New York City Department of Education

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LIMITATIONS ON THE USE OF THIS GUIDE AND DISCLAIMER

The purpose of this ELL Policy Reference Guide is to provide support and guidance to the management and staff of the New York City Department of Education. Nothing in this guide is intended to create nor does it create any enforceable rights, remedies, entitlements, or obligations. The Department reserves its right to change or suspend any or all parts of this guide. This guide is a compilation of current New York State and New York City English language learner policy guidance for the 2015-16 school year. This edition takes effect July 1, 2016. For the most recent version of this document, visit https://intranet.nycboe.net/SpecialPopulations/ELL/Resources/ellpolicybrief.htm.

To view the complete Regulations of the New York State Commissioner of Education, including the Part 154 Regulations regarding services for English language learners, visit the New York State Education Department website at http://www.p12.nysed.gov/biling/bilinged/CRPart154.html.

For support with implementing the policies described in this document, please contact your senior ELL compliance and performance specialist or contact the Division of English Language Learners and Student Support at DELLSS@schools.nyc.gov.
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Letter from the Deputy Chancellor of the Division of English Language Learners and Student Support

August 2016

Dear Colleagues:

The Division of English Language Learners and Student Support (DELLSS) is excited to present to you the second edition of the English Language Learner Policy and Reference Guide—2016-17 for New York City public schools. In this newly updated and comprehensive guide for educators of English language learners (ELLs), we have presented all the critical federal, state, and city regulations that govern the education of ELLs, such as the New York State Commissioner’s Regulations (CR) Part 154 which establishes the legal requirements for the education of ELLs in NYS. This guide also includes new resources (see appendix), helpful hints, and directions on using the newly developed data systems (e.g., ATS screens) to guide school leaders, central staff, and Borough Field Support Center (BFSC) staff on capturing the necessary data to create robust programs that accelerate ELL achievement. This guide should be used as a resource and kept nearby for frequent referencing when planning high-quality services and support for your ELLs.

As educators, we know that there is one thing that is universal to all parents regardless of where they come from or the language they speak at home: parents want their children to succeed in school. Our goal to provide pathways for students to become college- and career-ready continues to be a guiding force within DELLSS. Chancellor Fariña is committed to bringing all partners to the table by fostering collaboration and out-of-the-box thinking that will ensure positive outcomes for ELLs.

As you develop your plan for ELLs (e.g., through the Language Allocation Policy), keep the following in mind:

- NYS CR Part 154, as amended by the Aspira Consent Decree, continues to require a school to open a bilingual program when the following thresholds of parent requests have been reached:
  - 15 or more ELL students in grades K to 8 who speak the same language in one or two contiguous grades
  - 20 or more ELL students in high school who speak the same language in one grade

- Integrated English as a new language (ENL) is a mandated delivery model in which students receive core content area (i.e., English language arts, math, science, or social studies) and English language development instruction from a dually certified teacher or two certified teachers

- Former ELLs are now eligible for ELL testing accommodations and 90 minutes of integrated English as a new language for up to 2 years after testing out

Every school is expected to adhere to the guidelines in this document. DELLSS, in collaboration with the superintendents, Field Support Center directors, and field staff will support you with implementing the requirements. DELLSS will continue to provide professional development, grants and funding, instructional coaching, and online tools and resources.

In the spirit of collaboration, I ask you to join us in raising the bar, setting high expectations, and having every English language learner achieve success.

Sincerely,

Milady C. Baez
Deputy Chancellor
Division of English Language Learners and Student Support
Definitions and Terms

The following definitions are based on the amended CR Part 154.

_Aspira Consent Decree_: a consent decree signed in 1974 between the New York City Board of Education and Aspira of New York, which established bilingual instruction as a legal entitlement for New York City’s Spanish-speaking ELL students.

_Bilingual education program_: a research-based program comprised of 3 components: (1) home language arts and English language arts, (2) English as a new language (ENL), (3) and a bilingual content area instructional component (i.e., 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; however, at the entering and emerging levels, a bilingual program must have at a minimum 2 core content areas taught bilingually. In New York City, there are 2 types of bilingual education programs offered to parents: dual language and transitional bilingual education. See page 38.

_CR Part 154_: Commissioner’s Regulations of New York State that govern education and services for ELLs. There are 3 sections of CR Part 154: CR Parts 154.1 and 154.2 describe previous and amended requirements that go into effect in the 2015-16 school year; CR Part 154.3 describes the requirements of ELL services specific to ELL students with disabilities. The _English Language Learner Policy and Reference Guide_ details the implementation of CR Part 154, (and the Aspira Consent Decree) for New York City Department of Education schools. See [SED website](#) for more information.

_CR Part 200_: Commissioner’s Regulations of New York State that govern education and services to students with disabilities. See [SED website](#) for more information.

_English as a new language (ENL)_: formerly known as English as a second language (ESL); research based-program comprised of (1) content area instruction in English with home language supports and appropriate scaffolds, and (2) an English language development component. ENL is delivered through a stand-alone model or integrated ENL. See page 43.

- **Stand-alone English as a new language** is an ENL delivery model in which students receive instruction in order to acquire the English language needed for success in core content courses. A student cannot receive stand-alone English as a new language in lieu of core content area instruction.
- **Integrated ENL** (see above for definition of ENL) is an ENL delivery model in which students receive core content area (i.e., English language arts, math, science, or social studies) and English language development instruction from a dually certified teacher or two certified teachers. See page 43.
English language learner subgroup or subpopulation: because ELLs are not a monolithic group but rather have different linguistic and academic needs, there are categories to better identify their needs. The categories are newcomer, developing, long-term, students with disabilities, students with inconsistent/interrupted formal education (SIFE), and former. See page 46.

Home language arts (HLA): formerly known as native language arts (NLA); a unit of study or its equivalent in language arts in the student’s home language. Such units of study are aligned to the Common Core Learning Standards. See page 42.

Language Assessment Battery-Revised (LAB-R): former assessment used to determine ELL status prior to implementation of the NYSITELL; the LAB-R was discontinued by New York State Education Department on January 31, 2014. See page 54.

Lau v. Nichols: a 1974 landmark court decision through which the United States Supreme Court established the right of ELL students to have “a meaningful opportunity to participate in the educational program.” That same year, an agreement between the New York City Board of Education and ASPIRA of New York (called the ASPIRA Consent Decree) assured that ELL students would be provided a bilingual education. As a result, ELLs must be provided with equal access to all school programs and services offered to non-ELL students, including access to programs required for graduation. Education Law §3204 and Part 154 contain standards for educational services provided to ELL students in New York State.

Licensed pedagogue: an individual who holds a valid New York State teaching license.

Qualified interpreter/translator: a person who is fluent in the language in which he or she is communicating and in English, has a demonstrated ability to employ the mode of interpretation appropriate to the given situation (e.g., 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 criteria, such as a bilingual teacher, certified pursuant to State regulations, may be qualified to serve as an interpreter/translator.

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 page 12.

Re-identification Process: the process created 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 enrollment) that the ELL Identification Process be administered a second time. See page 30.

Unit of study: 180 minutes of instruction per week. See page 35.
**ELL Identification**

The English Language Learner (ELL) Identification Process includes 8 mandated steps for students enrolling in grades kindergarten to 12, including:

- the administration of the Home Language Identification Survey (HLIS), which includes an interview with the student and parent to determine the student’s home language
- determination of eligibility to take the New York State Identification Test for English Language Learners (NYSITELL)
- the administration of the NYSITELL
- the administration of the Spanish LAB to newly identified ELLs whose home language is Spanish.

When parents enroll their child in a school, the school must determine the enrollment status category to which the student belongs.

<table>
<thead>
<tr>
<th>Category</th>
<th>Enrollment Status</th>
<th>Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Enrolling as a new student to New York City and was never in a New York City or New York State public school</td>
<td>Students who have never been to any NYC or NYS public school must complete the entire ELL Identification Process outlined in this document by beginning with the determination of the home language.</td>
</tr>
<tr>
<td>2</td>
<td>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 2 years)</td>
<td>Schools are required to obtain NYSITELL/NYSESLAT scores directly from the sending NYS public school in order 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 page 24). Students who reenter NYC public schools after having been enrolled in a school outside of NYC and/or NYS for less than 2 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.</td>
</tr>
<tr>
<td>3</td>
<td>Enrolling as a former New York City or New York State public school</td>
<td>Students who are reentering after having been enrolled in a school outside of NYS public schools for 2 or more years</td>
</tr>
</tbody>
</table>

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1 Prior to February 1, 2014, ELLs were identified through the Language Assessment Battery—Revised (LAB-R).
<table>
<thead>
<tr>
<th>Category</th>
<th>Enrollment Status</th>
<th>Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>York State public school student</td>
<td>must complete the entire ELL Identification Process outlined in this document by beginning with the determination of the home language. Students who reenter NYC public schools after having been enrolled in a school outside of NYS public schools for less than 2 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.</td>
<td></td>
</tr>
</tbody>
</table>

**Other Schools**

- Charter schools are New York State public schools; therefore, applicable procedures should be followed by NYCDOE schools in accordance with policies outlined in this document for students entering New York City public schools from charter schools.
- Non-public schools (NPS), which include private and parochial schools, are non-public schools. Because some NPS administer the NYSITELL and NYSESLAT, New York City public schools may contact the prior NPS to obtain the NYSITELL and NYSESLAT scores if the student attended the NPS within NYS within the preceding 2 years. However, such outreach is optional. Additionally, once the NYC public school administers the NYSITELL, subsequent receipt of NYSITELL and NYSESLAT scores from the NPS will not be accepted.

**Helpful Hints: ELL Identification**

- If a student enrolls at the end of the school year and there are less than 10 days of school enrollment, the Enter NYC Date restarts the following school year if the ELL status was not determined.
- If a student enrolls in the middle of the school year and the student is discharged prior to 10 days of enrollment (regardless of the number of days that the student attended), the Enter NYC Date continues where it left off upon re-enrollment in the same year or restarts the following school year.
## Scenarios of ELL Enrollment and Identification

<table>
<thead>
<tr>
<th>Scenario #</th>
<th>Description</th>
<th>Aligns to Category # / Enrollment Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Maria is a student entering kindergarten. She has never been to any public school before. She is a first time admit to NYC public schools. She is admitted to PS 567. The school determines that her home language is Spanish. The school gives her a more in-depth interview and determines that she should take the NYSITELL to determine ELL status.</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Ming is a student entering kindergarten. He was in a special education prek program and is entering kindergarten with an IEP (he is a “turning 5” student). His home language is Chinese. Because he is entering with an IEP and his 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, 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).</td>
<td>1</td>
</tr>
<tr>
<td>3</td>
<td>Sam is entering grade 4 to NYC PS 456 from the William Floyd Public School District in Suffolk County on Long Island. Because Sam is coming directly from another NYS public school district, PS 456 reaches out to Sam’s prior school in Suffolk County. They get his ELL status, NYSITELL/LABR/NYSESLAT scores, SIFE status, home language, parent choice, 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 for assistance.</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>Jose enrolled at PS 222 as a kindergarten student in September 2014. Jose was discharged to a California district in January 2015, where he remained in school. Jose returned to the NYCDOE public schools in September 2015. The NYCDOE school continues this student’s ELL status where he left off because he was out of NYS for less than 2 years.</td>
<td>2</td>
</tr>
<tr>
<td>5</td>
<td>Yun-ying was enrolled at HS 999 as a first time admit to NYCDOE schools from Taiwan in September 2013. She 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</td>
<td>2</td>
</tr>
<tr>
<td>Scenario #</td>
<td>Description</td>
<td>Aligns to Category # / Enrollment Status</td>
</tr>
<tr>
<td>-----------</td>
<td>-------------</td>
<td>-----------------------------------------</td>
</tr>
<tr>
<td>6</td>
<td>Chloe enrolled in grade 2 at PS 777 for the first time in NYC public schools in September 2010. She was administered the LABR and was identified as an ELL. She left the DOE to Florida in September 2011. She returned to the DOE public schools in grade 7 in September 2015. Because she was out of the DOE and NYS public schools for more than 2 years, she goes through the entire ELL identification process again, including determination of her home language code, determination of NYSITELL-eligibility, and SIFE status.</td>
<td>3</td>
</tr>
<tr>
<td>7</td>
<td>Ali entered Rochester School System in September 2013 and was identified as an ELL. He was discharged from Rochester School System to Georgia in February 2014. He was discharged from Georgia in June 2014. He then entered MS 444 in Brooklyn in September 2014. Though he was a first time admit to NYC public schools, he was in NYS public schools less than 2 years ago. Therefore, MS 444 reaches out to the Rochester School System. They get his ELL status, NYSITELL/LABR/NYSESLAT scores, SIFE status, home language, parent choice, and ELL program served in. If, however, the Rochester School System does not respond within 2 days, MS 444 should give the NYSITELL. If, after administering the NYSITELL, MS 444 receives Ali’s scores and information from the Rochester School System within 30 school days, they should enter them, which will override the MS 444’s NYSITELL results. If MS 444 receives the information after 30 days, the information is not accepted, and MS 444’s NYSITELL results and ELL identification results remain as the official record and status of the student.</td>
<td>2</td>
</tr>
<tr>
<td>8</td>
<td>Boris entered Albany School System in September 2011 and was identified as an ELL. He was discharged from Albany School System to Idaho in February 2012. He was discharged from Idaho in June 2015. He then entered MS 555 in Queens in September 2015. He left the NYS public schools as an ELL. Because he was out of the NYS public schools for more than 2 years, he goes through the entire ELL identification process again, including determination of his home language code, determination of NYSITELL-eligibility, and SIFE status.</td>
<td>3</td>
</tr>
</tbody>
</table>
Steps within the 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 if enrolling student was in a NYS public school within past 2 years

Students who have been outside of the New York State public school system for more than 2 years must be readministered the entire ELL Identification Process; for students reentering from the NYS public school system, schools are required to obtain NYSITELL / NYSESLAT scores directly from the sending NYS public school in order 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 page 8, categories 2 and 3 of enrollment status.

Schools readmitting students who previously attended a NYC public school or charter school/program using the ATS Transfer Student (TRAF) function will be asked if the student was enrolled in a NYS public or charter school within the last two years. The question, “Enrolled in NYS school w/in last two yrs:” contains two values:

- 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, 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. If a student’s previous home language was English (ATS code: "NO"), you or a designee can make the modification to the home language using the ATS Student Biographical Update (BIOU) function or by submitting the most current HLIS form to your district ELL CPS contact and requesting a home language change. All ‘E’ students 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 designees 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 in order 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 are not received within five school days of enrollment, contact
your borough assessment implementation directors (BAID) for assistance. See below for more details.

These related documents must be placed in the student’s cumulative folder after the data is updated on the respective ATS functions.

---

**Student Profile**

**PROFILE 99-M-999**

New York City Public Schools 09-27-16 11:07:45

**BIOG0150**

Transfer Student (TRAF) 02144-FBURGOS2

STUDENT ID: 287 555 965

LAST NAME: SMITH

FIRST: CHLOE

MIDDLE: JANE

DOB: 12 / 16 / 04 SEX: F PROOF OF BIRTH: 2 CERT #: ____________

POB CODE: 25

HOUSE NO: 2900 STREET: RALSTON AVENUE APT NO: ________

CITY: HILLBOROUGH STATE: CA ZIP: 94010 PHONE: ________

BORO CODE: Z HOME DIST: 99 ADDR STAT: C NON-RES TUITION: _

GEO CODE: 25 HOUSING ST: UNAC YOUTH: _

HOME LANG: SP ETHNICITY: F HISPANIC: Y RACE: F IMMUN: W

HEALTH ALERT: N HEALTH INS: P RECORDS RECEIVED: _

ADMIT CODE: __ ADMIT DATE: __ / __ / __ ADMIT REASON: __

ENROLLED IN NYS SCHOOL W/IN LAST 2 YRS: _

---

**Students Entering DOE Schools Who Were Enrolled in NYS Public Schools within the Preceding Two Years**

For students coming from a NYS public school (outside of the NYCDOE), the DOE school must contact the sending NYS public school to obtain home language designation, NYSITELL (or LAB-R) and NYSESLAT results within 5 business days. The data request must be made for any student entering a NYCDOE school (grades K to 12) who has been enrolled in a NYS public school within the previous 2 years. The data sent from the NYS public school must be on school letterhead and signed by the school principal. These data and related documents must be placed in the student’s cumulative folder and inputted into designated ATS screens.

