. (4) Student Discharged (automated)
 • Request is closed
- b. (5) Application Incomplete (automated)
 • Request is closed
- c. (NULL) Application Open
 • ELL Transfer Requests must be completed within the year it is submitted
 • If the ELL Transfer Request is from the previous year, then the request is closed
 • If ELL Transfer Request is not completed within the year, a new request must be submitted

Transfer Student (TRAF) and ELTR

The transfer process for students transferred through the ELL Transfer Request process is the same as all other students except for one additional question: “Is this transfer due to a bilingual program request (DL or TBE)?”

Note: Receiving schools must enter **Y** or **N** for the question “Is this transfer due to a bilingual program request (DL or TBE)?” This answer will determine the final ELTR Status and/or ELTR Reason for the student.

If ELTR Status is (Submitted - S, Offered - O, or Accepted) AND there is no Reason, the question appears on the TRAF screen.

1. If the Status is (A) and the answer is (Y), then the Status on the TRAF screen changes to (T)
 - This is the ideal ELL Transfer Request completion Status
2. If the Status is (S) or (O) and the answer is (Y), the Status remains unchanged, but the Reason is (5)
 - This is so no student is prevented from transferring, and the transfer information is captured
 - Investigation through reports will identify the cause of incomplete transfers
3. If the answer is (N), the Status remains unchanged, but the Reason is (4)

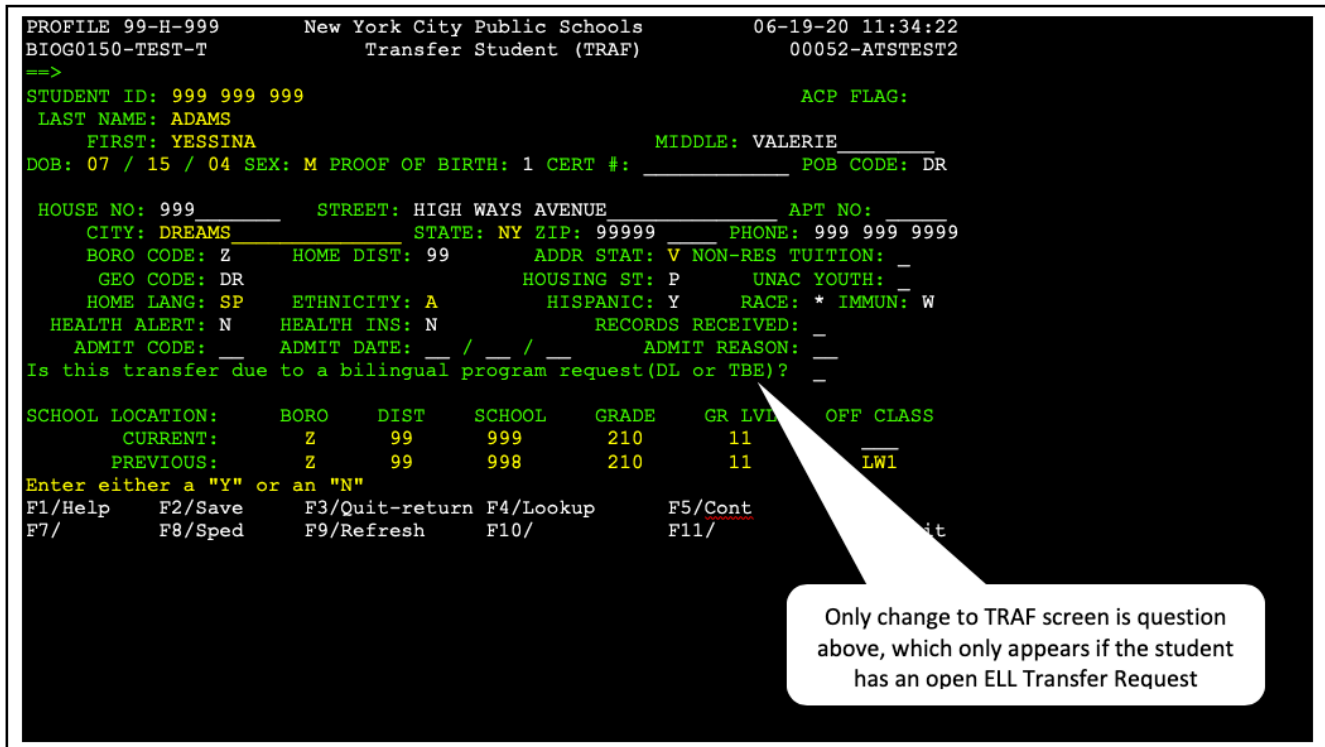


Figure 12: TRAF Screen for student with an open ELL transfer request

Step 8: Student Placed in ELL Program

Once the student's program has been determined based on the steps outlined above, schools send parents a [placement letter](#) (in the parents' preferred language) indicating the program in which their child has been placed. A copy of the letter should be maintained in the student's cumulative file; see [Retention of Records](#) for more information.

Schools should program all ELLs for the minimum number of minutes of English as a New Language. For students placed in a bilingual program, program for bilingual classes. The number of minutes of ENL per student is based on proficiency level and grade level. See the [Units of Study Tables for ENL and bilingual education programs](#) on the mandated number of minutes of ENL and bilingual program requirements. See [STARS wiki](#) for [programming ENL](#) and [bilingual programs](#) in STARS.

Note: Proceed to steps 9 and 10 only if the ELL status is requested to be reviewed and considered for reversal (due to possible misidentification). Steps 9 and 10 are used only on an "as necessary" basis.

Step 9: Re-Identification of ELL Status (only used as necessary)

Beginning in SY 2015-16, a student who has undergone the ELL Identification Process (as the result of first-time entry or reentry) may go through the ELL Re-Identification Process. The Re-Identification Process allows schools, parents, and students who believe a student may have been misidentified as an ELL or non-ELL to request (within 45 school days of a student's initial determination or reentry determination) that the ELL Identification Process be administered a second time. The Re-Identification Process may be utilized for students who:

- Have a home language other than English, and
- Are ELLs and non-ELLs

The school must initiate a review of the ELL status determination upon receipt of a written request from any of the following:

- A student's parent or guardian
- A student's teacher (if the teacher's request includes written consent from the parent or guardian)
- A student of 18 years of age or older

The Re-Identification Process must be completed within 10 school days of receipt of written notice; however, if the IEP team must be consulted for students with IEPs, the process must be completed within 20 school days.

Steps in the Re-Identification Process

1. School receives a written request to initiate the Re-Identification Process (for example, a parent writes a letter to the principal).
2. School reviews all documents related to the initial or reentry identification process detailed above.
3. School reviews the student's work in English and the home language.
4. The school may administer the NYSITELL to the student if the original determination was that the student should not be administered the NYSITELL.

Note: Under no circumstances can the Re-Identification Process include a second administration of the NYSITELL.

5. School consults with parent or guardian.
6. The school conducts and reviews the results of a school-based assessment, administered by qualified personnel as defined by CR Part 154-2.2(u)3F⁷, of the student's abilities in listening, speaking, reading, and writing in English.
7. The appropriate staff consults with the IEP team if the student has a disability or is suspected of having a disability that may impact the ability to speak, read, write or listen in English.
8. Based on the recommendation of the qualified personnel, the school principal determines whether to change the ELL status or not. The principal's decision is entered into the [RQSA](#) screen in ATS. Written notification of the decision in the parent's preferred language must be sent to the parent or guardian (and the student if he/she is 18 years of age or older). If the recommendation is to not change the ELL status, no further actions are necessary; if the recommendation is to change the ELL status, the process continues.
9. Upon receipt of signed notification acknowledging the principal's recommendation to change the ELL status from the parent or guardian or student (if he/she is 18 years of age or older), the relevant documents and recommendation are sent to the superintendent (or designee) for review and final decision.
10. Written notification of the decision is sent from the superintendent to the principal, parent, guardian, and student (if he/she is 18 years of age or older) in the parent's preferred language within 10 school days of receipt of documentation from the principal. Superintendent's decision is

⁷ A bilingual or English to speakers of other languages teacher, certified pursuant to CR Part 80, who is fluent in the home language of the student and parent or guardian, or uses a qualified interpreter/translator of the language or mode of communication the student or parent or guardian best understands, or (2) a teacher who is certified pursuant to CR Part 80, and has been trained in cultural competency, language development and the needs of English language learners, and who is proficient in the home language of the student or parent or guardian or uses a qualified interpreter/translator of the language or mode of communication the student or parent or guardian best understands.

entered into the [RQGA](#) screen in ATS. If the decision is to not change the ELL status, no further action is necessary. If the decision is to change the ELL status, the student’s program must be modified accordingly.

11. All notifications and relevant documents must be kept in the student’s cumulative folder. See [retention of records](#).

Helpful Hint: Re-Identification of ELL Status Process

Principals use the [RQSA](#) in ATS.

Superintendents use the [RQGA](#) in ATS.

Schools should establish protocols and assign qualified and trained staff to manage both the initial and Re-Identification Processes.

If a student’s ELL status is determined to be a non-ELL as a result of the Re-Identification Process, the student will not be counted as an ELL for statistical or reporting needs. Additionally, the student will be considered a “never” ELL and is not entitled to ELL testing accommodations or to be reviewed under ELL promotion policy. The student will not need to take the NYSESLAT.

Step 10: Review of Re-Identification of ELL Status Reversal (only used as necessary)

Between six and 12 months (from the date of the superintendent’s notification to the principal, parent, guardian, and/or student), the principal must review the Re-Identification Process decision to ensure that the student’s academic progress has not been adversely affected by the determination.

The principal will consult with a qualified staff member in the school, the parent/guardian, and the student. If the principal, based on the recommendation of qualified personnel and consultation with the parent/guardian believes that the student may have been adversely affected by the determination, the principal must provide additional support services to the student as defined in CR Part 154-2.3(j) and may reverse the determination within this same 6-to-12-month period.

If the principal decides to reverse the ELL status, the principal must consult with the superintendent or the superintendent’s designee. Final decision notification must be in writing to the parent, guardian, and/or student in the parent’s preferred language within 10 school days.

ATS Screens for Re-Identification of ELL Status

Principal’s Role

RQSA – School Action Request Screen

An option has been added (12 – ERI – Request ELL Re-identification). This option is to be used if the principal’s recommendation is to change the ELL status (request must be made within 45 school days of

initial or reentry determination). To access the screen, enter the student ID in the top right corner and enter 12 in the top left corner and hit enter. If the principal’s recommendation is NOT to change the ELL status, then NO action is necessary on this screen.

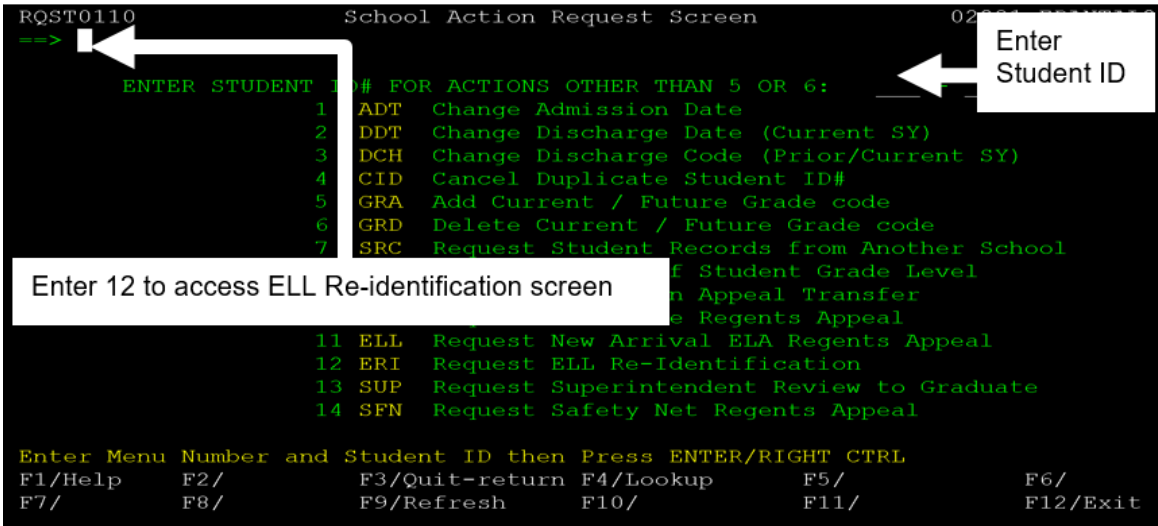


Figure 13: School Action Request Screen in ATS

On the following screen, enter the date the parent requested the ELL Re-identification and a rationale for the recommendation to change the ELL status. Press F6 to submit the request. Upon completion of this screen, the principal must notify the superintendent (or designee) of the recommendation and send all relevant documents for review and final decision.

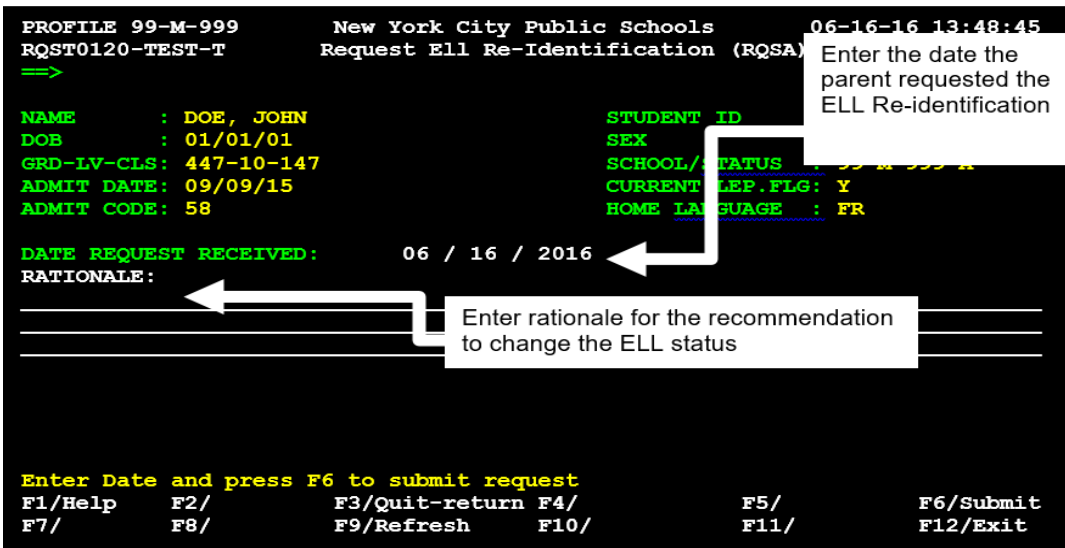


Figure 14: Request ELL Re-Identification (RQSA) screen in ATS

Superintendent’s (or Designee’s) Role

RQGA – Action Requests

This screen will give a preview to the following:

- Total of All ELL Re-identification requests
- Total Pending ELL Re-identification requests
- Total Completed ELL Re-identification requests
- Total Rejected ELL Re-identification requests

Enter the appropriate corresponding letter (P – Pending, C – Completed, or R – Rejected) to view those students’ requests. Press F6 to submit the request. Unlike the principal’s procedure, the superintendent must complete the process on this screen to capture the decision.

The screen below shows the example of the two students that have a pending ELL Re-Identification Request from the above screen. The superintendent (or designee) must enter the District, DBN, and student ID along with entering X next to the student row to begin the process for a student.

On this screen, the superintendent (or designee) can review the information the principal entered from the RQSA – Request ELL Re-identification screen. This is also where the final decision is entered (A – Approve or R – Reject). A comment to document the rationale for the decision should be entered. Press F6 to submit a decision.

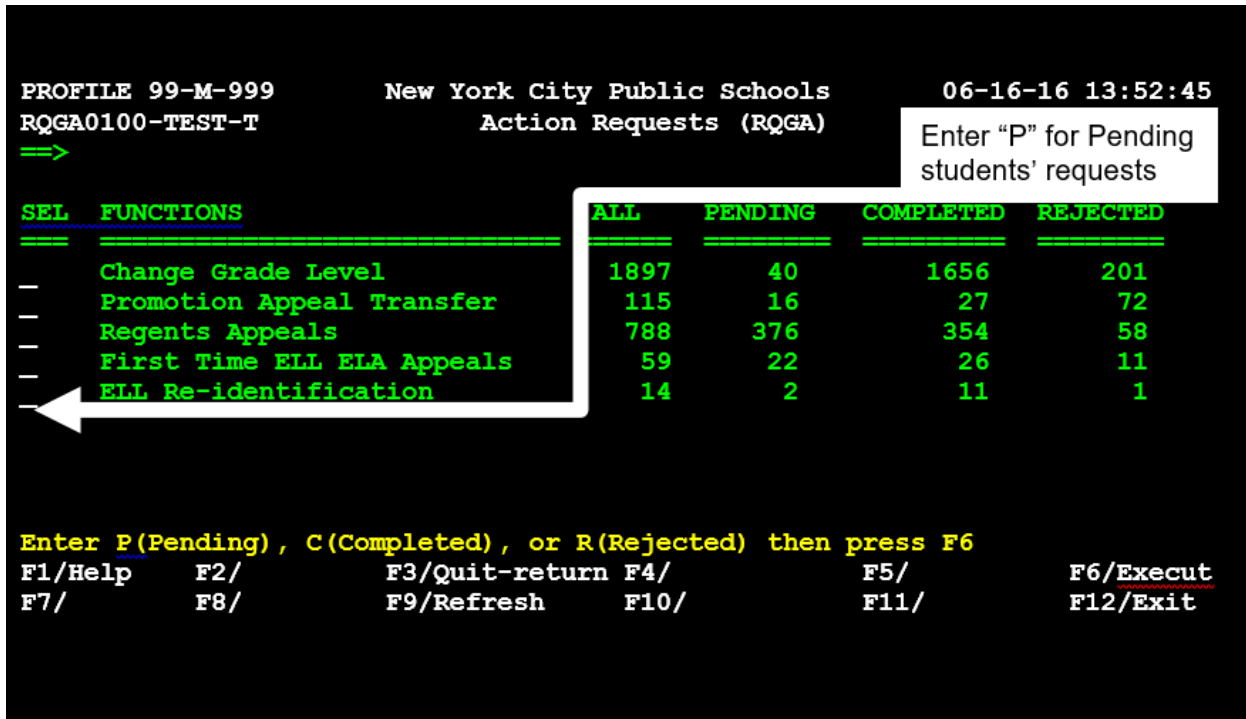


Figure 15: Action Requests Response (RQGA) Screen in ATS

PROFILE 99-M-999 New York City Public Schools 06-16-16 13:53:40
 RQGA0200-TEST-T Action Requests Response (RQGA)

⇒

DISTRICT: DBN: ID: - - -

Enter District, DBN, and student ID

ACT	RQ DATE	STUDENT NAME	SCHOOL	STUDENT ID	SUPERINTENDENT	STATUS
ERI	06/16/16	DOE, JANE	99K999	987-654-321	SMITH, JANE	PEND
ERI	06/16/16	DOE, JOHN	99M999	123-456-789	SMITH, JOHN	PEND

Enter "X" to select student

then press F6

F1/Help F2/Comments F3/Quit-return F4/Lookup F5/ F6/Execut
 F7/ F8/ F9/Refresh F10/ F11/ F12/Exit

Figure 16: ELL Re-Identification Screen in ATS

Summary of the ELL Identification Process

Step 1: Determine if the enrolling student was in an NYS public school within the past 2 years.

Schools are required to obtain NYSITELL/NYSESLAT scores directly from the sending NYS public school to allow the student to continue in the ELL status (and proficiency level) in effect at the time of discharge from the NYS public school.

- Enter reentry status into the ATS Transfer Student (TRAF) function.
- Contact the previous school to obtain NYSITELL and/or NYSESLAT scores, HL code, and SIFE status.
- Send received test scores to ELLTransfersNYS@schools.nyc.gov.
- Complete New York State Transfer ELL Data Request Form.

Stop if the student was enrolled in an NYS public school within the past 2 years.

Proceed to the next step if the student is entering as a new student to NYS public schools or returning to NYS public schools after more than 2 years.

Step 2: Parent completes Home Language Identification Survey with qualified personnel.

The HLIS is administered and the home language code is determined by qualified personnel which must be a licensed and trained pedagogue.

- Print the HLIS in the parent/guardian's preferred language.
- Enter HL Code into BIOU screen in ATS.
- Update HLIS flag to "Y" on BIOU screen in ATS.

Stop if the student's home language is English.

Proceed to the next step if the student's home language is other than English.

Step 3: Determine eligibility for NYSITELL and administer NYSITELL to eligible students.

The Language Proficiency Team (LPT) should be convened to determine NYSITELL eligibility for incoming students with an IEP. Otherwise, students without an IEP begin with the individual interview.

- If the student should NOT take the NYSITELL, update the ELLO screen in ATS.
- If the student should take the NYSITELL, administer the NYSITELL within the designated timeline. To print answer sheets, go to RLBA in ATS.

Stop if the student is not eligible to take the NYSITELL. Make sure to maintain all relevant documentation in the student's cumulative file. See [Retention of Records](#).

Proceed to the next step once the NYSITELL has been administered.

Step 4: Send entitlement and non-entitlement letters to parent/guardian.

These letters notify parents/guardians whether their child is eligible for ELL services.

- Print the parent notification letters in the parent/guardian’s preferred language.
 - Send the entitlement letter (after NYSITELL) for students who score below commanding and are an ELL.
 - Send the non-entitlement letter(after NYSITELL) for students who score commanding and are not an ELL.
- Maintain copies of parent letters on record at school in the student’s cumulative file. See [Retention of Records](#).

Step 5: Administer Spanish LAB to newly identified ELLs whose home language is Spanish.

The Spanish LAB is administered once to newly identified ELLs:

- whose home language is Spanish, regardless of whether the student is placed in a bilingual program or not
- AND do not attain “commanding level” on the NYSITELL.

Print the Spanish LAB answer documents via [RSLA](#) in ATS. For information and directions on administering and printing the Spanish LAB, refer to the [Spanish LAB Scanning Book](#).

Note: The Spanish LAB is not administered to students re-entering the DOE after two years. The Spanish LAB is administered only once.

Step 6: Determine if ELL is a student with interrupted/inconsistent education (SIFE).

[SIFE](#) status is determined within 30 school days of enrollment. SIFE status may be modified within 12 months of enrollment. Grades 3 to 9 only.

- Enter SIFE status in the BNDC screen in ATS.

Step 7: Provide families a parent orientation meeting.

At this meeting, which is conducted by a trained pedagogue with interpretation services available, parents are provided with information on the three ELL program types (Dual Language, Transitional Bilingual Education, and English as a New Language).

The student must be placed in the bilingual program if one is available. Parents complete the survey indicating their agreement (or not) of the placement in the ELL program for their child. Maintain copies of this agreement in the student’s cumulative file. See [Retention of Records](#).

Note: If a bilingual program is not available, schools must open one if thresholds are met. See [Bilingual Program Protocols](#).

Step 8: The student is placed and programed in an ELL program.

Program all ELLs for the minimum number of minutes of English as a New Language. For students placed in a bilingual program, program for ENL and bilingual classes.

- Enter ENL programming and bilingual programming into STARS.

Stop. The ELL Identification Process is complete.

Proceed to the next step *only* if the ELL status is requested to be reviewed and considered for reversal (due to possible misidentification).

Step 9: Administer the Re-Identification Process as necessary.

A parent, student (age 18 or older), or teacher (with parent's approval) may appeal the ELL status within 45 school days of initial or reentry determination.

- Principals use the RQSA in ATS.
- Superintendents use the RQGA in ATS. Follow procedures outlined in [Step 9 of the ELL identification process](#).

Stop if the student's ELL status is not reversed.

Proceed to the next step if the student's ELL status is reversed.

Step 10: Within 6 to 12 months, review the progress of the student whose ELL status was reversed.

The principal must review the Re-identification Process decision to ensure that the student's academic progress has not been adversely affected by the determination. The principal's recommendation can be to provide additional services or to reverse the ELL status back to its originally determined status.

- Principals use the RQSA in ATS.
- Superintendents use the RQGA in ATS.
- Follow procedures outlined in [Step 10 of the ELL identification process](#).

Continuation of Services

Each spring, ELLs are tested to evaluate their English proficiency using the [New York State English as a Second Language Achievement Test](#) (NYSESLAT). All students who are English language learners must take the NYSESLAT (see [NYSESLAT Administration Best Practices Overview](#)). The NYSESLAT is designed to measure the English language proficiency of students who have been identified as ELLs and to determine their continued ELL status.

Continued Entitlement

Schools must send [Continued Entitlement Letters \(after NYSESLAT\)](#) to parents/guardians of students who continue to be entitled to ELL services based on their latest NYSESLAT results.

Note: Letters should be sent to parents/guardians in their preferred language before the beginning of the school year but no later than the first two weeks of the school year in which the student continues to be entitled.

Schools that receive articulating ELLs should review student records to provide program continuity (for example, middle schools with sufficient numbers of sixth-grade ELLs who come from grade five bilingual programs must create a bilingual program to serve these incoming students).

Annual Meeting with Parents

Schools must individually meet with the parents or guardians of English language learners at least once a year, in addition to parent-teacher conferences, initial parent orientations, quarterly progress meetings, or other scheduled meetings provided for parents or guardians, to discuss the goals of the ELL program, their child's language development progress, their child's English language proficiency assessment results, and language development needs in all content areas.

This additional meeting should include school staff necessary to sufficiently inform the parents or guardians about the child's language development in all content areas in English and the child's home language in the case of students enrolled in a bilingual education program. This meeting is conducted with a qualified interpreter/translator in the language or mode of communication the parent or guardian best understands.

Schools must determine the manner and form of such individual parent meetings, in accordance with collective bargaining agreements. Schools should record attendance using existing procedures. Schools are encouraged to print and distribute the New York State Education Department's [Parent's Guide to the Next Generation Learning Standards](#) and the [Parents' Bill of Rights for New York State English Language Learners/Multilingual Learners](#).

Exiting ELL Status (“Testing Out”)

Beginning in SY 2015-16, there are multiple ways for students to test commanding and be considered former ELLs:

1. Score at “commanding/proficient” level on the NYSESLAT.
2. Score at “expanding/advanced” level on the NYSESLAT **and** level 3 or 4 on the grades 3 to 8 NYS ELA exams.
3. Score at “expanding/advanced” level on the NYSESLAT **and** 65 or above on the NYS ELA Regents exam.

For options 2 and 3 above, the scores must be the result of test administrations that occur within the same school year; the August Regents results may be used in conjunction with the previous school year’s spring administration of the NYSESLAT (for example, Spring 2016 NYSESLAT results with August 2016 Regents results).

Students who test out and become former ELLs as a result of one of the above 3 options are entitled to the following transition services for up to 2 years:

1. A half unit (90 minutes) of ENL or services that monitor and support the student’s language development and academic progress, or
2. An option as outlined in the [Alternative Pathways to Support Former ELLs](#) and;
3. [ELL testing accommodations](#)

Schools must send [exit/non-entitlement letters](#) to parents/guardians of students who have exited ELL status.

Note: Letters should be sent to parents/guardians in their preferred language before the beginning of the school year but no later than the first two weeks of the school year in which the student is no longer entitled.

Alternative Pathways to Support Former ELLs' Language Development and Academic Progress

The following key changes are in effect as of Fall 2019:

- “Option B: Individualized targeted Learning” will no longer be considered a valid alternative pathway to serve former ELLs.
- World Language (formerly Languages other than English (LOTE)) and Culture Advanced Placement classes are no longer valid pathways for Option E.
- Updated guidance on monitoring former ELL services; sample scenarios include progress-monitoring methods across grade levels and content areas.

Background

As per Commissioner’s Regulation (CR) Part 154-2.3,

For at least two school years following the school year in which a student is exited from English Language Learner status, as prescribed in section 154-2.3(m) of this Subpart, such student shall receive at least one half of one unit of study or its equivalent of Integrated English as a New Language in English Language Arts or another content area or such other services that monitor and support the student’s language development and academic progress, as shall be approved by the Commissioner to assist Former English Language Learners once they have exited from an English as a New Language or Bilingual Education program.

