



ELL Services

(Changes to CR Part 154)

REVISIONS TO COMMISSIONER'S REGULATIONS PART 154

Services for English Language Learners

What schools and districts need to know to:

- Work with parents
- Support educators
- Help students

In June 2014 the New York State Board of Regents
approved changes to
Commissioner's Regulations Part 154
(C.R. Part 154)

These regulations describe the services and supports to which English language learners (ELLs), their parents and teachers are entitled.

Changes include:

- How districts identify ELL students;
- What programs districts must provide for ELL students;
- How districts must involve parents in decisions about their child's education;
- What professional development teachers must receive to help them help their ELL students.

Identification

How do we determine if a student who is new to a school is an English language learner?

Step One: A licensed pedagogue administers the Home Language Identification Survey with the student's parent within 10 school days.

RESULTS OF THE SURVEY	
Home language is English?	Home language or student's native language is other than English?
Student is not ELL	District determines student placement based on additional assessments.

Identification

Step Two: School conducts more in-depth interview in English and home language and reviews student's prior school work in both languages, if available. School determines if student will take the New York State Identification Test for English Language Learners (NYSITELL).

Step Three: School administers the NYSITELL and informs parents of the student's results and ELL status.

Step Four: School administers the Spanish Language Assessment Battery (LAB) to newly identified ELLs whose home language is Spanish. Results are used for instructional planning.

Program Placement

How do the results of the NYSITELL determine program placement for ELL students?

If the student score on the NYSITELL is:

- A.** Beginning, Intermediate or Advanced: student is entitled to placement in an appropriate bilingual or English as a New Language (formerly ESL) program;
- B.** Proficient: Student is not an ELL and should be placed in an appropriate English language program. Additionally they may still receive 90 minutes of integrated ENL as former ELLs for up to 2 years.

What are possible program placements for ELL students?

New York City offers three instructional programs to support ELL students.

- 1) **Dual Language**: 50% of instruction in English, 50% in another (target) language. Can serve both ELL students in need of English language development and English proficient students interested in learning a new language.
- 2) **Transitional Bilingual Education**: Instruction primarily in student's home language with development of reading and writing skills to help the student acquire language skills in English. All students share the same home language.
- 3) **English as a New Language (formerly ESL)**: Freestanding ENL instruction in English language skills to help students succeed in core content subjects or integrated ENL instruction in the content area co-taught by appropriately certified teachers.

→ The school must notify parents of all placement options for ELLs, regardless of whether the school offers the program or not.

Grades K to 8, CR Part 154-2, Transitional Bilingual Education Program

	ENGLISH PROFICIENCY LEVEL	ENTERING (Beginning)	EMERGING (Low Intermediate)	TRANSITIONING (Intermediate)	EXPANDING (Advanced)	COMMANDING (Proficient)
LANGUAGE ARTS	STAND-ALONE ENL	1 unit of study in ENL (180 min.)	.5 unit of study in ENL (90 min.)			
	INTEGRATED ENL	1 unit of study in ENL/ELA (180 min.)	1 unit of study in ENL/ELA (180 min.)	5 unit of study in ENL/ELA (90 min.)	1 unit of study in ENL/ELA or other Content Area (180 min.)	
	FLEXIBILITY		.5 unit of study can be STAND-ALONE ENL <u>or</u> INTEGRATED ENL/Content Area (90 min.)	5 unit of study can be STAND-ALONE ENL <u>or</u> INTEGRATED ENL/Content Area (90 min.)		5 unit of study per week of INTEGRATED ENL in ELA/Content Area, <u>or</u> other approved Former ELL services for two additional years*
	TOTAL	360 minutes per week	360 minutes per week	180 minutes per week	180 minutes per week	
HOME LANGUAGE ARTS	1 HLA Class	1 HLA Class	1 HLA Class	1 HLA Class		
BILINGUAL INSTRUCTION	BILINGUAL CONTENT AREA SUBJECTS	Minimum of 2	Minimum of 2	Minimum of 1	Minimum of 1	
	STAFFING/ PERSONNEL	K-8 BILINGUAL EDUCATION PROGRAM <ul style="list-style-type: none"> (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 <ul style="list-style-type: none"> (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. 		
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.