If the data are not received within 5 school days of enrollment, schools must contact their borough assessment implementation directors for assistance.
If the student is an ELL and has a home language of Spanish, skip to Step 5 (administration of the Spanish LAB). If the NYS public school indicates the student is an ELL, the school must provide the parent orientation meeting (see page 25).

The NYC public school should request from the NYS public school the following:

- Home language code and copy of the Home Language Identification Survey used
- LAB-R score and proficiency level
- NYSITELL score and proficiency level
- NYSESLAT score and proficiency level
- SIFE status

To request that this information be inputted into the DOE’s data collection system, complete the New York State Transfer ELL Data Request Form in the appendix on page 67 and email it to ELLTransfersNYS@schools.nyc.gov.

If the home language code differs from the current NYCDOE’s home language code, a request to change the home language code should be sent to the senior ELL CPS from the principal of the NYCDOE school. Note: only students whose home language is not English can have LAB-R, NYSITELL, and/or NYSESLAT scores. For information on requesting a change of the home language code in ATS, see page 18.

Students who reenter NYC public schools after having been enrolled in a school outside of NYC and/or NYS for less than 2 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. Students who reenter NYC public schools after having been enrolled in a school outside of NYC and/or NYS for 2 or more years must complete the ELL Identification Process described in this guide.

**Step 2: Administer the Home Language Identification Survey**

The school must administer the Home Language Identification Survey (HLIS) to determine the student’s home language as part of general intake procedures.
## Summary of the ELL Identification Steps

<table>
<thead>
<tr>
<th>Step</th>
<th>What to Do</th>
<th>More details</th>
<th>System/Resource</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Determine if enrolling student was in a NYS public school within past 2 years.</td>
<td>Schools are required to obtain NYSITELL / NYSESLAT scores directly from the sending NYS public school in order 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.</td>
<td>Enter reentry status into the ATS Transfer Student (TRAF) function. Send received test scores to <a href="mailto:ELLTransfersNYS@schools.nyc.gov">ELLTransfersNYS@schools.nyc.gov</a>. Complete New York State Transfer ELL Data Request Form. See ELL Policy and Reference Guide.</td>
</tr>
<tr>
<td></td>
<td>Stop if student was enrolled in a NYS public school within past 2 years. Contact previous school to obtain NYSITELL and/or NYSESLAT scores, HL code, and SIFE status.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Go! Proceed to next step if student is entering as a new student to NYS public schools or returning to NYS public schools after more than 2 years.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Parent completes Home Language Identification Survey with a licensed and trained pedagogue.</td>
<td>The home language code is determined by the licensed and trained pedagogue.</td>
<td>Print the HLIS in parents’ preferred languages. Enter HL code into BIOU screen in ATS.</td>
</tr>
<tr>
<td></td>
<td>Stop if home language is English</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Go! Proceed to next step if home language is other than English.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Determine eligibility for NYSITELL.</td>
<td>Done through in-depth interview with general education students. Begins with Language Proficiency Team recommendation for students with disabilities.</td>
<td>If student should take the NYSITELL, go to RLBA in ATS. If student should NOT take the NYSITELL, go to ELLO in ATS.</td>
</tr>
<tr>
<td>4</td>
<td>Send parent notifications to parent regarding entitlement and non-entitlement.</td>
<td>These letters let parents know whether their child is eligible for ELL services. Keep copies of parent letters on record at school.</td>
<td>Print the parent notification letters in parents’ preferred languages.</td>
</tr>
</tbody>
</table>

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2 10 (and 20) school calendar 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), and (3) includes days the student was absent. The “clock” cannot begin before the first day of school (e.g., 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.
<table>
<thead>
<tr>
<th>Step</th>
<th>What to Do</th>
<th>More details</th>
<th>System/Resource</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Administer Spanish LAB to students whose home language is Spanish and do not attain “commanding level” on the NYSITELL.</td>
<td>Spanish LAB is administered once to newly identified ELLs whose home language is Spanish, regardless of whether student is placed in a bilingual program or not.</td>
<td>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.</td>
</tr>
<tr>
<td>6</td>
<td>Determine if ELL is a student with interrupted/inconsistent education (SIFE).</td>
<td>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.</td>
<td>Enter SIFE status in the BNDC screen in ATS.</td>
</tr>
<tr>
<td>7</td>
<td>Invite parents to parent orientation meeting.</td>
<td>At this meeting, which is conducted by a trained pedagogue with translation services available, parents are provided 3 choices of ELL programs (dual language, transitional bilingual education, and English as a new language). Parents choose the ELL program for their child.</td>
<td>Print the parent notification letters in parents’ preferred languages. ELL Parent Brochure and Parent Orientation Videos are available here. Enter initial parent choice into the ELPC screen in ATS.</td>
</tr>
<tr>
<td>8</td>
<td>Student is placed in ELL program.</td>
<td>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.</td>
<td>Enter ENL programming and bilingual programming into STARS.</td>
</tr>
<tr>
<td>9</td>
<td>Administer the Re-Identification Process as necessary.</td>
<td>A parent, student (age 18), or teacher (with parent’s approval) may appeal the ELL status within 45 school days of enrollment.</td>
<td>Principals use the RQSA in ATS. Superintendents use the RQGA in ATS. Follow procedures outlined in the ELL Policy and Reference Guide. Also, see this guidance document.</td>
</tr>
<tr>
<td>Step</td>
<td>What to Do</td>
<td>More details</td>
<td>System/Resource</td>
</tr>
<tr>
<td>------</td>
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<td>-----------------</td>
</tr>
<tr>
<td>10</td>
<td><strong>Stop</strong> if student’s ELL status is not reversed.</td>
<td><strong>Proceed to next step</strong> if student’s ELL status is reversed.</td>
<td></td>
</tr>
</tbody>
</table>

**Within 6 to 12 months, review progress of 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 the **ELL Policy and Reference Guide**. Also, see this guidance document.
The home language is determined based on the results of the HLIS, which includes an interview with both the parent and student in English and the 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. The home language is determined based on a combination of the interviews 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 questions (regardless of number of responses of one language or another). Over-the-phone interpretation services are available through the DOE’s Translation and Interpretation Unit so that parents can receive language assistance and have their questions answered in their preferred languages.

A licensed pedagogue (e.g., the school’s ELL coordinator) must complete the HLIS with the parent and ensure timely entry of this information into the designated ATS screens (e.g., QADM, BIOU). As per CR Part 154, the licensed pedagogue must be

- Trained in cultural competency, language development, and the needs of English language learners
- Proficient in the home language of the student or parent or guardian or use a qualified interpreter/translator of the language or mode of communication the student or parent or guardian best understands

A. The completed HLIS forms must be placed in the student’s cumulative file and remain a part of the student’s permanent record

B. If the student’s home language is English, the ELL Identification Process terminates at this step; if the student’s home language is not English, the ELL Identification Process continues to Step 3.

Home Language Code Inputting Errors and Changes

The Home Language Identification Survey is administered one time during the enrollment process. Therefore, upon enrollment and entry of the home language code, the home language code field is locked. In the event that a clerical error is made, send the following information and documentation to the senior ELL CPS for review:

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**Helpful Hints: NYSITELL 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 (prior to the beginning of the school year in September).
- 10 (and 20) school calendar 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), and (3) includes days the student was absent. The “clock” cannot begin before the first day of school (e.g., 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.
- Print the RLCB Scan Report from ATS, which indicates the students’ levels of proficiencies and any scanning errors; scanning errors should be addressed immediately. See the NYSITELL Scanning Handbook for directions (page 54).
- 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:

1. 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 2 years), or
2. 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 2 or more years

Relevant information, documentation, and the completed New York State Transfer ELL Data Request Form (see page 67) should be sent to the senior ELL CPS for review.

**Step 3: Determination of NYSITELL Eligibility**

For students whose home language is not English, the school must administer a more in-depth interview with the student, review his/her school work (if available), and review the Individualized Education Program (if applicable), in order 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 is dominant in English. As a result, schools must determine whether the student has English oral and literacy skills sufficient for the grade into which the student is enrolling. Therefore, a trained pedagogue must do the following:

1. Interview the student in both English and the home language (see sample interview questions on page 70)
2. Review student’s prior school work in reading, writing, and mathematics, in both English and the home language. In the absence of sufficient school work, schools may use age- and grade-appropriate informal, culturally sensitive, school-based assessments or formal and informal screeners

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**Helpful Hints: Determination of NYSITELL Eligibility**

- If the student should take the NYSITELL, print and provide parents the NYSITELL Parent Information Brochure.
- If the student should take the NYSITELL, print the answer document using the RLBA function in ATS. If the student should NOT take the NYSITELL, indicate this via the ELLO screen in ATS.
- Print the RLCB Scan Report from ATS, which indicates the students’ levels of proficiencies and any scanning errors; scanning errors should be addressed immediately. See the NYSITELL Scanning Handbook for directions (page 54).
A school determines 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 ELLO screen in ATS (see codes for correct indicator). If the student is eligible to take the NYSITELL, continue to step 4.

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 page 24 for more information on SIFE).

B. NYSITELL eligibility for students entering school with IEPs (from within the United States) must be based on the determination of the Language Proficiency Team (LPT). The LPT is minimally comprised of

- 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 his or her designee)
- The student’s parent or guardian

A qualified interpreter or translator of the language or mode of communication the parent or guardian best understands, must be present at each meeting of the LPT. These procedures must be used for initial entry into DOE schools or reentry after 2 years (see categories 1 and 3 on page 8).

1. 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 (see above)
   - 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 Committee on Special Education (CSE) as to whether the student’s disability is the determinant factor affecting whether the student can demonstrate proficiency in English

2. 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
• 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
  - The principal must accept or reject this recommendation
    - If the principal rejects the recommendation of the LPT not to administer the NYSITELL, the NYSITELL is immediately administered to the student
    - If the principal accepts the recommendation 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.

The final decision is made by the superintendent or superintendent’s designee and is entered into the ELLO screen by the school after receiving the decision. The superintendent or designee has 10 school days to accept or reject the LPT’s recommendation. If the superintendent determines that the student must take the NYSITELL, the school has 5 additional school calendar days to administer the NYSITELL (if necessary) and to notify the parent or guardian. The form titled Language Proficiency Team NYSITELL Determination Form (page 65) must be completed and placed in the student’s cumulative folder.

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. For more information on similarities between learning disability and language acquisition, see table on page 66.

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. Regardless of the LPT’s decision and final NYSITELL-eligibility determination, language of instruction for all students with Individualized Education Programs (IEPs), including ELLs, is determined by the CSE. For more information on determining special education language of instruction and/or service, refer to Special Education Policy Guidance: Language of Assessment for Students in the Special Education Assessment Process.
Non-Eligibility to Take the NYSITELL—ELLO Screen in ATS

ELLO screen should only be used for students

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

These students, therefore, are not ELLs. These students do not need to take the NYSITELL.

However, if the 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 the student was appropriately administered the NYSITELL and scored proficient (and is not an ELL), no data needs to be entered into the ELLO screen*.

Decision indicating that a student does not require ELL acquisition needs can be determined by the school for general education students or a Language Proficiency Team (LPT), principal, and superintendent for students with an Individual Education Plan (IEP). This decision needs to be entered within 10 days of a student's admit date, and it only applies to new students to NYC DOE or student's being re-admitted that have not been enrolled in a NYS public school in the past 2 years.

For current Prek students who will be entering kindergarten in September: If you have a Prek student entering kindergarten in September, the student will not appear on the ELLO screen until mid-July, at which time you can exercise this option. In the meantime, it is not necessary to administer the NYSITELL to these students.
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>The student was determined not to have ELL acquisition needs by the current NYC public school.</td>
</tr>
<tr>
<td>B</td>
<td>The student was determined not to have ELL acquisition needs by the current NYC public Language Proficiency Team (LPT).</td>
</tr>
<tr>
<td>C</td>
<td>The student was determined not to have ELL acquisition needs by the previous NYS public school.</td>
</tr>
<tr>
<td>D</td>
<td>The student was determined not to have ELL acquisition needs by the previous NYS public Language Proficiency Team (LPT).</td>
</tr>
</tbody>
</table>

Schools must print NYSITELL answer documents using the RLBA function in ATS. After the NYSITELL exam is administered, answer documents are scanned into ATS via the attendance scanner within 10 school days of enrollment. Scanning beyond 10 school calendar days will result in noncompliance (20 school days for students entering with IEPs).

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. Compliance 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.

Principals must order NYSITELL exams through the NYSED portal. Ordering is ongoing throughout the year. Along with the exams, schools will receive directions for administration. Answer documents must be generated and printed via ATS printers. 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. For more information on ordering and administering the NYSITELL, or printing and scanning the answer documents, see the DOE’s NYSITELL memorandum, Administration Handbook, Scanning Handbook, and other useful resources at http://intranet.nycboe.net/Accountability/Assessments/Annual/NYSITELL/.

Step 4: Send Parent Notifications to Parent Regarding Entitlement and Non-Entitlement
Within 5 school days of ELL determination, schools must inform parents of the results of the NYSITELL and ELL status using the NYCDOE standard parent notification letters (in the parents’ preferred language), which are available for download:

- Entitlement Letter
- Non-Entitlement Letter
- Continued Entitlement Letter
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: Administering the Spanish LAB**

All new entrants whose HLIS responses indicate a home language of Spanish and who are newly identified as ELLs based on NYSITELL results must be administered the Spanish LAB at the time of initial enrollment (or reenrollment) during the same 10-day testing window. 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.

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. 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.

Compliance is determined by the Spanish LAB answer document scan date, not the bubble date. 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 (SIFE)**

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 prior to 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 when the parent is asked to indicate prior schooling. Follow all of the same steps as outlined on the preceding pages 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 NYSED’s website for a full description of resources, guidance documents, and the SIFE identification tools. NYSED tools replace those that were previously available only to NYCDOE schools (LENS).

Initial SIFE status must be indicated in the DOE’s data collection systems (BNDC) no later than 30 days from initial enrollment (see page 50 for data entry directions). 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, go to https://intranet.nycboe.net/SpecialPopulations/ELL/Resources/SIFE.htm.

Step 7: Parent Selection and Program Placement

Parents 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 page 37), regardless of whether the preferred model is currently offered in the school.
• 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 13 languages). Attendance records, staff members present at the orientation, and languages used other than English must be recorded using existing procedures established in the school. During the orientation, schools also provide information on standards, curriculum, and assessments. The parent orientation session must also provide a high quality orientation section on the Common Core 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 contact the Translation and Interpretation Unit if they require an interpreter for any language that is not spoken by the school staff.