To ensure that the various academic and linguistic needs of former English Language Learners (ELLs) are met, the New York City Department of Education (NYC DOE) developed alternative pathways and methods of serving former ELLs instead of integrated English as a New Language (ENL) as prescribed in CR Part 154. For more information on serving former ELLs, please see NYSED’s [CR Part 154 Guidance on Former ELLs](#).

For at least two school years following the school year in which a student is exited from ELL status, the student must receive a minimum of 0.5 units of study (meaning 90 minutes per week) of integrated ENL or other services that monitor and support the student’s language development and academic progress at minimum the equivalent of the mandated 0.5 units of study (refer to CR Part 154). Therefore, effective fall 2018, all former ELLs must be scheduled for one of the following options:

- **Option A:** Small-group learning
- **Option B:** Individualized targeted learning
 - **(Updated Fall 2019)** Option B is no longer considered a valid pathway
- **Option C:** Project-based learning
- **Option D:** A minimum of 90 minutes per week of integrated ENL

- **Option E:** (High school only) scheduled for a non- World Language (formerly Language Other Than English (LOTE))/and Culture Advanced Placement (AP) class
- **(Updated Fall 2019)** Option E has been updated to clarify that World language (formerly Language Other Than English (LOTE)) AP classes are no longer a valid pathway

Former ELL services are developed by the teacher providing the service in conjunction with an ENL teacher and approved by the principal. Services must be delivered during the school day and are not considered supplemental; options provided outside the regular school day (as per bell schedule) will not be considered as fulfilling the 90-minute per week mandate for former ELLs as outlined in CR Part 154.

These options must be delivered in a way that allows for ongoing monitoring and support for students' language development and academic progress. Such services should be monitored by the teacher providing the service in consultation with an ENL teacher to support the student's language development and academic progress. Examples are provided in the following sample scenarios that accompany each alternative pathway option. Schools must keep summative assessment results in a student's cumulative folder. In addition, schools should maintain copies of all criteria used to determine the change in a student's ELL instructional services provided, including a copy of services provided for two years following the exiting of ELL status.

The following models are explanations and descriptions of the implementation of the alternative pathways at different grades levels.

Grades K to 5: Option A (Small Group Learning)

Rationale: Small-group support provides rich language use, collaboration, problem-solving, and targeted content-based learning

Setting

- Differentiated content area with ENL embedded support in a small group

Duration

- A minimum of 90 minutes per week

Possible Activities

- Guided/close reading
- Guided writing
- Word work/ vocabulary
- Content area work
- Centers
- Inquiry group (for example, science)

Scenario

Chang exited ELL status at the end of first grade. Upon entering second grade, Chang’s screening results indicated that she is not meeting normed sample benchmarks for meaning-based skills, specifically indicators pertaining to vocabulary. Subsequently, the teacher formatively assessed Chang using Fountas and Pinnell; error analysis showed (and confirmed) that Chang was able to visually identify words and syntactically acknowledge that the words sound right, but she needed extra support in cultivating meaning of unknown words, which, in turn, was impeding the student’s ability to understand the text.

Chang’s general education teacher consulted with the ENL teacher, and they concluded that small group learning twice a week (45 minutes each session) with “true peers” around vocabulary instruction (meaning word study around Greek and Latin roots) may aid Chang in developing vocabulary and, consequently, improve meaning-based skills within the content.

Chang’s teacher will progress monitor Chang’s performance, via formal/informal formative assessment as well as a mid-year screening assessment, to gauge Chang’s skills and identify the next steps for instruction.

Grades K to 5: Option B (Individualized Targeted Learning)

As of Fall 2019, Option B will no longer serve as an Alternative Pathway.

Grades K to 5: Option C (Project-Based Learning)

Rationale: Project-based learning offers authentic problem-solving, content, and language development in collaborative settings.

Setting

- Group-based
- Real-world application
- Content-Based interdisciplinary learning with ENL embedded support
- Communicative, collaborative, and problem-solving group
- Service-learning

Duration

- Year-long but the equivalent of 90 minutes per week
- Multiple units
- Cycles
- Semesters

Possible Activities

- Blueprint/plans/outlines
- Draft(s) and proposals
- Journals
- Daily/weekly logs
- Final product

Scenario

Christopher, a fifth-grade former ELL, is part of a group of students who were selected to research an authentic problem of their choice. Collaboratively, the group saw a need to investigate their school's efforts at recycling. Subsequently, their year-long project tasks them to read, discuss, and write about the multiple perspectives around recycling (via text, video, interviews, podcasts, etc.). In addition, they are responsible to present an action plan or implications pertaining to their research.

As a result, using their research as a framework, they create a "Green Team" plan. Throughout the year, they will monitor the efficacy of the plan at their school; moreover, they will have to submit every six-to-eight weeks a benchmark assessment to gauge where they are throughout the process. The success of the project in its first year leads to its continuation in the second year.

Grades K to 5: Option D (A minimum of 90 minutes per week of integrated ENL)

Rationale: The integrated ENL will provide targeted language instruction and content-area development

Setting

- Classroom instruction
- Small group instruction

Duration

- A minimum of 90 minutes per week

Possible Activities

- Integrated ENL instruction in a content area class (ELA, Math, Science, or Social Studies)
- Lab period(s) with integrated ENL instruction

Scenario

Gloria became a former ELL at the end of fourth grade. Although Gloria has scored well on universal screener benchmarks and formative assessments, Gloria's science scores were still approaching grade level. Since several students were in the same situation, the school decided to schedule them together into a weekly 90-minute integrated ENL science lab.

During this time, the ENL teacher co-teaches with the science teacher to support not only Gloria but also the other former MLs/ELLs in the classroom. This collaboration also gives time for the ENL and science teacher to plan how to incorporate multiple texts, discourse, writing, and high-utility vocabulary words throughout a science unit of study.

Throughout the school year, Gloria's science scores and language development progress are assessed. And at the end of the school year, a recommendation is issued for next year's ENL instructional model to provide ENL instruction in Gloria's second year as a former ELL.

Grades 6 to 8: Option A (Small Group Learning)

Rationale: Small-group support provides rich language use, collaboration, problem-solving, and targeted content-based learning.

Setting

- Differentiated content area with ENL embedded support in a small group

Duration

- A minimum of 90 minutes per week

Possible Activities

- Guided/close reading
- Guided writing
- Word work/ vocabulary
- Content area work
- Centers
- Inquiry group (for example, science)

Scenario

Fatumata, Sita, and Juan are three former ELLs enrolled in a sixth-grade math class. Based upon screening and diagnostic data, they are struggling with meaning-based skills within mathematics. Consequently, with the ENL teacher's guidance, the math teacher agrees to provide support for the Former ELLs by giving two periods a week of small-group math instruction with ELL methodologies. The teacher embeds the language-based strategies within the content so that the students understand both the language within the content as well as the content itself.

Formative measures (conference notes, exit slips) and screening measures are used to monitor progress. At the end of sixth grade, the math teacher recommends similar supports in seventh grade due to their continued academic growth.

Grades 6 to 8: Option B (Individualized Targeted Learning)

As of August 2019, Option B will no longer serve as an Alternative Pathway.

Grades 6 to 8: Option C (Project-Based Learning)

Rationale: Project-based learning offers authentic problem-solving, content, and language development in collaborative settings.

Setting

- Group-based
- Real-world application
- Content-Based interdisciplinary learning with ENL embedded support
- Communicative, collaborative, and problem-solving group
- Service-learning

Duration

- Year-long but the equivalent of 90 minutes per week
- Multiple units
- Cycles
- Semesters

Possible Activities

- Plans/outlines
- Draft(s) and proposals
- Journals
- Daily/weekly logs
- Final product

Scenario

There are five former ELLs in Mr. Johnson's 7th grade math class. He assigns a project to his class and consults with Ms. Quiñones, an ENL teacher, to develop specific language and content support for the former ELLs who will be taught by Mr. Johnson. Together, Mr. Johnson and Ms. Quiñones select three texts that will build students' knowledge, and they examine the unit and the specific tasks of the project to determine the language demands and objectives. Together, they select academic words to target and build opportunities for oral discourse. They also jointly decide on writing assignments as an extension to the project.

As part of the project, former ELLs write an essay that conveys a synthesis of the three texts they studied as well as their experiences throughout the project. Both teachers read the students' essays and examine other students' work to determine the next steps and follow-up activities.

In this scenario, the content teacher assigns the topic(s) based on the units of study, set time, content expectations, benchmarks, and evaluation parameters. The ENL teacher, in collaboration with the content teacher, creates language objectives and supports Mr. Johnson in developing activities that support students in building academic language as identified by the goals within the context of the class.

Grades 6 to 8: Option D (A minimum of 90 minutes per week of integrated ENL)

Rationale: The integrated ENL will provide targeted language instruction and content-area development.

Setting

- Classroom instruction
- Small group instruction

Duration

- A minimum of 90 minutes per week

Possible Activities

- Integrated ENL instruction in a content area class (ELA, Math, Science, or Social Studies)
- Lab period(s) with integrated ENL instruction

Scenario

To welcome their incoming sixth graders, the instructional leadership team reviews the former ELLs' data to select students who will take part in this year's *Academic Language Project* which will build up the students' academic language for argumentation across the content areas through instruction that is integrated with ENL.

The team is interested in immersing the former ELLs in a knowledge-building cycle with learning opportunities centered on a set of academic language constructs featured in argumentative texts (for example nominalization; connectives; and referential chains) across the content areas.

Formative measures (conference notes, exit slips) and screening measures are used to monitor progress. At the end of sixth grade, both teachers will recommend supports in seventh grade based on their assessed progress.

Grades 9-12: Option A (Small Group Learning)

Rationale: Small-group support provides rich language use, collaboration, problem-solving, and targeted content-based learning.

Setting

- Differentiated content area with ENL embedded support in a small-group

Duration

- A minimum of 90 minutes per week

Possible Activities

- Guided/close reading
- Writing workshop
- Academic vocabulary
- Content area work
- Inquiry project

Scenario

To welcome their incoming ninth-graders, the instructional leadership team reviews the former ELLs' data to select students who will take part in this year's *Academic Language Project* which will build up the students' academic language across the content areas through instruction that is integrated with ENL. This will provide these students with a unique opportunity to delve deeper into aspects of the academic language in particular disciplines.

For example, in the ELA classroom, students are guided to learn how novelists use connectives to signal a stance taken by a character; while in Social Studies, they learn how connectives are used in primary sources such as presidential letters.

The ENL teacher plays a critical role in informing the sequence and design of these small-group learning experiences.

To monitor progress, students complete interdisciplinary and disciplinary formative assessments throughout the school year (for example culminating oral and written tasks). At the school year, determinations on recommended supports in tenth grade will be based on each student's assessed progress across the disciplines.

Grades 9 to 12: Option B (Individualized Targeted Learning)

As of August 2019, Option B will no longer serve as an Alternative Pathway.

Grades 9 to 12: Option C (Project-Based Learning)

Rationale: Project-based learning offers authentic problem-solving, content, and language development in collaborative settings.

Setting

- Group-based
- Real-world application
- Content-Based interdisciplinary learning with ENL embedded support
- Communicative, collaborative, and problem-solving group
- Service-learning

Duration

- Year-long but the equivalent of 90 minutes per week
- Multiple units
- Cycles
- Semesters

Possible Activities

- Plans/outlines
- Draft(s) and proposals
- Journals
- Daily/weekly logs

Scenario

Manish is in 10th grade and is enrolled in a science class where the focus is project-based learning. The class is studying different aspects of the Jamaica Bay area and will answer questions such as: Why do scientists study the ocean? Who and what lives in Jamaica Bay? And what threatens the health of our bay?

The project will include exploring water quality, investigating life forms, studying different food webs related to the bay, a visit to the local water treatment plant, and working with scientists in the field. The ENL teacher plays a critical in informing the design of the language objectives to ensure the student's language development.

To demonstrate understanding, Manish produces learning logs and journals throughout the project. The students' final product will be to publish a book on their research (a writing portfolio). At the end of the year, both the ENL and science teacher confer to determine the ENL delivery model for Manish as he enters his second year as a former ELL.

Grades 9 to 12: Option D (A minimum of 90 minutes per week of integrated ENL)

Rationale: The integrated ENL will provide targeted language instruction and content-area development.

Setting

- Classroom instruction
- Small group instruction

Duration

- A minimum of 90 minutes per week

Possible Activities

- Integrated ENL instruction in a content area class (ELA, Math, Science, or Social Studies)
- Lab period(s) with integrated ENL instruction

Scenario

Jenny became a former ELL at the end of ninth grade. As a 10th grader, Jenny will begin a course on U.S. History & Government.

To ensure Jenny will continue to receive the appropriate language development instruction, the ENL teacher will provide integrated ENL support for the student in the U.S. History & Government class for 90 minutes a week. The ENL teacher works collaboratively with the Social Studies teacher in planning for the language supports that will lead to Jenny's success in the class.

Formative and summative assessments are collected and analyzed by both teachers throughout the school year, which will inform their determination on Jenny's ENL service model for the following school year.

Grades 9 to 12: Option E (Scheduled for one or more Advanced Placement courses)

Rationale: Students in non-World Language (formerly Language Other than English (LOTE)) and Culture Advanced Placement (AP) courses are provided with a very high rigor of instruction (meaning AP Spanish Language and Culture or AP Chinese Language and Culture are not permissible alternatives to integrated ENL).

Setting

- Classroom

Duration

- A term or year

Possible Activities

- The student attends a World Language and Culture Advanced Placement course with at least a 90% attendance record
- Teacher of AP course reviews student's grades and coursework to determine if the student requires any additional literacy support

Scenario

A number of 10th grade former ELLs performed exceptionally well in their 9th grade biology class. A recommendation was made for them to take AP Environmental Sciences as 10th graders.

The AP class will serve as their Alternative Pathway in their first year as former ELLs.

The AP Environmental Sciences teacher will consult with the ENL teacher on any language development supports as informed by formative assessments collected throughout the students' time in the class. At the end of the year, determinations will be made on ENL service models for the following year.



ML/ELL Programs

NYC DOE offers three types of ML/ELL programs:

- Dual Language (DL)
- Transitional Bilingual Education (TBE)
- English as a New Language (ENL, formerly known as ESL)

Overview

Though the goals for each program type vary to meet the diverse needs of students as well as honor parent selection, there are some common elements. All three ML/ELL programs ensure that ELLs receive their full complement of mandated units of ENL and subject area content in CR Part 154, align content instruction to the NYS Next Generation Learning Standards, and apply best practices as outlined in the [New York State Blueprint for English Language Learner / Multilingual Learner Success](#).

Commonalities of ML/ELL Programs

Students are placed in one of the three ML/ELL programs based on parent selection. The initial parent selection is recorded in the ELPC ATS screen based on the [Parent Survey and Program Agreement Form](#). Parents should be discouraged from changing their selection as research shows that students who change ML/ELL program model may not achieve at the same level as their peers who remain consistently in the same ML/ELL model. However, parents may change their selection at any time by writing to the principal or designee.

English as a New Language (ENL) is provided in all three models. Beginning in SY 2015-16, ELLs are required to receive all or part of their ENL through an integrated model, which refers to a unit of study or its equivalent in which students receive core content area (meaning, English language arts, math, science, or social studies) and English language development instruction.

When planning for a strong ML/ELL team, it is important to consider the diverse expertise that teachers bring to your school. Teachers with multiple credentials, licenses, and extensions offer the school community additional flexibility to meet student needs. To implement each program model, it is important to use the multiple human and fiscal resources that can accelerate ELLs' academic English language proficiency and content-area mastery.

For instance, each program model should tap into and enhance ELLs' existing home language skills. Programming that clusters cohorts of ELLs with the same home language background in subject area classrooms allow students to access content by interacting with each other at varying levels of language proficiencies. Teachers with groups of ELLs who have a common home language can organize collaborative tasks that target content and generate interactions in the home language among peers. Tasks should be enriched with academic English language development. In addition, home language resources (libraries, texts, technology, primary resource materials, etc.) available in the classroom and the school's library are additional resources that can accelerate learning.

Program Design Considerations

Home Language Arts (HLA) is a required component of bilingual programs as per CR Part 154. Schools without a bilingual program are strongly encouraged to organize and offer home language arts (HLA) classes whenever possible. The more literate students are in the home language, the stronger and more expedient their transition to academic English proficiency. Even schools with ELLs served through ENL classes can group students who share a common language for a home language arts class.

Schools may choose to extend their school day beyond the required hours with the help of community-based organizations/non-profits and special grant opportunities; however, schools must deliver their mandated instruction and services, including for English language learners and the recommended program and related services for students with IEPs, during the regular mandated school day. For directions on programming ENL in STARS, see the [English Language Learners Wiki page](#).

Bilingual Education Programs

Bilingual Education programs are research-based and comprised of (1) home language arts and English language arts, (2) English as a new language (ENL), (3) and bilingual content area(s) (for example, math, science, and social studies). The number of content areas taught in the home language can vary depending on the model and proficiency level of the students; however, at the entering and emerging levels, a bilingual program must have at a minimum 2 core content areas taught bilingually. NYC DOE offers two types of bilingual education programs: Dual Language and Transitional Bilingual Education.

In grades K to 6 only, certified bilingual common branch teachers are permitted to provide the ENL component of a bilingual program under the following circumstances:

- The teacher that holds the bilingual certification is teaching in a bilingual program; and
- The teacher is providing ENL to the students in the bilingual classroom

Certified bilingual teachers are not permitted to provide ENL to students who are not in their bilingual program.

Note: Schools interested in opening a new bilingual program or adjusting (reducing or closing) an existing a bilingual program require prior approval through an established process. See [Bilingual Program Protocols](#) for more details.

Transitional Bilingual Education

Transitional bilingual education (TBE) programs are designed so that students develop conceptual skills in their home language as they learn English.

As students (all ELLs or former ELLs) develop English language skills, time in the home language decreases. When ELLs reach commanding on the NYSESLAT, they exit to a monolingual class in English with home language supports. Parents may also request that their child continues in a TBE program for up to two years after testing out. Schools that offer this model must have a consistent plan for the use of

each language for instruction, and a supportive transition plan for students when they are transferred into the monolingual English program, as required in CR Part 154.

TBE programs are predicated on transferring literacy skills from a student’s home language to a student’s new language (English). Students acquire literacy most effectively in the language most familiar to them. Skills used in home language acquisition (for example, making sense of print, using writing to communicate, playing with language structure, developing vocabulary) are skills that a student can use for the faster and more successful acquisition of English literacy—a concept known as “linguistic interdependence.”

In TBE programs, students transfer home language skills to English by spending instructional time primarily in the home language before steadily transitioning to English. The ratio of languages that are programmed into STARS is for the class and not individual students. As a student’s English proficiency increases, more of their instructional day is spent learning in English. In TBE programs, teachers must make several considerations when determining which language is best to teach certain concepts. Teachers must consider carefully the rigor of instruction, student familiarity with concepts in the home language and English, and the academic language required for using and mastering concepts. When determining the amount of home language and English language used in instruction, teachers should consider a number of factors including, but not limited to students’ proficiency levels, educational backgrounds, content knowledge, and home language literacy skills. This allows for differentiated instruction that meets the individual student’s needs.

TBE teachers are critical to ELLs’ transition from home language to English since they serve as language models for both; therefore, they must demonstrate strong academic language proficiency when delivering instruction in either language. Successful TBE teachers help students cultivate a strong appreciation for reading. These teachers ensure that ELLs are familiar and comfortable with reading by helping them develop strong literacy skills in their home language first. In addition, TBE teachers are likely to instruct students with various levels of content mastery and literacy development. While variations are similar to those found in general education classrooms, TBE must gauge and instruct students with different proficiency levels in their home language as well as in English. See [CR Part 154-2: TBE Units of Study and Staffing Requirements](#) for more information on transitional bilingual education programs and state requirements. Any adjustment (reducing or closing) of a bilingual program requires prior approval through an established process. See [Bilingual Program Protocols](#) for more details.

CR Part 154-2: TBE Units of Study and Staffing Requirements

The below charts have been adapted from [CR Part 154-2 \(K-8\) Transitional Bilingual Education Program](#).

CR Part 154-2: TBE Units of Study Requirements (Grades K to 8)

Figure 17: CR Part 154 TBE Unit of Study Requirements (Grades K to 8)⁸

INSTRUCTION	ENTERING (beginning)	EMERGING (Low Intermediate)	TRANSITIONING (Intermediate)	EXPANDING (Advanced)	COMMANDING (Proficient)
STAND-ALONE ENL (Language Arts)	1 unit of study in ENL (180 min.)	.5 unit of study in ENL (90 min.)	N/A	N/A	N/A
INTEGRATED ENL/ELA (Language Arts)	1 unit of study in ENL/ELA (180 min.)	1 unit of study in ENL/ELA (180 min.)	.5 unit of study in ENL/ELA (90 min)	1 unit of study in ENL/ELA or other Core Content Area (180 min.)	N/A
FLEXIBILITY (Language Arts)	N/A	.5 unit of study can be STAND-ALONE ENL <u>or</u> INTEGRATED ENL/Core Content Area (90 min.)	.5 unit of study can be STAND-ALONE ENL <u>or</u> INTEGRATED ENL/Core Content Area (90 min.)	N/A	.5 unit of study per week of INTEGRATED ENL in ELA/Core Content Area <u>or</u> other approved Former ELL services for two additional years ⁹

⁸ Source: Adapted from [CR Part 154-2 \(K-8\) Transitional Bilingual Education Program](#) (Updated as of May 6, 2015)

⁹ Other services that are approved by the NYS Commissioner that monitor and support the student's language development and academic progress. Content area shall mean ELA, Math, Science and Social Studies.

INSTRUCTION	ENTERING (beginning)	EMERGING (Low Intermediate)	TRANSITIONING (Intermediate)	EXPANDING (Advanced)	COMMANDING (Proficient)
TOTAL ENL (Language Arts)	360 minutes per week	360 minutes per week	180 minutes per week	180 minutes per week	N/A
HOME LANGUAGE ARTS (HLA)	1 HLA Class	1 HLA Class	1 HLA Class	1 HLA Class	N/A
BILINGUAL CONTENT AREA SUBJECTS	Minimum of 2	Minimum of 2	Minimum of 1	Minimum of 1	N/A

The maximum allowable grade span for grouping instruction in grades K-12 English as a New Language or Bilingual Education classes is two contiguous grades, except for English Language Learners in a Special Education class, as defined by section 200.1(uu) of this Title. All programs must be provided during the school day.

CR Part 154-2: TBE Staffing Requirements (Grades K-8)

Figure 18: CR Part 154 TBE Staffing Requirements (Grades K to 8)¹⁰

INSTRUCTION	STAFFING/PERSONNEL
K-8 BILINGUAL EDUCATION PROGRAM	<p>(K-6 Bilingual) Common Branch Teacher with a bilingual extension</p> <p>(7-8 Bilingual) Content Area teacher with a bilingual extension [HLA must be taught by a certified Language Other Than English (LOTE) teacher.]</p>
K-8 ENGLISH AS A NEW LANGUAGE PROGRAM	<p>(K-8 STAND-ALONE) ESOL certified teacher</p> <p>(K-6 ENL)</p> <p>Common Branch K-6 teachers with a bilingual extension can teach the ENL component of a K-6 Bilingual Education program.</p> <p>(7-8 ENL)</p> <p>Integrated ENL can be taught by an ESOL teacher with Content Area Certification or two individually certified teachers.</p>

¹⁰ Source: Adapted from [CR Part 154-2 \(K-8\) Transitional Bilingual Education Program](#) (Updated as of May 6, 2015)

CR Part 154-2: TBE Units of Study Requirements (Grades 9 to 12)

Figure 19: CR Part 154 TBE Unit of Study Requirements (Grades 9 to 12)¹¹

INSTRUCTION	ENTERING (beginning)	EMERGING (Low Intermediate)	TRANSITIONING (Intermediate)	EXPANDING (Advanced)	COMMANDING (Proficient)
STAND-ALONE ENL (Language Arts)	1 unit of study in ENL (180 min.)	.5 unit of study in ENL (90 min.)	N/A	N/A	Former ELLs must continue to receive services for an additional two years .
INTEGRATED ENL/ELA (Language Arts)	1 unit of study in ENL/ELA (180 min.)	1 unit of study in ENL/ELA (180 min.)	.5 unit of study in ENL/ELA (90 min.)	1 unit of study in ENL/ELA or other Core Content Area (180 min.)	N/A
FLEXIBILITY (Language Arts)	1 unit of study can be STAND-ALONE ENL instruction or INTEGRATED ENL/Core Content Area (180 min).	.5 unit of study can be STAND-ALONE ENL or INTEGRATED ENL/Core Content Area (90 min.)	.5 unit of study can be STAND-ALONE ENL or INTEGRATED ENL/Core Content Area (90 min.)	N/A	.5 unit of study per week of INTEGRATED ENL in ELA/Core Content Area or other approved Former ELL services for two additional years. ¹²
TOTAL ENL (Language Arts)	540 minutes per week	360 minutes per week	180 minutes per week	180 minutes per week	N/A
HOME LANGUAGE ARTS (HLA)	1 HLA course	1 HLA course	1 HLA course	1 HLA course	N/A
BILINGUAL CONTENT AREA SUBJECTS	Minimum of 2	Minimum of 2	Minimum of 1	Minimum of 1	N/A

¹¹ Source: [CR Part 154-2 \(9-12\) Transitional Bilingual Education Program](#) (Updated as of May 6, 2015)

¹² Other services that are approved by the NYS Commissioner that monitor and support the student’s language development and academic progress. Content area shall mean ELA, Math, Science and Social Studies.

INSTRUCTION	ENTERING (beginning)	EMERGING (Low Intermediate)	TRANSITIONING (Intermediate)	EXPANDING (Advanced)	COMMANDING (Proficient)
AWARDING CREDITS	STAND-ALONE ENL Elective credit is awarded upon passing each corresponding STAND-ALONE ENL unit of study.	INTEGRATED ENL Core Content area credit is awarded upon passing each corresponding ENL unit of study in ELA, Math, Science, or Social Studies	HOME LANGUAGE ARTS Language Other than English (LOTE) credit is awarded upon passing each corresponding HLA unit of study	BILINGUAL CONTENT AREA Core content area credit is awarded upon passing each corresponding Bilingual Content Area subject	

The maximum allowable grade span for grouping instruction in grades K-12 English as a New Language or Bilingual Education classes is two contiguous grades, except for English Language Learners in a Special Education class, as defined by section 200.1(uu) of this Title. All programs must be provided during the school day.

CR Part 154-2: TBE Staffing Requirements (Grades 9-12)

Figure 20: CR Part 154 TBE Staffing Requirements (Grades 9 to 12)¹³

INSTRUCTION	STAFFING/PERSONNEL
BILINGUAL EDUCATION PROGRAM	(9-12) <u>Bilingual Content area teacher</u> with a bilingual extension. [HLA must be taught by a certified Language Other than English (LOTE) teacher.]
ENGLISH AS A NEW LANGUAGE PROGRAM	(9-12) <u>Stand-alone</u> ESOL certified teacher (9-12) <u>Integrated</u> ENL can be taught by an ESOL teacher with Content Area certification or two individually certified teachers.

¹³ Source: [CR Part 154-2 \(9-12\) Transitional Bilingual Education Program](#) (Updated as of May 6, 2015)

Dual Language Bilingual Education

Dual language programs are designed to continue developing students' home languages, as well as English language skills, throughout schooling. In addition, English-proficient students are given the opportunity to learn a new language. Dual language programs serve both ELLs in need of English language development and English-proficient students who are interested in learning another language. Both groups provide good linguistic role models for each other and, through their interactions, support language development in both languages. Students in a dual language program should remain in the program during their tenure in the NYC DOE schools. Therefore, even after the student reaches the commanding level on the NYSESLAT (former ELL status), the student should continue to remain in the dual language program.