Grades 9 to 12, CR Part 154-2, Transitional Bilingual Education Program

	ENGLISH PROFICIENCY LEVEL	ENTERING (Beginning)	EMERGING (Low Intermediate)	TRANSITIONING (Intermediate)	EXPANDING (Advanced)	COMMANDING (Proficient)
LANGUAGE ARTS	STAND---ALONE ENL	1 unit of study in ENL (180 min.)	5 unit of study in ENL (90 min.)			
	INTEGRATED ENL	1 unit of study in ENL/ELA (180 min.)	1 unit of study in ENL/ELA (180 min.)	.5 unit of study in ENL/ELA (90 min.)	1 unit of study in ENL/ELA or other Content Area (180 min.)	
	FLEXIBILITY	1 unit of study can be STAND---ALONE ENL instruction or INTEGRATED ENL in Content Area (180 min.)	5 unit of study can be STAND---ALONE ENL <u>or</u> INTEGRATED ENL/Content Area (90 min.)	.5 unit of study can be STAND---ALONE ENL <u>or</u> INTEGRATED ENL/Content Area (90 min.)		.5 unit of study per week of INTEGRATED ENL in ELA/Content Area, <u>or</u> other approved Former ELL services for two additional years*
	TOTAL	540 minutes per week	360 minutes per week	180 minutes per week	180 minutes per week	
	HOME LANGUAGE ARTS	1 HLA Course	1 HLA Course	1 HLA Course	1 HLA Course	
BILINGUAL INSTRUCTION	BILINGUAL CONTENT AREA SUBJECTS	Minimum of 2	Minimum of 2	Minimum of 1	Minimum of 1	
ISSUANCE OF CREDITS	STAND---ALONE ENL	Elective credit per successful completion of each corresponding STAND---ALONE ENL unit of study		HOME LANGUAGE ARTS Language Other Than English credit per successful completion of each corresponding HLA 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		BILINGUAL CONTENT AREA Content area credit per successful completion of each corresponding Bilingual Content Area subject		
STAFFING/ PERSONNE	BILINGUAL EDUCATION PROGRAM	<ul style="list-style-type: none"> (9-12) <u>Bilingual Content Area</u> teacher with a bilingual extension. [HLA must be taught by a certified Language Other Than English teacher.] 		ENGLISH AS A NEW LANGUAGE PROGRAM <ul style="list-style-type: none"> (9-12) <u>Stand-alone</u> ESOL certified teacher (9-12) <u>Integrated</u> ENL can be taught by an ESOL teacher with Content Area certification or two individually certified teachers. 		
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.

CR Part 154 Requirements for English as a New Language*, Grades K to 8				
Levels (as of 2015-16 SY)	Total # Minutes ENL	Breakdown of Total # Minutes ENL		Flexibility: Minimum # minutes standalone OR integrated ENL (with ELA or any other content area)
		Minimum # minutes standalone ENL	Minimum # minutes integrated ENL	
Beginner / Entering	360	180	180 integrated ENL/ELA	0
Low Intermediate / Emerging	360	90	180 integrated ENL/ELA	90
Intermediate / Transitioning	180	0	90 integrated ENL/ELA	90
Advanced / Expanding	180	0	180 integrated ENL/ELA or other content area	0
Proficient / Commanding**	90	0	90 integrated ENL/ELA or other content area	0

CR Part 154 Requirements for English as a New Language*, Grades 9 to 12				
Levels (as of 2015-16 SY)	Total # Minutes ENL	Breakdown of Total # Minutes ENL		Flexibility: Minimum # minutes standalone OR integrated ENL (with ELA or any other content area)
		Minimum # minutes standalone ENL	Minimum # minutes integrated ENL	
Beginner / Entering	540	180	180 integrated ENL/ELA	180
Low Intermediate / Emerging	360	90	180 integrated ENL/ELA	90
Intermediate / Transitioning	180	0	90 integrated ENL/ELA or other content area	90
Advanced / Expanding	180	0	180 integrated ENL/ELA or other content area	0
Proficient / Commanding**	90	0	90 integrated ENL/ELA or other content area	0

*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.