• After parents are informed of all three program models at the parent orientation, schools must provide parents with a Parent Survey & Program Selection Form (in the parents’ preferred language), where parents can indicate their program choice.
  - The parent must return the completed and signed form within 5 school calendar days. If the parent does not return the form within 5 school calendar days, the student must be placed in a bilingual program if one exists at the school; otherwise, the student is placed in ENL. The school must document and include attempts to gather initial parent selection preference; 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, that require the opening of a bilingual program, which are as follows:
      • In kindergarten to grade 8, 15 or more ELL students who speak the same language in one or two contiguous grades
      • In grades 9 to 12, 20 or more ELL students who speak the same language in one grade
  - Schools are responsible for entering parent choice as indicated on the Parent Survey & Program Selection Form in the designated screen in ATS (ELPC) within 20 school days of enrollment (30 days for students entering with IEPs). The parent’s first choice should be entered as noted on the selection form, regardless of

Helpful Hints: Parent Selection
• Once a parent has made the initial choice of ELL program, the selection must be entered into the ELPC screen in ATS within 20 school days (30 days for students with IEPs).
• Though it is discouraged, if a parent changes the ELL program selection, subsequent requests are entered into the BNDC screen in ATS.
whether that choice is currently offered at the school. For more information on the ELPC screen, see page 47.

- **Parent Survey & Program Selection 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 Selection Form can be provided to the parent upon request.

### Transfer Option

ELLs must be placed in the parents’ program of choice within 10 school calendar days of enrollment. If a parent chooses 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’s program choice is not currently available in the school, the school must inform the parent that the selection is not available at the school, 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 him/her; OR
  - Transfer the student to a different school where the parent’s selection is currently available. To do so, schools must submit an ELL transfer request on behalf of the student by taking all of the following actions:
    - Indicate that the parent has selected a bilingual program in the BNDC (see page 50) screen (if the BNDC screen indicates ENL as parent choice, the transfer request will not be accepted)
    - Submit the online **School Transfer Request form**
    - Obtain **family authorization** to request the transfer; and
    - Scan the completed **Family Authorization of Transfer Request (1st Authorization)** and send it to **ELLProgramTransfers@schools.nyc.gov**
    - If transfer is approved, notify the family using **Family Authorization of Transfer (2nd Authorization)** and begin the transfer
  - While the school awaits the transfer, the student should temporarily be placed in an ENL program in the school until the transfer is complete. Students placed in ENL due to the unavailability of bilingual programs at the current school count toward minimum thresholds for opening a bilingual program. See page 26 for more details on minimum thresholds.

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3 All steps in this process must be completed before a transfer can be approved.
4 These forms are available in 10 languages; see pages 103 and 104 appendix for English versions of the forms.
• Every effort should be made to ensure that parents complete the Parent Survey & Program Selection Form, and outreach attempts must be tracked and maintained at the school using existing procedures established within the school. While waiting for a parent to complete the form, the school should place the student in a bilingual program if available, or at a minimum, provide mandated ENL services based on the student’s proficiency level (see page 35 for more information).  

• Parent choice is recorded in the ELPC screen. Schools may not select “Parent did not return the survey” until the eighteenth school calendar day after initial enrollment.

• 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. See page 53 for information on retention of records.

Step 8: Student is Placed in 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 bilingual classes. The number of minutes of ENL per student is based on proficiency level and grade level. See page 35 for chart of mandated number of minutes of ENL. See page 51 for programming ENL and bilingual programs in STARS.

The ELL identification procedures outlined above must be completed within 10 school calendar days of enrollment or reentry (20 school days for students entering with IEPs), including placement in an ELL program, if applicable.

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.

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5 For tracking purposes, students without completed Parent Survey & Program Selection Forms should be recorded as "No Parent Survey & Program Selection Form" in ATS but should be counted as a selection for a bilingual program for the purposes of placement and program opening.
Step 9: Re-Identification of ELL Status

Beginning in the 2015-16 school year, 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 enrollment only) 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 calendar days of receipt of written notice; however, if the CSE must be consulted, the process must be completed within 20 school calendar days.

The Re-Identification Process consists of the following steps:

1. School receives written request to initiate the Re-Identification Process (e.g., parent writes letter to 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 in the home language.
4. School may administer the NYSITELL to the student if the original determination was that the student should not be administered the NYSITELL. Under no circumstances can the Re-Identification Process include a second administration of the NYSITELL.
5. School consults with parent or guardian.

Helpful Hints: Re-Identification of ELL Status Process

- Principals use the ROSA in ATS.
- Superintendents use the ROQA in ATS.
- Schools should establish protocols and assign qualified and trained staff to manage both the initial and Re-Identification Process.
- 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.
6. School conducts and reviews the results of a school-based assessment, administered by qualified personnel as defined by CR Part 154-2.2(u)\(^6\), of the student’s abilities in listening, speaking, reading and writing in English.

7. Appropriate staff consults with the Committee on Special Education (CSE) if the student is a student with 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 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.

**Step 10: Review of Re-Identification of ELL Status Reversal**

Between 6 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

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\(^6\) 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.
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’s decision is to reverse the ELL status, he/she must consult with the superintendent or his/her designee. Final decision notification must be in writing to the parent, guardian, and/or student in the parent’s preferred language within 10 school calendar 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 enrollment). 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.
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 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.

**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 2 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 in order to begin the process for a student.
On this screen, the superintendent (or designee) is able to 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 decision.

**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 page 58 for best practices). 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.

Schools must send Continued Entitlement Letters to parents of students who continue to be entitled to ELL services (based on the NYSESLAT). Letters should be sent to parents before the beginning of the school year but no later than September 15 of the school year in which the student continues to be entitled. Letters must be sent in the preferred language of the parent. Schools that receive articulating ELLs should review student records in order to provide program continuity (e.g., 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 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 in the child’s home language in the case of students enrolled in a bilingual education program. Such 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 Backpack Guide to the Common Core State Standards and the Parents’ Bill of Rights for New York State English Language Learners.

Proficiency Levels

Prior to the 2015-16 SY, ELLs were initially designated as beginner, intermediate, or advanced based on their outcomes on the NYSITELL, NYSESLAT, or LAB-R (prior to February 2014). Scoring at proficient level on these exams determined that the student was not an ELL. Proficiency levels were revised for the 2015-16 SY as follows:
## CR Part 154 Requirements for English as a New Language*, Grades K to 8

<table>
<thead>
<tr>
<th>Levels</th>
<th>Total # Minutes ENL</th>
<th>Breakdown of Total # Minutes ENL</th>
<th>Flexibility: Minimum # minutes standalone OR integrated ENL (with ELA or any other content area)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginner / Entering</td>
<td>360</td>
<td>180</td>
<td>0</td>
</tr>
<tr>
<td>Low Intermediate / Emerging</td>
<td>360</td>
<td>90</td>
<td>90</td>
</tr>
<tr>
<td>Intermediate / Transitioning</td>
<td>180</td>
<td>0</td>
<td>90</td>
</tr>
<tr>
<td>Advanced / Expanding</td>
<td>180</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Proficient / Commanding**</td>
<td>90</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*As per CR Part 154, integrated English as a new language shall mean a unit in of study or its equivalent in which students receive core content area (i.e., English language arts, math, science or social studies) and English language development instruction. Personnel qualified to teach Integrated English as a new language means a dually certified teacher, certified pursuant to CR Part 80, (i.e., English to speakers of other languages certification and content area certification) or a certified English to speakers of other languages teacher and a certified content area teacher, who co-teach a class.

## CR Part 154 Requirements for English as a New Language*, Grades 9 to 12

<table>
<thead>
<tr>
<th>Levels</th>
<th>Total # Minutes ENL</th>
<th>Breakdown of Total # Minutes ENL</th>
<th>Flexibility: Minimum # minutes standalone OR integrated ENL (with ELA or any other content area)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginner / Entering</td>
<td>540</td>
<td>180</td>
<td>180</td>
</tr>
<tr>
<td>Low Intermediate / Emerging</td>
<td>360</td>
<td>90</td>
<td>90</td>
</tr>
<tr>
<td>Intermediate / Transitioning</td>
<td>180</td>
<td>0</td>
<td>90</td>
</tr>
<tr>
<td>Advanced / Expanding</td>
<td>180</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Proficient / Commanding**</td>
<td>90</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**As per CR Part 154, students who reach the proficient/commanding level are former ELLs and entitled to at least a half unit of integrated ENL.
### Level of English Language Proficiency Level

<table>
<thead>
<tr>
<th>Level</th>
<th>Description ** of English Language Proficiency Level</th>
<th>ELL Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entering (Beginning)</td>
<td>A student at the entering level has 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).</td>
<td>This student is an ELL</td>
</tr>
<tr>
<td>Emerging (Low Intermediate)</td>
<td>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).</td>
<td></td>
</tr>
<tr>
<td>Transitioning (Intermediate)</td>
<td>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).</td>
<td></td>
</tr>
<tr>
<td>Expanding (Advanced)</td>
<td>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).</td>
<td></td>
</tr>
<tr>
<td>Commanding</td>
<td>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 his or her 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. If a student scores commanding on the NYSESALT, this is a student who has exited ELL status, and he or she is entitled to two years of former ELL testing accommodations and services and is designated a former ELL.</td>
<td>This student is NOT an ELL</td>
</tr>
</tbody>
</table>


### ELL/LEP Flag Indicators

The DOE utilizes a number of ELL/LEP flag indicators (in ATS and other data repositories) to indicate ELL status:

<table>
<thead>
<tr>
<th>ELL/LEP Code</th>
<th>ELL Status</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>E</td>
<td>Potential ELL</td>
<td>Student must take the NYSITELL. After 30 school calendar days, the student is no longer eligible to take the NYSITELL (unless for Re-Identification Process purposes) and must be served as an ELL. Parent notification letters must be sent. This student must take the NYSESALT in the spring.</td>
</tr>
<tr>
<td>Y</td>
<td>ELL</td>
<td>Student became an ELL as a result of taking the NYSITELL. School must administer the NYSESALT in order to determine continued ELL status. School must serve this student as an ELL.</td>
</tr>
<tr>
<td>P</td>
<td>Former ELL</td>
<td>This student was an ELL but tested out as per the NYSESALT 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).</td>
</tr>
<tr>
<td>ELL/LEP Code</td>
<td>ELL Status</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------</td>
<td>------------</td>
<td>------------</td>
</tr>
<tr>
<td>D</td>
<td>Never an ELL or Former ELL</td>
<td>Not an ELL as per English Language Acquisition Needs Determination (ELAND) process; this process was discontinued February 2015. Students whose ELL status was removed prior to the first eligible administration of the NYSESLAT are considered never ELLs; all others are former ELLs.</td>
</tr>
<tr>
<td>R</td>
<td>Never an ELL</td>
<td>This student is not an ELL and was never an ELL as a result of scoring proficient on the LAB, LAB-R, or NYSITELL.</td>
</tr>
<tr>
<td>NULL</td>
<td>Never an ELL</td>
<td>A student who was never evaluated for ELL identification because of a home language of English.</td>
</tr>
</tbody>
</table>

**ELL Programs Offered in New York City**

In New York City, there are three ELL programs offered to parents at the time of initial ELL identification:

- Dual language (DL)\(^7\)
- Transitional bilingual education (TBE)\(^6\)
- Freestanding English as a new language (formerly known as ESL)

**Transitional Bilingual Education**

Transitional bilingual education (TBE) programs are designed so that students develop conceptual skills in their home language as they learn English. All instruction is Common Core-aligned to accelerate student achievement.

As students (all ELLs) develop English language skills, time in the home language decreases. When ELLs reach commanding on the NYSESLAT, they are placed in a monolingual class in English with home language supports. Schools that offer this model must have a consistent plan for the use of

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\(^7\) As per CR Part 154, a bilingual education program [including DL and TBE] is a research-based program comprised of three components: (1) a language arts instruction component, including home language arts and English language arts; (2) an English as a new language component; and (3) a bilingual content area instructional component (i.e., math, science, and social studies).
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 (e.g., making sense of print, using writing to communicate, playing with language structure, developing vocabulary) are skills that a student can use for 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. At the entering level, TBE students are expected to receive 75% of instruction in their home language and 25% in English. As a student’s English proficiency increases, more of his or her 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. Also, 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 teachers face the additional challenge of gauging and

![TBE Language Allocation](image)
### Grades K to 8, CR Part 154-2, Transitional Bilingual Education Program

<table>
<thead>
<tr>
<th>ENGLISH PROFICIENCY LEVEL</th>
<th>ENTERING (Beginning)</th>
<th>EMERGING (Low Intermediate)</th>
<th>TRANSITIONING (Intermediate)</th>
<th>EXPANDING (Advanced)</th>
<th>COMMANDING (Proficient)</th>
</tr>
</thead>
<tbody>
<tr>
<td>STAND-ALONE ENL</td>
<td>1 unit of study in ENL (180 min.)</td>
<td>.5 unit of study in ENL (90 min.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INTEGRATED ENL</td>
<td>1 unit of study in ENL/ELA (180 min.)</td>
<td>1 unit of study in ENL/ELA (180 min.)</td>
<td>.5 unit of study in ENL/ELA (90 min.)</td>
<td>1 unit of study in ENL/ELA or other Content Area (180 min.)</td>
<td></td>
</tr>
<tr>
<td>FLEXIBILITY</td>
<td>.5 unit of study can be STAND-ALONE ENL or INTEGRATED ENL/Content Area (90 min.)</td>
<td>.5 unit of study can be STAND-ALONE ENL or INTEGRATED ENL/Content Area (90 min.)</td>
<td>.5 unit of study can be STAND-ALONE ENL or INTEGRATED ENL/Content Area (90 min.)</td>
<td>.5 unit of study per week of INTEGRATED ENL in ELA/Content Area, or other approved Former ELL services for two additional years*</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>360 minutes per week</td>
<td>360 minutes per week</td>
<td>180 minutes per week</td>
<td>180 minutes per week</td>
<td></td>
</tr>
<tr>
<td>HOME LANGUAGE ARTS</td>
<td>1 HLA Class</td>
<td>1 HLA Class</td>
<td>1 HLA Class</td>
<td>1 HLA Class</td>
<td></td>
</tr>
</tbody>
</table>

### BILINGUAL CONTENT AREA SUBJECTS

- Minimum of 2
- Minimum of 2
- Minimum of 1
- Minimum of 1

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**STAFFING/PERSONNEL**

- **K-8 BILINGUAL EDUCATION PROGRAM**
  - (K-6 Bilingual) Common Branch teacher with a bilingual extension
  - (7-8 Bilingual) Content Area teacher with a bilingual extension. [HLA must be taught by a certified Language Other Than English teacher.]

- **K-8 ENGLISH AS A NEW LANGUAGE PROGRAM**
  - (K-8 STAND-ALONE) ESOL certified teacher
  - (K-6 ENL) Common Branch K-6 teachers with a bilingual extension can teach the ENL component of a K-6 Bilingual Education program.
  - (7-8 ENL) Integrated ENL can be taught by an ESOL teacher with Content Area certification or two individually certified teachers.

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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 class, as defined by section 200.1(uu) of this Title. All programs must be provided during the school day.