Highlights: Dual Language Program

A dual language program includes the following:

- An ENL component designed to develop skills in listening, speaking, reading, and writing in English with home language supports as necessary.
- All content-area courses/subjects are taught bilingually in English and the program's target language.
- A target language arts component designed to develop skills in listening, speaking, reading, and writing in the students' target language.
- Approximately, 50% of the students are ELLs of the same home language; 50% of the students are not ELLs (former ELLs or never ELLs).

In dual language programs, the new language is often referred to as the target language (for example, Spanish, Chinese, Russian, etc.). New York City dual language programs are designed to have students spend 50% of their instructional time with a target language immersion teacher who uses only the target language. The remaining part of the time is spent with a teacher who instructs only in English.

Regarding student composition, there are two types of dual language programs: one-way and two-way.

One-Way Dual Language Program

The program is primarily composed of students who come from the same home/primary language and/or background. The teacher provides instruction in both English and the home/target language.

Two-Way Dual Language Program

The program includes both native English speakers and ELLs. The teacher or teachers provide instruction in both English and the home/primary language. In the majority of Dual Language Programs, the students receive half of their instruction in their home/primary language and the remainder of their instruction in the target language.

The side-by-side model is strongly recommended in the elementary grades; however, schools should evaluate the students' needs and progress to determine which model best meets the educational needs of the students. For example, some schools use alternating-day models in which language use for content areas alternates from day to day or in two-week cycles. Students learn to read and write and receive instruction in other disciplines in both languages. (However, for emergent literacy, extra time is dedicated to the rules and concepts of each language. Students receive dedicated reading time in each language.) While the ELLs receive discrete English as a new language, the English-proficient students must also receive comparable target language instruction to develop all four modalities: reading, writing, speaking, and listening. The primary language acquisition goals of dual language programs are the development of grade-level-appropriate bilingual and biliterate academic skills in both English and the target language for all students. To make any adjustment (reducing or closing) of a bilingual program requires prior approval through an established process. See Bilingual Program Protocols below for more details.

Bilingual Education Programs: Opening and Adjustment Protocols

Please refer to the [Bilingual Education Program Opening and Adjustment Protocols](#) on the [Policy & Reference Guide InfoHub](#) for fillable versions of these forms:

- Opening New Bilingual Program (TBE/DL) Request Form
- Bilingual Program (TBE/DL) Adjustment Request Form

Directions on submitting the bilingual education program opening and adjustment protocols and samples of the form are included [here](#).

English as a New Language

English as a New Language (ENL) programs provide instruction in English with home language support, emphasizing English language acquisition. Students in ENL programs can come from many different language backgrounds, and English may be the only common language among the students.

Note: All schools must have an ENL program at a minimum.

As per CR Part 154, there are two types of ENL:

Stand-alone ENL

Students receive English language development instruction taught by a New York State certified ESOL teacher to acquire the English language needed for success in core content areas (English Language Arts, Social Studies, Science, and/or Mathematics).

Stand-alone ENL should not be implemented via a push-in model in a content area class as it is a separate time devoted to English language acquisition and English language development. The required amount of stand-alone ENL instruction depends on the grade/English proficiency level of each student.



Integrated ENL

Students receive core content area areas (English Language Arts, Social Studies, Science, and/or Mathematics) and English language development instruction including home language supports and appropriate ELL scaffolds.

Integrated ENL along with a subject area taught are dependent upon the student's proficiency level. In grades K to 8, at the entering, emerging, and transitioning levels, integrated ENL with ELA is provided; at the expanding level, the integrated ENL is with any content area that best meets the needs of the student. In grades 9 to 12, at the entering and emerging levels, integrated ENL with ELA is provided; at the transitioning and expanding levels, the integrated ENL is with any content area that best meets the need of the student. See [CR Part 154: ENL Units of Study and Staffing Requirements](#) for the number of units of ENL for ELLs at different levels of proficiencies and grades.

For more information, please see [Guidance on Implementation of ENL Units of Study](#).

Guidance for ENL Programming

To maximize funding and academic achievement for ELLs, schools must program all ELLs for services. Schools should program each current and former ELL according to the type of (ENL) services that the student receives. Please note some students may receive services through multiple ENL models (for example Stand-alone ENL and Integrated ENL).

As a reminder, elementary schools must program students in STARS Classroom. Middle schools and high schools must program students in STARS Admin. For detailed instructions on programming students who receive ENL, see the [English Language Learners STARS wiki page](#).

For information on using STARS to program students for ENL and manage bilingual programs, [contact your Academic Policy, Performance and Assessment Specialist](#).

Guidance on Implementation of ENL Units of Study

Updated August 2020

To assist school leaders in the implementation of the mandated English as a New Language (ENL) units of study in either the Stand-alone or Integrated ENL model, the NYCDOE is providing the following guidance.

In 2015, The New York State Education Department revised Commissioner’s Regulations Part 154 (CR Part 154). CR Part 154 states that an *English as a New Language program shall mean a research-based program comprised of two components: a content area instructional component in English (including all core content, meaning English language arts, math, science, or social studies) with home language supports and appropriate scaffolds¹⁴, and an English language development component (Stand-alone and/or Integrated English as a New Language).*

Note: NYCDOE is in the process of updating all documents that reference the provision of ENL services to no longer refer to a “push-in” or “pull-out” delivery model. Future documents will reference Stand-alone or Integrated ENL only.

NYSED Definition¹⁵

Stand-alone ENL: Students receive English language development instruction to acquire the English language needed for success in core content areas.

Integrated ENL: Students receive core content area and English language development instruction including home language supports and appropriate ML/ELL scaffolds.

¹⁴ See [Blueprint for English Language Learner/Multilingual Learner Success](#).

¹⁵ See [Glossary: Bilingual Education/English as a New Language Units of Study Tables](#).

Instructional Goals

Stand-alone ENL: The primary instructional goal of the Stand-alone component is language development. However, language development is never in isolation of content. The Stand-alone component is aligned to the grade-level content and standards. ESOL teachers as a result of their common meetings are selecting content based on the instruction that is taking place during content-area instruction and selecting key texts with rich language and content that leverages the overarching instructional goals of a unit of study. The New Language Arts Progressions (NLAP) provide a framework for teachers to ensure that students in English as a New Language and Bilingual Education programs are meeting the standards¹⁶. ESOL teachers should consistently link to the content area(s) that most benefit their students (for example ELA, social studies) or leverage thematic units that have cross-content entry points.

Integrated ENL: The instructional goal of the Integrated ENL is two-fold since it is taking place during dedicated time for content area learning. Therefore, instructional goals are specific to the content area and language development. Whether the Integrated ENL is a co-teaching model or instructed by a dually certified teacher (ESOL and common branch/content area), there should be evidence of specific instructional goals that support language development. Content and language objectives are designed to make this explicit for MLs/ELLs. The language objective is carefully determined by examining the linguistic demands of the content (for example access text, express knowledge orally or in writing). Determining the objective(s) is when the expertise of both teachers is needed to capture what language students need to acquire grade-level content knowledge.

Teacher Certification

Stand-alone ENL

- Stand-alone ENL is taught by a NYS-certified English to Speakers of Other Languages (ESOL) teacher (or Common Branch K-6 teachers with a bilingual extension can teach the ENL component in a K-6 Bilingual Education Program).

Integrated ENL

- Integrated ENL instruction must be carried out either by a co-teaching approach with a NYS certified ESOL teacher who teaches with the content area teacher or by an ESOL certified teacher who is dually certified in another content area being taught.

¹⁶ See NYSED's [Guidance for MLs and the Next Generation English Language Arts Learning Standards](#).

Dually-certified ESOL and Core Content Area Teachers (includes ELA, Math, Science, Social Studies, Common Branches, and Early Childhood)

- Can provide integrated ENL instruction to ELLs and former ELLs in classrooms serving ELLs, former ELLs, and non-ELLs, such instruction would meet the mandated integrated ENL in a core content area without an additional co-teacher
- Can provide Stand-alone ENL to ELLs
- The provision of Integrated ENL and Stand-alone ENL (when applicable) must be reflected in schedules and delivery of instruction

Dually-certified ESOL and Non-Core Content Area Teachers (for example Music, Arts, Physical Education)

- Can provide integrated ENL instruction to ELLs and former ELLs in classrooms serving ELLs, former ELLs, and non-ELLs, such instruction would go above and beyond the mandated integrated ENL in a core content area without an additional co-teacher
- Can provide integrated ENL instruction to ELLs and former ELLs in classrooms serving ELLs, former ELLs, and non-ELLs, such instruction would meet the mandated integrated ENL in a core content area with an additional co-teacher certified in a core content area
- Can provide Stand-alone ENL to ELLs
- The provision of Integrated ENL and Stand-alone ENL (when applicable) must be reflected in student schedules and delivery of instruction

Dually-certified Students with Disabilities (SWD), Common Branch, or Early Childhood with a Bilingual Extension

- Can provide ENL as a component of a bilingual education setting only to students enrolled in the bilingual education program

Dually-certified ESOL and SWD Teachers

- Are not permitted to provide ENL services if teaching in a special education setting, as ENL is considered a general education service, not a special education service

ESOL-only Certified Teachers

- Can provide Stand-alone ENL to ELLs
- Can co-teach with a content area, Common Branch, Early Childhood, or SWD teacher to provide Integrated ENL

Common Planning

Stand-alone ENL

It is essential that the certified ESOL teacher(s) have opportunities to meet with common branch and/or content area teachers. Attending established meetings (for example grade team) with common branch and/or content area teachers ensures that ESOL teachers can plan lessons/units that build language and literacy within content areas aligned to the [New York State Next Generation Learning Standards](#).

While it is not expected that the teachers will co-plan lessons since the Stand-alone is taught by the ESOL teacher alone, she/he should have full access to the grade-level curriculum materials to align and tailor Stand-alone instruction to support MLs/ELLs to acquire the language needed in core content areas.

Integrated ENL

It is essential that the certified ESOL teacher(s) and common branch and/or content area teachers have designated time for common planning so they can co-plan at the unit and lesson level to ensure that the needs of the MLs/ELLs are met. Together they are deciding which [model of co-teaching](#) to employ during the lesson and how to capitalize on the expertise that both teachers bring to the classroom. ESOL teachers are taking into consideration the linguistic demands of the content so that MLs/ELLs can achieve the grade-level standards. They are planning purposeful scaffolds within the lessons (for example chunking texts, supplemental questions for close reading) and anticipating potential in the moment scaffolds, for example, pausing for MLs/ELLs to use their home language to jot down ideas/speak to a peer before entering into a classroom discussion or identifying additional texts that are not already part of the text set to build (background) knowledge.

For more information on supporting co-teaching in the Integrated ENL component in mathematics, refer to [Supporting Academic Language and Content in Mathematics: The Integrated Co-teaching Model](#).

Research-based Instructional Approaches for Stand-alone ENL and Integrated ENL

It is essential that all students, especially MLs/ELLs, are in school communities/classrooms that provide a culturally responsive and sustaining education. The NYSED’s [Culturally Responsive and Sustaining Education Framework](#) delineates four principles, and three must be addressed in Stand-alone and Integrated ENL classrooms. They are Welcoming and Affirming Environment, High Expectations and Rigorous Instruction, and Inclusive Curriculum and Assessment. Adhering to these principles creates the conditions for MLs/ELLs to engage in learning. Also, MLs/ELLs must have opportunities to acquire advanced literacy skills so they are equally prepared to engage in standards-based instruction that is called for in the [New York State Next Generation Learning Standards](#). The NYCDOE’s [Instructional Leadership Framework](#) guides school communities in ensuring the presence of these two core ideas.

Research-based instructional approaches must be age and grade-appropriate. The research on MLs/ELLs states that learners can acquire both the everyday and academic language simultaneously, leverage their home language as a vital support, and benefit from the strategic use of scaffolds in both the Stand-alone and Integrated ENL components. NYSED’s [Guidance for MLs and the Next Generation English Language Arts Learning Standards](#) demonstrate the trajectory of language learning and teaching in both the home and new language. ESOL certified and content area teachers, especially those who are paired for Integrated ENL, must be afforded professional learning on both the co-teaching models and these research-based approaches.

Location

Stand-alone ENL

Per New York State Guidelines:

Stand-alone ENL should not be implemented via a push-in model in a content area class as it is a separate time devoted to English language acquisition and English language development. The required amount of stand-alone ENL instruction depends on the English proficiency level of each student.

Integrated ENL

For Grades K – 5, Integrated ENL is carried out either in the co-teaching approach or by a dually certified teacher in the MLs/ELLs’ classroom. If carried out in the co-teaching approach, the ESOL certified teacher joins the common branch teacher to jointly deliver instruction as per the recommended [co-teaching model](#).

For Grades 6 – 12, similar to the Stand-alone component, the Integrated ENL is programmed into the students’ schedule as all other departmentalized subject courses.

Unit of Study

Stand-alone ENL

All students in stand-alone ENL are current MLs/ELLs.

The number of minutes and type of minutes required differs by the proficiency level and grade of the student. Students might have a minimum mandated unit of study (180 minutes a week) of stand-alone ENL and/or minimum number of flexible ENL minutes that can be programmed as either additional stand-alone or integrated ENL.

Entering: For Grades K-8, one full unit of stand-alone ENL (180 minutes). For grades 9-12, at least one full unit of stand-alone ENL, in addition to one flexible unit of study (180-360 minutes).

Emerging: For Grades K-12, at least 0.5 units of stand-alone ENL with 0.5 flexible units of study (90-180 minutes).

Transitioning: For Grades K-12, up to 0.5 units of stand-alone ENL for their flexible unit of study (0-90 minutes).

Expanding and Commanding: MLs/ELLs at the Expanding level or former MLs/ELLs at the Commanding level, should not be programmed for stand-alone ENL (0 minutes).

Integrated ENL

When the integrated ENL class is programmed, there is flexibility to include all proficiency levels and a combination of MLs/ELLs and former MLs/ELLs.

The number of minutes and type of minutes required differs by the proficiency level and grade of the student. Students might have a minimum mandated unit of study (180 minutes a week) of integrated ENL and/or minimum number of flexible ENL minutes that can be programmed as either stand-alone or additional integrated ENL.

Entering: For Grades K-8, one full unit of integrated ENL (180 minutes). For grades 9-12, at least one full unit of integrated ENL, in addition to one flexible unit of study (180-360).

Emerging: For Grades K-12, at least one unit of integrated ENL with 0.5 flexible units of study (180-270 minutes).

Transitioning: For Grades K-12, at least 0.5 units of integrated ENL, with 0.5 flexible units of study (90-180 minutes).

Expanding: One unit of integrated ENL (180 minutes).

Commanding: For the two school years after exiting, former MLs/ELLs should receive 0.5 units of integrated ENL or an equivalent, approved alternate pathway (90 minutes).

See [Units of Study Tables for English as a New Language \(ENL\) and Bilingual Education Programs.](#)

CR Part 154: ENL Units of Study and Staffing Requirements

The below charts have been adapted from [CR Part 154-2 ENL Units of Study and Staffing Requirements \(Grades K to 8\)](#).

CR Part 154-2: ENL Units of Study Requirements (Grades K to 8)

All ENL classes, including Integrated and Stand-alone, offer home language support.

Figure 21: CR Part 154 ENL Unit of Study Requirements (Grades K to 8)¹⁷

INSTRUCTION	ENTERING (Beginning)	EMERGING (Low – Intermediate)	TRANSITIONING (Intermediate)	EXPANDING (Advanced)	COMMANDING (Proficient)
ENL INSTRUCTIONAL TIME (MINIMUM)	2 units of study per week (360 min.)	2 units of study per week (360 min.)	1 unit of study per week (180 min)	1 unit of study per week (180 min)	Former ELLs must continue to receive services for an additional two years
STAND-ALONE ENL	1 unit of study in ENL (180 min.)	.5 unit of study in ENL (90 min.)	N/A	N/A	N/A
INTEGRATED ENL	1 unit of study in ENL/ELA (180 min.)	1 unit of study in ENL/ELA (180 min.)	.5 unit of study in ENL/ELA (90 min.)	1 unit of study in ENL/ELA or other Core Content Area (180 min.)	N/A
FLEXIBILITY	N/A	.5 unit of study can be STAND-ALONE ENL or INTEGRATED ENL/Core Content Area (90 min.)	.5 unit of study can be STAND-ALONE ENL or INTEGRATED ENL/Core Content Area (90 min.)	N/A	.5 unit of study per week of INTEGRATED ENL in ELA/Core Content Area, or other approved Former ELL services for two additional years ¹⁸
TOTAL	360 minutes per week	360 minutes per week	180 minutes per week	180 minutes per week	N/A

The maximum allowable grade span for grouping instruction in grades K-12 English as a New Language or Bilingual Education classes is two contiguous grades, except for English Language Learners in a Special Education class, as defined by section 200.1(uu) of this Title. All programs must be provided during the school day.

¹⁷ Source: [CR Part 154-2 \(K-8\) English as New Language Units of Study and Staffing Requirements \(Updated as of May 6, 2015\)](#).

¹⁸ Other services that are approved by the NYS commissioner that monitor and support the student's language development and academic progress. Core content area shall mean ELA, Math, Science and Social Studies. One unit of study = 180 minutes of instruction per week per year.

CR Part 154-2: ENL Staffing Requirements (K to 8)

Figure 22: CR Part 154 ENL Staffing Requirements (Grades K to 8)¹⁹

INSTRUCTION	STAFFING/PERSONNEL
STAND-ALONE ENL	K-12 Certified ESOL Teacher
INTEGRATED ENL – 1 DUALY CERTIFIED TEACHER	ESOL and Common Branch (K-6) or Content Area (7-8) teacher who holds both certifications
INTEGRATED ENL- 2 INDIVIDUALLY CERTIFIED TEACHERS (CO-TEACHING)	A certified ESOL teacher and a K-6 elementary school teacher A certified ESOL teacher and a 7-8 certified content area teacher (ELA, Math, Science, Social Studies)

¹⁹ Source: [CR Part 154-2 \(K-8\) English as New Language Units of Study and Staffing Requirements](#) (Updated as of May 6, 2015).

CR Part 154-2: ENL Units of Study Requirements (Grades 9 to 12)

All ENL classes, including Integrated and Stand-alone, offer home language support.

Figure 23: CR Part 154 ENL Units of Study Requirements (Grades 9 to 12)²⁰

INSTRUCTION	ENTERING (beginning)	EMERGING (Low – Intermediate)	TRANSITIONING (Intermediate)	EXPANDING (Advanced)	COMMANDING (Proficient)
ENL INSTRUCTIONAL TIME (MINIMUM)	3 units of study per week (540 min.)	2 units of study per week (360 min.)	1 unit of study per week (180 min.)	1 unit of study per week (180 min.)	Former ELLs must continue to receive services for an additional two years
STAND-ALONE ENL	1 unit of study in ENL (180 min.)	.5 unit of study in ENL (90 min.)	N/A	N/A	N/A
INTEGRATED ENL	1 unit of study in ENL/ELA (180 min.)	1 unit of study in ENL/ELA (180 min.)	.5 unit of study in ENL/Core Content Area (90 min.)	1 unit of study in ENL/Core Content Area (180 min.)	N/A
FLEXIBILITY	1 unit of study can be STAND-ALONE ENL instruction or INTEGRATED ENL in Core Content Area (180 min.)	.5 unit of study can be STAND-ALONE ENL or INTEGRATED ENL in Core Content Area (90 min.)	.5 unit of study can be STAND-ALONE ENL or INTEGRATED ENL in Core Content Area (90 min.)	N/A	.5 unit of study per week of INTEGRATED ENL in ELA/Core Content Area, or other approved Former ELL services for two additional years ²¹
TOTAL	540 minutes per week	360 minutes per week	180 minutes per week	180 minutes per week	N/A
AWARDING CREDITS	STAND-ALONE ENL Elective credit is awarded upon passing each corresponding	INTEGRATED ENL Core Content Area credit is awarded upon passing each corresponding ENL unit of study in			

²⁰ Source: [CR Part 154-2 \(9-12\) English as New Language Units of Study and Staffing Requirements \(Updated as of May 6, 2015\)](#).

²¹ Other services that are approved by the NYS commissioner that monitor and support the student's language development and academic progress. Core content area shall mean ELA, Math, Science and Social Studies. One unit of study = 180 minutes of instruction per week per year.

INSTRUCTION	ENTERING (beginning)	EMERGING (Low – Intermediate)	TRANSITIONING (Intermediate)	EXPANDING (Advanced)	COMMANDING (Proficient)
	STAND-ALONE ENL unit of study	ELA, Math, Science, or Social Studies			

The maximum allowable grade span for grouping instruction in grades K-12 English as a New Language or Bilingual Education classes is two contiguous grades, except for English Language Learners in a Special Education class, as defined by section 200.1(uu) of this Title. All programs must be provided during the school day.

CR Part 154-2: ENL Staffing Requirements (Grades 9 to 12)

Figure 24: CR Part 154 ENL Staffing Requirements (Grades 9 to 12)²²

INSTRUCTION	STAFFING/PERSONNEL
Stand-alone ENL	K-12 Certified ESOL Teacher
Integrated ENL - 1 dually certified teacher	ESOL or Content Area (7-12) teacher who holds both certifications
Integrated ENL - 2 Individually Certified Teachers (Co-Teaching)	A certified ESOL teacher and a 7-12 certified Content Area Teacher

²² Source: [CR Part 154-2 \(9-12\) English as New Language Units of Study and Staffing Requirements \(Updated as of May 6, 2015\)](#).

Required ELL Data Recording and Reporting

To meet federal, state, and local reporting requirements, schools must report on ELL identification, services, and parent selection. As a result, the DOE has created a number of mechanisms to capture required data. As the leader of their schools, principals should verify all data entered to ensure accuracy. In the event of a clerical error, schools should correct the data immediately. For further questions on data entry and addressing clerical errors, contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#).

Note: Charter schools may have additional or different reporting requirements. Charter schools should submit a ticket at charterschools.mojohelpdesk.com if you have questions about your particular reporting requirements.

ATS: ELL/LEP Flag Indicators

The NYC DOE utilizes a number of ELL/LEP flag indicators (in ATS and other data repositories) to indicate ELL status. For information on discontinued codes and further information see [the ATS Wiki](#). A list of the ELL/LEP code, corresponding ELL status, and definition is included below.

ELL/LEP Code: E

ELL Status: Potential ELL

Definition: This student may be eligible for NYSITELL testing. This student may be an ELL and must be served.

ELL/LEP Code: P

ELL Status: Former ELL

Definition: This student was identified as an ELL previously but tested out as per the NYSESLAT or other ELL exit criteria. This student may continue to be eligible for ELL testing accommodations and 90 minutes per week of ENL (former ELLs up to 2 years after testing out are eligible for ELL testing accommodations and 90 minutes of ENL) or another alternative support as outlined in [Alternative Pathways to Support Former English Language Learners' Language Development and Academic Progress](#).

ELL/LEP Code: R

ELL Status: Never an ELL

Definition: This student is not an ELL and was never an ELL as a result of scoring proficient on the NYSITELL or LAB-R (before 2014).

ELL/LEP Code: Y

ELL Status: ELL

Definition: This student is an ELL as a result of scoring below Commanding on a NYSED ELL exam (NYSITELL/NYSESLAT).

ELL/LEP Code: NULL (Blank)

ELL Status: Never an ELL

Definition: A student who was never evaluated for ELL Identification either because of a home language of English or results of an individual interview. Additionally, a student's status might be changed via the Re-Identification process and submitted via the ATS ERI screen.

ATS: ELL Parent Choice Update Screen (ELPC)

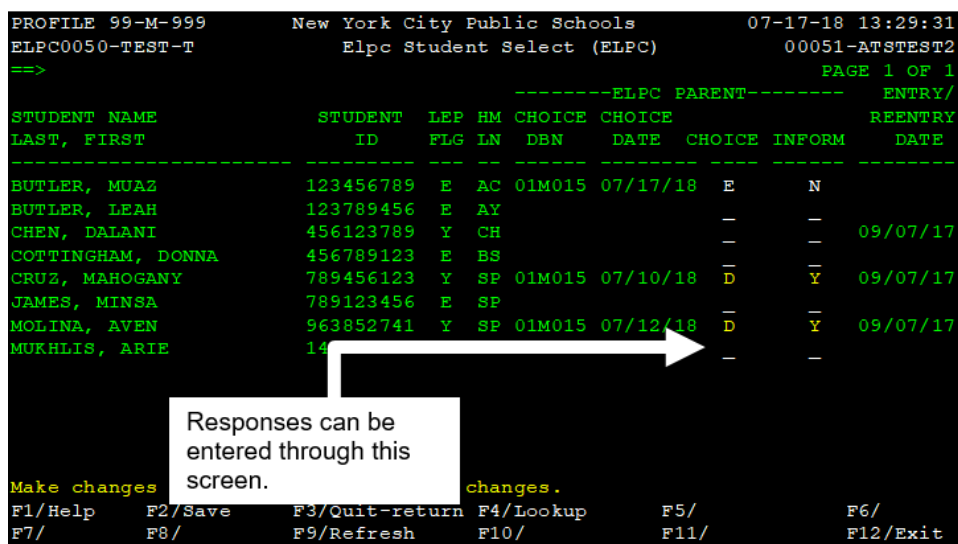
The *initial* parent selection is recorded in the ELL Parent Choice Update screen ([ELPC](#)) in ATS. After the initial parent selection is documented in ELPC, parents may change their selection at any time by writing to the principal or designee.

All subsequent changes to parent selection, after the capture of initial parent selection, can be made on the [BNDC](#) screen. The [Parent Survey and Program Agreement Form](#) must be completed and placed in the student's cumulative folder (along with any subsequent written consent to change ELL program selection).

NYC DOE monitors the implementation of the required ELL program parent selection process. The ELPC screen was created in ATS for schools to record the initial ELL program parent selection for all new admits who are identified as ELLs. This function lists students admitted within the current school year whose ELL/LEP Flag is either "Y" or "E." For students who are administered the NYSITELL and identified as ELLs, the school needs to enter whether the parent was provided a parent orientation explaining the three ELL programs offered in New York City and the parent's initial choice of program. This screen must be completed for each newly identified ELL.

Schools have 10 school days from initial enrollment to identify ELLs (20 school days for students entering with IEPs), to administer the Spanish LAB when appropriate, to conduct the parent orientation, and to place the student in the ELL program that was selected by the parent/guardian. Schools have an additional 10 school days to complete the ELPC screen. Since only ELLs must have a parent selection and ELL status is determined by a valid NYSITELL score, any parent selection provided without the supported assessment data will be considered out of compliance.

Note: Any student who was admitted over a year ago will not appear on the ELPC screen. Enter the parent option for these students on the BNDC screen.



STUDENT NAME LAST, FIRST	STUDENT ID	LEP FLG	HM LN	CHOICE DBN	CHOICE DATE	CHOICE INFORM	ENTRY/ REENTRY DATE
BUTLER, MUAZ	123456789	E	AC	01M015	07/17/18	E	N
BUTLER, LEAH	123789456	E	AY				
CHEN, DALANI	456123789	Y	CH				09/07/17
COTTINGHAM, DONNA	456789123	E	BS				
CRUZ, MAHOGANY	789456123	Y	SP	01M015	07/10/18	D	Y 09/07/17
JAMES, MINSA	789123456	E	SP				
MOLINA, AVEN	963852741	Y	SP	01M015	07/12/18	D	Y 09/07/17
MUKHLIS, ARIE	14						

Make changes F1/Help F2/Save F3/Quit-return F4/Lookup F5/ F6/ F7/ F8/ F9/Refresh F10/ F11/ F12/Exit

Figure 25: ELPC Screen in ATS



There are two data points that need to be entered on the [ELPC](#) screen:

1. Was the parent provided an orientation explaining the three ELL programs offered in NYC? (Y, O, I, N)
 - Y=Parent was provided an orientation
 - N=Parent was NOT provided an orientation
 - O=Offered, but the parent did not come to parent orientation
 - I=Offered at IEP meeting
2. What was the parent selection of ELL programs? (E, B, D, N)
 - E=English as a New Language (ENL)
 - B=Transitional Bilingual Education (TBE)
 - D=Dual Language
 - N=Parent did not return survey (denotes a bilingual program by default)

For additional information, refer to the [ELPC Wiki page](#).

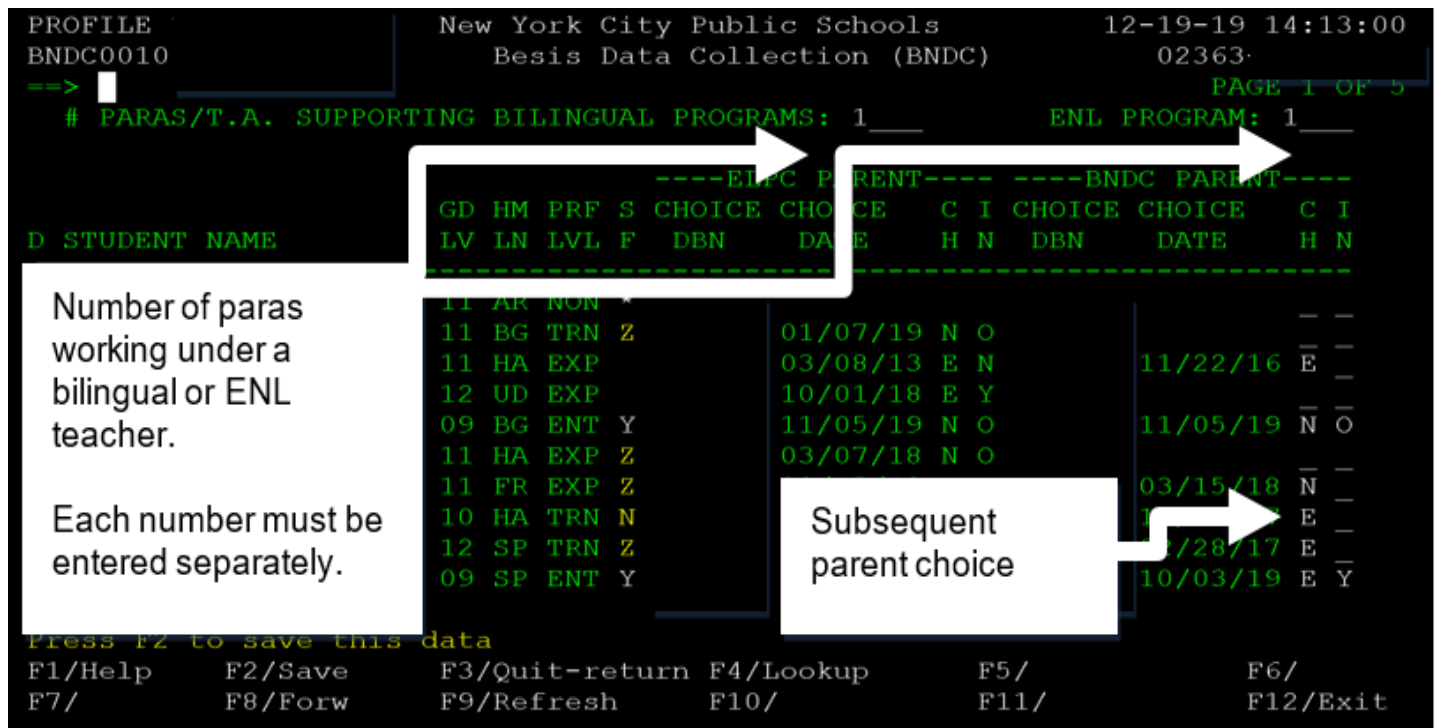
ATS: BNDC for SIFE Determination and Paraprofessional Services

The BNDC screen serves three functions:

1. Determination of SIFE status
2. Number of paraprofessionals working under ENL and/or bilingual teachers
3. Reflect subsequent changes to parent selection. Initial parent selection of the ELL program is entered in the ELPC screen (see [Step 7: Parent Agreement and Program Placement](#))

After schools determine SIFE status, the decision is entered into the BNDC screen. For information on SIFE and determination criteria, see [Step 6: Identification of Students with Interrupted/Inconsistent Formal Education](#).

Schools must also enter the number of paraprofessionals who are working under the direct supervision of a licensed ENL or bilingual teacher for academic purposes (linguistic and/or content area). Record paraprofessionals regardless of whether they are mandated as part of a student’s Section 504 Plan (for academic purposes), or Individualized Education Program (IEP). Note that for students with IEPs, paraprofessionals may not always be explicitly written on the IEP in SESIS but must be reported in this field. Paraprofessionals working with ELLs in general education settings must also be reported.



The screenshot shows the BNDC screen in ATS. At the top, it displays 'New York City Public Schools', 'Basis Data Collection (BNDC)', and the date/time '12-19-19 14:13:00'. Below this, it shows 'PROFILE BNDC0010' and 'PAGE 1 OF 5'. The main data area is divided into two sections: '# PARAS/T.A. SUPPORTING BILINGUAL PROGRAMS: 1' and 'ENL PROGRAM: 1'. Below these are two tables: '----ELPC PARENT----' and '----BNDC PARENT----'. The 'ELPC PARENT' table has columns for 'GD HM PRF S CHOICE CHOICE C I CHOICE CHOICE C I' and 'LV LN LVL F DBN DATE H N'. The 'BNDC PARENT' table has columns for 'C I CHOICE CHOICE C I' and 'H N'. A callout box points to the 'ELPC PARENT' table with the text: 'Number of paras working under a bilingual or ENL teacher. Each number must be entered separately.' Another callout box points to the 'BNDC PARENT' table with the text: 'Subsequent parent choice'. At the bottom, there are function key instructions: 'Press F2 to save this data', 'F1/Help', 'F2/Save', 'F3/Quit-return', 'F4/Lookup', 'F5/', 'F6/', 'F7/', 'F8/Forw', 'F9/Refresh', 'F10/', 'F11/', and 'F12/Exit'.

Figure 26: BNDC Screen in ATS



ATS: ELL Transfer Requests (ELTR)

The ELTR screen in ATS allows principals to:

- Submit an ELL Transfer Request for a student
- Track a student's ELL Transfer Request

Once a [Family Request for ELL Transfer](#) form is received, the ELTR main screen and student detail screens will allow principals to make the most informed decision about placement options for the student.

For further information, refer to [ELL transfer Policy and Procedure](#).

ATS: Home Language Code Crosswalk

Source: ATS (As of February 15, 2022)

Note: AA, NULL, UK, ZZ are not valid HL code

Entry Code	Entry Description	Entry Description for Report
AC	ARAUCANIAN	Araucanian
AD	ADANGME	Adangme
AE	AFROASIATIC	Afroasiatic
AF	AFRIKAANS	Afrikaans
AH	AMHARIC (AKA ETHIOPIAN)	Amharic (aka Ethiopian)
AJ	ACHOLI	Acholi
AK	AKAN	Akan
AL	ALBANIAN	Albanian
AM	ARMENIAN	Armenian
AO	AMOY (A.K.A.FUKIENESE)	Chinese
AR	ARABIC	Arabic
AS	ASSAMESE	Assamese
AW	ARAWAK	Arawak
AY	AYMARA	Aymara
AZ	AZERBAIJANI (AKA AZERI)	Azerbaijani (aka Azeri)
BA	BALANTE	Balante
BB	BEMBA	Bemba
BE	BELORUSSIAN	Belorussian
BG	BENGALI (BANGLA IN BANGLADESH)	Bengali (aka Bangla)
BH	BHILI	Bhili
BI	BIHARI	Bihari

Entry Code	Entry Description	Entry Description for Report
BL	BALUCHI	Baluchi
BM	BAMBARA	Bambara
BO	BOSNIAN	Bosnian
BQ	BASQUE	Basque
BR	BRAHUI	Brahui
BS	BURMESE	Burmese
BT	BRETON	Breton
BU	BULGARIAN	Bulgarian
BY	BALINESE	Balinese
CA	CHAM	Cham
CB	CEBUAN	Cebuan
CE	CHINESE-DIALECT UNKNOWN/OTHER	Chinese
CH	CHINESE/ANY	Chinese
CJ	CHECHEN	Chechen
CN	CANTONESE	Chinese
CS	CHINESE/ANY-SPANISH	Chinese
CT	CATALAN	Catalan
CU	CHUUKESE (TRUKESE)	Chuukese (aka Trukese)
CZ	CZECH	Czech
DA	DARI/FARSI/PERSIAN	Dari/Farsi/Persian
DG	DAGOMBA	Dagomba
DJ	DEJULA	Dejula
DN	DANISH	Danish
DU	DUTCH	Dutch

Entry Code	Entry Description	Entry Description for Report
DZ	DZONGKHA	Dzongkha
EO	ESTONIAN	Estonian
EW	EWE	Ewe
FH	FRENCH-HAITIAN CREOLE	Haitian Creole
FJ	FIJIAN	Fijian
FK	FRENCH-KHMER	French-Khmer
FL	FLEMISH	Flemish
FN	FINNISH	Finnish
FO	FON	Fon
FR	FRENCH	French
FT	FANTI (AKA FANTE)	Fanti (aka Fante)
FU	FULANI	Fulani
GA	GA	Ga
GC	GALICIAN	Galician
GE	GEORGIAN	Georgian
GF	GARIFUNA	Garifuna
GJ	GUJARATI	Gujarati
GK	GREEK	Greek
GL	GALLA	Galla
GM	GURMA	Gurma
GO	GREBO	Grebo
GR	GERMAN	German
GU	GUARANI	Guarani
HA	HAITIAN CREOLE	Haitian Creole

Entry Code	Entry Description	Entry Description for Report
HE	HEBREW	Hebrew
HG	HUNGARIAN	Hungarian
HI	HINDI	Hindi
HM	HMONG	Hmong
HU	HAUSA	Hausa
IB	IBO	Ibo
IC	ICELANDIC	Icelandic
IL	ILOCANO	Ilocano
IN	INDONESIAN (AKA BAHASA)	Indonesian (aka Bahasa)
IR	IRISH (GAELIC)	Irish (Gaelic)
IT	ITALIAN	Italian
JA	JAPANESE	Japanese
JM	JAMAICAN-CREOLE	Jamaican-Creole
JO	JOHKHA	Johkha
KA	KASHMIRI	Kashmiri
KB	KAMBA	Kamba
KC	KACHI	Kachi
KD	KANNADA	Kannada
KE	KABRE	Kabre
KF	KAFIRI	Kafiri
KG	KANARESE	Kanarese
KH	KHMER (AKA CAMBOGE)	Khmer (aka Camboge)
KI	KIKUYU	Kikuyu
KK	KRIO	Krio

Entry Code	Entry Description	Entry Description for Report
KN	KANURI	Kanuri
KO	KOREAN	Korean
KP	KPELLE	Kpelle
KR	KAREN	Karen
KS	KHOISAN	Khoisan
KU	KURDISH	Kurdish
KW	KHOWAN	Khowan
KY	KABYLE	Kabyle
KZ	KAZAKH	Kazakh
LA	LAO	Lao
LG	LUGANDA	Luganda
LM	LOMA	Loma
LO	LUO	Luo
LT	LITHUANIAN	Lithuanian
LU	LUBA	Luba
LV	LATVIAN	Latvian
LY	LUNYANKOLE	Lunyankole
MA	MACEDONIAN	Macedonian
MB	MANDINKA (AKA MANDINGO)	Mandinka (aka Mandingo)
MD	MOLDAVIAN	Moldavian
ME	MENDE	Mende
MG	MALAGASY	Malagasy
MH	MOHAWK	Mohawk
MI	MONGOLIAN	Mongolian

Entry Code	Entry Description	Entry Description for Report
MK	MALINKE	Malinke
ML	MALAY	Malay
MN	MANDARIN	Chinese
MO	MOSSI (AKA MORE)	Mossi (aka More)
MR	MARATHI	Marathi
MT	MALTESE	Maltese
MX	MIXTEC	Mixtec
MY	MALAYALAM	Malayalam
NA	NAHUATL	Nahuatl
NC	NIGER-CONGO	Niger-Congo
ND	NDEBELE	Ndebele
NE	NEPALI	Nepali
NL	NATIVE AMERICAN LANGUAGES	Native American Languages
NO	ENGLISH	English
NS	STUDENT DOES NOT SPEAK	Student Does Not Speak
NW	NORWEGIAN	Norwegian
NY	NYANJA (AKA CHINYANJA)	Nyanja (aka Chi Nyanja)
ON	ONEIDA	Oneida
OR	ORIYA	Oriya
OS	OSSETIAN	Ossetian
PA	PASHTO (A.K.A. PUSHTO)	Pashto (aka Pushto)
PI	PILIPINO (A.K.A. TAGALOG)	Pilipino (aka Tagalog)
PJ	PUNJABI (A.K.A. PANJABI)	Punjabi (aka Panjabi)
PL	POLISH	Polish

Entry Code	Entry Description	Entry Description for Report
PN	PALAUAN	Palauan
PO	PORTUGUESE	Portuguese
PP	PAPIAMENTO	Papiamento
PR	PROVENCAL	Provençal
QC	QUICHE	Quiche
QU	QUECHUA	Quechua
RA	RAJASTHANI	Rajasthani
RD	RUNDI	Rundi
RM	ROMANSCH	Romansch
RO	ROMANIAN	Romanian
RU	RUSSIAN	Russian
RW	RWANDA	Rwanda
RY	RUSSIAN-YIDDISH	Russian-Yiddish
SA	SAMOAN	Samoan
SB	SHINA	Shina
SC	SERBO-CROATIAN	Serbo-Croatian
SD	SINDHI	Sindhi
SE	SENECA	Seneca
SF	SINHALESE	Sinhalese
SG	SCOTTISH-GAELIC	Scottish-Gaelic
SH	SHAN	Shan
SI	SWAHILI (A.K.A. KISWAHILI)	Swahili (aka Kiswahili)
SJ	SOMALI	Somali
SK	SUKUMA	Sukuma

Entry Code	Entry Description	Entry Description for Report
SL	SHLUH	Shluh
SM	SIDAMO	Sidamo
SN	SANSKRIT	Sanskrit
SO	SLOVAK	Slovak
SP	SPANISH	Spanish
SQ	SONINKE	Soninke
SR	SERI	Seri
SS	SETSWANA	Setswana
ST	SESOTHO	Sesotho
SU	SUDANESE	Sudanese
SV	SLOVENIAN	Slovenian
SW	SWEDISH	Swedish
SX	(AMERICAN) SIGN LANGUAGE	(American) Sign Language
SY	SOUTH ARABIC	South Arabic
SZ	SWAZI	Swazi
TA	TAMIL	Tamil
TE	TELUGU	Telugu
TG	TIGRE	Tigre
TH	THAI	Thai
TI	TIBETAN	Tibetan
TK	TURKMAN (A.K.A TURKOMAN)	Turkman (aka Turkoman)
TM	TAMAZIGHT	Tamazight
TO	TONGA	Tonga
TR	TIGRINYA	Tigrinya

Entry Code	Entry Description	Entry Description for Report
TT	TUAREG	Tuareg
TU	TURKISH	Turkish
TW	TWI	Twi
TZ	TADZHIK (AKA TAJIK)	Tadzhik (aka Tajik)
UD	URDU	Urdu
UR	UKRAINIAN	Ukrainian
UZ	UZBEK	Uzbek
VC	VIETNAMESE-CHINESE	Vietnamese
VF	VIETNAMESE-FRENCH	Vietnamese
VN	VIETNAMESE	Vietnamese
VS	VISAYAK (A.K.A. BISAYA)	Visayak (aka Bisaya)
WE	WELSH	Welsh
WO	WOLOF	Wolof
YI	YIDDISH	Yiddish
YO	YONBA	Yonba
YR	YORUBA	Yoruba

STARS: ENL Programming

See the [English Language Learners Wiki](#) for the latest information on programming ENL in STARS.

STARS: Bilingual Programs Programming

See the [School Programs - ELL Wiki](#) for the latest information on programming dual language and transitional bilingual education programs in STARS.

Note: Schools may choose to extend their school day beyond the required hours with the help of community-based organizations/non-profits and special grant opportunities; however, schools must deliver their mandated instruction and services, including for English language learners and the recommended program and related services for students with IEPs, during the regular mandated school day.

Retention of Records

Student Cumulative Record

All ELL-related documents (including but not limited to those listed below) must be kept in the student's cumulative record. The ELL documents must be forwarded to DOE schools upon transfer to another DOE school as per all applicable policies.

School-Level Critical ELL documents

Additionally, schools are encouraged to maintain a school-level *ELL Folder of Critical Documents* which contains these documents in a central location for ease of review. Due to the various sizes of schools' populations, some schools may opt to have an electronic folder through scanning. Regardless of the method, schools should refer to all applicable laws and regulations pertaining to the retention of records, including but not limited to [Chancellor's Regulations A-820](#) and the Family Educational Rights and Privacy Act (FERPA).

Critical ELL documents include copies of the following documents. Each document must be signed and dated.

- Home Language Identification Survey
- ELL Parent Survey and Program Agreement Form
- Program Placement Letter
- Entitlement letter (newly identified ELLs)
- Continued entitlement letter (continuing ELLs)
- Exit/non-entitlement letter
- Language Proficiency Team NYSITELL Determination Form

Comprehensive Education Plan: ELL Components

The Comprehensive Education Plan (CEP) serves as a school's blueprint for implementing instructional strategies, professional development opportunities, and parent involvement activities that promote continuous school improvement. The CEP is meant to be used as a tool to facilitate continuous improvement planning—to support schools in engaging their staff, parents, students, and community partners in assessing and prioritizing school needs, setting measurable improvement goals, selecting appropriate strategies to improve student outcomes, monitoring progress toward meeting annual goals, and communicating these efforts to the broader school community. Additional information is available in the Resources section of the [iPlan portal](#).

There are three ELL-related components of the CEP:

- Language Allocation Policy (LAP)
- Title III Limited English Proficient (LEP) Plan
- Title III Immigrant Plan

Note: Language Translation and Interpretation Plans (LTI) were *previously* considered an ELL CEP component. However, the LTI plan serves as your school's strategy for communicating with *all* families who do not speak English. For questions or assistance in completing your LTI plan, contact your designated Language Access Coordinator.

Language Allocation Policy (LAP)

The LAP is a systemic plan for language development that guides programmatic and curricular decisions for students until they acquire academic proficiency in English. See the [Language Allocation Policy InfoHub](#) for the current year's template. It is a school-originated document submitted yearly in consultation with all ML/ELL community partnerships, administrators, teachers, parents, and support personnel to ensure proper implementation within each school community. The LAP is understood by all school partnerships and enacted by all practitioners so that all stakeholders understand how, why, and when the students receive ELL services. The educational programs for MLs/ELLs within a school are detailed within the document. The document describes the various program models (dual language, transitional bilingual education, and English as a new language), the identification of ELL subgroups in the school, the interventions they receive, and parent engagement. In addition, professional development provided and the high-quality certified teachers of ELLs that staff these programs are described in the LAP.

The LAP template and other LAP resources are available on the [Language Allocation Policy InfoHub](#) and the [iPlan portal](#).

Title III Limited English Proficient (LEP) Plan

The Title III Limited English Proficient (LEP) supplemental program is provided through federal funds supported by Every Student Succeeds Act (ESSA). This funding (subject to revision annually) is based on the previous year's ELL reporting in each individual school. It provides federal allocations to schools with the mandated minimum of ELLs for supplemental services for English language learners before school, after school, and on Saturdays. These wholly supplemental services are based on students' needs and provide teachers with ongoing professional development to support the ELL population within the school. A plan must be submitted every two years based on the following ratio: 60% to direct instruction, 10% to parental involvement, 10% to professional development, and 20% to OTPS.

The three main components for the use of Title III funds are as follows:

1. Direct Instruction activities must be used to support language development, English and home language instruction, high academic achievement in math, and/or other core academic areas
2. High-quality professional development that is of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in classrooms
3. Parent engagement activities and supports must ensure that there are appropriate translation and interpretation services to meet community needs

School allocations are announced annually in the respective school allocation memorandum, which is available on the [School Allocation Memorandums InfoHub](#). For more information on Title III, please refer to the [Frequently Asked Questions](#) included below.

Title III Immigrant Plan

Title III Immigrant programs are also provided through federal funds supported by Every Student Succeeds Act (ESSA). This funding (subject to revision annually) is based on the previous year's reporting in each individual school. These funds can be used for activities that provide enhanced instructional opportunities for immigrant students. Please note that immigrant students are not necessarily English Language Learners (ELLs), and ELLs may or may not be immigrants.

For the purpose of this funding, immigrant students are defined as individuals who were not born in any U.S. state (this includes the District of Columbia and the Commonwealth of Puerto Rico); and have not been attending one or more schools in any one or more states for more than three full academic years (the months need not be consecutive).

Each school that receives this funding must use the funds to support their immigrant students by developing a plan that addresses the following three components:

- Direct instruction supplemental program for immigrant students
- Professional development that bolsters the instructional practice of teachers of immigrant students

- Parental engagement activities that support parents of immigrant students

School allocations are announced annually in the respective school allocation memorandum, which is available on the [School Allocation Memorandums InfoHub](#). For more information on Title III, please refer to the [Frequently Asked Questions](#) included below.

Frequently Asked Questions: Allowable Use of Title III LEP Funds

Supplemental Direct Instruction

1. What does direct instruction supplemental programming mean?

Direct instruction activities must be used to support language development, English and home language instruction, academic achievement in math and/or other core academic areas. This programming must be based on student needs and the guidelines outlined in the current year's School Allocation Memorandum (SAM). The direct instruction must complement core bilingual and/or English as a New Language (ENL) services required under Commissioner's Regulation (CR) Part 154. Direct supplemental services should be provided before school, after school, or during Saturday programs. The teachers providing the services must be certified bilingual education and/or English to Speakers of Other Languages (ESOL) teachers.

2. What should be included in the direct instruction supplemental program?

In your Title III plan, the description of direct Title III instruction to ELLs must include the following:

- type of program/activities
- number of students to be served
- grade level(s)
- language(s) of instruction
- rationale (including data analysis) for the selection of program/activities and the materials
- services and instructional technology to be used
- sessions and times per day/week
- program duration; and
- service provider qualifications.

3. Who is entitled to Title III supplemental programs?

All ELLs are entitled to Title III programs. Each school should establish criteria for ELLs' participation in Title III program activities. Schools should examine the data and the needs of their ELL population when they plan their Title III programs. This may include any of the ELL subgroups: Newcomers, Developing ELLs, Long Term ELLs, ELLs with Individualized Education Programs (IEPs), Students with Interrupted/Inconsistent Formal Education (SIFE), and Former ELLs.

4. Can I include former ELLs in the direct instruction supplemental Title III program?

Title III is a federal funding source for supplemental programs and activities for ELLs. However, former ELLs who tested out for up to two years may be invited to the Title III program activities. Instruction may be conducted in both English and the student's home language(s). Programs and activities implemented under Title III Part A may not supplant programs required under CR Part 154.

5. Can non-ELLs participate in Title III programs?

Title III is targeted funding for supplemental instruction for ELLs; former ELLs up to 2 years after exiting ELL status may also participate.

6. Who can teach the Title III supplemental program?

The Title III supplemental program must be taught either by a certified ESOL or bilingual teacher. Title III programs may have a non-ESOL or non-bilingual certified teacher, as long as they are team teaching and co-planning with a certified ESOL or bilingual teacher. The certified ESOL or bilingual teacher can push in for the content area program. This arrangement should be fully described in the instructional plan.

7. Can my guidance counselor provide direct instruction and/or support during my extended day program?

Your guidance counselor can provide direct instruction if they:

- have an ESOL or bilingual certification as a teacher in New York State; or
- are co-planning and team teaching with a certified ESOL or bilingual teacher.
- A guidance counselor or a bilingual guidance counselor can also support students and parents with group and individual workshop sessions in a supplemental Title III program. These services must be clearly described in the appropriate section of the program narrative.

8. What if my ENL teacher doesn't want to work in a supplemental Title III program?

Post the position so that other ESOL or bilingual certified teachers can apply. You should also reach out to your [HR director](#) for support with this process.

9. Can I hire a paraprofessional for the Title III program?

No. However, if an ELL is attending the Title III program and the student's IEP mandates a bilingual paraprofessional, then it may be permitted.

10. Can a supervisor be paid out of Title III funds for my extended day program?

You may pay a supervisor from Title III funds if the Title III program is the only program operating during the extended day. These circumstances must be described in detail in the narrative. The school should also describe the responsibilities of the supervisor. Responsibilities should not be limited to administrative duties only but should also include instructional leadership. It is strongly recommended that Title III programs be scheduled at the same time as other extended day programs so that the supervisor overseeing those programs is also responsible for the supervision of the Title III program.

11. Can I include trips or cultural activities in my Title III program?

Yes, if the trips and/or cultural activities are aligned to the Title III instructional program objectives. The trips should have a clear instructional rationale, and the purpose must be explained in the program narrative. The allowable expenditures must follow the Title III expenditure guidelines. Schools must adhere to all DOE guidelines on trips.

12. Are laptop purchases to allow ELLs to engage in remote learning an allowable expense?

The purchase of technology for ELLs to engage in remote learning is not an allowable expense for Title III. All ELLs who are engaging in remote learning should have access to this technology via general funding streams used for the purchase of all other students. Please refer to the long-standing Title III rules about tech/equipment purchasing (pages 6-7) for the exclusive use of MLs/ELLs in Title III funded programs. For more information see NYSED's [Guidance on Allowable and Unallowable Expenditures](#).

13. What is the guidance on remote per session for SY 2022-23?

Title III activities may be conducted remotely, if they align to the permissible activities and adhere to all protocols as per [Chancellor's Regulation C-175](#). In alignment with the regulation, the per session posting should include, "No per session compensation may be paid for work performed at home unless consistent with the collective bargaining agreements, or approved in advance by the supervisor, based on policy authorized by the Chancellor." For more information on developing per session posting templates, please refer to this [resource](#). For additional guidance, please refer to this [Guidance on Remote Per Session for the 2022–23 School Year](#). Please note that Title III plans should describe how these activities meet student needs, if they are to be performed remotely.

Professional Development

14. What should Title III professional development look like?

Professional development should meet the following criteria:

- Program of sufficient intensity and duration as to have a positive and lasting impact on teachers' performance in the classroom with ELLs.
- Ongoing and sustainable professional development program.
- Planned activities designed to enhance a teacher's ability to understand and use curricula, assessment measures, and instructional strategies for ELLs.
- Activities designed to improve the instruction and assessment of ELLs.
- Timelines, professional development providers, and target audience should be included in the narrative.
- Support must be aligned with the supplemental Title III instructional program.
- Include study groups for teachers of ELLs and Office of Multilingual Learners sponsored professional development series.
- May also include professional development conducted by ML/ELL staff on ELL instruction.

15. What should be included in the Title III professional development?

The professional development component should include the following:

- A list of topics and tentative schedules of workshops to be offered throughout the program and the number and qualifications of the participants.
- A description and content area focus of study groups and associated materials, and the number of teachers participating.
- A description of materials and resources being utilized for professional development.
- If a consultant provides professional development, describe the consultant's ELL credentials and work delivered, including the number of sessions, weekly schedule, per session cost, hours of work, number of teachers trained, qualification of the service provider(s), and topics aligned to the proposed program.

16. Can I hire a consultant to provide professional development for teachers of ELLs during the day?

Consultant hiring should align with DOE's guidelines for allowable purchasing and hiring. In general, if consultant or professional services are permitted, the consultant, who must have a demonstrated track record or credentials and expertise to provide ELL services, must focus on professional development activities based on the needs of the ELLs and/or teachers servicing ELLs. These needs must be demonstrated and described using performance indicators such as city and state assessments as well as the Next Generation Learning Standards.

17. Can schools hire a substitute teacher so that teachers of ELLs may attend a PD session?

Yes, schools may hire a substitute teacher to release teachers of ELLs to attend a PD session during the regular school day only if:

- Schools articulate how these sessions will specifically increase the effectiveness of instruction for ELLs (either classroom teachers with ELLs in their classes or the certified ESOL/bilingual teacher, and preferably, teachers working in the direct instruction portion of the program)

Schools must specify:

- Which teachers were selected
- How teachers will use the new learning to build capacity within their school, study group, PD session, via lab site, open classroom, etc.