*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.
<table>
<thead>
<tr>
<th>ENGLISH PROFICIENCY LEVEL</th>
<th>ENTERING (Beginning)</th>
<th>EMERGING (Low Intermediate)</th>
<th>TRANSITIONING (Intermediate)</th>
<th>EXPANDING (Advanced)</th>
<th>COMMANDING (Proficient)</th>
</tr>
</thead>
<tbody>
<tr>
<td>STAND—ALONE ENL</td>
<td>1 unit of study in ENL (180 min.)</td>
<td>.5 unit of study in ENL (90 min.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INTEGRATED ENL</td>
<td>1 unit of study in ENL/ELA (180 min.)</td>
<td>1 unit of study in ENL/ELA (180 min.)</td>
<td>.5 unit of study in ENL/ELA (90 min.)</td>
<td>1 unit of study in ENL/ELA or other Content Area (180 min.)</td>
<td></td>
</tr>
<tr>
<td>FLEXIBILITY</td>
<td>1 unit of study can be STAND—ALONE ENL or INTEGRATED ENL in Content Area (180 min.)</td>
<td>.5 unit of study can be STAND—ALONE ENL or INTEGRATED ENL/Content Area (90 min.)</td>
<td>.5 unit of study can be STAND—ALONE ENL or INTEGRATED ENL/Content Area (90 min.)</td>
<td></td>
<td>5 unit of study per week of INTEGRATED ENL in ELA/Content Area, or other approved Former ELL services for two additional years*</td>
</tr>
<tr>
<td>TOTAL</td>
<td>540 minutes per week</td>
<td>360 minutes per week</td>
<td>180 minutes per week</td>
<td>180 minutes per week</td>
<td></td>
</tr>
<tr>
<td>HOME LANGUAGE ARTS</td>
<td>1 HLA Course</td>
<td>1 HLA Course</td>
<td>1 HLA Course</td>
<td>1 HLA Course</td>
<td></td>
</tr>
<tr>
<td>BILINGUAL CONTENT AREA SUBJECTS</td>
<td>Minimum of 2</td>
<td>Minimum of 2</td>
<td>Minimum of 1</td>
<td>Minimum of 1</td>
<td></td>
</tr>
</tbody>
</table>

**ISSUANCE OF CREDITS**

**STAND—ALONE ENL**
Elective credit per successful completion of each corresponding STAND—ALONE ENL unit of study

**INTEGRATED ENL**
Content area credit per successful completion of each corresponding ENL unit of study in ELA, math, Science, or Social Studies

**HOME LANGUAGE ARTS**
Language Other Than English credit per successful completion of each corresponding HLA unit of study

**BILINGUAL CONTENT AREA**
Content area credit per successful completion of each corresponding Bilingual Content Area subject

**STAFFING/PERS One**

**BILINGUAL EDUCATION PROGRAM**
- (9-12) Bilingual Content Area teacher with a bilingual extension. [HLA must be taught by a certified Language Other Than English teacher.]

**ENGLISH AS A NEW LANGUAGE PROGRAM**
- (9-12) Stand-alone ESOL certified teacher
- (9-12) Integrated ENL can be taught by an ESOL teacher with Content Area certification or two individually certified teachers.

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 class, as defined by section 200.1(uu) of this Title. All programs must be provided during the school day.

*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.
instructing students with different proficiency levels in their home language as well as in English. See charts beginning on page 40 for more information on transitional bilingual education programs and State requirements.

**Dual Language**

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 ELL students in need of English language development and monolingual English-proficient students who are interested in learning a second 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 NYCDOE 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.

Dual language programs have a very clear language policy: students receive half of their instruction in English, and half of their instruction in the other/target language. Language is taught through content areas as well as through literacy. In dual language programs, the new language is often referred to as the target language (e.g., Spanish, Chinese, Russian). 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.

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

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**Highlights of a 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
- all content-area courses/subjects are taught in the home language and English
- a home language arts component designed to develop skills in listening, speaking, reading, and writing in the students’ home language while cultivating an appreciation of their history and culture
- 50% of the students are ELLs of the same home language; 50% of the students are not ELLs (former ELLs or never ELLs)
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.

**English as a New Language (formerly English as a Second Language)**

Freestanding English as a new language (ENL) programs provide instruction in English with home language support, emphasizing English language acquisition. Students in freestanding ENL programs can come from many different language backgrounds, and English may be the only common language among the students. As per CR Part 154, there are 2 types of ENL:

- **Stand-alone ENL** is instruction to develop English language skills so that students can succeed in core content courses. It is delivered by a certified ENL teacher. A student may not receive stand-alone ENL in lieu of core content area instruction.
- **Integrated ENL** is instruction to build English language skills through content area instruction. It is delivered by a dually certified teacher (ENL and a content area) or co-teaching by a certified ENL teacher and a certified content area teacher (i.e., English language arts, math, science, or social studies). Both methods of integrated ENL instruction include content area subject matter and English language development using ENL strategies. All ELLs and former ELLs up to 2 years after exiting ELL status must receive a minimum number of units of integrated ENL.

For more information on the different types of ENL, see page 35. For directions on programming ENL in STARS, see page 49.

At the secondary level, ENL is often departmentalized; however, at the elementary level, ENL can be delivered in the following 3 ways:

- **Push-in model**: an ENL teacher works with ELLs in collaboration with general education classroom teachers to provide language acquisition and vocabulary support. There is a common preparation time between the 2 teachers and/or prior collaborative lesson planning.
- **Pull-out model**: ELLs who spend the majority of their day in all-English content instruction are brought together from various classes for English-acquisition-focused instruction. ENL teachers need to plan carefully with general education teachers to ensure curricular alignment and continuity of instruction.
- **Self-contained model**: ELLs are grouped together in an ENL class, usually for the entire school day and for all content instruction.
New York City schools promote the push-in and self-contained models based on research that suggests that they are more effective than pull-out programs alone. According to Honigsfeld and Dove (2008), “An [ENL] program should enhance student understanding of English while learning classroom content, as well as offer English-proficient peers to serve as language models.” Push-in programs promote collaboration between the classroom teacher and the ENL teacher, decrease in-class instruction time loss, and decrease student travel time to and from the ENL classroom. School leaders and teachers in schools that are currently using a pull-out model should consider the staffing and professional development required to transition to either push-in programs or self-contained classes. Also, school leaders who use the pull-out model should allocate time for general education and ENL teachers to plan curricular alignment and instructional improvement for transitioning ELLs into a push-in model.

Providing a self-contained program in an elementary school requires a teacher who has dual certifications in ENL and common branches. This teacher must be able to use ENL strategies as well as provide the core content that elementary school students receive from self-contained common branch classroom teachers. Secondary school teachers need to be credentialed in the content area and have an ENL license. Such dually certified teachers can also provide the mandated integrated ENL units required for all ELLs. In a secondary school, the math, science, and social studies classes must be taught by a teacher credentialed in a content area in order for students to receive the proper credits for graduation. All teachers should be trained in ENL strategies. Therefore, principals interested in strong self-contained programs should seek an ENL teacher credentialed in a content area or a content teacher with an ENL license.

Instructional ENL methodologies and content-area expertise can complement one another to facilitate and accelerate both English language and content learning for ELLs. Also, ENL teachers may require professional development on differentiating instruction, especially since most classrooms are composed of students with varying levels of English proficiency and subject area expertise.

When planning for a strong 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 allows 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. Also, home
language resources (libraries, texts, technology, primary resource materials) available in the classroom and in the school’s library are additional resources that can accelerate learning.

Schools 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 freestanding ENL classes can group students who share a common language together for a home language arts class.

**Commonalities of ELL Programs**

Though the goals of the models of instruction for each program type described above vary to meet the diverse needs of students as well as honor parent selection, there are some common elements. For example, in addition to meeting all mandates outlined in CR Part 154, all program models must be aligned to the Common Core State Standards and to the NYSED’s *Blueprint for ELL Success* (see page 97).

English as a new language is provided in all three models. Beginning in the 2015-16 school year, 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 (i.e., English language arts, math, science, or social studies) and English language development instruction. There cannot be more than 2 grades within one classroom (unless the student has an IEP).

The 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 page 35 for number of units of ENL for ELLs at different levels of proficiencies and grades.

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 his/her students in his/her bilingual classroom

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

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

**ELL Subgroups**

**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 freestanding English as a new language program, for a total of zero (0) to three (3) continuously enrolled school years in the United States. 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 freestanding English as a new language program, for a total of four (4) to six (6) continuously enrolled school years in the United States.

**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 freestanding English as a new language program, for seven (7) or more continuously enrolled school years in the United States.

**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 prior to arrival in the United States. Once a SIFE student 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 page 24 for identifying SIFE. See page 50 for entering data into the BNDC screen.
**ELLs with Disabilities**

These are ELLs who are served by an Individualized Education Program (IEP). 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 who are also students with disabilities (SWD) receive accommodations that apply both to ELLs and SWDs, as appropriate. ELLs with disabilities are not exempted from the NYSESLAT, and may use the test modifications and accommodations as detailed on their IEP when taking the NYSESLAT (and as permitted in the School Administrator’s Manual for the test). ELL status cannot be the determinate factor for special education eligibility. Response to Intervention (RTI) approaches should be applied to ELL students who enter with lower levels of proficiency in the home language, or if anticipated progress is not noted after a reasonable time period.

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 *Standard Operating Procedures Manual* of the NYC Department of Education. ELLs with disabilities 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 Committee for Special Education during IEP meetings.

**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 is 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 page 60). For ELL exit criteria, see page 53.

**Required ELL Data Recording and Reporting**

In order to meet federal, state, and local reporting requirements, schools must report on ELL identification, services, and parent choice. 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 that a clerical error is committed, schools should correct the data immediately. For further questions on data entry and addressing clerical errors, contact the school’s senior ELL CPS.

**ELL Parent Choice Update Screen (ELPC)**

The *initial* parent choice is recorded in the ELL Parent Choice Update screen (*ELPC*) in ATS. After the initial parent choice is documented in ELPC, parents may change their choice at any time by writing to the principal or designee. All subsequent changes to parent choice, after
capture of initial parent choice, can be made on the **BNDC** screen. The Parent Survey and Program Selection Form must be completed and placed in the student’s cumulative folder (along with any subsequent written consent to change ELL program choice).

The DOE monitors implementation of the required ELL program parent choice process. The ELPC screen was created in ATS for schools to record the initial ELL program parent choice 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 an 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 calendar days to identify ELLs, 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 calendar days to complete the ELPC screen. Since only ELLs must have a parent choice and ELL status is determined by a valid NYSITELL score, any parent choice provided without the supported assessment data will be considered out of compliance.

There are 4 questions on the **ELPC** screen:

1. Was this student identified as an ELL based on the NYSITELL cut score? (Y/N)
2. 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 parent did not come to parent orientation
   - I=Offered at IEP meeting
3. What was the parent choice of ELL programs? (E, B, D)
   - E=ENL/ESL
   - B=TBE
   - D=Dual Language
   - N=Parent did not return survey (denotes a bilingual program by default)
4. In what ELL program was the child placed: (E, B, D):

For further information on the ELPC, refer to the DOE’s [wiki page](#).
Was this student identified as an ELL based on the ITEL cut score? (Y/N): N

If the student was identified as an ELL, enter the next three questions.

Was the parent provided an orientation explaining the three ELL programs offered in NYC? (Y, O, I, N) : _

What was the parent choice of ELL programs? (E, B, D, N) : _

Enter E=ESL, B=TBE, D=Dual Lang, or N=No Parent Survey Returned

In what ELL program was the child placed: (E, B, D) : _

Enter E=ESL, B=TBE, or D=Dual Language

Make changes to this data and press F2 to save

F1/Help  F2/Save  F3/Quit-return  F4/Lookup  F5/Print  F6/
F7/  F8/  F9/Refresh  F10/Lepflg=e,y  F11/  F12/Exit
BNDC for SIFE Determination and Paraprofessional Services

The BNDC serves 3 functions:

1. Determination of SIFE status
2. Number of paraprofessionals working under ENL and/or bilingual teachers
3. Initial parent choice of ELL program is entered in the ELPC screen (see page 25); however, subsequent changes to parent choice are entered into the BNDC screen.

After schools determine SIFE status, the decision is entered into the BNDC screen. For information on SIFE and determination criteria, see page 24.

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 special education 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.
STARS: ENL

See the NYCDOE Wiki for the latest information on programming ENL in STARS.

STARS: Bilingual Programs

See the NYCDOE Wiki for the latest information on programming dual language and transitional bilingual education programs in STARS.

Comprehensive Education Plan—LAP, Title III Plans, and Translation / Interpretation Plans

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 Comprehensive Educational Planning Memorandum.

There are 3 ELL-related sections of the CEP:

- **Language Allocation Policy** (LAP)
- **Title III Plans**
- **Translation and Interpretation Plans**

The LAP is a systemic plan for language development which guides programmatic and curricular decisions for students until they acquire academic proficiency in English. It is a school-originated document submitted every 2 years in consultation with all 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 ELLs within a school are detailed within the document. The document describes the various program models (dual language, transitional bilingual education, and freestanding 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 form used to complete the LAP and LAP resources are available on the DOE’s website.
The Title III Limited English Proficient (LEP) supplemental program is provided through federal funds supported by the No Child Left Behind Act. 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 2 years and 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:

- 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
- High quality professional development that is of sufficient intensity and duration to have a positive and lasting impact on the teachers’ performance in classrooms
- 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 DOE’s website.

The Language Translation and Interpretation plan is a document which must be submitted every 2 years. This plan is put in place to assist schools in communicating with their non-English speaking parents in their preferred languages in order to support shared parent-school accountability, parent access to information about their children’s educational options, and parents’ capacity to improve their children’s achievement. This plan is based on the number of ELLs as well as how many different languages are present within a school. School allocations are announced annually in the respective school allocation memorandum, which is available on the DOE’s website.

It is important to note that a student’s home language code is not necessarily the same as the parent’s preferred language. The Translation and Interpretation Unit and the school’s designated language access coordinator can be used as resources to assist with parent communication. For more information, e-mail translations@schools.nyc.gov or visit the unit’s intranet site.
Exiting ELL Status ("Testing Out")

Beginning in the 2015-16 SY, there are multiple ways for students to test proficient and no longer be considered ELLs:

1. Score at “proficient/commanding” level on the NYSESLAT.
2. Score at “advanced/expanding” level on the NYSESLAT AND level 3 or 4 on the grades 3 to 8 NYS ELA exams
3. Score at “advanced/expanding” 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 (e.g., 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:

- A half unit of ESL/ENL or services that monitor and support the student’s language development and academic progress
- ELL testing accommodations (see page 60)

Schools must send Non Entitlement/Transition Letters to parents of students who have exited ELL status. These letters are available online. Letters should be sent to parents before the beginning of the school year but no later than September 15 of the school year in which the student is no longer entitled. Letters must be sent in the preferred language of the parent.

Retention of Records

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.

Additionally, schools are encouraged to maintain an 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 the following:

- Dated and signed copies of each student’s
  - Home Language Identification Survey
  - Parent Survey and Selection Form
  - Program Placement Letter
  - Entitlement letter (newly identified ELLs)
  - Continued entitlement letter (continuing ELLs)
  - Non entitlement letter
  - Language Proficiency Team NYSITELL Determination Form

These and other documents can be downloaded from the DELSS’ website.

**ELL Assessments**

**Required ELL-Related Tests**

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 entrants and reentrants (see page 28 for more information on reentry). There are 5 levels, the last of which indicates the student is not an ELL. For more information on the proficiency levels, see page 35.

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 in 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 SED’s [website](#) for additional guidance regarding the NYSITELL assessments.

The table below shows the eight NYSITELL levels and identifies which level is administered to each new entrant, depending upon the grade in which the student is enrolling and the date on which the test administration begins.
<table>
<thead>
<tr>
<th>Level</th>
<th>Grade in which student is enrolling</th>
<th>Dates on which test will be administered</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Grade K</td>
<td>June 1 – January 31</td>
</tr>
<tr>
<td>II</td>
<td>Grade K, Grade 1</td>
<td>February 1 – June 30, July 15 – January 31</td>
</tr>
<tr>
<td>III</td>
<td>Grade 1, Grade 2</td>
<td>February 1 – June 30, July 15 – January 31</td>
</tr>
<tr>
<td>IV</td>
<td>Grade 2, Grade 3</td>
<td>February 1 – June 30, July 15 – January 31</td>
</tr>
<tr>
<td>V</td>
<td>Grade 3, Grade 4</td>
<td>February 1 – June 30, July 15 – June 30</td>
</tr>
<tr>
<td>VI</td>
<td>Grades 5 – 6</td>
<td>July 15 – June 30</td>
</tr>
<tr>
<td>VII</td>
<td>Grades 7 – 8</td>
<td>July 15 – June 30</td>
</tr>
<tr>
<td>VIII</td>
<td>Grades 9 – 12</td>
<td>July 15 – June 30</td>
</tr>
</tbody>
</table>

NOTE: The Level I test may be administered during the month of June only to those new entrants who will not begin kindergarten until September.