Note: If Title III funds are used for this purpose, it must come from the professional development portion, which represents 10% of the total Title III LEP allocation.

18. Can we use the contractually mandated time after school professional development time (e.g., Mondays) for Title III PD?

The mandated blocks of time for PD activities required as per the current UFT collective bargaining agreement can be used toward the PD component of the Title III program, provided that they include ongoing and sustained professional development that meets the intent and purpose of the Title III program. These activities should be aligned with the Title III supplemental program and include teachers who work in the Title III instructional program and may include other teachers of ELLs. Documentation of participation in professional development activities should be kept on file. Note: mandated blocks of time include Mondays or alternative days for schools adhering to the terms of the contract as a result of the school-based option.

Parental Involvement

19. What should parental involvement look like?

These programs should promote parent, family, and community engagement through community participation programs, family literacy services, and parent outreach and training activities to MLs/ELLs and their families.

This [online geomap](#) is a running list of community-based organizations dedicated to serving NYC's linguistically and culturally diverse families.

20. What should be included in the parental involvement component?

The parental program needs to be aligned to the proposed Title III plan and/or school-developed needs assessment survey and parent interviews. Please note that parent orientations are mandated under CR Part 154, and therefore, cannot be included as an activity under the Parental Involvement section of the Supplemental Title III Program description.

21. Can we purchase refreshments for parents under Title III?

Refreshments can only be purchased for parents participating in a parental involvement component of the Title III plan. Please make sure to follow [DOE Standard Operating Procedures](#) and [guidelines on food and refreshments](#).

22. Can out-of-state student trips and/or professional development be funded under Title III?

Out-of-town trips are not permitted except for one-day trips for parents to attend specialized meetings and conferences. All DOE guidelines on travel, conferences, and student trips must be adhered to.

23. Parent Engagement Activities assumes that, if parents log on at all, the parent will have interpretation and/ or translation provided to them for the duration of the activity. Is this accurate?

Yes. Schools are required to continue to follow [Chancellor's Regulation A-663](#) for the provision of translation and interpretation.

OTPS

24. Can I use Title III funds to purchase a teacher projector?

This is an allowable expense as long as it is within OTPS spending limits. Discretion should be applied to ensure that the teacher is using the projector to serve students during the Title III program.

Budget

25. How should schools allocate Title III funds?

Schools should continue to use the following program component ratios as a guideline for Title III program planning:

- 60% direct instruction
- 10% to parental involvement,
- 10% to professional development
- 20% to OTPS

26. Can I coordinate other funds to support the Title III program?

Yes. Schools may use other funding sources to complement their Title III program regardless of whether the school is conceptually consolidated or not. The school must explicitly state which components of the plan's expenditures are at no cost to Title III.

27. How can we allocate funds if my school is not conceptually consolidated?

The Title III plan must meet all intents and have all components as outlined in question #30 above. Schools that are conceptually consolidated (SWP) may use all the funds for one component if and only if other funding sources are used to meet the other intents, which must be indicated in the plan following the recommended ratio of expenditures.

Galaxy

28. What steps should be taken in Galaxy for Title III?

Schools must select a program description in Galaxy to identify how funds are being spent to support ELLs. As funds are scheduled, schools will need to select one of the activity descriptions using the "Program" dropdown field in Galaxy. The scheduling of funds must be aligned with your approved Title III LEP plan contained within your school's Comprehensive Education Plan (CEP).

Conceptually consolidated schools that use a different consolidated funding source to fund an LEP program must use the below program descriptions to ensure proper tracking of funds being used to support ELLs. For more information, see the Title III LEP School Allocation Memorandum (SAM).

29. What are the Title III program descriptions that should be used in Galaxy?

The program descriptions that should be used are as follows:

- T3 LEP Supplemental ELL Instruction – Before School
- T3 LEP Supplemental ELL Instruction – After School
- T3 LEP Supplemental ELL Instruction – Saturday Program
- T3 LEP Supplemental ELL Instruction – Other
- T3 LEP Certified ELL Teachers (ESOL/Bilingual)
- T3 LEP Supplemental Guidance/Counseling Services
- T3 LEP Professional Development
- T3 LEP Parent Involvement/Engagement

30. Which vendors can I choose?

Contracted vendors should be used as much as possible. For Title III specifically, the circumstances under which outside vendors can be used are outlined on questions #12, 21, 27 of this FAQ. Schools and ML/ELL staff reviewing Title III plans are encouraged to practice their best judgment and discretion when determining when work with an outside vendor meets these parameters. Schools and staff can determine if a vendor has a valid contract by checking the Vendor Inquiry search feature in FAMIS. Schools are also encouraged to check [the Multiple Task Award Contract \(MTAC\) Abstracts and Contract Descriptions](#) for contracted vendors, including the following solicitations:

- R1151: Student Support Services
- R1158: English Language Learners Professional Development Services
- R1129: Arts Education Services
- R1155: Services to Promote Safe and Supportive School Communities

31. How can I spend my Title III funds?

Please refer to the respective [School Allocation Memorandum](#) for additional information. All eligible recipients must procure goods and services aligned to their approved Title III plans and within [OTPS Guidelines](#), [the FAQ for Allowable Use of Title III Funds](#), and [Chancellor’s Regulations](#).

The following are examples of purchases/expenses for these funds. Note, these recommendations are limited to DOE contracted vendors only.

Usage Example	Description	Budget Code	Available Resources
Per Session	Eligible staff may receive per session compensation.	Supervisor - 2792	Refer to Title III plans for allocated per session budget.

Usage Example	Description	Budget Code	Available Resources
		Guidance Counselor – 2922 Teacher- Regular Grades- 3002 School Social Worker – 2822	
Professional Services - Direct Student Services	<u>Multiple Task Award Contracts (MTAC)**</u>	685 - Professional Services - Education - Company & Individual Consultants	Please see these <u>Contract Abstracts</u> for the following recommended services: <ol style="list-style-type: none"> 1. R1151: Student Support Services 2. R1155: Services to Promote Safe and Supportive School Communities 3. R1129: Arts Education Services
Professional Services – Direct to Student Services	<u>Multiple Task Award Contracts (MTAC)**</u> - services specific to college and career readiness	685 - Professional Services - Education - Company & Individual Consultants	<i>MTAC R1151: Student Support Services</i> <ol style="list-style-type: none"> 1. Global Kids, Inc. <ul style="list-style-type: none"> • Vendor #: GLO009000 • Contract #: QR151DN 2. CareerVisions, Ltd. <ul style="list-style-type: none"> • Vendor #: CAR085940 Contract: QR151BX
Professional Services – Staff Development	<u>Multiple Task Award Contracts (MTAC)**</u> - services specific to staff development, including: Family facing staff, centered on Culturally Responsive- Sustaining Family Engagement (NYU) College access and success, with an emphasis on high-quality advising and youth development approaches (Goddard)	689 – Professional Services – Curriculum and Professional Staff Development	<i>MTAC R1179 - Professional Development for School Leaders and Teachers</i> <ol style="list-style-type: none"> 1. Ramapo for Children, Inc. <ul style="list-style-type: none"> • Vendor #: RAM021000 • Contract: QR179AE 2. Goddard Riverside Community Center <ul style="list-style-type: none"> • Vendor #: 131893908 • Contract: QR179AF <i>MTAC R0996 - Literacy Professional Development Services</i> <ol style="list-style-type: none"> 1. New York University

Usage Example	Description	Budget Code	Available Resources
			<ul style="list-style-type: none"> • Vendor ID: NYU562308 • Contract: QR996BF
Supplies – Digital Texts	E-books made available through soraapp.com/library/nycschools	100 – Supplies and Materials	<ol style="list-style-type: none"> 1. Overdrive Inc. <ul style="list-style-type: none"> • Vendor #: OVE522786 • Contract: R130601 <p>Purchased texts are added to Sora.</p>
Supplies – Print and Digital Reading Materials	K-12 ENL and/or home language materials.	100 – Supplies and Materials 199 – Educational Software 337 - Textbooks	<ol style="list-style-type: none"> 1. Benchmark Education Company, LLC <ul style="list-style-type: none"> • Vendor #: BEN019000 • Contract: 7000823 (Textbooks and Ancillary Materials) • Serves: Grades K-8 1. <u>Cengage Learning, Inc</u> <ul style="list-style-type: none"> • Vendor #: CEN001000 • Contract: <ul style="list-style-type: none"> • R129201 (Software) • 7000835 (Textbooks and Ancillary Materials) • Product: Panorama Science or Social Studies • Serves: Grades K-6 1. Follett School Solutions, Inc. <ul style="list-style-type: none"> • Vendor #: ECO004000 • Contracts: <ul style="list-style-type: none"> • Library materials, books, materials <ol style="list-style-type: none"> 1. B2172FA 2. B2172FC



Department of Education

Usage Example	Description	Budget Code	Available Resources
			<ul style="list-style-type: none"> 3. B2172FD 4. B2172FE • Education Software <ul style="list-style-type: none"> 1. R104801 • Textbooks and Ancillary Materials <ul style="list-style-type: none"> 1. 7000948 2. Achieve3000 <ul style="list-style-type: none"> • Vendor #: ACH020000 • Contract: R104901 • Product: Actively Learn Digital Curriculum • Serves: Grades 6-12 • Famis Item Numbers: <ul style="list-style-type: none"> • 800431022: Actively Learn Copyrighted texts • 800431030: Actively Learn Science per student • 800431049: Actively Learn Science cost per student when bundled with Actively Learn ELA • 800431057: Actively Learn Social Studies per student • 800431065: Actively Learn Social Studies

Usage Example	Description	Budget Code	Available Resources
			<p>cost per student when bundled with Actively Learn ELA</p> <ul style="list-style-type: none"> • 800431073: Actively Learn ELA per student • 800431081: Actively Learn ELA with Copyrighted texts per student <p>3. Scholastic, Inc.</p> <ul style="list-style-type: none"> • Vendor #: SCH100000 • Contract: 7000974 or R107101 • Product: W.O.R.D. only • Serves: Grades K-5 • <i>Scholastic W.O.R.D. (large school 500+ students)</i> • Famis Item Number: 800378849 Vendor Catalog Number: 832396 • Scholastic W.O.R.D. (medium school 250-499 students) • Famis Item Number: 800378830 Vendor Catalog Number: 832395 • Scholastic W.O.R.D. (small school 101-249 students) <p>Famis Item Number: 800378822 Vendor Catalog Number: 832394</p>

Usage Example	Description	Budget Code	Available Resources
Digital Printing	Design, ADA remediation, and digital production of resources	615 – Printing Services	1. Vanguard Direct <ul style="list-style-type: none"> • Vendor #: VAN043000 Contract: CITY046

**All MTAC procurement should follow MTAC bidding guidelines.

Required ELL Assessments

There are four assessments that are mandatory for different groups of ELLs. The assessments are NYSITELL, the Spanish LAB, Chinese Reading Test, and the NYSESLAT.

NYSITELL

The New York State Identification Test for English Language Learners ([NYSITELL](#)) is the exam that determines ELL status. It is administered throughout the school year as necessary to all students entering grades K to 12 who are first-time admits and re-entering students (see [ELL Re-Identification Step 9](#) for more information on reentry). There are five levels, the last of which indicates the student is not an ELL. See [Proficiency Levels](#) for more information.

The NYSITELL has eight administration levels. In grades K to 3, the levels are different between the fall and spring administrations for each grade to account for the significant developmental changes between semesters. Students entering during the middle of the school year are expected to perform different developmentally appropriate tasks with different language expectations. Therefore, the NYSITELL provides level tests to determine students' language proficiency relative to the expectations at that point in the school year. In the later grades, the tasks are more aligned between fall and spring; therefore, the language expectations do not differ as significantly as in the earlier grades. As such, students are administered the same NYSITELL level regardless of the time of year. See the [NYSED website](#) for additional guidance regarding the NYSITELL assessments.

The information below shows the eight NYSITELL levels and identifies which level is administered to each new admits, depending upon the grade in which the student is enrolling and the date on which the test administration begins.

- Level I
 - Grade K: June 1–January 31
- Level II
 - Grade K: February 1–June 30
 - Grade 1: July 15–January 31
- Level III
 - Grade 1: February 1–June 30
 - Grade 2: July 15–June 30
 - Grade 3: July 15–January 31
- Level IV
 - Grade 3: February 1–June 30
 - Grade 4: July 15–January 31

- Level V
 - Grade 4: February 1 – June 30
 - Grade 5: July 15– January 31
- Level VI
 - Grade 5: February 1–June 30
 - Grade 6: July 15–June 30
 - Grade 7: July 15–January 31
- Level VII
 - Grade 7: February 1–June 30
 - Grade 8: July 15–June 30
 - Grade 9: July 15–January 31
- Level VII
 - Grade 9: February 1–June 30
 - Grades 10-12: July 15–June 30

Figure 27: NYSITELL Levels by Grade

The Level I test may be administered during June only to those new admits who will not begin kindergarten until the following September. The Level II test must be administered to any new admits who are enrolling in kindergarten for the current school year at any time between February 1 and June 30. The testing of new admits who are enrolling in New York State schools in Grade 1 and above for the fall semester may begin no earlier than July 15. Schools that are registering students before June 1 for enrollment in kindergarten for the upcoming school year may not administer the NYSITELL to eligible students until that date. With the exception of Level I, NYSITELL should be administered during June only to students entering school for the remainder of the current school year and/or students enrolling in a summer school program. Schools are not permitted to administer Levels II–VIII of NYSITELL from July 1–July 14.

For more information about the NYSITELL, see NYSED’s [website](#) on the NYSITELL.

NYSITELL Administration and Provision of Mandated ELL Services

In line with New York State [Commissioner’s Regulations \(CR\) Part 154-2](#) as revised by the Aspira Consent Decree, and New York City Department of Education (NYC DOE) policies:

All identified English Language Learners and former English Language Learners, for the first two years after exiting services, must receive the mandated services outlined within the [CR Part 154-2 Units of Study](#) from:

- The first day of school for returning students
- Or within 10 school days of the initial enrollment for new students (20 school days for students entering with IEPs).

This requires that schools complete the entire English Language Learner (ELL) identification process, including administering the following to newly identified ELLs whose home language is Spanish, while also providing all mandated bilingual education and/or English as a New Language minutes of service to previously identified MLs/ELLs and former ELLs:

- Home Language Identification Survey,
- New York State Identification Test of English Language Learners (NYSITELL), and
- Spanish Language Assessment Battery (Spanish LAB)

Therefore, it is required all NYC DOE schools have designated an ELL intake/identification team and planned schedule of team members’ availability. This team might include staff besides a school’s ENL teacher(s) to allow for the provision of mandated ELL services. The ELL intake/identification team schedule should be kept in the school’s physical or electronic ELL folder of critical documents.

Certified teachers or administrators who received training on the following can administer the assessment:

1. Administration of the Home Language Identification Survey
2. Administration of NYSITELL
3. Cultural competency, language development, and needs of MLs/ELLs.

Please see the [NYSITELL InfoHub](#) for more information on NYSITELL eligibility and administration.

Students who registered to enter kindergarten the following year may be administered the NYSITELL beginning June 1; all other grades may be administered the NYSITELL beginning July 15 (before the beginning of the school year in September). Ten (and 20) school days:

1. Refers to days the students are in session
2. Begins the first day of school or the first day the student is enrolled at the school (whichever is later),
3. And Includes days the student was absent.



The “clock” cannot begin before the first day of school (for example, if a student enrolls on July 7 for the fall, the clock will still begin the first day of school in September). The timeliness is based on the day on which the NYSITELL and Spanish LAB (if applicable) answer documents are scanned.

Spanish LAB

The [Spanish LAB](#) is administered to all newly admitted students in grades K to 12 whose HLIS responses indicate a home language of Spanish *and* who are newly identified as ELLs based on NYSITELL results. It is administered throughout the year as necessary. The Spanish LAB must be administered at the time of initial enrollment during the same testing window as the NYSITELL. The Spanish LAB is used to support schools in instructional planning in providing bilingual and ENL services to these students. Spanish LAB results are not used to determine ELL status or service entitlement. Schools that are late or out of compliance in administering the NYSITELL will be considered out of compliance by default for those students whose home language is Spanish since the Spanish LAB cannot be administered until the NYSITELL has been administered and scanned into the system. For more information, see [Step 5: Administering the Spanish LAB](#).

Chinese Reading Test

The [Chinese Reading Test](#) is administered to all students in grades 3 to 12 in Chinese transitional bilingual education and dual language programs. English-proficient students in Chinese DL programs should also take the Chinese Reading Test. It is designed to assess students’ reading achievement in Chinese. This exam is administered one time in mid-May. See the DOE’s testing calendar for specific dates and times.

NYSESLAT

The New York State English as a Second Language Achievement Test ([NYSESLAT](#)) is the exam administered to all ELLs in grades K to 12 (including those who are eligible for New York State Alternate Assessment) as well as those students who were not properly and timely administered the NYSITELL to determine continued entitlement of ELL services, progress in learning English, proficiency level, and number of units of ENL for the following school year. The NYSESLAT consists of 4 sections (speaking, listening, reading, and writing), all of which must be administered to generate a valid score and proficiency level/result.

Administration of the NYSESLAT runs from mid-April to mid-May. The first several weeks are devoted solely to the administration of the speaking section. The last 2 weeks are devoted to the other 3 sections as well as those students who were not administered the speaking section. Schools are not penalized for administering the speaking section during the last 2 weeks. Schools are encouraged to send the [Parent Guide to the NYSESLAT](#) to parents of ELLs (in their preferred language) before the administration of the NYSESLAT.

If a NYSITELL eligible student enters the school during the NYSESLAT administration window, the student should first be administered the NYSITELL to determine ELL status. If the student is determined to be an ELL, the student should also be administered the NYSESLAT to the extent possible.

NYSESLAT Administration Best Practices Overview & Planning Checklist for Principals

Schools must administer the New York State English as a Second Language Achievement Test (NYSESLAT) to all ELLs annually to measure progress in English language acquisition and to determine continued eligibility for ELL services. For students to receive a valid score, schools must administer all sections (speaking, reading, listening, and writing) of the NYSESLAT to students. The NYSESLAT is administered from April to May. See the [annual School Administration Manual](#) for specific dates.

To ensure that schools are administering all parts of the NYSESLAT to all eligible students, principals should work with their test coordinators to complete the following steps:

Identify coordinator(s)

Principals should identify an individual(s) to coordinate and execute the NYSESLAT administration. This might be the school's testing coordinator, and/or an ELL coordinator, certified teacher or administrator. The individual(s) should annually attend:

- The Office of Assessment Spring Test Coordinator Training that covers NYSED and NYC DOE Policy regarding school operations, test security, and test administration for state assessments administered in the spring.
- NYSESLAT administration and scoring training provided by your district and be familiar with NYSED's NYSESLAT [School Administrator Manual](#). Contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#) for more information.

Identify eligible students

Download the [ATS NYSESLAT Eligibility Roster \(RLER\) for a list of](#) NYSESLAT-eligible students required to take the NYSESLAT this spring. Note the number of NYSESLAT-eligible students at your school.

- Refer to your monthly [ELL Data Update Report \(EDUR\)](#) to correct any missing data first. Eligible ELLs will be missing from ATS RLER if there are incorrect home language codes, LEP flags, or grade levels.
- Identify students who reentered the NYC DOE public schools after having been outside NYS public schools for more than 2 years
- For students who were identified as ELLs, but current ATS ELL/LEP codes indicate otherwise, administer the NYSESLAT by completing blank NYSESLAT scan sheets
- Do not administer the NYSESLAT to students who were identified as English-proficient, but current ATS ELL/LEP codes indicate otherwise or to students who, as a result of the Language Proficiency Team process for students entering with IEPs, were not eligible for the NYSITELL

Inform families

Parents/guardians should also be informed of the dates of NYSESLAT testing and the purpose of the test. They should also be notified of the prohibition of all cell phones and other electronic devices during testing.

- Use [ATS RAPL](#) or [NYCSA](#) to identify the preferred language of communication of families.
- Provide the [NYSESLAT Parent Guide](#) in the family's preferred language, and/or call the families using appropriate interpretation services. For any NYSESLAT-eligible students who have long-term absences and call their parents to ensure students are present during scheduled exam times.

For more information on translation and interpretation resources, refer to the [InfoHub](#).

Ensure you have sufficient test materials

Upon receipt of your [NYSESLAT](#) materials, count the number of booklets. Schools print answer documents from the LTPR screen in ATS; for more information see the Scanning Handbook.

- If you do not have sufficient numbers of materials, contact your [Borough Assessment Implementation Director \(BAID\)](#).

Design schedule

Considerations while designing an administration schedule:

- How many ELLs in each grade band are testing?
- Review testing accommodations for students with IEPs and 504 Plans. How does your plan for grouping students or usage of space incorporate these accommodations? For further information on testing accommodations for ELLs, see [NYSESLAT's ELL/ML Assessment & Testing Accommodations page](#). You may also refer to a list of NYS approved accommodations that can be found in the [School Administrator's Manual \(SAM\)](#) for each respective test.
- What space is available for testing?
- To administer the speaking subtest during the administration window, assign a sufficient number of staff members and adjust your school schedule as necessary to ensure that you can administer all NYSESLAT-eligible students the speaking subtest during the administration window.
- NYSED recommends that the administration of the NYSESLAT be broken up into multiple days to minimize student fatigue. The testing days need not be consecutive, as long as they are within the appropriate testing window for the NYSESLAT.
- Please be mindful of the students observing Ramadan. In 2023, Ramadan begins on March 22 and ends on April 20.
- Note that staff members administering the NYSESLAT are not required to hold a bilingual or ESOL license but must be able to carry out standard examination procedures, including the provision

of testing accommodations, and must have been trained in administering the NYSESLAT. Plan for continuity of instruction

Note: Schools should maximize instruction time and substitute teachers to decrease loss of instructional time during the testing window. ELLs and former ELLs are required to receive their [NYS Commissioner's Regulation \(CR\) Part 154 mandated stand-alone and integrated ENL services](#) during the testing window. It is recommended that short-term substitutes with an ESOL license cover ENL services to the extent possible.

- Train test proctors and scorers. Certified teachers and administrators can attend a professional learning on the NYSESLAT administration and scoring to become proctors. Once a school-based coordinator has attended a district session, they may provide a turnkey training to additional teachers or administrators.
- The turnkey training for the scoring of the NYSESLAT Speaking and Writing components consists of these [NYSED modules](#); this is the official resource for school-level turnkey trainings.
- The student's teacher (ENL, Bilingual, or Classroom Teacher) does not need to administer the NYSESLAT. Consider providing training to any certified teacher or administrator. Start with teachers with whom the students might already be comfortable to decrease test anxiety. Considered this for the administration of the individually administered Speaking portion.

Track Completion & Ensure that all students eligible to take the NYSESLAT have been tested

Follow up with students who have not taken the NYSESLAT and their families to emphasize the importance of the NYSESLAT by making them aware that the NYSESLAT determines their English proficiency, whether a student will receive ENL and/or bilingual services the following school year and contributes to promotion decisions.

Secure test materials

Always keep testing materials in a locked location. Teachers cannot take them home for scoring. Consider providing a locked location that multiple staff can access so that if an individual must quarantine, others can still access the materials.

NYSESLAT Frequently Asked Questions

General

Can the NYSESLAT be administered remotely?

No, the NYSESLAT must be administered in person.

When are exam make-up days?

The make-up date(s) can be any time within the designated testing period. Make-ups for any session may not be administered after the last day of NYSESLAT administration (May 26, 2023). Any student who



is absent for any session of the assessment and does not make up that part will not receive an overall scale score or proficiency level for the test.

How many modalities can a student be tested on one day?

NYSED recommends that the administration of the NYSESLAT be broken up into multiple days to minimize student fatigue. The testing days need not be consecutive, as long as they are within the appropriate testing window for the NYSESLAT.

Can the test be administered during afterschool programs?

No. The test must be administered during regular school hours of a school day.

What accommodations for ELLs with IEPs need to be considered in the schedule?

In general, students with disabilities must be provided with the testing accommodations specified in their IEPs or 504 Plans when taking these tests, with the following exception: in the Writing section, students may not receive assistance with, or have their responses corrected for, spelling, grammar, paragraphing, or punctuation. See [NYC DOE NYSESLAT Assessment Memorandum](#) for more information.

When will the exams be delivered to schools?

NYSED/MetriTech delivers all NYSESLAT test materials via UPS. For more details, see the [NYC DOE NYSESLAT Assessment Memorandum](#).

Staffing

Can ENL teachers proctor the NYSESLAT instead of providing stand-alone or integrated ENL instruction?

Current and former ELLs must still receive mandated stand-alone and integrated ENL instruction during the testing window. Efforts must be made to ensure that the testing and proctoring schedule allows the assigned ENL provider to continue providing the mandated ENL services as much as possible. For those limited situations in which this is not possible, schools should plan continued support that may include short-term substitute teachers to provide mandated services.

Can schools use a substitute teacher, with a valid NYS certification, to proctor and score the NYSESLAT?

Yes, certified substitute teachers that have attended a NYSESLAT training and are familiar with NYSED's administration manual are allowed to administer the NYSESLAT; however, it is recommended that if a substitute teacher is available, they are used to cover an instructional period to allow a different, full-time teacher to administer the exam.

Answer sheets

Who can schools contact for support with printing of NYSESLAT scoring sheets?

For support with printing scoring sheets, schools can contact their [Borough Assessment Implementation Director \(BAID\)](#).



Will there be an option to bubble in on the student answer document for both refusal to test and absent on test?

Students cannot refuse to test. As outlined in the NYSED [School Administrator Manual](#), schools must administer the NYSESLAT to all ELLs in Grades K–12 regardless of their classification as a student with a disability, or number of years of service.

Scoring

Who will score the assessments?

Schools score NYSESLAT in-house by printing answer documents from ATS and scanning completed answer documents into ATS. NYSED scoring rules require that a teacher who is not the student’s teacher of English as a New Language (ENL) or English language Arts (ELA) score the Speaking session. The kindergarten test will include eight short constructed-response writing tasks. No one teacher is to score more than three of these. For 1-12 grades, each session contains one constructed-response writing task. No one teacher is to score more than one constructed-response prompt. No teacher who is a student’s English as a New Language (ENL) or English Language Arts (ELA) teacher may score any of the constructed-response questions in that student’s test booklets. The principal is responsible for making the final determination as to whether a teacher may score specific students’ responses based on this scoring policy.

Can teachers score the exams at home?

No. No one may take test materials out of schools except to transport them directly from one NYCDOE building to another. Place all test books in a secure, locked facility before and after administration. All books are secure, and no books may be used for instruction or professional development after the administration and scoring of these tests. You may not make copies of any tests; to do so is a violation of copyright laws and may invalidate test results.

How can a school score the writing/speaking if there are not enough teachers in the building to score the exams?

Schools can train additional certified teachers and administrators by having them attending a DOE training or turnkey training provided by school staff. Teachers do not need to have an ESOL certification. Turnkey trainings can be provided remotely.

Can schools use their own funding to pay per-session for scoring?

Yes, schools can use their own funding to pay per-session for scoring. Please note NYSESLAT administration and scoring is not a Title III permissible activity since it is mandated and not supplemental.

Scanning

How can I ensure students' results were properly captured after scanning?

Schools should run LTDS after scanning each batch to verify data was properly captured.

- Page status for a tested document should reflect "ANS", indicating responses were captured.
- Page status for an untested student should reflect the reason not tested.
- Missing scores for Writing/Speaking will generate Error Code 054 - *Missing Answers in Speaking or Writing*.
- All teacher scored items must have a response bubbled; bubble the score and re-scan

Health and Safety

What happens if a school goes fully remote during the testing window?

If a building closes on an administration date, schools can reschedule the test on a school day within the test administration window.

What if a student misses a testing administration day due to illness or quarantine?

Individual students who are absent on their test administration day can be rescheduled to test on any school day within the test administration window. Make-ups must be given within the test administration window.

What will happen if staff administering the NYSESLAT or responsible for printing or scanning testing documents are ill or goes into quarantine during the testing window?

Prepare for multiple contingencies by selecting staff intentionally. This can include an administrator, a testing coordinator, and/or an ELL coordinator (if your school does not have an ELL coordinator, consider including an ENL teacher or another certified teacher). They must attend a NYSESLAT administration and scoring training provided by your district, be familiar with NYSED's [School Administrator Manual](#), and be prepared to complete all tasks required for administration and scoring. Schools should also ensure that multiple teachers on different grade levels with NYSESLAT test takers attend a district training or turnkey training provided by in school staff.

Families

How are families being informed about NYSESLAT administration and the implications of the exam?

Schools should provide families with the [NYSESLAT Parent Guide](#) in the family's preferred language, and or/call the families using appropriate interpretation services. For more information on translation and interpretation resources, see the [InfoHub](#). Schools should keep records of outreach conducted.



How are families being informed of the results of the NYSESLAT?

Schools must notify families of the NYSESLAT results. Schools can send either [the continued entitlement letter \(after NYSESLAT\) or the non-entitlement letter \(after NYSESLAT\)](#) and should keep copies of the letters in the student's cumulative file.

In addition, schools can also share NYSED's [Parent Guide to Understanding the NYSESLAT Score Report](#) which is currently available in English, Spanish, Chinese, Arabic, Russian, and Bengali.

Special Circumstances

What should I do with answer documents for students enrolled in GED/TASC programs?

These students do not need to be tested; you do not need to print or scan any answer documents for these students.

What should I do with answer documents for students who recently were determined to have exited ELL status through CR Part 154's alternate exit criteria?

They do not need to submit an answer document. You do not need to print or scan any answer documents for these students.

In what grade should students eligible for alternate assessments be administered the NYSESLAT?

For NYSESLAT administration purposes, students eligible for alternate assessments are considered ungraded. Therefore, the grade bubbled in on the answer document should be based on the [NYSAA Birthdate Ranges for Students with Disabilities Chart](#).

What should I do with answer documents for students who tested but do not respond to any questions in a modality/session?

Fill in the NO response bubble on the answer document and submit.

What should I do with answer documents for NYSAA eligible students who, based on the [NYSAA Birthdate Chart](#), will take the NYSESLAT in a different grade band?

Before printing answer documents, indicate which students are NYSAA-eligible (there is a column to do this on the print screen). Documents will be generated for those students for the appropriate grade based on the [Birthdate Ranges for Students with Disabilities Chart](#).

For general information about administering the NYSESLAT, including rubrics, see the [School Administrator Manual](#). For information on NYC-specific administration and scoring procedures, see the [NYSESLAT memo](#). For questions regarding NYSESLAT administration or materials, contact your [Borough Assessment Implementation Director \(BAID\)](#). For questions regarding ELL policy, contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#).

Optional ELL Assessments

Below are some assessments that are optional for different groups of ELLs. The assessments are the ELL Periodic Assessment and the Spanish Language Assessment NYC Performance Task.

ELL Periodic Assessment

The ELL Periodic Assessments are a supplemental component of the [Periodic Assessment portfolio](#). These assessments are designed to provide teachers with detailed information about their students' strengths and needs in English language development and to serve as a resource to help plan individual and group instruction.

Students' knowledge of the English language is assessed in three modalities: reading, writing and listening. The assessment is offered in the same grade bands as the New York State English as a Second Language Achievement Test (NYSESLAT) beginning in grade 3 (grades 3–4, 5–6, 7–8, and 9–12). These assessments do not include oral response or constructed response sections. They are administered in paper/pencil format and contain only multiple-choice questions. The assessments are not timed, but they are designed to be administered in one class period.

ELL Periodic Assessments are specifically designed for ELLs and may provide more instructionally relevant data about these students than ELA periodic assessments. Schools may use these assessments in addition to their other periodic assessments. Schools that are focusing on ELLs as part of their inquiry work may find these assessments, and the timely, detailed data they provide, to be especially valuable.

Schools can elect to administer the assessment during either or both of these windows:

- Fall: September to October
- Spring: February to March

For specific dates or more information, see the [DOE's Periodic Assessment InfoHub](#).

Spanish Language Assessment NYC Performance Tasks (NYCPTs)

The Spanish Language Arts (SLA) Assessment NYC Performance Tasks (NYCPTs) is designed to provide teachers with information about their students' strengths and needs in Spanish literacy skills and academic language development. These assessments are open-ended, skills-based, and standards-aligned assessments that are administered three times during the school year. Teachers in Spanish bilingual programs can use the assessment data to monitor students' progress on the targeted skills addressed in the assessment and facilitate learning opportunities for students to transfer literacy skills between their home language and new language. The data can also help teachers strengthen the alignment between English Language Arts and Spanish Language Arts instruction for students in Spanish bilingual programs. Principals of Spanish bilingual programs can utilize the assessment data to identify grade- or school-wide instructional priorities to better support the instructional core for their schools.



The SLA NYCPT is available for grades K-12. Students are required to read a set of Spanish informational texts, identify and analyze presented evidence, and then write evidence-based responses to text-based prompts in Spanish. Reading is conducted through teacher read-aloud for kindergarten students, and student independent reading for grades 1 and 2. For grades K-2, a text is read aloud to the class, with additional texts read independently in grades 1 and 2. Students in grades 3-12 independently read 2-3 passages about a theme or topic. After reading all texts, students complete an independent writing task in the genre of informational writing for grades K-2, opinion writing for grades 3-5, and argument writing for grades 6-12.

Schools with a Spanish bilingual program should consider administering both the SLA and ELA NYCPTs. These two assessments share similar structure in design and administration format and are grounded in familiar classroom activities such as read-aloud for grades K-2; both students and teachers do not need to learn new processes for the SLA NYCPT, if they are already familiar with the ELA NYCPT. However, unlike ELA NYCPTs, the SLA NYCPTs do not require answer sheet scanning. Teachers score student responses using the last page of each student booklet before manually entering scores online in Schoolnet.

For more information including administration dates, see the [DOE's Periodic Assessment InfoHub](#). For questions, email periodicassessment@schools.nyc.gov.

Exemptions from the NYS English Language Arts Exam: Grades 3 to 8

Some ELLs are eligible for a one-time exemption from the New York State English Language Arts Exam in grades 3 to 8. ELLs, who on April 1 of the year in which the ELA is administered, have been attending school in the United States for less than one year may use the NYSESLAT instead of the ELA. For this purpose, the United States School System (USSS) is defined as schools in the 50 States and the District of Columbia and does not include Puerto Rico, the outlying areas, or the freely associated States. Students may be exempted from only one administration of the ELA. See [NYS SIRS Manual](#).

Helpful Hints: Business Rules for Calculating Months

Enrolled in a United States School System (USSS)

- Admission/discharge on the same day = no enrollment.
- 1 day of enrollment in the month = 1 month of enrollment.
- If the student is still active in September, count July and August as months of enrollment.
- Months in which students are enrolled as prekindergarten to grade 8 or ungraded elementary are counted toward determining ELA exemption status.
- If a student discharges to a non-US school, their enrollment in US schools does not start over. Upon discharge, the months of enrollment will stop accruing and when they re-enroll in NYCDOE, their months of enrollment resume from where they left off.

The one-year exemption window does not have to be 12 consecutive months. In addition, students enrolled anytime during a month, including July and August, are considered enrolled for that month. As such, eligible students may be exempted from taking the ELA for the first year in which they are enrolled during the ELA test administration period. Such students may not be exempted in subsequent years, even if they have been enrolled in a USSS for less than 12 months. Months in which students are enrolled in a USSS as pre-kindergarten to grade 8 or ungraded elementary are counted toward this 12-month exemption window.

Examples

1. An ELL enrolls for the first time in a United States school in grade 3 in March 2014 and ends enrollment by leaving the United States in June 2014 (four-month enrollment). The student re-enrolls in a United States school in March 2015 as a grade 4 student and remains enrolled through the end of the school year. If the one-time exemption occurred in 2013–14, even though the student has been enrolled in a United States school for only six months as of the 2014–15 NYS ELA test administration window (test is given in April), the student may not be exempted again in 2014–15, as the one-time exemption already occurred in 2013–14.



2. An ELL enrolls for the first time in a United States school in grade 3 on May 1, 2014 and does not end enrollment. The student may be exempted from taking the NYS ELA test in 2014–15, as the student has only been enrolled in a school in the United States for 11 months, May 1, 2014 – March 31, 2015. (Note that April 2015 is not counted in determining if the student has been enrolled for 12 months in a school in the United States.)

There are no Regents exemptions permitted based on ELL status. For more information, refer to the [DOE's High School Academic Policy Guide](#).

ELL Testing Accommodations

All ELLs and former ELLs for up to two years after testing out are eligible for ELL testing accommodations, in addition to any accommodations on their IEPs or 504 Plans, if applicable. Schools should determine which accommodations are required to maximize the potential for achievement on all exams for each ELL at the beginning of the school year. ELLs are entitled to using those accommodations for most assessments, including those that are teacher-made and State-mandated. ELLs are not entitled to ELL testing accommodations on the NYSESLAT (unless the student has an IEP).

Schools may provide testing accommodations to ELLs, as needed, on all NYS ELA and content-area assessments (meaning, mathematics, science, and social studies). Schools must make all necessary arrangements to make these accommodations available for ELLs who need them.

ELLs with IEPs and 504 plans are always provided with the accommodations on their IEPs and 504s. All ELLs and former ELLs for up to two years after testing out are entitled to the following accommodations:

- **Time extension (all exams):** Schools may extend the test time for ELLs on NYS ELA and content-area assessments and Regents examinations. Principals may use any reasonable extensions, such as "time and a half" (the required testing time plus half that amount), in accordance with their best judgment about the needs of the ELLs. Principals should consult with the student's classroom teacher in making these determinations. However, there are no time limits.
- **Separate location (all exams):** Schools are encouraged to provide optimal testing environments and facilities for ELLs. NYS assessments may be administered to ELLs individually or in small groups in a separate location.
- **Third reading of listening selection (English Language Arts exams only):** Proctors may read the listening passage three times to ELLs on grades 3-8 English Language Arts assessments and the Regents Comprehensive Examination in English.
- **Bilingual dictionaries and/or glossaries:** ELLs may use bilingual glossaries when taking State examinations in all subjects except world languages, formerly languages other than English exams (LOTE). The bilingual dictionaries and glossaries may provide only direct one-to-one translations of words. Bilingual dictionaries and/or glossaries that provide definitions or explanations are not permitted. Bilingual glossaries in the content areas are available for download.
- **Simultaneous use of English and alternative language editions are not allowed for English Language Arts examinations.** For state examinations for which SED provides written translations, ELLs may use both English and an alternative language edition of the test simultaneously. However, they should be instructed to record all of their responses in only one language. The alternative language edition used by the student should be so indicated on the student's answer sheet.
- **Oral translations for low-incidence languages are not allowed for English Language Arts examinations.** Schools may provide ELLs with an oral translation of a state examination when

there is no translated edition provided by SED. All translations must be oral, direct translations of the English editions. Written translations are not allowed. No clarifications or explanations may be provided. Translators should receive copies of the English edition of the tests one hour before administration.

- **Writing responses in the home language is not allowed for English Language Arts examinations.** ELLs making use of alternative language editions or oral translations of state examinations may write their responses to the open-ended question in their home languages. Scoring the tests is the responsibility of the school.
- **Next-Day completion of Testing.** ELLs who have been granted the accommodation of extended time and are scheduled to take two Regents Examinations on the same day may be approved by the school principal for the accommodation of Next-Day Completion of a Regents Examination. If Next-Day Completion is approved by the school principal, the student must complete the entire morning examination and at least the first part (Part 1 or Part A) of the afternoon examination on the date the Department scheduled the administration of those examinations. The student must then complete the remainder of the afternoon examination on the next school day. Prior to administration, the school principal must complete and submit to NYSED OSA an Assurance form. For additional information, refer to this [NYSED memo](#) and [FAQ on Next-Day Completion of Testing for ELLs on Regents Administration](#).

Helpful Hint: A list of NYS-approved accommodations may be found in the School Administrator's Manual (SAM) for each respective test. For a comprehensive list of ELL testing accommodations, see [NYSED's website](#) and scroll down for testing accommodations.

Support Services for ELLs (RTI and AIS)

For each English language learner who scores below specified levels of performance on the annual English language proficiency assessment, the school must determine the additional support services to provide the student, taking into consideration evidence such as the following:

- Number of years of instruction in bilingual education or English as a new language program
- English and home language literacy
- Content area and socio-emotional support needs of students with inconsistent/interrupted formal education (SIFE)
- English and home language literacy needs of long-term ELLs
- Results on the annual English language proficiency assessment exam (for example NYSESLAT)
- Bilingual education or English as a second language teacher recommendation
- Content area teacher recommendation
- Parent or guardian request
- Sample of student work in English and, if possible, in the home language
- Bilingual educational evaluation, if the student has or is suspected of having a disability

The support services provided must be aligned to any intervention plans (for example, Academic Intervention Services) the school is already providing to all students. RTI must be provided to a student before referral in particular in cases where there is a suspected learning disability as opposed to a language acquisition need or the student exhibits the need for additional academic supports. Refer to the guidance provided by [New York State Education Department](#).



Professional Development

Each school must provide professional development to all teachers and administrators that specifically address the needs of English language learners.

A minimum of fifteen percent (15%) of the 100 required professional development hours for all teachers who hold a professional license prescribed by CR Part 80 must be dedicated to language acquisition, including a focus on best practices for co-teaching strategies and integrating language and content instruction for English language learners.

For all bilingual and English as a New Language teachers who hold a professional license, a minimum of fifty percent (50%) of the required professional development hours must be dedicated to language acquisition in alignment with core content area instruction, including a focus on best practices for co-teaching strategies and integrating language and content instruction for English language learners.

Promotion and Graduation Requirements

Grades K-8

NYC promotion standards are outlined in [Chancellor’s Regulation A-501](#). Additional information regarding how these policies pertain to ELLs is described in the [NYC DOE Promotion Implementation Guide](#), as well as in the [Elementary and Middle School Academic Policy Guides](#).

High School Credit Accumulation and Graduation Requirements

There are some policies that schools should pay particular attention to when scheduling ELLs and considering graduation requirements. While all ELLs are expected to fulfill the course and exam requirements necessary to earn a diploma in New York State, some students are entitled to services and supports, including testing accommodations.

In addition, ELLs who enroll in any United States school for the first time in grades 9-12 and who meet other specific eligibility requirements may appeal to graduate with a lower score on the ELA exam. For more information, refer to the [High School Academic Policy Guide](#).

Also, note that students arriving from a foreign country may, in certain situations, receive credit for living and attending school in a country where a language other than English is spoken. See the [Transfer Student Toolkit](#) for information on this policy.

Grade and Cohort Placement for ELLs

Like all students, English language learners are placed into graduation cohorts based on the first time they entered high school (or the equivalent) anywhere in the world. A student’s cohort year is fixed and represents the student’s entry into high school.

However, in special circumstances, an ELL can be placed in a cohort other than their actual high school entry year. This exception applies only to English language learners who fulfill certain criteria, outlined in the [High School Academic Policy Guide](#). Schools are encouraged to review these criteria and the policy to determine if an ELL would benefit from a change in cohort.

Though cohort year is locked at the end of a student’s first year of NYC DOE high school based on their grade level in ATS, schools may request a change to a student’s cohort using the [UGNO](#) command in ATS for the following reasons:

- The student’s cohort does not accurately reflect their ninth-grade entry year due to error (for example, the student was assigned to an incorrect grade level at the end of the school year).
- The student is a transfer student whose cohort was locked before the receipt of adequate academic records to make a grade level determination, recognizing the guidelines provided in Chancellor’s Regulation A-101.

- The student is an English language learner who fulfills the criteria below. In this case, the school may make a one-time request to move the student to the cohort corresponding to the year before their ninth-grade entry year, provided that:
 - The student has never had such a request granted before;
 - The student was newly arrived in the United States in their first year of high school and placed directly into ninth grade;
 - The student is in exactly their second year of enrollment in high school;
 - The student is an English language learner and has a low level of literacy in their native language; and
 - The school has determined, before the end of the second year of enrollment, that the proper grade level of the student is still ninth grade.

UGNO requests must be accompanied by an explanation in the comment field. Note that students may not be assigned to cohorts whose four-year graduation rate has already been reported to New York State and on the Progress Report (meaning, “closed cohorts”). See [Graduation Accountability](#) for more information.

New Arrival ELA Appeal

English Language Learners (ELLs) who entered the United States for the first time in grades 9–12 can appeal to graduate with a score of 55–59 on the ELA Regents exam. ELLs can earn a local diploma if they successfully appeal a score of 55–59 on the ELA Regents exam and score a 65 or above on the four remaining exams; or successfully appeal a score of 55–59 on the ELA Regents exam and successfully appeal one other exam score of 60 to 64 and score 65 or above on the remaining three exams.

In addition, the Low Score Appeal is an appeal to graduate with a score of 60–64 on Regents Exams. In March 2016, the New York State Board of Regents passed an [emergency amendment](#) to State Commissioner’s Regulations Section 100.5 that allows students to appeal scores of 60–64 (expanded from 62–64) on up to two Regents examinations, provided that they pass the remaining Regents exams with a score of 65 or above and meet the additional criteria. Students can earn a Regents diploma if they successfully appeal one exam score of 60–64 and have a score of 65 or above on the four remaining exams; students can earn a local diploma if they successfully appeal two exam scores of 60–64 and have a score of 65 or above on the three remaining exams.

For more information, on this and other high school academic policies, refer to the [Appeal to Graduate with Low Scores on Regents Examinations](#) document and other pertinent documents on the [Academic Policy Resources InfoHub](#).



School Resources

- [10 ELL-Related Items for a Successful Start of the School Year](#)
- [10 Steps for ML/ELL Data Verification, Review, and Update](#)
- [SY 2022-23 School ELL Compliance Calendar](#)

10 ELL-Related Items for a Successful Start of the School Year

Review the relevant sections in the [Policy and Reference Guide for MLs/ELLs](#) for in-depth information on the items listed below. For ELL-related matters, contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#).

1. Create ELL identification team and systems to form Language Proficiency Teams (LPTs) to ensure identification processes are completed.

- Establish a team of trained pedagogues responsible for implementing the ELL identification process year-round. This includes in-person completion of the Home Language Identification Survey (HLIS), New York State Identification Test for English Language Learners (NYSITELL) administration, Spanish Language Assessment Battery (LAB) administration (for students with Spanish as their home language), sending parent notifications, holding parent orientations, and placing students into an ELL program.
- Identify staff who can serve on Language Proficiency Teams (LPTs) to assess NYSITELL eligibility for incoming students with Individualized Education Programs (IEPs).
- Develop a plan to provide translation & interpretation for families.
 - Ensure you have a list of pedagogues that speak languages other than English that can translate during the oral interview (as part of the HLIS). Only licensed and trained pedagogues may conduct the interview and determine the home language code of the student.
 - When staff is not available to translate, refer to the DOE's [language access supports](#) for over-the-phone translations.
- Ensure multiple teachers are trained in NYSITELL administration. Reach out to your district for training opportunities.
- Determine who will administer and scan the NYSITELL and Spanish LAB.
- ELL services must be maintained throughout the identification process**; establish a plan to ensure students continue to receive ELL instruction.

Relevant resources:

- [NYSED Guidance: Determining English Language Learner/Multilingual Learner \(ELL/MLL\) Status of and Services for Students with Disabilities](#)
- [Language Access Supports](#)
- [ELL Policy Guidance SharePoint](#)

2. Determine NYSITELL eligibility for students with a home language other than English.

- Ensure that **all** newly enrolled students are administered the HLIS in person.
- Once the HLIS has been administered in person by a licensed and trained pedagogue:
 - Enter a valid home language code from the HLIS into ATS for all students.
 - Update the HLIS flag in the ATS BIOU screen to “Y” for all students.
- Determine NYSITELL eligibility for students whose home language is not English.
 - This includes a mandated individual interview and review of any work to determine NYSITELL eligibility.
 - For incoming students with IEPs, convene the LPT to determine NYSITELL eligibility and convey recommendations to the principal.

Relevant resources:

- [ELL Policy Guidance SharePoint](#)
- [Parent Notification Letter InfoHub](#)
- [NYSED Guidance: Determining English Language Learner/Multilingual Learner \(ELL/MLL\) Status of and Services for Students with Disabilities](#)
- [Language Proficiency Team InfoHub](#)

3. Administer the NYSITELL and Spanish LAB to eligible students.

- Ensure that your school has sufficient NYSITELL and Spanish LAB exams. Contact your [Borough Assessment Implementation Director \(BAID\)](#) if you need extra exams right away.
- ELL services must be maintained throughout the testing period;** establish a plan to ensure students continue to receive ELL instruction during test administration.
- For students eligible to take the NYSITELL, print the NYSITELL via the [RLBA screen](#) in ATS.
- Administer the NYSITELL to eligible students following appropriate procedures.
- Scan the NYSITELL per procedures in the scanning [handbook](#).
- For students not eligible to take the NYSITELL, update the [ELLO](#) screen in ATS.

Note: The ELLO screen is only used for students whose home language is not English but authorized personnel have determined the student does not need to be administered the NYSITELL and is not an ELL.

- Administer the Spanish LAB to newly identified ELLs whose home language is Spanish.
- Print the Spanish LAB answer documents via RSLA in ATS.

- Scan the Spanish LAB per procedures in the [scanning handbook](#).

Relevant resources:

- [NYSITELL and Spanish LAB InfoHub](#)
- [Borough Assessment Implementation Directors](#)

4. Send notification letters to parents/guardians.

- Designated staff should send appropriate notification letters to parents/guardians in their preferred language:
 - Send entitlement/non-entitlement letters (after NYSITELL) within 5 school days of identification.

Note: Entitlement letters also include the invitation to the parent orientation meeting.

- Send continued entitlement letters (after NYSESLAT) for current ELLs.
 - Send non-entitlement letters (after NYSESLAT) for students who have exited ELL services and are now former ELLs.
- Maintain copies of parent notification letters in the student’s cumulative file.

Relevant resources:

- [Parent Notification Letter InfoHub](#)

5. Schedule parent orientation meetings and ensure the ELL Parent Survey and Agreement Form is completed.

- Determine the pedagogue(s) that will conduct the parent orientation including translation support (if necessary). Parent orientations can continue to be conducted virtually.
- Ensure parents/guardians receive all documents in their preferred language.
- Ensure parents complete the [ELL Parent Survey and Agreement Form](#) within 5 school days of the parent orientation.
- After receipt of the [ELL Parent Survey and Agreement Form](#), send the [placement letter \(after parent survey\)](#).
- If the parent/guardian does not return the [ELL Parent Survey and Agreement form](#), send the [default program placement letter](#).
- Keep all documents, including agendas, parent attendance documents, and copies of parent notifications on file in the student’s cumulative folder.

Relevant resources:

- [Parent Orientation Video](#)
- [Parent Notification Letters](#)

6. Update the ELPC or BNDC Screen with ELL program selection in ATS.

- Ensure your staff records parent selection information in the ELPC screen in ATS including whether the parent was provided with information about ELL programs. This information must typically be entered in ATS within 20 school days of enrollment; 30 school days of enrollment for incoming students with IEPs).

Note: Initial parent selection of the ELL program is entered through the [ELPC](#) screen in ATS. Though discouraged, subsequent changes to the parent selection can be updated on the [BNDC](#) screen. Documentation regarding any changes must be maintained in the student's cumulative folder.

7. Identify Students with Inconsistent/Interrupted Formal Education (SIFE).

- Schools must administer the *SIFE Oral Interview Questionnaire* to all newly identified ELLs in grades 3 to 9 whom the school suspects may have a gap in education or may have inconsistent education.
- If a gap of two or more years is determined, the school must administer the NYSED Multilingual Literacy SIFE Screener (MLS) to those students whose home language is Arabic, Bengali, Chinese, Haitian Creole, Maay Maay, S'gaw Karen, Spanish, and Urdu to determine SIFE status.
- SIFE status must be determined within 30 school days of enrollment and entered into the [BNDC](#) screen in ATS.

Relevant resources:

- [NYSED SIFE Resources](#)

8. Review Student Data and Program Students.

- Review students' latest NYSITELL or NYSESLAT scores as well as other relevant data.
- Program ELLs and former ELLs according to parent selection and CR Part 154 requirements.
- Regardless of the ELL program type (dual language, transitional bilingual education, or English as a New Language), all students must be programmed for [the minimum amount of minutes of English as a New Language \(ENL\)](#) as per CR Part 154.
- Schedule students for integrated ENL and stand-alone ENL based on grade and proficiency level.
- Program students who exit ELL status for 90 minutes per week of ENL or one of the options outlined in [Alternative Pathways for Former ELLs](#).

- Strategically program students so that teacher time is maximized in the classroom engaged in providing instruction to ensure that ELLs receive their full complement of mandated units of ENL and subject area content.
- Review staff certifications for personnel who can provide mandated ENL or bilingual services.
- Hire appropriately certified ENL and bilingual teachers.

Relevant Resources:

- [CR Part 154](#)
- [Programming ELLs in STARS](#)
- [Alternative Pathways to Support Former English Language Learners’ Language Development and Academic Progress](#)

9. Plan for bilingual programs.

- Review parent survey and agreement forms and keep track of the number of parents that choose a bilingual program. Keep in mind that if parents do not return the parent and survey agreement form, the default placement is a bilingual program.
- Create a plan if there are sufficient parent requests for a Dual Language or Transitional Bilingual Education program. CR Part 154, as amended by the Aspira Consent Decree, requires that schools create bilingual programs if the thresholds below are met:
 - **Grades K-8:** 15 or more ELLs of the same home language in two contiguous grades.
 - **Grades 9-12:** 20 or more ELLs of the same home language in any single grade.

Please contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#) for more information.

- If parents request a bilingual program and one is not available at your school and your school does not meet the threshold to open a bilingual program, [follow the procedures to request an ELL transfer](#).

10: Develop and finalize school-level plans to ensure the needs of ELLs and teachers are met.

- All schools are required to submit a Language Allocation Policy (LAP) for the school year 2022-23. Principals must submit a final plan that addresses the feedback provided by ML/ELL staff in iPlan by **October 28**.
- All schools that received Title III LEP funding should submit their plan in iPlan. If this has not been completed, please contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#).
- Title III Immigrant funds will be distributed in Fall 2022. Schools that receive these funds will have to develop and submit a plan in iPlan. Additional details will be shared in late Fall 2022.



- All schools should develop a professional development plan to ensure the following professional learning requirements are met for all teachers as per CR Part 154:
 - 15% of total hours of PD must be ELL-specific for all teachers
 - 50% of total hours of PD must be ELL-specific for bilingual education and ENL teachers
- Provide all staff with professional development on using student data to drive instruction, implement interventions, and create Title III plans if the school qualifies for funds.

Relevant Resources:

- [LAP InfoHub](#)
- [Title III InfoHub](#)

10 Steps for ELL Data Verification, Review, and Update

To ensure proper support is provided to schools (fiscal and other resources), the DOE requires schools to review and update their data as necessary to reflect accurate services provided to MLs/ELLs and former ELLs (for up to 2 years after testing out).

Please review the checklist below and update data as necessary. Schools are encouraged to review all students' data in STARS and ATS on a regular and ongoing basis, to ensure accurate programming.

To facilitate this process, below is a checklist of items to review. For more information, review the relevant sections of the [Policy and Reference Guide for MLs/ELLs](#).