The Level II test must be administered to any new entrants who are enrolling in kindergarten for the current school year at any time between February 1 and June 30. The testing of new entrants 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 prior to 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 the month of 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 SED’s website on the NYSITELL.

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 in order 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 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 NYSESLAT Parent Information Brochure to parents of ELLs (in their preferred language) prior to the administration of the NYSESLAT.

In the event that 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.

For a list of NYSESLAT administration best practices, see page 58.

The Spanish LAB is administered to all new entrants 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 page 24.

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.

The El Examen de Lectura en Español (ELE) is administered to all students in grades 3 to 12 in Spanish transitional bilingual education and dual language programs. English-proficient students in Spanish DL programs should also take the ELE. It is designed to assess students’ literacy achievement in Spanish. This exam is administered one time in mid-May. See the DOE’s testing calendar for specific dates and times.

**Optional ELL-Related Tests**

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 English language learners 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 ELL students 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 assessment website or contact the borough assessment implementation director.
Helpful Hints: NYSESLAT Administration Best Practices Overview

Schools must administer the New York State English as a Second Language Achievement Test (NYSESLAT) to all English language learners annually to measure progress in English language acquisition and to determine continued eligibility for ELL services for the following year. In order for students to receive a valid score, schools must administer all sections (speaking, reading, listening, and writing) of the NYSESLAT to students.

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:

**Step 1: Identify Eligible Students**

- Print out the RLER report from ATS for a list of NYSESLAT-eligible students. Note the number of NYSESLAT-eligible students at your school.
- Identify any NYSESLAT-eligible students who have long-term absences and call their parents to ensure students are present during scheduled exam times.
- Upon receipt of your NYSESLAT materials count the number of booklets and answer documents; for information on when materials should arrive.
  - If you do not have sufficient numbers of materials, contact your Borough Assessment Implementation Director (BAID).
- Schools are encouraged to send the NYSESLAT Parent Information Brochure to parents of ELLs (in their preferred language) prior to the administration of the NYSESLAT.

**Step 2: Administer All Subtests of the NYSESLAT during the Administration Window and Track Student Completion**

- Note that staff administering the NYSESLAT are not required to hold a bilingual or ENL license but must be able to carry out standard examination procedures and must have been trained in administering the NYSESLAT.
- To administer the speaking subtest during the administration window, do the following:
  - Assign a sufficient number of staff and adjust your school schedule as necessary to ensure that you are able to administer to all NYSESLAT-eligible students the speaking subtest during the administration window.
- To administer the reading, listening, and writing subtests during the administration window, do the following:
  - Note that there are only 10 school days during which you may administer the non-speaking subtests; plan accordingly.
  - Assign a sufficient number of staff and adjust your school schedule as necessary to ensure that you are able to administer to all NYSESLAT-eligible students the reading, listening, and writing subtests.
- Track completion and ensure students who were not present during times originally scheduled have opportunities to complete the NYSESLAT.

**Step 3: 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 promotional decisions.

**Q and A on Special Circumstances**

1. Q: What should I do with answer documents for students enrolled in GED/TASC programs?
   A: These students do not need to be tested and no answer document needs to be submitted. The answer documents should be retained at the school and sent for secure shredding in September.

2. Q: What should I do with answer documents for students who went through the ELAND review process and are now not ELLs?
   A: If the student is no longer classified as an ELL based on an ELAND review, they do not need to submit an answer document. The answer documents should be retained at the school and sent for secure shredding in September.

3. Q: 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?
   A: They do not need to submit an answer document. The answer documents should be retained at the school and sent for secure shredding in September.

4. Q: On what grade should NYSAA students be administered the NYSESLAT?
   A: For NYSESLAT administration purposes, NYSAA students are considered ungraded. Therefore, the grade bubbled in on the answer document should be based on the NYSAA Birthdate Chart.

5. Q: What should I do with answer documents for NYSAA students who are unable to respond to any questions?
   A: Blank answer documents still need to be sent. Schools are encouraged to have students respond to at least one or more questions, to the extent possible, in order to obtain a valid test score.

6. Q: What should I do with answer documents for NYSAA students who need a new answer document because, based on the NYSAA Birthdate Chart, will take the NYSESLAT in a different grade band?
   A: The school should make a new answer document and send the new answer document in for scanning. The preslugged answer documents should be retained at the school and sent for secure shredding in September. Note: the grade will not be bubbled in for District 75 pre-slugged answer documents. Schools must bubble in grade on all answer documents.

For general information about administering the NYSESLAT, including rubrics, see the NYSESLAT School Administrator’s Manual. For information on NYC-specific administration and scoring procedures, see the NYSESLAT memo. For questions regarding NYSESLAT administration or materials, contact your BAID. For
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 in lieu 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.8

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 prekindergarten to grade 8 or ungraded elementary are counted toward this 12-month exemption window.

Examples:

1. An ELL student 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 student 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 the month of 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 most suitable and beneficial (will 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.

Schools may provide testing accommodations to ELLs, as needed, on all NYS ELA and content-area assessments (i.e., mathematics, science and social studies). Schools must make all necessary arrangements to make these accommodations available for ELLs who need them. A list of NYS-approved accommodations may be found in the School Administrator's Manual (SAM) for each respective test.

Testing accommodations for ELL students on the NYS ELA and content-area assessments include the following:

- **Time extension (all exams):** Schools may extend the test time for ELL students on NYS ELA and content-area assessments and on 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 ELL students. 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 ELL students. 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 on the Regents Comprehensive Examination in English.

• Bilingual dictionaries and/or glossaries: ELLs may use bilingual glossaries when taking State examinations in all subjects except 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 downloading.

• 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 ELL students 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 prior to administration.

• Writing responses in the home language are not allowed for English Language Arts examinations. ELL students making use of alternative language editions or of 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.

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 a 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
- 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 (e.g., Academic Intervention Services) the school is already providing to all students. There are RTI resources for ELL educators on the DELLSS’ website.

**Professional Development**

Each school must provide professional development to all teachers and administrators that specifically addresses the needs of English language learners. A minimum of fifteen percent (15%) of the required professional development hours for all teachers 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, 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 to 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 Promotion 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 Credit FAQs 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 9th grade school year.

However, in special circumstances, an ELL can be placed in a cohort other than his or her 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 NYCDOE high school based on his or her 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 his or her ninth grade entry year due to error (e.g., 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 prior to 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 prior to his or her ninth grade entry year, provided that:
  - The student has never had such a request granted before;
  - The student was newly arrived to the United States in his or her first year of high school and placed directly into ninth grade;
  - The student is in exactly his or her second year of enrollment in high school;
  - The student is an English language learner and has a low level of literacy in his or her 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 (i.e., “closed cohorts”). See the Graduation Accountability FAQ 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. ELL students 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 Overview of Appeals to Graduate with Low Scores on Regents Examinations document and other pertinent documents on the DOE’s Teaching and Learning website.
Appendix

Language Proficiency Team 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 (see page 22). If the final decision is to administer the NYSITELL, print the NYSITELL answer document through the RLBA function in ATS (see page 23).

Student’s First Name: _______________ Student’s Last Name __________________________

DBN: ______________ Date of Initial Enrollment/Reentry: ________________________

Principal’s Name: _________________________________________

Names and Titles of Language Proficiency Team:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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: ______________________________
Date sent to Principal: ________________________________

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: _________________________
Principal’s Signature: __________________________________
Date sent to Superintendent: _____________________________
Date of letter sent to parent notifying parent of status: __________

Superintendent Determination (check one)

- □ Student should take the NYSITELL
- □ Student should not take the NYSITELL

Date of Superintendent Determination: ______________________
Superintendent’s Signature: ______________________________

Date of final status notification sent to parent: ______________
Date entered into ELLO screen (in ATS): ____________________
Code entered into ELLO screen (check one): □ A □ B □ C □ D
**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. Some of the characteristics are listed in the table below:

<table>
<thead>
<tr>
<th>Behaviors Associated with Learning Disability</th>
<th>Behaviors Related to Acquiring a Second Language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Difficulty following directions</td>
<td>Difficulty following directions</td>
</tr>
<tr>
<td>Difficulty with phonological awareness</td>
<td>Difficulty distinguishing between sounds not in native language</td>
</tr>
<tr>
<td>Slow to learn sound-symbol correspondence</td>
<td>Confusion with sound-symbol correspondence when different than in native language; difficulty pronouncing sounds not in native language</td>
</tr>
<tr>
<td>Difficulty remembering sight words</td>
<td>Difficulty remembering sight words when word meanings not understood</td>
</tr>
<tr>
<td>Difficulty retelling a story in sequence</td>
<td>May understand more than able to convey in English</td>
</tr>
<tr>
<td>Confused by figurative language</td>
<td>Confused by figurative language in English</td>
</tr>
<tr>
<td>Slow to process challenging language</td>
<td>Slow to process challenging English</td>
</tr>
<tr>
<td>May have poor auditory memory</td>
<td>May have poor auditory memory in English</td>
</tr>
<tr>
<td>May have difficulty concentrating</td>
<td>May have difficulty concentrating</td>
</tr>
<tr>
<td>May seem easily frustrated</td>
<td>May seem easily frustrated</td>
</tr>
</tbody>
</table>
New York State Transfer ELL Data Request Form

As per CR Part 154, for students coming from a NYS public school (outside of the NYCDOE), upon enrollment, the DOE school must contact the sending NYS public school to obtain home language designation, NYSITELL (or LAB-R) and NYSESLAT results. These data and related documents must be placed in the student’s cumulative folder and inputted into designated ATS screens. The data request must be made for any student entering a NYCDOE school (grades K to 12) who has been enrolled in a NYS public school within the previous 2 years. See page 24. Send this completed form to ELLTransfersNYS@schools.nyc.gov.

<table>
<thead>
<tr>
<th>Current DOE School:</th>
<th>Contact Person at Current DOE School:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of NYS School District that was contacted:</td>
<td>Date Received this information from the NYS public school:</td>
</tr>
<tr>
<td>Name, title, and phone number of NYS school district contact person:</td>
<td></td>
</tr>
<tr>
<td>Name of Student:</td>
<td>Date of Birth:</td>
</tr>
<tr>
<td>Student ID:</td>
<td>Current Grade:</td>
</tr>
<tr>
<td></td>
<td>SIFE status: □ Yes □ No</td>
</tr>
</tbody>
</table>

Which program was the student served in while in the last NYS public school?

- □ Freestanding ENL
- □ Dual Language
- □ Transitional Bilingual Education
- □ Student is not an ELL

Which program did the parent select while in the last NYS public school?

- □ Freestanding ENL
- □ Dual Language
- □ Transitional Bilingual Education
- □ Student is not an ELL

<table>
<thead>
<tr>
<th>Most Recent Overall Proficiency Level</th>
<th>Most Recent Test Date</th>
<th>Tested Grade (the grade the student was in when this test was administered)</th>
<th>Total Score</th>
<th>Reading Score</th>
<th>Writing Score</th>
<th>Speaking Score</th>
<th>Listening Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAB-R</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NYSITELL</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NYSESLAT</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Additional information / comments:
Parent Notifications, Letters, and Forms

All of the following documents and their corresponding translated versions can be downloaded at http://intranet.nycboe.net/SpecialPopulations/ELL/Resources/ParentLetters.htm.

The New York City Department of Education
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 FOR 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:

<table>
<thead>
<tr>
<th>Last, First Name</th>
<th>Title</th>
<th>Last, First Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If an interpreter other than the above pedagogue(s) is used, print full name and title or relationship to student, if applicable.

<table>
<thead>
<tr>
<th>Last, First Name</th>
<th>Title/Relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

□ 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.

<table>
<thead>
<tr>
<th>Last, First Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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? (OTELE Code must be other than "NO")

□ YES □ NO
The New York City Department of Education
Parent/Guardian Home Language Identification Survey

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.

<table>
<thead>
<tr>
<th>1. What language(s) does the child understand?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ English ☐ Specify other language(s): __________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. What language(s) does the child speak?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ English ☐ Specify other language(s): __________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. What language(s) does the child read?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ English ☐ Specify other language(s): __________ ☐ Does not read</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. What language(s) does the child write?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ English ☐ Specify other language(s): __________ ☐ Does not write</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. What language is spoken in the child's home or residence most of the time?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ English ☐ Specify other language(s): __________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6. What language does the child speak with parents/guardians most of the time?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ English ☐ Specify other language(s): __________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7. What language does the child speak with brothers, sisters, or friends most of the time?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ English ☐ Specify other language(s): __________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8. What language does the child speak with other relatives or caregivers (e.g., babysitters) most of the time?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ English ☐ Specify other language(s): __________</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>1. Is this the first time the child has attended a school in the United States?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Yes ☐ No If NO, answer questions below:</td>
</tr>
</tbody>
</table>

  * 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.

<table>
<thead>
<tr>
<th>2. Has the child attended school in another country?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Yes ☐ No If YES, answer questions below:</td>
</tr>
</tbody>
</table>

  * Where did he/she go to school?
  * How long did he/she attend school?
  * Which language was used for instruction?

<table>
<thead>
<tr>
<th>3. Did the child participate in any group experience prior to entering school (e.g., daycare, pre-school)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Yes ☐ No If YES, what language was used?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Does the child use any other form(s) of communication, such as American Sign Language or Augmentative Communication Device (e.g., communication board-manual/electronic)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Yes ☐ No If YES, specify:</td>
</tr>
</tbody>
</table>

PART 3. PARENT INFORMATION Responses to these supplementary questions will be used so that the NYC Department of Education can communicate with you in the language of your 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/Guardian Signature ____________________________ Date __________
HLIS Individual Interview Sample Questions

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?
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?
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?
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?
ENTITLEMENT LETTER

[SCHOOL LETTERHEAD]

[DATE]

Dear Parent/Guardian:

At registration, you completed a Home Language Identification Survey (HLIS) for your child, [Student’s name and OSIS number]. Based on your responses to the survey questions and an interview with you and your child, your child was administered the New York State Identification Test for English Language Learners (NYSITELL) to determine his or her level of English proficiency. Your child scored at [Insert proficiency level] level on the NYSITELL, entitling him/her to receive services as an English Language Learner (ELL) in one of the following ELL programs offered within the NYC public schools system.

**Dual Language (DL) programs** provide instruction in two languages, to develop bilingualism and biliteracy in both languages. Students become proficient in reading, writing, and speaking in English and in the target language of the program (e.g., Spanish, Chinese). The DL model used is based on student demographics in the school and district; however, ELLs receive priority enrollment. The amount of instructional time dedicated to each language can vary by model and school.

**Transitional Bilingual Education (TBE) programs** provide instruction in English and the students’ native languages to develop English proficiency, by gradually reducing the amount of instruction in the native language. Schools provide English Language Arts (ELA), Home Language Arts (HLA), and subject area classes in the students’ native languages and English. As students develop English proficiency, time spent learning in English increases and home language instruction decreases.

**Freestanding English as a New (Second) Language (ENL/ESL) programs** are offered in all New York City public schools and are taught in English to develop English proficiency in reading, writing, speaking and listening. ENL/ESL programs may vary. ELLs in this program receive their ENL/ESL as both standalone ENL/ESL classes and through subject areas that incorporate ENL/ESL instruction and support called integrated ENL/ESL (e.g., science).

You are invited to a Parent Orientation meeting on [Date] at [time], at which time you will view an informative video further explaining the above programs. You will have the opportunity to ask questions in order to help you make an informed decision about the program of your choice.

After the orientation, you will be asked to fill out a Parent Survey and Program Selection Form indicating program choices for your child in order of preference. You will indicate your first, second, and third preferences of program, regardless of current availability at your child’s school. We will make every effort to honor the first choice you select for your child. If you choose a Transitional Bilingual Education program (TBE) or Dual Language (DL) program that is not available at your school, you may transfer your child to another school in the district that has such a program (pending seat availability). Please note that according to New York State’s Commissioner’s Regulations Part 154, at a minimum, your child must participate in an ENL/ESL program.
ENTITLEMENT LETTER

The program you choose for your child will be for the entire 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 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.

If you feel your child’s ELL status should be reviewed and/or reassessed, contact [Person’s name] at [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.

We are looking forward to a productive year with your child in our school. If you have any questions or concerning your child’s program options please contact [Person’s name] at [Number].

Sincerely,

[Principal’s name]
CONTINUED ENTITLEMENT LETTER

[SCHOOL LETTERHEAD]

[DATE]

Dear Parent/Guardian:

This spring, your child, [Enter student’s full name and OSIS number] was administered the New York State English as a
Second Language Achievement Test (NYSESLAT) to determine his or her English language proficiency level. According to the
test results, your child continues to be entitled to receive support in the acquisition and development of academic English and
subject areas through one of the three ELL programs:

- Dual Language (DL)
- Transitional Bilingual Education (TBE)
- Freestanding English as a New/Second Language (ENL/ESL)

Your child is currently placed in the school’s ________________ program.

You have the right to request a change of ELL program on behalf of your child. However, studies show that students who
remain in the same program from year to year are more academically successful than those who alternate between different
programs. If you are interested in changing your child’s current ELL program or have any questions, please call [SCHOOL
CONTACT] for information at [PHONE NUMBER].

We look forward to supporting your child as he/she continues to develop his/her English language skills.

Sincerely,

[PRINCIPAL’S Name and signature]

Please acknowledge receipt of this letter by signing below and returning it to your child’s teacher.

________________________________________
Child’s first and last name

________________________________________
Parent/Guardian signature

Date
[DATE]

Dear Parent/Guardian:

As an English Language Learner (ELL), your child, [CHILD’S NAME], participated in a program to accelerate English language development. This spring your child was tested using the New York State English as a Second Language Achievement Test (NYSESLAT) to determine his or her English language proficiency.

Your child received a score indicating that he/she is considered English proficient and is no longer an ELL. Your child is eligible to receive transitional services to support and monitor his/her language development and academic progress, which includes 90 minutes of English as a new language (formerly English as a second language or ESL) per week. Your child is still eligible for certain specified testing accommodations. These transitional services will be in place for up to two (2) school years starting with the school year after your child was determined to be proficient on the NYSESLAT. If your child has been in a Dual Language program he/she will remain in that program now as an English proficient member of the class.

Should you have any questions regarding other English language development transitional services for your child, please contact [SCHOOL CONTACT] at [CONTACT PHONE NUMBER].

Sincerely,

[PRINCIPAL’S NAME]
# PARENT SURVEY AND PROGRAM SELECTION FORM

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 necessary to select the appropriate ELL program for your child as you make your selection (see page two). Please fill out the form completely and return it to [name and title of person] at your school.

<table>
<thead>
<tr>
<th>Question #</th>
<th>Please answer the following questions</th>
</tr>
</thead>
</table>
| 1 | Did you receive information on the Dual Language, Transitional Bilingual Education and Freestanding English as a New/Second Language (ENL/ESL) programs available in your child’s school and/or other schools in the district?  
- □ Yes  
- □ No  
  **If YES, please answer the following:**  
  How was the information presented?  
  - □ School orientation  
  - □ Phone call  
  - □ District orientation  
  - □ One-on-One Meeting  
  - □ Other (please explain):  
  **If NO, please answer the following:**  
  What was the reason for not receiving the information?  
  - □ It was never offered.  
  - □ It was offered but I could not attend.  
  - □ Other reason (please explain):  
  __________________________________________________________________________  
  Was a make-up session offered?  
  - □ Yes—a make-up session was offered to me  
  - □ No—a make-up session was not offered to me  |
| 2 | Did you view the parent orientation video in your preferred language of communication?  
- □ Yes  
- □ No  
  If you did NOT view the parent orientation video, receive oral information and/or printed materials in your preferred language of communication, 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 entitled 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/ESL program?  
- □ Yes  
- □ No  |
| 6 | Were you informed that your child’s placement is for the entire school year?  
- □ Yes  
- □ No  |
<table>
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<tr>
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</table>
| 7 | Were you informed that staying in the same program that you select until your child is no longer entitled to receive services will 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 |

**PROGRAM SELECTION:**

Student’s Last (FAMILY) Name ____________________________  
Student’s First Name ____________________________

Date of Birth ____________________________

Grade ____________________________  
Class ____________________________

Please put program choices in order of preference:  
Indicate your first choice (the program you prefer most) with the number 1. Indicate your next choice with number 2. Indicate your third choice with number 3.

- ☐ Dual Language  
- ☐ Transitional Bilingual Education  
- ☐ Freestanding English as a New Language/English as a Second Language (ENL/ESL)

☐ I understand that if I do not make a program selection, or if I do not return this form by the date indicated below, my child may be placed in a bilingual program (DL or TBE). If there are sufficient numbers of students in my child’s school to do so. Otherwise, my child will be placed in a Freestanding English as a New/Second (ENL/ESL). I also understand that my program selection may not be available at this school. If this occurs, my child will be placed in an ENL/ESL program. I understand that I am encouraged to keep my child in the same program for the entire year and time as an ELL; however, if my child is placed in ENL/ESL, I still have the right to change my selection to a bilingual program.

Parent/Guardian Name ____________________________

Address (with apartment #) ____________________________

Daytime Telephone Number ____________________________  
Evening Telephone Number ____________________________

Signature ____________________________  
Date ____________________________

Please return this form by ______________ to ______________
PLACEMENT LETTER

[SCHOOL LETTERHEAD]

[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, [CHILD’S NAME] has been placed in a [PROGRAM NAME] program. Participation in this program will be for the entire [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 [CONTACT NAME] at [CONTACT INFORMATION].

Sincerely,

[PRINCIPAL’S NAME]
DEFAULT PROGRAM PLACEMENT LETTER/LETTER NOT RETURNED FROM PARENT

[School Letterhead]

[DATE]

Dear Parent/Guardian,

Recently you were 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)
- Freestanding English as a New/Second Language (ENL/ESL)

You were asked to return the form to [Person’s name] by [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 [Student’s name] has been placed in [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/ESL, 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 cde 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 [Person’s name] at [Number].

Sincerely,

[Name and Title]

[Signature and date]
NON-ENTITLEMENT after NYSITELL

Dear Parent/Guardian:

At registration, you completed a Home Language Identification Survey (HLIS) for your child. Based on your responses to the survey questions and an interview with you and your child, your child was administered the New York State Identification Test for English Language Learners (NYSITELL) to determine his or her level of English proficiency. Your child scored at the COMMANDING level on the NYSITELL; as a result, your child is not entitled to receive services as an English Language Learner (ELL).

If you feel 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.

We are looking forward to a productive year with your child in our school. If you have any questions concerning your child’s program options please contact at

Sincerely,
Suggested Helpful Hints and Next Steps for School Leaders and Staff Members

The guidelines below are based on the English Language Learner Policy and Reference Guide, 2016-17. The purpose of these guidelines is to provide an overview of the amended New York State Commissioner’s Regulations (CR) Part 154 which establish the legal requirements for the education of ELLs in NYS and provide suggestions for planning high-quality services and support for your ELLs. This document does not constitute a policy or directive of the Chancellor or the Department of Education but is designed to offer best practices for schools to meet the requirements of CR Part 154.

<table>
<thead>
<tr>
<th>Topic</th>
<th>New CR Part 154</th>
<th>School Leaders</th>
<th>School Staff Members</th>
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</table>
| ELL Identification  | Administer Home Language Identification Survey to new NYS admits in grades K to 12 as well as those who have not been in a NYS public school for 2 or more years. Students who have not been in a NYC or NYS public school for 2 or more continuous years are eligible to go through ELL identification process again. | • Assign qualified staff member to conduct research and collect documentation to determine eligibility for HLIS  
  o ATS  
  o Academic history  
  • Ensure licensed/trained pedagogue has ATS access to insure accuracy | • Licensed & trained pedagogue (e.g., ENL teacher) administers HLIS  
  • Complete form and submit to have non-DOE scores and ELL information entered into ATS |
| ELL Identification  | Determine home language based on HLIS results, which include an interview with the student and parent in the language of preference (mandated in CR Part 154). | • Ensure appropriate interpretation services are provided  
  • Assign pedagogical staff to be available for the administration of the HLIS | • Pedagogue conducts interview and reviews HLIS & student records/documents  
  • Inputs OTELE code in ATS  
  • Maintain appropriate records  
  • Maintain list of staff who are bilingual and can provide interpretation assistance as necessary |
| ELL Identification  | Administer the NYSITELL to only those students whose home language is not English and who are eligible to take the NYSITELL. (A more in-depth interview and review of work will be conducted to determine NYSITELL-eligibility.) | • Order NYSITELL test through NYSED portal  
  • Supervise printing (RLBA function in ATS) and scanning of NYSITELL answer documents within 10 days of school enrollment  
  • Address any NYSITELL scanning errors through the RLBU function | • Licensed & trained pedagogue administers NYSITELL (as necessary)  
  • Maintain appropriate records |
| ELL Identification  | Parent, student (over 18) may request a Re-identification Process and review within 45 days of enrollment. | • Assign qualified and trained staff to review and oversee Re-identification Process  
  • Based on the recommendation of the qualified personnel, the school principal determines whether to change the ELL status or not for the Re-identification Process  
  • Ensure all notifications and relevant documents are maintained throughout | • Pedagogues gather and review student documentation in English and home language; make a recommendation to principal  
  • Maintain appropriate records  
  • Administer Spanish LAB to all newly identified ELLs whose home language is Spanish |
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| ELL Identification                              | SIFE status must be determined within 12 months of enrollment. However, NYC requires that an initial determination be made within 30 days of enrollment, which can be modified up to 12 months of initial enrollment. SIFE consists of interrupted and/or inconsistent education. | • Assign qualified and trained staff to review and oversee SIFE identification process | • Pedagogue administers oral interview questionnaire and/or SIFE identification procedure (if appropriate); determines initial SIFE identification within 30 days  
• Indicate SIFE status on BNDC ATS function  
• Gather and maintain appropriate records |
| ELL Identification                              | Once a SIFE scores at transitioning level on the NYSESLAT, SIFE status is removed. |                                                                               | • Ensures appropriate staff are aware of instructional needs |
| ELL Identification for Students with Disabilities| Schools must form a Language Proficiency Team (LPT) for students entering NYS public schools with an IEP to determine if the student has language acquisition needs and should take the NYSITELL | • Assign personnel as part of the LPT: 1) administrator, 2) certified ENL/bilingual/LOTE teacher, 3) director of special education or designated licensed/trained pedagogue, and 4) student’s parent/guardian  
• Secure appropriate interpretation services for each LPT meeting  
• Gather and maintain appropriate records | • Pedagogue administers NYSITELL and Spanish LAB as necessary |
| Parent Notification and Information, Retention of Records, ELL Program Placement | Schools must determine ELL status, conduct parent orientation meeting, and send parent entitlement / non-entitlement letters along with parent survey within 10 school days. Schools must send the entitlement letter of ELL status notification within 5 school days of ELL identification, informing parents of the results and that they have the right to appeal the ELL status within 45 days of enrollment. | • Sign entitlement letters | • Send parent notification letters to parents within 5 school days of ELL status determination  
• Schedule and facilitate parent orientation meeting (facilitated by trained pedagogue) |
| Parent Notification and Information, Retention of Records, ELL Program Placement | ELL is placed within ELL program within 10 school days but parent (or student 18 or older) can appeal within 45 school days. | • Principal or designated licensed/trained pedagogue supervises placement and scheduling based on parental selection | • Maintain records of parental selection  
• Input parental selection on ELPC screen (ATS)  
• Maintain parent notification records in student cumulative folders |
| Parent Notification and Information, Retention of Records, ELL Program Placement | Schools must provide parents annual and individual meetings to discuss their child’s progress in addition to already existing meetings. | • Ensure meetings are scheduled  
• Maintain records and attendance | • Schedule and conduct individual meetings (facilitated by trained pedagogue) |
| Program Requirements, Provision of Programs, Grade Span, Program Continuity | ELLs cannot be served in classes of more than 2 contiguous grades (except for special class) | • Oversee programming and scheduling | • Schedule bilingual and stand-alone ENL classes with no more than two contiguous grades |
| Program Requirements, Provision of Programs, Grade Span, Program Continuity | All students must receive a specified amount of standalone ENL and integrated ESL  
• Standalone ENL is instruction to develop English language skills so that students can succeed in core content courses. It is delivered by a certified ENL teacher.  
• Integrated is instruction to build English language skills through content area instruction (e.g., social studies) It is delivered by  
  o A dually certified teacher (ESL+content area), OR  
  o Coteaching by an ENL teacher and content area teacher | • Oversee programming and scheduling based on appropriate certification | • Create a schedule to service all eligible students based on proficiency levels |
<table>
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<th>Suggested Helpful Hints and Next Steps</th>
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<tbody>
<tr>
<td><strong>Program Requirements, Provision of Programs, Grade Span, Program Continuity</strong></td>
<td>Former ELLs must receive 90 minutes a week of integrated ENL for 2 years after testing out</td>
<td><em>Ensure appropriate placement and services for former ELLs</em></td>
</tr>
<tr>
<td><strong>Program Requirements, Provision of Programs, Grade Span, Program Continuity</strong></td>
<td>Bilingual programs consist of 3 parts - ENL/ESL, Home language arts (NLA), At least 2 subjects in the native language at beginning levels (depending on bilingual program model and level of student proficiency)</td>
<td><em>Supervise implementation of program requirements</em></td>
</tr>
<tr>
<td><strong>Students with Disabilities, Intervention Support for ELLS</strong></td>
<td>Districts are required to annually identify ELLs not demonstrating adequate performance and provide additional support services aligned to district wide intervention plans.</td>
<td><em>Review data to ensure accuracy in DOE data systems</em></td>
</tr>
<tr>
<td><strong>ELL Exit Criteria, Former ELL Services, Graduation Requirements</strong></td>
<td>ELLs can test out through one of three ways (prior was only first bullet below): Test proficient on the NYSESLAT, OR Test advanced on the NYSESLAT and test at level 3 or 4 on the ELA, OR Test advanced on the NYSESLAT and test 65 or higher on the English Regents</td>
<td><em>Ensure parental notification are signed, sent, and recorded for future reference</em></td>
</tr>
<tr>
<td><strong>ELL Exit Criteria, Former ELL Services, Graduation Requirements</strong></td>
<td>Appeals to Graduate with Scores of 55–64 on Regents Examinations Appeal to Graduate with a Score of 62–64 on Regents Examination Appeal to Graduate with a Score of 55–61 on the ELA Regents Examination (open to ELL students that meet the criteria)</td>
<td><em>In conjunction with guidance counselor, principal or designated licensed/trained pedagogue oversees appeals process upon review of transcripts and test history</em></td>
</tr>
<tr>
<td><strong>Professional Development, Certification</strong></td>
<td>Professional development requirements - 15% total hours ELL-specific PD for All Teachers - 50% total hours ELL-specific PD for ENL/bilingual teachers</td>
<td><em>Provide access to high-quality ELL-specific professional learning opportunities: District-based School-based</em></td>
</tr>
<tr>
<td><strong>School District Planning and Reporting Requirements</strong></td>
<td>Each school district must submit annual estimates of ELL enrollment for the following school year; districts must open bilingual programs the following year if sufficient numbers exist.</td>
<td><em>Attend and keep records of attendance to professional learning opportunities</em></td>
</tr>
<tr>
<td><strong>School District Planning and Reporting Requirements</strong></td>
<td>Each school district must provide program continuity for ELLs if there are sufficient numbers as per Aspira Consent Decree.</td>
<td><em>Send parental selection/program continuation letters</em></td>
</tr>
<tr>
<td><strong>School District Planning and Reporting Requirements</strong></td>
<td>School districts are required to provide additional information in comprehensive plans regarding programs for subpopulations of ELLs, information provided to parents in the languages they best understand, methods to annually measure and track ELL progress, and systems to identify, assess, and exit students from ELL status.</td>
<td><em>Provide school-wide ELL information</em></td>
</tr>
<tr>
<td><strong>School District Planning and Reporting Requirements</strong></td>
<td>School districts are required to provide additional information in reports regarding programs for subpopulations of ELLs</td>
<td><em>Provide school-wide ELL information regarding subpopulations and languages spoken</em></td>
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|       | including program information, if offered, by subpopulations and languages spoken in the school district. | • Ensure representation of all school stakeholders  
• Facilitate creation of CEP documents related to ELLs: LAP, LTIP, Title III | • Coordinate LAP team  
• Assist with creation of LAP, LTIP, and Title II documents |
# Checklist of 10 ELL-Related Items for a Successful Start of the School Year
## September 2016