Review and Update Items in ATS

1. Identify students who are entering NYC public schools and or were in an NYS public school within the past 2 years.
 - Next Steps:** These students must have their NYSITELL and NYSESLAT information, if available (from the NYS public school outside of NYC DOE), entered into ATS; their ELL status will be automatically updated accordingly. Scores will change ELL status only for those students whose home language is other than English (HL code ≠ "NO").
2. Identify students who do not have a home language code.
 - Next Steps:** Enter the home language through [BIOU](#) or the [ELLO](#) screens based on the results of the Home Language Identification Survey. The HL code can be updated through the ELLO screen if the student is a new admit after July or a readmit after being out of NYC DOE schools for more than 2 years. If the home language code was entered in error, please contact your [ML/ELL Director and/or ML/ELL Compliance Performance Specialist](#).
 - Next Steps:** Once the HLIS is formally administered, make sure to update the HLIS flag in the ATS BIOU screen to "Y".
3. Identify students who have a home language other than English but do not have English language acquisition needs and should not take the NYSITELL. These students are not considered ELLs. This includes students without IEPs (via the individual interview) and incoming students with IEPs whose NYSITELL-eligibility was determined by the Language Proficiency Team (LPT), principal, and superintendent.
 - Next Steps:** Enter NYSITELL non-eligibility information into the [ELLO](#) screen.
4. Ensure all NYSITELL and Spanish LAB answer documents have been printed and scanned.
 - Next Steps:** Review and address any potential NYSITELL scanning errors through the [RLCB](#) report in ATS. Review [NYSITELL InfoHub](#) for specific administration information, as necessary. Identify students whose parent selection / ELPC information has not been entered.

- Next Steps:** Answer questions and update [ELPC](#) in ATS based on the initial parent survey completed within 10 school days of enrollment.
6. Identify students whose SIFE status needs to be determined and updated.
- Next Steps:** Update the [BNDC](#) screen in ATS to indicate if the student is a SIFE. SIFE status is only requested for newly admitted ELLs who have been in the US less than one year and are in grade 3 or above.
7. Identify students for whom an appeal on ELL status was requested within 45 days of initial or reentry determination as per the Re-Identification of ML/ELL Status procedures
- Next Steps:** Principals use the [RQSA](#) function in ATS to make the recommendation to reverse the ELL status; superintendents use the [RQGA](#) function to approve/disapprove.
8. Identify the number of teaching assistants/ instructional paraprofessionals working under a licensed bilingual teacher and/or ENL teacher.
- Next Steps:** Update [BNDC](#) in ATS. If there are no teaching assistants or paraprofessionals in this category, type zero (0) on the respective lines in [BNDC](#).

Review and Update Items in STARS

9. Ensure all ELLs and former ELLs who tested out within the past 2 years have been scheduled for a minimum of ENL as per CR Part 154 mandates. Students who tested out of ELL status within the past 2 years should be scheduled for 90 minutes of integrated ENL OR one of the options outlined in the [Alternative Pathways for Former ELLs](#).
- Next Steps:** Schools should review all ELLs and former ELLs' STARS programming data to ensure full compliance with SED regulations.
 - Update STARS for any student who is receiving ENL but has not been scheduled for ENL in STARS. See [Programming English Language Learners in STARS](#).
10. Identify students who are enrolled in a bilingual program (dual language or transitional bilingual education).
- Next Steps:** If your school offers a dual language (DL) or transitional bilingual education (TBE) program, you will need to first create the program in [STARS](#).
 - Once the program is set up, you will need to place the students in the program. MLs/ELLs (and non-ELLs in dual language programs) must be placed in the program in STARS if they are served in a bilingual program.
 - See [STARS online wiki](#) for more information. For ENL, see [Programming English Language Learners in STARS](#). For bilingual programs, see [School Programs - Bilingual Programs](#).



SY 2022-23 School ELL Calendar

Select Month:

- [September](#)
 - [October](#)
 - [November](#)
 - [December](#)
 - [January](#)
 - [February](#)
 - [March](#)
 - [April](#)
 - [May](#)
 - [June](#)
 - [July](#)
 - [August](#)
- For additional details on any of the items listed below, please refer to relevant sections within the [Policy & Reference Guide for MLs/ELLs](#).

Ongoing tasks throughout the entire school year

ELL Identification Procedures

- Administer the [Home Language Identification Survey \(HLIS\)](#) to all newly admitted students in grades K-12 to NYC public schools in the parents' preferred language.
- Form Language Proficiency Teams (LPTs) to determine NYSITELL eligibility for incoming students (grades K-12) with IEPs. See the [Language Proficiency Team Resources](#) InfoHub.
- Administer the NYSITELL to newly enrolled students whose home language is not English and are determined eligible for the [NYSITELL](#). Review NYSITELL-Eligibility report (RLER) which lists students who may be administered NYSITELL. Print the NYSITELL answer documents for eligible students using the [RLBA](#) function in ATS; enter information for ineligible students into the [ELLO](#) screen in ATS.
- Administer the [Spanish LAB](#) to newly identified ELLs whose home language is Spanish.
- Send [parent notification letters](#) to parents, including entitlement, non-entitlement, and continued entitlement letters.
- Invite parents of newly identified ELLs to parent orientation meetings to explain 3 ELL program options in NYC. Show [parent videos](#) in parents' preferred languages. Enter initial parent selection into the [ELPC](#) screen in ATS.
- Ensure that copies of HLIS and parent notification letters sent to parents are maintained in one central location. Place the HLIS, the parent survey and program agreement, and parent notification letters in student cumulative folders.
- Identify Students with Inconsistent/Interrupted Formal Education (SIFE). Schools should administer the SIFE Oral Interview Questionnaire to all newly identified ELLs in grades 3 to 9 whom the school suspects may have a gap in education or may have inconsistent education. If a gap of two or more years is determined, the school should administer the [Multilingual Learner Literacy SIFE screener](#) to

those students whose home language is Arabic, Bengali, Chinese, Haitian Creole, Maay Maay, S'gaw Karen, Spanish, and Urdu to determine SIFE status. SIFE status must be determined within 30 school days of enrollment and entered into the BNDC screen in ATS. Enter SIFE status within 30 school days into the [BNDC](#) screen.

Data system updates

- Complete [ELPC](#) screen (in ATS) for all newly identified ELLs within 20 days of enrollment.
- Update [BNDC](#) screen (in ATS) for numbers of paraprofessionals working under the direction of a licensed ENL and/or bilingual teacher for academic purposes.

Student Programming

- Schedule students based on grade/proficiency level. Refer to [CR Part 154 Unit of Study tables](#).
- Schedule ELLs for ENL, as necessary, based on spring NYSESLAT results (use RLAT report in ATS) and other available data (for example, NYSITELL for newly identified ELLs).
- Schedule former ELLs for 90 minutes of ENL or one of the options outlined in the [Alternative Pathways for Former ELLs](#).
- Ensure that all programming information is accurately recorded in [STARS](#).

Note: Regardless of ELL program type (Dual Language, Transitional Bilingual Education, or ENL), all students must be programmed for [ENL](#) as per CR Part 154.

Program Planning

- Plan for bilingual programs. Review ELL Parent Survey and Program Agreement forms; keep records of numbers of parents that choose a bilingual program. Schools are required to form bilingual education classes in grades K-8 when there are 15 or more ELLs of the same language in two contiguous grades, and in grades 9-12 when there are 20 or more ELLs in any single grade. If thresholds are met, CR Part 154 mandates the opening of a bilingual program. [Contact the Office of Multilingual Learners](#) for more information.
- Ensure your school has sufficient numbers of ENL teachers to serve all ELLs in a high-quality program that meets all requirements under CR Part 154.

September

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Review Checklist of [10 ELL-Related Items for a Successful Start of the School Year](#).

- Ensure you have a test administration plan in place, including who will administer and scan the NYSITELL and Spanish LAB. Train multiple teachers on administration to ensure ELLs continue to receive instruction during testing.
- Students should be programmed in STARS by first day of school. Make sure to update ENL and bilingual programming in STARS.
- If your school has a bilingual program, verify bilingual programming in STARS.
- Update Language Allocation Policy (LAP) based on ML/ELL staff feedback in the iPlan portal. Finalized plans are due by **October 28**.
- If applicable, update Title III LEP plans based on ML/ELL staff feedback in the iPlan portal. Finalized plans are due by **October 28**.
- Implement Title III LEP plans as necessary.
- Administer [ELL Periodic Assessments](#).
- Order translated versions of the math and other exams for grades 3 to 8 for ELLs as appropriate.
- Review monthly ELL Data Update Report (EDUR) and update ATS and STARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.

October

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Ensure final LAP, Title III LEP, and Translation and Interpretation Plans that incorporate feedback are submitted in the iPlan portal by **October 28**.
- Implement Title III LEP plans and ensure funds have been scheduled appropriately.
- If applicable, submit Title III Immigrant plans via the iPlan portal.
- Administer [ELL Periodic Assessments](#).
- Plan for the implementation of testing accommodations for ELLs.
- Order translated versions of the Regents exams for ELLs as appropriate for the January administration.
- Review monthly ELL Data Update Report (EDUR) and update ATS and STARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.

November

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Plan for the implementation of testing accommodations for ELLs.

- Monitor grant expenditures (for example, Title III).
- Ensure that all Title III funds have been scheduled appropriately and Title III plans have been implemented.
- Review monthly ELL Data Update Report (EDUR) and update ATS and STARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.
- Review ELL Data Analysis Tool (EDAT). Refer to [EDAT Walkthrough Recorded Module](#) for more information on interpreting the EDAT.

December

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Ensure that all Title III funds have been scheduled appropriately and Title III plans have been implemented and funds are expended as per requirements outlined in the [School Allocation Memorandum](#).
- Review monthly ELL Data Update Report (EDUR) and update ATS and STARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.

January

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Identify ELLs at risk for holdover. Review [promotional policy](#) for ELLs.
- Order NYSESLAT exams.
- Monitor grant expenditures (for example, Title III).
- Review monthly ELL Data Update Report (EDUR) and update ATS and STARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.

February

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Administer [ELL Periodic Assessments](#).
- Order translated versions of the Regents exams for ELLs as appropriate for the June administration.
- Review monthly ELL Data Update Report (EDUR) and update AT and, STARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.

March

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Administer [ELL Periodic Assessments](#).
- Prepare to administer NYSESLAT. Ensure you have a test administration plan in place, including who will administer and scan the exam. Ensure multiple teachers are trained on test administration to ensure ELLs continue to receive instruction during testing.
- Ensure that all Title III funds have been scheduled appropriately and Title III plans have been implemented.
- Review monthly ELL Data Update Report (EDUR) and update ATS and STARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.

April

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Administer NYSESLAT.
- Ensure all translated versions of relevant NYS exams have been ordered.
- Monitor grant expenditures (for example, Title III).
- Analyze ELL data and trends in the ELL Data Analysis Tool (EDAT) to begin planning for the following year via the Language Allocation Policy (LAP). Refer to [EDAT Walkthrough Recorded Module](#) for more information on interpreting the EDAT.
- Review monthly ELL Data Update Report (EDUR) and update ATS and STARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.

May

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Administer NYSESLAT and begin scoring.
- Administer the Chinese Reading Test and Spanish Language Arts Assessment (SLA) as necessary.
- Review promotional policy for ELLs.
- Review monthly ELL Data Update Report (EDUR) and update ATS and STARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.
- Update LAP for the upcoming school year.

June

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Begin (On June 1) administering the NYSITELL to students transitioning to kindergarten.
- Prepare for ELL Summer Enrichment programs.
- Identify ELLs mandated for summer school, prepare letters, and finalize programs.
- Initiate ELL teacher and student recruitment for next school year as necessary.
- Review end of year summary ELL Data Update Report (EDUR).
- Submit a draft of Language Allocation Policy (LAP) for the upcoming school year via iPlan.

July

- Refer to [ongoing tasks throughout the school year](#) and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Begin (July 15) administering the NYSITELL to students entering grades 1 to 12 in September.
- Commence Title III Summer Enrichment programs.
- Schedule Title III School budgets in Galaxy following the percent threshold recommendations in the SAM. Submit Title III LEP narratives in iPlan (if applicable).
- Order translated versions of the Regents exams for ELLs as appropriate for the August administration.

August

- Refer to and complete ELL identification procedures, data system updates, student programming, and program planning as necessary.
- Begin (on July 15) administering the NYSITELL to students entering grades 1 to 12 in September.
- Review monthly ELL Data Update Report (EDUR) and update ATSSSTARS accordingly. Refer to [Unpacking the EDUR recorded module](#) for more information on interpreting the EDUR.
- Students should be programmed in STARS by first day of school. Make sure to update ENL and bilingual programming in STARS.

School Forms

- [Comprehensive Education Plan: LAP, Title III template](#)
- [ELL Identification Forms](#)
- [Parent Notification Letters](#)
- [Transfer Request and Authorization Forms](#)
- [Bilingual Education Programs: Opening and Adjustment Protocols](#)

Comprehensive Education Plan: LAP, Title III template

Samples of Language Allocation Policy and Title III template forms are linked below.

Language Allocation Policy (LAP) Template

Please refer to the [LAP Template](#) for a fillable version of the form. All Language Allocation Policy resources are available on the [Language Allocation Policy InfoHub](#).

Title III Template

Please refer to the [Title III Plan template](#) for a fillable version of the form. All Title III related resources can also be found on the [Policy and Reference Guide InfoHub](#) and the [Title III InfoHub](#).

ELL Identification Forms

- [Parent/Guardian Home Language Identification Survey \(HLIS\)](#)
- [HLIS Individual Interview Sample Questions Grades K-1](#)
- [HLIS Individual Interview Sample Questions Grades 2-5](#)
- [HLIS Individual Interview Sample Questions Grades 6-8](#)
- [HLIS Individual Interview Sample Questions Grades 9-12](#)
- [Language Proficiency Team \(LPT\) NYSITELL Determination Form](#)
- [NYS ELL Transfer Request Form](#)

Parent/Guardian Home Language Identification Survey (HLIS)

Please refer to the [Home Language Identification Survey](#) for a fillable version of the form. Translations are available on the [Parent Notification Letters InfoHub page](#).

NYC
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Parent/Guardian Home Language Identification Survey

TO BE COMPLETED BY SCHOOL PERSONNEL
Please do not place student information sticker on this form.

District: Borough: School Number: Date:

Student Last Name: Student First Name:

Student ID: Grade: Official Class:

Relationship of Person Providing Information from Survey (check one):
 Mother Father Guardian Self (Student – 18 years or older) Other (Specify)

MANDATED INTERVIEW WITH STUDENT AND PARENT
(Interview must be in English and, if applicable, the parent's preferred language)

English Specify Home Language

Print full names and titles of trained pedagogue(s) conducting interview in English and home language with student and parent:

If an interpreter other than the above pedagogue(s) is used, print full name and title or relationship to student, if applicable:

Check here if over-the-phone Translation & Interpretation Unit services were used in lieu of school-based personnel.

TWO-LETTER OTELE ALPHA CODE:

NYSITELL ELIGIBILITY
Print full name and title of trained pedagogue determining NYSITELL eligibility (if student has an IEP, indicate date the *Language Proficiency Team NYSITELL Determination Form* was sent to the Language Proficiency Team). NOTE: Only students whose home language is other than English are eligible for NYSITELL-eligibility determination.

Signature: _____ Date:

Eligible for NYSITELL testing: YES NO

Check here if this student has an IEP.

Date Language Proficiency Team NYSITELL Determination Form was sent to LPT:

FURTHER SIFE SCREENING
Is the student eligible for further SIFE screening? (OTEL Code must be other than "NO"). Yes No

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Dear Parent or Guardian,

In order to provide your child with the best education possible, we need to determine how well he or she understands, speaks, reads, and writes English. In order to keep you informed, we would like to know your language preference when receiving important information from the school. Your assistance in answering the questions below is greatly appreciated. Thank you.

PART 1. NYSITELL ELIGIBILITY
This information provided below will be used along with other information provided to determine your child's home language and eligibility for the New York State Identification Test for English Language Learners (NYSITELL). Check (✓) the box that applies. If another language is used, please specify.

1. What language(s) does the child understand? English Specify Other Language
2. What language(s) does the child speak? English Specify Other Language
3. What language(s) does the child read? English Specify Other Language Does not read
4. What language(s) does the child write? English Specify Other Language Does not write
5. What language is spoken in the child's home or residence most of the time? English Specify Other Language
6. What language does the child speak with parents/guardians most of the time? English Specify Other Language
7. What language does the child speak with brothers, sisters, or friends most of the time? English Specify Other Language
8. What language does the child speak with other relatives or caregivers (e.g., babysitters) most of the time? English Specify Other Language

PART 2. PRIOR EDUCATIONAL INFORMATION
Responses to these questions will be used for instructional planning. Enter the information for each of the following questions concerning your child.

1. Is this the first time the child has attended a school in the United States? Yes No If NO, answer questions below:
 - Where did he/she go to school?
 - How long did he/she attend school?
 - How many hours each day?
 - How many years of school did he/she attend?
 - Which language was used for instruction?
 - Has there ever been a time when your child missed school for an extended time? If yes, please describe:
2. Has the child attended school in another country? Yes No If YES, answer questions below:
 - Where did he/she go to school?
 - How long did he/she attend school?
 - Which language was used for instruction?
3. Did the child participate in any group experience prior to entering school (e.g., daycare, pre-school)? Yes No If YES, what language was used?
4. Does the child use any device, form(s) of communication, such as American Sign Language or Augmentative Communication Device (e.g., communication board, manual/eletron)? Yes No If YES, specify:

PART 3. PARENT INFORMATION
Responses to these questions help the DOE communicate with parents/guardians in the language of their choice.

1. In what language would you like to receive written information from the school?
2. In what language would you prefer to communicate orally with school staff?

Parent Signature: _____ Date:

HLIS Individual Interview Sample Questions Grades K-1

The following sample questions may be used during the ELL Identification Process. They are provided by the New York State Education Department and were created by practitioners in the field.

New York State Education Department
CR Part 154 ELL Identification Process
Individual Interview Sample Questions
Grades K-1

Student Name: _____ Date: _____

1. What is your name?
2. How old are you?
3. Can you tell me about someone in your family?
4. What do you like to do with your friends?
5. What shows do you like to watch on TV?
6. What foods don't you like? Why?
7. How is a dog different from a cat? How is a dog the same as a cat?
8. What is your favorite story? Can you tell me about it?
9. What would you do if you fell down and hurt your knee?

HLIS Individual Interview Sample Questions Grades 2-5

The following sample questions may be used during the ELL Identification Process. They are provided by the New York State Education Department and were created by practitioners in the field.

New York State Education Department
CR Part 154 ELL Identification Process
Individual Interview Sample Questions
Grades 2-5

Student Name: _____ Date: _____

1. What is your name?
2. How old are you?
3. When is your birthday? What would you want to do on your next birthday?
4. What is your favorite game? Tell me how to play it.
5. What do you like to do with friends and family?
6. What foods don't you like? Why?
7. How is a banana different from an orange? How is a banana the same as an orange?
8. What is your favorite story? Can you tell me about it?
9. If you could have one wish, what would it be? Why?

HLIS Individual Interview Sample Questions Grades 6-8

The following sample questions may be used during the ELL Identification Process. They are provided by the New York State Education Department and were created by practitioners in the field.

New York State Education Department
CR Part 154 ELL Identification Process
Individual Interview Sample Questions
Grades 6-8

Student Name: _____ Date: _____

1. What is your name?
2. Where do you live?
3. Please tell me about someone in your family.
4. What do you like to do on the weekends?
5. What shows do you like to watch on TV?
6. What kind of music do you not like to listen to?
7. How is a television different from a computer? How is a television the same as a computer?
8. Tell me about a special place you have been to. What made it special?
9. Your best friend is crying. What would you do?

HLIS Individual Interview Sample Questions Grades 9-12

The following sample questions may be used during the ELL Identification Process. They are provided by the New York State Education Department and were created by practitioners in the field.


**New York State Education Department
CR Part 154 ELL Identification Process
Individual Interview Sample Questions
Grades 9-12**

Student Name: _____ Date: _____

1. What is your name?
2. Where do you live?
3. Tell me about a special person in your life.
4. What kind of stories do you like to read?
5. What is your favorite TV show? Why?
6. What job would you never want to do? Why?
7. How is a car different from a motorcycle? How is a car the same as a motorcycle?
8. Tell me something I might not know about the place you were born.
9. What would you do if there was a fire in the house?

Language Proficiency Team (LPT) NYSITELL Determination Form

Please refer to the [Language Proficiency Team \(LPT\) NYSITELL Determination Form](#) for a fillable version of the form. All LPT resources, including Superintendent Approval and Denial Letters and translations are available on the [Language Proficiency Team Resources InfoHub](#).



Language Proficiency Team (LPT) NYSITELL Determination Form

DIRECTIONS
This form is completed and kept in the student's cumulative record as well as in the school's recordkeeping location. If the final determination is to ~~NOT~~ administer the NYSITELL, enter this information into the ELLO screen in ATS. If the final decision is to administer the NYSITELL, print the NYSITELL answer document through the RLBA function in ATS.

Student's Full Name: (Enter Student Name) Date of Initial Enrollment/Reentry: (Enter Date)
DBN: (Enter DBN) Principal's Name: (Enter Principal's Name)

Name and Titles of Language Proficiency Team

Name: (Enter Name)	Title: (Enter Title)	Name: (Enter Name)	Title: (Enter Title)
Name: (Enter Name)	Title: (Enter Title)	Name: (Enter Name)	Title: (Enter Title)
Name: (Enter Name)	Title: (Enter Title)	Name: (Enter Name)	Title: (Enter Title)

LPT Recommendation (Check One)

Student should take the NYSITELL (Stop here; does not need to proceed)
 Student should not take the NYSITELL

Date of LPT Recommendation: (Enter Date) Date sent to Principal: (Enter Date)

Principal Determination (Check One)

Student should take the NYSITELL (Stop here; does not need to proceed)
 Student should not take the NYSITELL

Date of Principal Determination: (Enter Date) Principal's Signature: _____
Date sent to Superintendent: (Enter Date) Superintendent Signature: _____
Date of letter sent to parent notifying parent of status: (Enter Date)

Superintendent Determination (Check One)


Student should take the NYSITELL
 Student should not take the NYSITELL

Date of LPT recommendation: (Enter Date) Date sent to Principal: (Enter Date)

Date of final status notification sent to parent: (Enter Date)
Date entered into ELLO screen (in ATS): (Enter Date)
Code entered into ELLO screen (check one): A B C D

NYS ELL Transfer Request Form

For a fillable version of this form, please refer to the [Policy & Reference Guide InfoHub](#).



NYC
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New York State Transfer ELL Data Request Form

As per Commissioner's Regulation (CR) Part 154, for students coming from a NYS public school (outside of the NYC DOE), upon enrollment, the NYC DOE school must contact the sending NYS public school to obtain home language designation, NYSITELL (or LAB-R), NYSESLAT, and if applicable, 3-8 ELA Exam or ELA Regents results. This data and related documents must be placed in the student's cumulative folder and entered into designated ATS screens. The data request must be made for any student entering a NYC DOE school (grades K-12) who has been enrolled in a NYS public school within the previous 2 years. Send this completed form to ELLTransfersNYS@schools.nyc.gov.

Current DOE school: Contact at current DOE school:

NYS SCHOOL DISTRICT INFORMATION

Name of NYS School District that was contacted:

Date information received from the NYS public school:

Name of NYS school district contact:

Title of NYS school district contact:

Phone number of NYS school district contact:

STUDENT INFORMATION

Name of Student: Date of Birth:

Student ID: Current Grade:

SIFE status: Yes No

Which program was the student served in while in the last NYS public school?

ENL Dual Language Transitional Bilingual Education Student is not an ELL

Which program did the parent select while in the last NYS public school?

ENL Dual Language Transitional Bilingual Education Student is not an ELL

Exam	Most Recent Overall Proficiency Level	Most Recent Test Date	Tested Grade (the grade the student was in when this test was administered)	Total Score	Reading Score	Writing Score	Speaking Score	Listening Score
LAB-R	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
NYSITELL	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
NYSESLAT	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Grade 3-8 ELA exam or ELA Regents	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Additional Information Comments:

Parent Notification Letters

Samples of the following parent notification letters are linked below. Schools should refer to the [Parent Notifications InfoHub](#) to access translations or fillable versions of the letters to share with families.

Communicate NYSITELL results

These letters must be sent to parents within 5 days of ELL determination.

- [Entitlement Letter \(after NYSITELL\)](#)
- [Non-Entitlement Letter \(after NYSITELL\)](#)

Determine ELL program selection and communicate ELL placement


- [ELL Parent Survey and Program Agreement](#)
- [Placement Letter \(After Parent Survey\)](#)
- [Default Program Placement Letter \(Letter Not Returned from Parent\)](#)

Communicate NYSESLAT Results

- [Continued Entitlement Letter \(after NYSESLAT\)](#)
- [Exit/Non-Entitlement Letter \(after NYSESLAT\)](#)

Entitlement Letter (after NYSITELL)

Please refer to the [Entitlement Letter](#) for a fillable version of the form. Translations are available on the [Parent Notification Letters InfoHub](#).


NYC
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Entitlement Letter

Date:


Dear :

Based on your responses to the Home Language Identification Survey completed at registration and the results of an individual interview, your child (**Enter full name**), was tested on (**Enter Date**) using the New York State Identification Test for English Language Learners (NYSITELL). The results of the NYSITELL determine your child's level of English language proficiency and eligibility to receive English Language Learner (ELL) services. Your child scored at the (**Enter Proficiency Level**) level on the NYSITELL (see explanation below). This entitles your child to receive English Language Learner (ELL) services in a Bilingual Education program, or an English as a New Language program.

- **Entering (Beginning):** The student has great dependence on supports and structures to advance his or her academic language skills and has yet to meet the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within this grade level.
- **Emerging (Low Intermediate):** The student has some dependence on supports and structures to advance his or her academic language skills and has yet to meet the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within this grade level.
- **Transitioning (Intermediate):** The student shows some independence in advancing his or her academic language skills, but has yet to meet the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within this grade level.
- **Expanding (Advanced):** The student shows great independence in advancing his or her academic language skills and is approaching the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within this grade level.

It is important that you attend the parent orientation so that you can learn about the different English Language Learner programs and services that are available for your child.

In New York State, schools are required to hold orientations for families of newly enrolled ELLs to inform parents and guardians about the different ELL programs available in their schools or district. At the orientation, you will receive information and materials in your home language about ELL programs and you will be able to ask questions about ELL services, with assistance from an interpreter, if needed. At the end of the orientation, you will fill out an ELL Parent Orientation Checklist to confirm that you have the information needed to make decisions for your child. In addition, you will also receive an ELL Student Placement form that will allow you to make a final decision regarding the services that your child will receive. This information will be made available in your home language.


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If you believe your child's ELL status should be reviewed and / or reassessed, contact (**Enter contact name**) at (**Enter phone number**) at your earliest convenience to further discuss this matter. **You must make this contact within 45 days of your child's enrollment in school if you want your child's ELL status to be reviewed or reassessed.**

The parent orientation will be held as follows:

Date:

Time:

Location:

Please arrive early so that we can be sure to start on time. If you cannot attend this orientation, please call (**Enter contact name**) at (**Enter phone number**) to schedule an appointment to discuss ELL programs available for your child. We look forward to a successful academic year for your child in our school.


Should you have any questions concerning your child's program, please contact (**Enter contact name**) at (**Enter phone number**).

Sincerely,

Principal

Non-Entitlement Letter (after NYSITELL)

Please refer to the [Non-Entitlement Letter \(after NYSITELL\)](#) for a fillable version of the form. Translations are available on the [Parent Notification Letters InfoHub](#).



Non-Entitlement Letter (After NYSITELL)

Date:

Dear :

Based on your responses to the Home Language Identification Survey completed at registration and the results of an individual interview, your child, was tested on using the New York State Identification Test for English Language Learners (NYSITELL). The results of the NYSITELL determine his or her level of English language proficiency and eligibility to receive English Language Learner (ELL) services.

Your child scored at the "Commanding / Proficient" level on the NYSITELL, indicating that he or she is English language proficient and is not an ELL. Therefore, your child is not required to receive ELL services. Please keep this letter for your records. The school will maintain a copy in your child's cumulative record.