<table>
<thead>
<tr>
<th>#</th>
<th>Action</th>
<th>Relevant links</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Assign Staff Responsible for Identifying ELLs</strong>&lt;br&gt;Establish a team of trained pedagogues responsible for implementing the ELL intake process throughout the year as per procedures outlined in the <em>ELL Policy and Reference Guide</em>. Ensure that all students have a valid home language code entered into ATS based on the Home Language Identification Survey (HLIS). Create a list of pedagogues that speak languages other than English that can translate during the oral interview (as part of the HLIS). When staff is not available to translate, contact the Translation and Interpretation Unit for over-the-phone translations.</td>
<td>ELL Policy and Reference Guide 2016-17: <a href="http://intranet.nycboe.net/NR/rdonlyres/D89CC1F2-91B7-4C00-BEED-B0C6C23E0D98/0/ELLPolicyReferenceGuide052415.pdf">http://intranet.nycboe.net/NR/rdonlyres/D89CC1F2-91B7-4C00-BEED-B0C6C23E0D98/0/ELLPolicyReferenceGuide052415.pdf</a>  Translation and Interpretation Unit: <a href="http://schools.nyc.gov/Offices/Translation/default.htm">http://schools.nyc.gov/Offices/Translation/default.htm</a>  Home Language Identification Surveys (HLIS) and Parent Information and Notification Letters: <a href="http://intranet.nycboe.net/SpecialPopulations/ELL/Resources/ParentLetters.htm">http://intranet.nycboe.net/SpecialPopulations/ELL/Resources/ParentLetters.htm</a></td>
</tr>
<tr>
<td>2</td>
<td><strong>Determine NYSITELL Eligibility and Administer NYSITELL as Necessary</strong>&lt;br&gt;Ensure that the testing coordinator orders the NYSITELL and the Spanish LAB. Determine who will administer and scan the NYSITELL and Spanish LAB. Determine NYSITELL eligibility for students whose home language is not English. Students whose home language is other than English must have an in-depth interview and review of any work to determine eligibility for the NYSITELL. For students entering with IEPs, this begins with the Language Proficiency Team. If the student is eligible to take the NYSITELL, print the NYSITELL via the RLBA in ATS. If the student is determined not eligible, indicate such in the ELL screen in ATS.</td>
<td>NYSITELL Information: <a href="https://portal.nycenet.edu/Accountability/Assessments/Annual/AdminResources/TestMemandPROC/">https://portal.nycenet.edu/Accountability/Assessments/Annual/AdminResources/TestMemandPROC/</a>  Memorandum #2: NYSITELL and Spanish LAB 2016-17: <a href="https://portal.nycenet.edu/Accountability/Assessments/Annual/AdminResources/TestMemandPROC/">https://portal.nycenet.edu/Accountability/Assessments/Annual/AdminResources/TestMemandPROC/</a>  List of Borough Assessment Implementation Directors (BAID) (July 2016): <a href="http://intranet.nycboe.net/NR/rdonlyres/5554EA73-850A-4317-8939-B80A90C28F09/0/BAIDList715.pdf">http://intranet.nycboe.net/NR/rdonlyres/5554EA73-850A-4317-8939-B80A90C28F09/0/BAIDList715.pdf</a></td>
</tr>
<tr>
<td>3</td>
<td><strong>Distribute Notification Letters to Parents</strong>&lt;br&gt;Establish who will send entitlement, non-entitlement, and continuation letters to parents. Note: entitlement letters also include the invitation to the parent orientation meeting. Notifications of student ELL status must be sent within 5 school days.</td>
<td>Parent Notification Letters: <a href="http://intranet.nycboe.net/SpecialPopulations/ELL/Resources/ParentLetters.htm">http://intranet.nycboe.net/SpecialPopulations/ELL/Resources/ParentLetters.htm</a></td>
</tr>
<tr>
<td>4</td>
<td><strong>Schedule Parent Orientation Meetings</strong>&lt;br&gt;Determine the pedagogue(s) that will conduct the parent orientation including translation support (if necessary). Parents must receive all documents in their preferred languages. All documents, including agendas and parent attendance documents should be kept on file. NOTE: The entire ELL identification process, including parent orientation and student placement must be completed within 10 school days of enrollment.</td>
<td>ELL Policy and Reference Guide 2016-17: <a href="http://intranet.nycboe.net/NR/rdonlyres/D89CC1F2-91B7-4C00-BEED-B0C6C23E0D98/0/ELLPolicyReferenceGuide052415.pdf">http://intranet.nycboe.net/NR/rdonlyres/D89CC1F2-91B7-4C00-BEED-B0C6C23E0D98/0/ELLPolicyReferenceGuide052415.pdf</a>  Parent Information: (ELL Parent Brochure, Parent Orientation Video): <a href="http://schools.nyc.gov/Academics/ELL/FamilyResources/Parent+Information.htm">http://schools.nyc.gov/Academics/ELL/FamilyResources/Parent+Information.htm</a>  Parent Orientation Videos: <a href="http://schools.nyc.gov/Academics/ELL/FamilyResources/ellorientationvideo2010.html">http://schools.nyc.gov/Academics/ELL/FamilyResources/ellorientationvideo2010.html</a></td>
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<tr>
<td>#</td>
<td>Action</td>
<td>Relevant links</td>
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</tbody>
</table>
| 5  | **Maintain Records**  
File copies of parent choice letters in an accessible and secure place in the school for later review.  
Review parent choice letters and plan for creating a bilingual program if there are sufficient parent requests for a Dual Language or Transitional Bilingual Education program. As per the ELL Policy Reference Guide, completed HLS forms and Parent Survey & Program Selection forms must be placed in the student’s cumulative file and remain a part of the student’s permanent record. Throughout the entire year, review ELL parent surveys and 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 school opens a bilingual program. Please contact the Division of English Language Learners and Student Support for more information. | ELL Policy and Reference Guide 2016-17:  
New York City Transitional Bilingual Education (TBE) and Dual Language (DL) Programs:  
http://schools.nyc.gov/Academics/ELL/default.htm  
NYSED Multilingual Literacy SIFE Screener (MLS):  
| 6  | **Identify Students with Inconsistent/Interrupted Formal Education**  
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 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 in order to determine SIFE status. SIFE status must be determined within 30 school days of enrollment and entered into the BNDC screen in ATS. | ELL Policy and Reference Guide 2016-17:  
NYSED Multilingual Literacy SIFE Screener (MLS):  
| 7  | **Complete the ELPC Screen in ATS**  
Ensure your staff records parent choice information in the ELPC screen in ATS (within 20 school days of enrollment; 30 days for students with IEPs), including whether the student was identified as an ELL based on NYSITELL administration, whether the parent was provided with information about ELL programs, which program the parent chose, and in which program the student was placed. NOTE: regardless of ELL program type (Dual Language, Transitional Bilingual Education, or Freestanding ENL), all students must be programmed for the minimum amount of minutes of ENL as per CR Part 154 (see ELL Policy and Reference Guide 2016-17). Initial parent choice of ELL program is entered through the ELPC screen in ATS; though discouraged, subsequent changes to the parent choice are made through the BNDC screen. | ELL Policy and Reference Guide 2016-17:  
ELPC Wiki:  
ELL Transfer Process:  
https://intranet.nycboe.net/SpecialPopulations/ELL/Resources/default.htm |
### Action | Relevant links
--- | ---


**10** | **Develop Language Allocation Policy (LAP), Translation and Interpretation Plans, and Title III Plans**<br>All schools that received Title III LEP funding must submit their plan through iPlan; Word versions will no longer be accepted. All schools are required to submit a LAP and a Translation/Interpretation Plan for the 2017-18 SY.<br>Title III LEP School Allocation Memo #31:<br>[http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy16_17/fy17_pdf/sam31.pdf](http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy16_17/fy17_pdf/sam31.pdf)<br>For questions on ELL-related matters, contact your Senior ELL CPS:<br>[http://schools.nyc.gov/NR/rdonlyres/3E8548AB-3824-4328-91CE-18F23995998A/0/SeniorELLCPSLIST073113.pdf](http://schools.nyc.gov/NR/rdonlyres/3E8548AB-3824-4328-91CE-18F23995998A/0/SeniorELLCPSLIST073113.pdf)
### August
- Administer the [Home Language Identification Survey (HLS)](https://www.nyc.gov/html/d637/index.html) to all new admits in grades K to 12 to NYC public schools in the parents' preferred language.
- All students whose home language is not English and are determined eligible for the NYSED Multilingual Literacy SIFE Screener (MLS) or may have inconsistent education. If a gap of two or more years is determined, the school should administer the MLS to those students whose home language is Arabic, Bengali, Chinese, Haitian Creole, Maay Maay, S’gaw Karen, Spanish, and Urdu in order 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.
- Form a Language Proficiency Team to determine NYSED eligibility for new admits (grades K to 12) with IEPs.
- Identify Students with inconsistent/Interrupted Formal Education. 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[ Home Language Identification Survey](https://www.nyc.gov/html/d637/index.html). (MLS) to those students whose home language is Arabic, Bengali, Chinese, Haitian Creole, Maay Maay, S’gaw Karen, Spanish, and Urdu in order 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.
- Send parent notification letters to parents, including entitlement, non-entitlement, and continuation letters. Invite newly identified ELL parents to parent orientation meetings to explain 3 ELL program options in NYC. Show parent videos in parents’ preferred languages. See the [ELL Policy and Reference Guide](https://www.nyc.gov/html/d637/index.html) or more details. Enter initial parent choice into the NYSED Multilingual Literacy SIFE Screener (MLS) and enter SIFE status 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.
- Schedule ELLs, as necessary, based on spring NYSESAT results (use RIAT report in ATS) and other available data (e.g., NYSED for newly identified ELLs); use the [ELL Data Analysis Tool](https://www.nyc.gov/html/d637/index.html). Ensure that all programming information is accurately recorded in STARS.
- 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.
- Review ELL parent surveys; 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 [Division of English Language Learners and Student Support](https://www.nyc.gov/html/d637/index.html) for more information.

### September
- Review previous month’s items.
- Administer the [Home Language Identification Survey](https://www.nyc.gov/html/d637/index.html) to all new admits to NYC public schools in the parents’ preferred language (and to reentering students after being out of NYS public schools for more than 2 years); conduct parent orientations for all parents of newly identified ELLs.
- Send parent notification letters to parents, including entitlement, non-entitlement, and continuation letters within 5 school days. Invite newly identified ELLs parents to parent orientation meetings to explain 3 ELL program options in NYC. Show parent videos in parents’ preferred languages. Enter initial parent choice into the [ELPC](https://www.nyc.gov/html/d637/index.html) screen in ATS.
- Complete [ELPC](https://www.nyc.gov/html/d637/index.html) screen for all newly identified ELLs within 20 days of first day of enrollment.
- Update BNDC screen for numbers of paraprofessionals working under the direction of a licensed ENL and/or bilingual teacher for academic purposes.
- Review NYSED Eligibility report (RLER) which lists students who may be administered NYSED Multilingual Literacy SIFE Screener (MLS). Print the NYSED answer documents for eligible students using the [VLRA](https://www.nyc.gov/html/d637/index.html) function in ATS; enter information for ineligible students into the [ELPC](https://www.nyc.gov/html/d637/index.html) screen in ATS.
- Ensure that copies of HLS and parent notification letters sent to parents are maintained in one central location, and the HLIS, the parent program selection form and parent notification letters are placed in student cumulative folders. New schools: begin developing the Language Allocation Plan (LAP) and [Translation and Interpretation Plan](https://www.nyc.gov/html/d637/index.html) using the 2015-16 forms.
- Administer ELL Periodic Assessments.
- Order translated versions of the math and other exams for grades 3 to 8 for ELLs as appropriate.
- Review ELL parent surveys; 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 [Division of English Language Learners and Student Support](https://www.nyc.gov/html/d637/index.html) for more information.

### October
- Review previous month’s items.
- Ensure accurate ELL enrollment data in STARS.
- Submit drafts of Title III plans, LAPs and Translation and Interpretation Plans as necessary (see Principals Weekly for more details). These documents are submitted via iPlan.
- Ensure ELPC screen (in ATS) is updated.
- Update BNDC screen for numbers of paraprofessionals working under the direction of a licensed ENL and/or bilingual teacher for academic purposes.
- Plan for implementation of testing accommodations for ELLs.
- Review potential NYSED-Eligibility report (RLER) which lists students who may be administered NYSED Multilingual Literacy SIFE Screener (MLS). Print the NYSED answer documents for eligible students using the [VLRA](https://www.nyc.gov/html/d637/index.html) function in ATS; enter information for ineligible students into the [ELPC](https://www.nyc.gov/html/d637/index.html) screen in ATS.
- Order translated versions of the Regents exams for ELLs as appropriate for the January administration.
- Administer ELL Periodic Assessments.
### November
- Review previous month’s items.
- Plan implementation of testing accommodations for ELLs.
- Administer NYSITELL and Spanish LAB as necessary within students’ 10 days of school enrollment (20 days for students entering with IEPs). See **NYSITELL** memo on printing and scanning Spanish LAB documents.
- Review potential NYSITELL-Eligibility report (RLER) which lists students who may be administered NYSITELL.
- Monitor grant expenditures (e.g., Title III).
- Ensure that all Title III funds have been scheduled appropriately and Title III plans have been implemented.
- Ensure **ELPC** screen (in ATS) is updated.
- Update **BNDC** screen for numbers of paraprofessionals working under the direction of a licensed ENL and/or bilingual teacher for academic purposes.

### December
- Review previous month’s items.
- Administer NYSITELL and Spanish LAB as necessary within students’ 10 days of school enrollment. See **NYSITELL** memo on printing and scanning Spanish LAB documents.
- Ensure **ELPC** screen (in ATS) is updated.
- Update **BNDC** screen for numbers of paraprofessionals working under the direction of a licensed ENL and/or bilingual teacher for academic purposes.
- Ensure all ELLs and former ELLs have been programmed for mandated number of minutes of ENL and bilingual classes (if applicable) in **STARS**.
- Ensure that all Title III funds have been scheduled appropriately and Title III plans have been implemented. Ensure Title III LEP plans are implemented and funds are expended as per requirements outlined in the School Allocation Memorandum.

### January
- Review previous month’s items.
- Identify ELLs at risk for hold over. Review promotional policy for ELLs.
- Order NYSESLAT exams.
- Monitor grant expenditures (e.g., Title III).
- Ensure **ELPC** screen (in ATS) is updated.
- Update **BNDC** screen for numbers of paraprofessionals working under the direction of a licensed ENL and/or bilingual teacher for academic purposes.
- Ensure all ELLs and former ELLs have been programmed for mandated number of minutes of ENL and bilingual classes (if applicable) in **STARS**.

### February
- Review previous month’s items.
- Administer NYSITELL and Spanish LAB as necessary within students’ 10 days of school enrollment. See **NYSITELL** memo on printing and scanning Spanish LAB documents.
- Administer ELL Periodic Assessments.
- Order translated versions of the Regents exams for ELLs as appropriate for the January administration.

### March
- Review previous month’s items.
- Administer ELL Periodic Assessments.
- Develop NYSESLAT testing schedule. Ensure that all Title III funds have been scheduled appropriately and Title III plans have been implemented.
- Ensure **ELPC** screen (in ATS) is updated.
- Update **BNDC** screen for numbers of paraprofessionals working under the direction of a licensed ENL and/or bilingual teacher for academic purposes.

### April
- Review previous month’s items.
- Administer NYSESLAT.
- Ensure all translated versions of relevant NYS exams have been ordered.
- Analyze ELL data and trends to begin planning for following year.
- Monitor grant expenditures (e.g., Title III).

### May
- Review previous month’s items.
- Administer NYSESLAT and begin scoring.
- Administer Chinese Reading Test and Spanish Reading Test (ELE) as necessary.
- Review promotional policy for ELLs.
- Review previous month’s items.
- Ensure all ELLs and former ELLs have been programmed for mandated number of minutes of ENL and bilingual classes (if applicable) in **STARS**.
- Plan for ELL programs for next year. Review ELL parent surveys on parent choice.
- 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 Support for more information.

### June
- Review previous month’s items.
- Administer NYSITELL and scan answer documents. Begin administering NYSITELL to students entering kindergarten the following September.
- Prepare for ELL Summer Enrichment programs.
- Identify ELLs mandated for summer school, prepare letters, and finalize programs.
- Plan for ELL programs for next year. Review ELL parent surveys on parent choice.
- 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 Division of English Language Learners and Student Support for more information.
- Initiate ELL teacher and student recruitment for SY16-17 as necessary.

### July
- Review previous month’s items.
- Commence Title III Summer Enrichment programs.
- Order translated versions of the Regents exams for ELLs as appropriate for the August administration. Begin (on July 15) administering the NYSITELL to students entering grades 1 to 12 in September.

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For the latest information on ELL compliance and service requirements, refer to the ELL Policy and Reference Guide.
10 Steps for ELL Data Verification, Review, and Update
(Updated July 2016)

In order to ensure proper support is provided to schools (fiscal and other resources), the DOE requires schools to review their data and make updates as necessary to reflect accurate services provided to ELLs and former ELLs (for up to 2 years after testing out). Please review the checklist below and the accompanying spreadsheets (if applicable) 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.

In order to facilitate this process, below is a checklist of items to review. Along with this checklist, you may receive one or more lists of students whom the DOE has identified as requiring reviewing and/or updating.

<table>
<thead>
<tr>
<th>Check (√)</th>
<th>Item #</th>
<th>System</th>
<th>Review Item</th>
<th>Next Steps</th>
<th>Policy/Resource</th>
</tr>
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<tbody>
<tr>
<td>□</td>
<td>1</td>
<td>ATS</td>
<td>Identify students who have a home language other than English but do not have English language acquisition needs and should not take the NYSITELL, and therefore, are not ELLs. This includes general education students (via the in-depth interview) and students entering with IEPs whose NYSITELL-eligibility was determined by the Language Proficiency Team (LPT), principal, and superintendent.</td>
<td>Enter non-eligibility for the NYSITELL information into the ELLO screen.</td>
<td>See page 22 of the ELL Policy and Reference Guide.</td>
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<td>□</td>
<td>2</td>
<td>ATS</td>
<td>Identify students who are entering NYC public schools and or were in a NYS public school within the past 2 years.</td>
<td>These students must have their NYSITELL and NYSESLAT information, if available (from the NYS public school outside of NYCDOE), 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”).</td>
<td>See page 12 of the ELL Policy and Reference Guide.</td>
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<td>□</td>
<td>3</td>
<td>ATS</td>
<td>Ensure all NYSITELL and Spanish LAB answer documents have been printed and scanned.</td>
<td>Review and address any potential NYSITELL scanning errors through the RLCB report in ATS.</td>
<td>See page 24 of the ELL Policy and Reference Guide.</td>
</tr>
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<td>Check (√)</td>
<td>Item #</td>
<td>System</td>
<td>Review Item</td>
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<td>4</td>
<td>ATS</td>
<td>Identify students for whom an appeal on ELL status was requested within 45 days of enrollment as per the Re-Identification of ELL Status procedures.</td>
<td>Principals use the RQSA function in ATS to make the recommendation to reverse the ELL status; superintendents use the RQGA function to approve/disapprove.</td>
<td>See NYSITELL intranet webpage for specific administration information.</td>
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<td>5</td>
<td>STARS</td>
<td>Ensure all ELLs and former ELLs who tested out within the past 2 years have been scheduled for a minimum of ENL as per SED’s CR Part 154 mandates.</td>
<td>Update STARS for any student who is receiving ENL but has not been scheduled for ENL in STARS. Schools should review all ELLs and former ELLs’ STARS programming data to ensure full compliance with SED regulations.</td>
<td>See page 30 of the ELL Policy and Reference Guide.</td>
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<td>6</td>
<td>ATS</td>
<td>Identify students whose SIFE status needs determination and entering.</td>
<td>Update the BNDC screen in ATS to indicate if student is a SIFE. SIFE status is only requested for newly admitted ELL students who have been in the US less than one year and are in grade 3 or above.</td>
<td>See page 24 of the ELL Policy and Reference Guide for more information on SIFE and the SIFE identification process.</td>
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<td>7</td>
<td>ATS</td>
<td>Identify students who do not have a home language code.</td>
<td>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 2016 or a readmit after being out of NYCDOE schools for more than 2 years. If the home language code was entered in error, please contact your senior ELL CPS.</td>
<td>Update BIOU and ELLO in ATS.</td>
</tr>
<tr>
<td>Check (✓)</td>
<td>Item #</td>
<td>System</td>
<td>Review Item</td>
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<td>8</td>
<td>ATS</td>
<td>Identify # of teaching assistants/instructional paraprofessionals working under a licensed bilingual teacher and/or ENL teacher.</td>
<td>Update <a href="#">BNDC</a> in ATS. If there are no TAs or paraprofessionals in this category, type zero (0) on the respective lines in <a href="#">BNDC</a>.</td>
<td>See <a href="#">BNDC</a> online wiki for directions.</td>
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<td>9</td>
<td>STARS</td>
<td>Identify students who are enrolled in a bilingual program (dual language or transitional bilingual education).</td>
<td>If your school offers a dual language (DL) or transitional bilingual education (TBE) program, you will need to first create the program in <a href="#">STARS</a>. Once the program is set up, you will need to place the students in the program. ELLs (and non-ELLs in dual language programs) must be placed in the program in STARS if they are served in a bilingual program.</td>
<td>See page 40 of the <a href="#">ELL Policy and Reference Guide</a>. See <a href="#">ELL STARS online wiki</a> for directions. For ENL, click <a href="#">here</a>. For bilingual programs, click <a href="#">here</a>.</td>
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<td>□</td>
<td>10</td>
<td>ATS</td>
<td>Identify students whose parent choice/ELPC information has not been entered.</td>
<td>Answer questions and update <a href="#">ELPC</a> in ATS based on the initial parent survey completed within 10 days of enrollment.</td>
<td>See page 47 of the <a href="#">ELL Policy and Reference Guide</a>.</td>
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Family Authorization of Transfer Request (1st Authorization)

Family Authorization for English Language Learner (ELL) Transfer Request

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.

STUDENT ID (OSIS): _______________  FIRST NAME, LAST NAME: __________________________
BIRTHDATE: __________

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 in accordance with the guidelines established by Office of Pupil Transportation (see www.optnyc.org).

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 in accordance with the guidelines established by the Office of Pupil Transportation (www.optnyc.org).

☐ 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 Telephone Number ________________________________
Evening Telephone Number ________________________________
Signature ____________________________________ Date ____________________
Family Authorization for English Language Learner (ELL) Transfer

This form is only to be used if an ELL transfer has been approved by the Superintendent, the Borough Field Support Center’s (BFSC) Deputy Director of English Language Learners, the Division of English Language Learners and Student Support (DELLSS), and the Family Welcome Center.

STUDENT ID (OSIS): ___________ FIRST NAME, LAST NAME: ________________
BIRTHDATE: ________

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 ______ (receiving school) 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 (see www.optnyc.org). 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 ______. 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 (www.optnyc.org).

☐ 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/Guardian Name ____________________________________________
Address (with apartment #) _______________________________________
__________________________________________________________________
Daytime Telephone Number _________________________________________
Evening Telephone Number _________________________________________
Signature __________________ Date __________________
BLUEPRINT FOR ENGLISH LANGUAGE LEARNER (ELL) SUCCESS

The mission of the New York State Education Department’s (NYSED) Office of Bilingual Education and World Languages (OBEWL) is to ensure that all New York State (NYS) students, including English Language Learners (ELLs), attain the highest level of academic success and language proficiency. We strive to ensure that all students’ individual educational paths and socio-emotional needs are met in multiple languages leading them to college and career readiness. NYSED believes that all teachers are teachers of ELLs.

In response to the changing global economy, NYSED has adopted the Common Core Learning Standards (CCLS) to provide students, educators, and parents with a set of clear expectations leading to college and career readiness. Over the last decade, there has been an increase in the number of ELLs enrolled in NYS public schools, resulting in a current population of 213,178 students who speak over 200 languages. In order for these students to succeed, NYSED needs to provide schools with the appropriate scaffolds, home language assessments, and materials so that teachers can provide instruction that will enable students to meet rigorous standards. Under the Regulations of the Commissioner of Education Part 154, the OBEWL affirms that it is not permissible to assume that unsupported immersion of ELLs into an English-speaking environment will enable them to succeed academically.

The NYSED P-12 CCLS require that every teacher be prepared to teach academic language and challenging content to all students, including ELLs. All teachers must be skilled in how to support ELLs as they acquire content knowledge while also progressing towards English proficiency. It is imperative that all educators work across the content areas to ensure that all students meet the high demands of the CCLS.

The following principles were carefully developed as a statewide framework aimed to clarify expectations for administrators, policymakers, and practitioners to prepare ELLs for success, beginning in Prekindergarten, to lay the foundation for college and career readiness. These principles are intended to provide guidance, resources, and support to districts, schools, and teachers, as well as to promote a better understanding and appreciation of Bilingual Education, English as a New Language (ENL), and World Language Studies.
BLUEPRINT FOR ENGLISH LANGUAGE LEARNER (ELL) SUCCESS

The principles that guide the Blueprint for ELLs are:

1. All teachers are teachers of English Language Learners and need to plan accordingly by:
   • Designing and delivering instruction that is culturally and linguistically appropriate for all diverse learners, including those with Individualized Education Programs (IEP).
   • Providing integrated language and content instruction to support language development through language-focused scaffolds. Bilingual, ENL, and other content-area teachers must collaborate purposefully and consistently to promote academic achievement in all content areas.
   • Utilizing materials and instructional resources that are linguistically age/grade appropriate and aligned to the Common Core Learning Standards (CCLS).
   • Collaborating with school support personnel and community-based human resources in order to address the multiple needs of ELLs.

2. All school boards and district/school leaders are responsible for ensuring that the academic, linguistic, social, and emotional needs of ELLs are addressed by:
   • Providing a clear vision for student success that includes high expectations for ELL student achievement and socio-emotional development, supported by a purposeful plan of action that provides multiple pathways to college and career readiness through high-quality programs that meet the needs of ELLs.
   • Providing high-quality instruction for ELLs.
   • Aligning and coordinating fiscal and human resources to ensure that the instructional plan is being effectively implemented.
   • Providing high-quality supports, feedback, and direction to educators to improve their instructional practice.
   • Providing a safe and inclusive learning environment that recognizes and respects the languages and cultures of all students.
   • Ensuring that districts and school leaders are trained in meeting the needs of ELLs in order to cultivate a school culture of high expectations.
   • Providing high-quality instructional and support services to ELLs with disabilities in alignment with their IEPs and current policies.
3. Districts and schools engage all English Language Learners in instruction that is grade-appropriate, academically rigorous, and aligned with the New York State Prekindergarten Foundation for the Common Core and P-12 Common Core Learning Standards by:

- Articulating specific content and language objectives.
- Integrating explicit and implicit research-based vocabulary instruction.
- Providing opportunities for students to discuss content and problem-solve with peers.
- Anchoring instruction by strategically using research-based practices (e.g., multimedia, visuals, graphic organizers, etc.).
- Providing special education supports, services, accommodations, and specially-designed instruction to meet the specific instructional needs of ELLs with disabilities.

4. Districts and schools recognize that bilingualism and biliteracy are assets and provide opportunities for all students to earn a Seal of Biliteracy upon obtaining a high school diploma by providing all students with:

- Opportunities to participate in language learning or language support programs that lead to proficiency in English and other languages.
- Opportunities to use and develop academic language and content knowledge both in English and a language other than English, including the student’s home language.
- Rigorous Bilingual Education programs for ELLs aimed at maintaining and developing the home language and maintaining English proficiency as well as biliteracy.
- Alternate pathways for those whose home language is low incidence and, consequently, the district does not have enough students who speak the same language to form a bilingual education program.
5. Districts and schools value all parents and families of ELLs as partners in education and effectively involve them in the education of their children by:

- Providing parents with resources that enable them to make informed decisions about their children’s education.
- Providing parents with all pertinent information about their rights and program choices in a language and format that parents can easily understand and access.
- Providing training to parents in English and in their home language on effective strategies to support their children’s learning in and out of school.
- Engaging parents as active participants, contributors, and cultural liaisons to the school community.
- Sharing with parents and family members the high expectations that schools have established for the education of all ELLs and engaging them in the pursuit and achievement of those expectations.
- Collaborating with the school support personnel and immigrant community-based organizations in order to address the multiple needs of families of ELLs.

6. District and school communities leverage the expertise of Bilingual, ESOL, and Languages Other Than English (LOTE) teachers and support personnel while increasing their professional capacities by:

- Creating intentional learning opportunities for all teachers to collaborate and design instruction, analyze student work, and develop rigorous lessons.
- Providing substantial and sustained opportunities for all teachers to participate in meaningful professional development that addresses the needs of ELLs, including home and new language development.

7. Districts and school communities leverage ELLs’ home languages, cultural assets, and prior knowledge by:

- Regarding home languages as instructional assets and using them in bridging prior knowledge to new knowledge while ensuring that content is meaningful and comprehensible.
- Using home languages and cultures of ELLs to promote diversity pursuant to the Dignity for All Students Act (NYS initiative, effective July 2013), http://www.p12.nysed.gov/dignityact/.
8. Districts and schools use diagnostic tools and formative assessment practices in order to measure ELLs’ content knowledge as well as new and home language development to inform instruction by:

- Using NYS assessments in conjunction with formative assessments.
- Using language proficiency data (from the New York State English as a Second Language Achievement Test [NYSESLAT] and the New York State Identification Test for English Language Learners [NYSITELL]) to understand where ELLs are along the continuum of language development and how to provide appropriate scaffolds for them according to their proficiency level.
- Employing authentic assessments that require sophisticated uses of language embedded in authentic and rich content.
- Utilizing appropriate tools to assess the needs and progress of ELLs with disabilities.
- Utilizing analytical rubrics that provide feedback on content knowledge and language development.
- Using home language assessments to inform instruction and demonstrate growth in bilingual education programs in which the home language is being used.