If you believe your child's ELL status should be reviewed and / or reassessed, contact at your earliest convenience to further discuss this matter. You must make this contact within 45 days of your child's enrollment in school if you want your child's ELL status to be reviewed or reassessed.


If you have any further questions, please contact at .

Sincerely,

Principal

ELL Parent Survey and Program Agreement

Please refer to the [ELL Parent Survey and Program Agreement](#) for a fillable version of the form. Translations are available on the [Parent Notification Letters InfoHub](#).



ELL Parent Survey and Program Agreement

School District/Borough/Number (6-digit) Student ID: Today's Date:

Your child (Enter Full Name) who is enrolled in grade (Enter grade) at (Enter School Info) has been identified as entitled to receive English language learner (ELL) services (bilingual education and/or English as a new language).


There are 2 types of bilingual education programs:

- In **dual language (DL)** programs, students are taught in two languages: English and their home language, such as Spanish, Chinese, or French, among others. The goal of this program is for students to be able to read, write, and speak in both English and their home language. In dual language classes, the home language and English are used equally. Even after your child is no longer an English language learner, he/she will remain in the program to continue to learn in and develop both languages. This program includes an English as a new language class.
- **Transitional bilingual education (TBE)** programs include reading, writing, and other classes in English and in your child's home language. As students' English improves, time spent learning in English increases and time spent learning in the home language decreases. Once your child is no longer identified as an English language learner, he or she will exit the program. This program includes an English as a new language class.

All ELLs receive the following:

- In **English as a new language (ENL)** programs, students are provided instruction in English with support in the students' home language so that your child can learn to read, write, and speak English. Students in this program can come from many different language backgrounds, and English may be the only common language among them.

If there are not enough students to create a bilingual education program at the school in which the student is enrolled, you may be eligible for transportation to a school within the district that has such a program (in accordance with guidelines established by the Office of Pupil Transportation). If there is no bilingual education program available, your child will be placed in an English as a new language program. If there is a bilingual program available in your school, your child will be placed in that program unless you choose to opt out of the bilingual program. **ENL is mandated and you may not opt out of ENL as per New York State Education Department.**



SCHOOL COMPLETES THIS SECTION

Step 1: ELL Program Availability

The following ELL programs are currently available at this school:

English as a new language program (ENL)

Transitional bilingual education (TBE)

Dual language program (DL)

The following TBE and DL programs are available in this district:
(Please refer to the latest bilingual programs list posted on the [Infohub](#).)

School DBN	Program Type (TBE, DL, both)	Language	Grade(s)	Address
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Step 2: Provisional Placement

Your child has been provisionally placed in:

English as a new language only program (ENL)

Transitional bilingual education (TBE)

Dual language program (DL)



PARENT COMPLETES THIS SECTION (STEPS 3-5)

Step 3: Parent Agreement

Please complete the following (check **ONE**):

I have received ELL program information and:

- accept** my child's placement in a **transitional bilingual education (TBE)** program.
- accept** my child's placement in a **dual language (DL)** program.
- I am exercising my right to place my child in an **English as a new language (ENL)** program.
- I understand that currently there is no bilingual program in my school, and I understand that my child will receive ENL only. However, I would like to **be placed on a list** so that when there is enough students to form the bilingual program, my child will be placed in that bilingual program. I want my child to remain in this school.
- I understand that currently there is no bilingual program in my school, and I understand that my child will receive ENL. However, I would like to request a **bilingual transfer**. I understand that before my child is **transferred**, I will receive more information on where the bilingual program is and if there are available seats. Once I receive the information, I will grant final authorization to proceed with the transfer. (NOTE: Principal will initiate bilingual program transfer)

Step 4: Parent Information

I have read all information above and I understand that if I do not return this form by (Enter Date) my child **may be placed** in a bilingual program (transitional bilingual education or dual language) at the current school. Otherwise, my child **will be placed** in an English as a new language (ENL) program at the current school.

Parent/Guardian Name: _____
Address: _____
Telephone: _____
Alternate Telephone: _____
Email Address: _____
Signature: _____
Date: _____



Step 5: Parent Survey

The New York City Department of Education considers your participation in your child's education a key to his or her success. This survey is crucial in confirming that you have received all of the information you need to select the appropriate ELL program for your child as you make your selection. Please fill out the form completely and return it to (Enter name and title of contact) at your school.

1. Did you receive information on the dual language, transitional bilingual education and English as a new language (ENL) programs available in your child's school and/or other schools in the district?

- Yes No

How was the information presented?

- School orientation
- Phone call
- One-on-one Meeting
- Other (Please Explain)

What was the reason for not receiving the information?

- It was not offered.
- It was offered but I could not attend
- Other (Please Explain)

Was another date/time offered to you?

- Yes
 No

2. Did you view the parent orientation video in your preferred language of communication?

- Yes No

Were you offered an interpreter?

- Yes
 No

3. Did you have the opportunity to ask questions and receive answers about the different programs available for your child?

- Yes No



4. Were you informed that your child has a right to placement in a bilingual class in his or her school if there are sufficient numbers of students with the same home language and grade level (if the parents have chosen a bilingual program)?

Yes No

5. Were you informed that if there are not sufficient students to form a bilingual program in your school, you have the option of transferring your child to another school in the district that has a Dual Language and/or Transitional Bilingual Education program; and if you choose not to transfer your child, he or she will remain at the school and be placed in an ENL program?

Yes No

6. Were you informed that your child's placement is for the entire school year?

Yes No

7. Were you informed that staying in the same program that you select until your child is no longer entitled to receive services would help your child succeed?

Yes No

8. Were you informed that your child would be placed in an age-appropriate class for no longer than ten days until his or her service needs are identified?

Yes No

Step 6: School Certification (To be completed by school officials)

I certify that I have reviewed the above information and that the parent or guardian is fully informed regarding ELL programs and the student has been placed in the appropriate program and in accordance with CR Part 154 as outlined in the NYC DOE's Policy and Reference Guide for MLLs/ELLs. I have accurately entered this information into the ELPC screen in ATS.

Print Name:

Print Title:

Signature: _____

Date:

Placement Letter (After Parent Survey)

Please refer to the [Placement Letter \(After Parent Survey\)](#) for a fillable version of the form. Translations are available on the [Parent Notification Letters InfoHub](#).



Placement Letter

Date: []

Dear Parent/Guardian:

Based on your child's entitlement as an English Language Learner (ELL) and your response to the *Parent Survey and Program Selection Form*, your child, [Enter Full Name] has been placed in a [Enter ELL Program]. Participation in this program will be for the entire [Enter School year] school year.

Your child's continued entitlement will be determined by his or her performance on the New York State English as a Second Language Achievement Test (NYSESLAT) which will be administered in the spring. It is in the best interest of your child to remain in the same program for as long as he or she is entitled to services. Studies show that students who remain in the same program from year to year tend to perform better on standardized English and mathematics city and state tests and are more academically successful than those who alternate between different programs.

We are looking forward to a productive academic year for your child in our school. Should you have any questions concerning your child's program options, please contact [Enter Contact Name] at [Enter Phone Number].

Sincerely,

[Enter Name and Title]

Default Program Placement Letter (Letter Not Returned from Parent)

Please refer to the [Default Program Placement Letter \(After Parent Survey\)](#) for a fillable version of the form. Translations are available on the [Parent Notification Letters InfoHub](#).



Default Program Placement Letter/Not Returned from Parent

Date:

Dear Parent/Guardian Name,

You were recently provided with a *Program Survey and Program Selection Form* asking you to select the type of ELL program into which you prefer your child to be placed:

- Dual Language (DL)
- Transitional Bilingual Education (TBE)
- English as a New Language (ENL)

You were asked to return the form to (Enter Name) by (Enter Date). As of the date of this letter, there is no record of the form being returned or any indication of program choices made.

School checks one box

As per the information on the Program Survey and Program Selection Form, your child (Enter Student's Name) has been placed in (Enter Program Model). As per New York State's Commissioner's Regulations Part 154, not selecting an ELL program is the equivalent of selecting a bilingual program. It is in the best interest of your child to remain in the same program for as long as he or she is entitled to ELL services. Studies show that students who remain in the same program from year to year tend to perform better on standardized English and mathematics state tests and are more academically successful than those who alternate between different programs.

As per New York State's Commissioner's Regulations Part 154, not selecting an ELL program is the equivalent of selecting a bilingual program. However, at the current time, due to insufficient numbers, our school only has ENL, which is the program your child was placed into. It is in the best interest of your child to remain in the same program for as long as he or she is entitled to ELL services. Studies show that students who remain in the same program from year to year tend to perform better on standardized English and mathematics city and state tests and are more academically successful than those who alternate between different programs. However, you have the right to request a transfer to another school within our district if a bilingual program exists and there are available seats.

If you have any questions regarding the placement of your child in this program please contact (Enter Contact's Name) at (Enter Phone number).

Sincerely,

Signature

Enter Name and Title

Date

Continued Entitlement Letter (after NYSESLAT)

Please refer to the [Continued Entitlement Letter \(after NYSESLAT\)](#) for a fillable version of the form. Translations are available on the [Parent Notification Letters InfoHub](#).



The image shows a template for a "Continued Entitlement Letter" from the NYC Department of Education. The form is enclosed in a black border and contains several redacted areas represented by grey boxes. The text is as follows:



Continued Entitlement Letter

Date 

Dear Parent/Guardian:

This spring your child,  was administered the New York State English as a Second Language Achievement Test (NYSESLAT) to determine his or her English language proficiency.

Your child scored at the  level on the NYSESLAT, indicating that he or she continues to be eligible to receive English Language Learner (ELL) services as mandated by Commissioner's Regulations Part 154.

Your child will remain in the ELL program in which he or she is currently enrolled. Studies have shown that once you select a program you should try not to change it unless it is necessary to do so. If a student remains in one program and is not switched from one to another, the continuity may lead to greater success.


If you have any questions, please contact  at . We look forward to helping your child develop his or her English skills.

Sincerely,

Principal

Exit/Non-Entitlement Letter (after NYSESLAT)

Please refer to the [Exit/Non-Entitlement Letter \(after NYSESLAT\)](#) for a fillable version of the form. Translations are available on the [Parent Notification Letters InfoHub](#).



Exit/Non-Entitlement Letter

Date

Dear Parent/Guardian:

As an English language learner (ELL), your child, , participated in a program. This spring your child was assessed using the New York State English as a Second Language Achievement Test (NYSESLAT) to determine their English language development and proficiency.

This letter is to inform you that your child has exited ELL status by [check one]:

- Scoring at the Commanding level on the NYSESLAT
- Scoring at the Expanding level on the NYSESLAT and scoring level three or above on the Common Core English Language Arts Test Grades 3-8
- Scoring at the Expanding level on the NYSESLAT and scoring 65 or above on the English Regents Exam

Based on these results, your child is now a former ELL. As a former ELL, your child is entitled to receive two years of former ELL services and two years of testing accommodations on assessments. The former ELL services selected for your child is based on their progress and academic needs. Your child will receive the following service:

- Option A: Small-group learning
- Option C: Project-based learning
- Option D: A minimum of 90 minutes per week of integrated ENL
- Option E: Scheduled for Advanced Placement class (high school only)

Your child's teacher will keep you updated on their progress. Please feel free to contact (Enter contact name) at (Enter phone number) to make an appointment to speak with your child's teacher.

Sincerely,

Principal


Transfer Request and Authorization Forms

Samples of the following transfer request and authorization forms are linked below. Schools should refer to the [Transfer Request and Authorization Forms InfoHub page](#) to access translations or fillable versions of the forms to share with families.

- [Family Request for ELL Transfer](#)
- [Family Authorization for ELL Transfer](#)

Family Request for ELL Transfer

Please refer to the [Family Request for ELL Transfer](#) for a fillable version of the form. Translations are available on the [ML Transfer Request and Authorization Forms InfoHub](#).



Family Request for English Language Learner (ELL) Transfer

Student Name: Student ID:

Student DOB:

This form is only to be used for a family to indicate their interest in requesting a transfer. This form alone is not sufficient to effectuate an ELL transfer.

Families who would like a Dual Language and/or Transitional Bilingual Education program as noted on the Parent Program & Survey Selection form, but whose current school does not have a bilingual program and does not have the sufficient students to form a bilingual program in that school, have the right to request a transfer to a different school that has that program.

Schools must explain to families that yellow bus service may not be available, and transportation will be arranged per the [Office of Pupil Transportation](#) guidelines.

Families must check the following to indicate their understanding and authorization.

- I verify that the school informed me they do not have a bilingual program that I requested on the Parent Program & Survey Selection form.
- I acknowledge that even though the school does not have a Dual Language or Transitional Bilingual Education program, the school has advised me of its obligation to provide English as a New Language (ENL) instruction.
- I authorize the school to request, on my behalf, a transfer to a school with a bilingual program. I retain the right to make a final decision whether to transfer, if and when a transfer is granted and after the new school is identified.
- I understand that transportation may not be available to the new school and will only be provided per the [Office of Pupil Transportation](#) guidelines.
- I am only willing to travel:
 - Within 2 mile radius of my home
 - Within 5 mile radius of my home
 - Within 10 mile radius of my home
 - Within the borough where I live
 - Anywhere

PARENT/GUARDIAN INFORMATION AND SIGNATURE

Parent/Guardian Name:

Address (with apartment #)

Daytime Phone Number:


Evening Phone Number:

Signature: _____ Date:

Family Request for ELL Transfer July 2020 1

Family Authorization for ELL Transfer

Please refer to the [Family Authorization for ELL Transfer](#) for a fillable version of the form. Translations are available on the [ML Transfer Request and Authorization Forms InfoHub](#).



Family Authorization for English Language Learner (ELL) Transfer

This form is only to be used if an ELL transfer has been approved by the B/CO Director of Multilingual Learners/English Language Learners, the Division of Multilingual Learners and the Family Welcome Center.

Student Name: Student ID (OSIS):

Student DOB:

Dear Family,

According to our records, you indicated an interest in a Dual Language and/or Transitional Bilingual Education program on the Parent Program & Survey Selection form. An investigation was conducted, and it has been determined that your current school () does not have a bilingual program and does not have the sufficient students to form a bilingual program in that school.

It has been determined that there is a seat available at () for your child.

Please note that yellow bus service may not be available, and transportation will be arranged in accordance with the guidelines established by [Office of Pupil Transportation](#). You should call the new school to find out about transportation, if any.

Families must check the following to indicate their understanding and authorization. Families must be permitted to consider the transfer placement and either reject or accept the placement.

I have been informed of the new school placement at (). I understand that I have the right to accept the placement and enroll in the new school, or reject the placement and stay at the current school.

I understand that transportation may not be available to the new school and will only be provided in accordance with the guidelines established by the [Office of Pupil Transportation](#).

I understand that if I reject the new placement, my child will receive English as a New Language (ENL) instruction at the current school () and not a Dual Language /Transitional Bilingual Education program.

I have been given an opportunity to consider the new school placement, and I choose to:

- Accept the placement and enroll in the new school.
- Reject the placement and remain in the current school.

Parent/Guardian Information and Signature

Parent Name:

Address (with apartment #):

Daytime Telephone Number:

Evening Telephone Number:

By signing below, you are authorizing the decision to accept or reject the opportunity to place your child in a school with a Dual Language / Transitional Bilingual Education program.

Signature: _____ Date:

Family Authorization for ELL transfer July 2021 1

Bilingual Education Programs: Opening and Adjustment Protocols

Please refer to the [Bilingual Education Program Opening and Adjustment Protocols](#) on the [Policy & Reference Guide InfoHub](#) for fillable versions of these forms:

- Opening New Bilingual Program (TBE/DL) Request Form
- Bilingual Program (TBE/DL) Adjustment Request Form

Overview

New York City public schools are committed to supporting the academic achievement of Multilingual Learners/English Language Learners (MLs/ELLs) by scaling, sustaining, and increasing the number of bilingual education programs. New York City public schools offer several types of bilingual programs responsive to the needs of students, schools, and communities:

- In [Dual Language \(DL\)](#) programs, students learn content in two languages. The goal is for students to develop new language skills and learn academic subjects in two languages. They also practice and share language and culture with each other, becoming bilingual, biliterate, and bicultural.
- In [Transitional Bilingual Education \(TBE\)](#) programs, ELLs who share one common home language receive instruction in the students' home language with intensive support in English. As students' English improve, time spent learning in English increases and time learning in the home language decreases. Students exit the program when they are no longer identified as an ELL.

In accordance with New York State [Commissioner's Regulation Part 154](#) as amended by the Aspira Consent Decree, and as stated in the [Policy and Reference Guide for MLs/ELLs](#), all schools are required to open a bilingual program when:

- 15 or more ELLs enroll in grades K - 8 with the same home language in one or two contiguous grades
- 20 or more ELLs enroll in high schools with the same home language in one grade.

Directions

In planning for the upcoming school year, schools interested in **opening** a new, K-12 general education bilingual program or **closing, reducing, or converting** an existing program must submit the appropriate request **before the initial Language Allocation Policy (LAP) submission deadline, which typically takes place in June**. However, if at any point in the school year a school is planning on opening, closing, reducing, or converting an existing K-12 general education program, please submit the relevant request form as soon as possible.

Requests should be submitted by email to your [ML/ELL Director and/or ML/ELL Compliance and Performance Specialist](#) cc'ing DML@schools.nyc.gov.

For guidance on adjusting bilingual special education programs (including bilingual special education mixed group classes) contact BSEPrograms@schools.nyc.gov.

For guidance on adjusting early childhood bilingual programs, contact preKDualLanguage@schools.nyc.gov.

Opening a new bilingual program

To open a new K-12 general education bilingual education program, school leaders should submit the Opening New Bilingual Program Request to their [ML/ELL Director and/or ML/ELL Compliance and Performance Specialist](#) cc'ing DML@schools.nyc.gov. Requests will be prioritized based on:

- **Language “hubs”** in areas with concentrations of previously underserved home languages.
- **Low-incidence language** programs to increase the variety of options available to families in the city.
- **Continuity** in middle and high schools for students matriculating from TBE or DL programs.
- **Balancing** DL enrollment to uphold best practices of class composition of ELLs and non-ELLs.

Adjusting an existing bilingual program

Program adjustments include:

- **Reduction** of the number of grades or not replacing a matriculating grade level (e.g., K class becoming grade 1, with no entering K class).
- **Conversion** of the program model type (e.g., a TBE program becoming DL program by changing course programming). This includes when converting from general education to special education, or vice versa.
- **Closure** is the elimination of a bilingual program.

Schools **cannot** adjust an existing bilingual program without receiving written approval from their [ML/ELL Director](#), their Superintendent, and the Office of Multilingual Learners (OML). The Bilingual Program Adjustment Request Form should have all relevant approvals prior to submission to OML.

Opening New Bilingual Program (TBE/DL) Request Form (Sample)

Step 1: Schools interested in opening any type of bilingual program should email the following request form to their [ML/ELL Director and/or ML/ELL Compliance and Performance Specialist](mailto:DML@schools.nyc.gov) cc'ing DML@schools.nyc.gov with the subject line "New Bilingual Program Request".

Step 2: The ML/ELL Director, in collaboration with the Superintendent, must sign and submit the completed form to DML@schools.nyc.gov. If your school does not have a designated ML/ELL Director, your ML/ELL Compliance and Performance Specialist, in collaboration with the Superintendent, must sign and submit the completed form.

A. School Information

DBN: _____

School Name: _____

Principal's Name: _____

Principal's Email: _____

School Contact's Name and Email (if different than principal): _____

B. Proposed Program Model Type

Model (check all that apply): Dual Language (DL) Transitional Bilingual Education (TBE)

Home/Target Language: _____

Anticipated Open Date: _____

Do you have the teachers you need for this program(s)? Yes No

Would you like information from the Office of Teacher Recruitment and Quality on subsidized bilingual grants that provide low-cost bilingual extensions? Yes No

C. Program Design

Describe the proposed bilingual program. *Include current school demographics (e.g., total student population, number of ELLs, ELLs with Individualized Education Programs (IEPs), long-term ELLs, and SIFE), staff involved, planned instructional practices, proposed professional development program, family involvement practices, and ability to grow program.*

School Principal's Signature

Principal's Name: _____

Principal's Signature: _____ Date: _____

D. Bilingual Program Adjustment Approval

(To be completed by ML/ELL Director* and Superintendent)

ML/ELL Director*

ML/ELL Director* Name: _____

Approved Not Approved

ML/ELL Director* Signature: _____ Date: _____

*In absence of ML/ELL Director, to be completed by your school's ML/ELL Compliance and Performance Specialist (CPS)

Superintendent

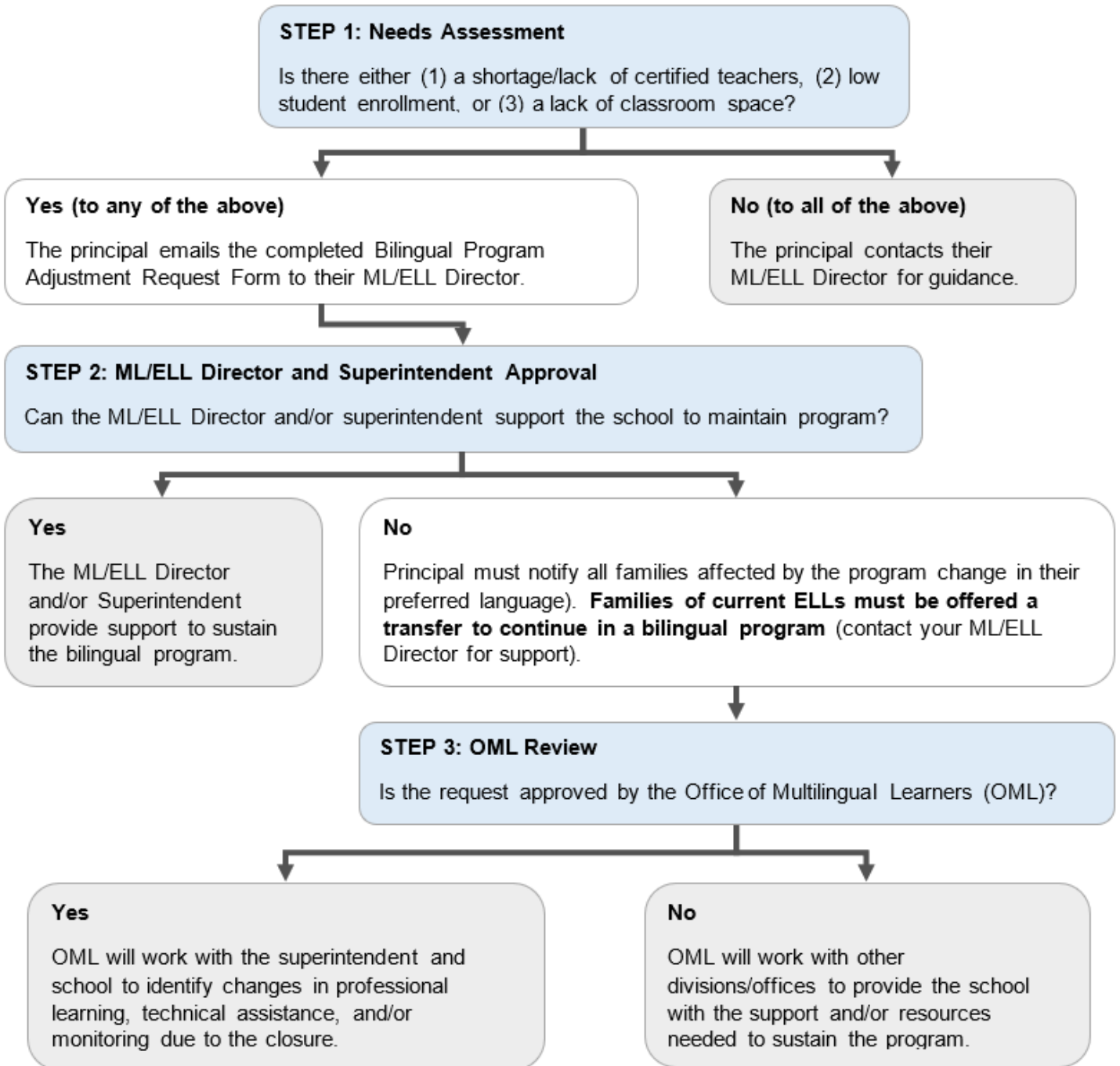
Superintendent Name: _____

Approved Not Approved

Superintendent Signature: _____ Date: _____

Protocol for adjusting an existing bilingual program

To submit a request to adjust an existing bilingual program, principals must follow the protocol below. If you do not have a designated ML/ELL Director, reach out to your ML/ELL Compliance Performance Specialist for support.



Program (TBE/DL) Adjustment Request Form (Sample)

Step 1: To request a bilingual program reduction, conversion, or closure, school Principals should complete and sign Section I of the form below. Then, email a scanned copy of all four sections to your ML/ELL Director cc'ing DML@schools.nyc.gov with the subject "Bilingual Program Adjustment Request" (if no ML/ELL Director is assigned to the school, submit to your ML/ELL Compliance and Performance Specialist).

Step 2: If the ML/ELL Director, in collaboration with the Superintendent, determines the school cannot be supported locally to maintain the bilingual program, they should complete and sign Section II.

Step 3: Once signed and approved by all required parties, the form should be submitted to DML@schools.nyc.gov.

I. Bilingual Program Reduction/Closure Request

(To be completed by School Principal)

A. Bilingual Program Information

DBN: _____

School Name: _____

Principal's Name: _____

Principal's Phone: _____

Principal's Email: _____

Model (check all that apply): Dual Language (DL) Transitional Bilingual Education (TBE)

Home/Target Language: _____

Year Program Opened (If this was an anticipated program, please indicate anticipated opening date):

B. Adjustment Request

Adjustment (check all that apply): Reduction Conversion Closure

School Year Adjustment Will Take Effect: _____

Grades to be Continue (as applicable): _____

Grades to be Reduced or Closed (as applicable): _____

C. Rationale for Bilingual Program Adjustment

Please include the following:

- Reason for applying to convert / reduce / close the bilingual program.
- Evidence of efforts to maintain the program (recruitment, HR postings, brochure etc.).
- Data and evidence in support of the decision to convert / reduce / close the bilingual program.

D. Description of School's Plan for Future Service

Please include the following:

- Plan for students currently enrolled in the bilingual program if approval is granted.
- If a reduction or conversion, please detail the new number of classes and grades of the new program model.

E. Continuity of ELL Program Preference

If the reduction or closure results in current English Language Learners no longer being served by a bilingual program at your school, please include a roster of all ELLs that previously participated in the bilingual education program, evidence that the students' family was notified regarding the program change and implications. (e.g., translated parent letters, meeting agendas with sign-in sheets, etc.) and the outcome of the offer to transfer to a bilingual program.

F. School Principal's Signature

Principal

Principal's Name: _____

Principal's Signature: _____ Date: _____

II. Bilingual Program Adjustment Approval

(To be completed by ML/ELL Director and Superintendent)

Director of MLs/ELLs*

ML/ELL Director Name: _____

Approved Not Approved

ML/ELL Director of Signature: _____ Date: _____

*In absence of an ML/ELL Director, this can be completed by your ML/ELL Compliance Performance Specialist (CPS)

Superintendent

Superintendent Name: _____

Approved Not Approved

Superintendent Signature: _____ Date: _____

III. Office of Multilingual Learners Approval

(To be completed by OML)

OML Representative

Date Received: _____

Print Name of OML Representative: _____

Approved Not Approved

OML Representative Signature: _____

Date: _____

Superintendent Resources

NYSITELL Determination Template Letters

Please refer to the [Language Proficiency Team Resources InfoHub](#) for template letters that include the following:

- Superintendent Approval Letter to Parent or Guardian (translated into 9 DOE supported languages)
- Superintendent Denial Letter to Parent or Guardian (translated into 9 DOE supported languages)
- Superintendent Approval Letter to School
- Superintendent Denial Letter to School

The New York City Department of Education

52 Chambers Street

New York City, NY 10007

Phone: (718) 935-2000

<https://www.schools.nyc.gov>