**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

Role of the Parent in Program Selection

Schools must provide parents of newly identified ELL students with a parent orientation in the parents' preferred language that:

- Provides information about the three program models
- Gives parents an opportunity to select the program model for their child
- If the parent does not select a program within five school days the student is:
 - a) Placed in a transitional bilingual program if the school offers one.
 - b) Placed in an ENL (formerly ESL) program if the school does not offer a bilingual program.

What If the parent's preferred ELL program is not available at the school?

School informs parent the option is not available:

- 1) Parent can keep the child in the school in an available program or,
- 2) Give the parent the right to transfer the child to a school that offers the preferred program.
- 3) Parents who believe their child has been mis-identified as ELL have 45 days from the date of their child's enrollment to request a re-identification process. The process must be completed within 10 days.

How are parents informed about their child's progress in learning English?

- Appropriate school staff must meet individually with parents of ELL students at least once a year to discuss the child's progress and assessment results.
- Schools may use parent engagement time for this purpose.
- This is in addition to regular parent-teacher conferences.

Students with IEPs

How do schools determine if an entering student with and IEP whose home language is other than English is eligible for the NYSITELL?

Language Proficiency Team* is formed and reviews evidence of student's English language development.

RESULTS OF THE LPT REVIEW

LPT/principal/superintendent determines student may have English language acquisition needs and recommends that student take the NYSITELL. Student takes NYSITELL

**LPT recommends that student NOT take NYSITELL.
Decision is reviewed by principal.
If principal agrees with LPT recommendation, superintendent reviews and makes final decision.**

The LPT must inform parents of their decision within 3 school days in parent's preferred language.

*LPT membership: school administrator, certified bilingual or English as a second language teacher, director of special education and the student's parent or guardian.

How are services for ELLs with Individualized Education Programs determined?

- IEP team determines language in which programs and services are provided.
- ELLs with disabilities receive all test modifications on their IEP.
- Timelines for placement and parental options may differ slightly from those of ELL students without IEPs.

N.B. Many characteristics of new language acquisition may appear to mirror certain learning disabilities, such as difficulty distinguishing sounds and symbols. These do not necessarily indicate a learning disability.

Exit from ELL Status

How do we determine when students no longer need support of a program for ELLs?

The decision to end placement is determined by:

- A score of proficient on the New York State English as a Second Language Achievement Test (NYSESLAT) or,
- A score of advanced on the NYSESLAT **and** test at Level 3 or 4 on the Grade 3-8 English Language Arts Assessment or,
- A score of advanced on the NYSESLAT **and** a score of 65 or higher on the English Regents.

Parents must be informed when a decision to end program placement is made.

Additional Supports for Former ELLs

What supports are available for former English language learners?

- New York State requires 90 minutes per week of integrated ENL instruction for two years after a student tests out of a program.
- Academic Intervention Services (AIS), content area support, ESL instruction or regular consultation between the ESL teacher and mainstream teachers may be included as part of these services.
- Former ELL students are eligible for test accommodations such as time extensions, separate locations and use of bilingual dictionaries, as determined by schools.

Professional Development

What supports are available for educators?

- All teachers must receive 15% of their total professional development hours in topics specific to needs of English language learners.
- Certified bilingual and ESL teachers must receive 50% of their total professional development hours in topics specific to the needs of English language learners.
- School professional development teams should plan offerings during the school year based on these requirements of Part 154.
- Assistance is available from the UFT Teacher Center and the Department of Education Office of English Language Learners.

Resources

This PowerPoint will be posted online on DELLSS' website:

<http://intranet.nycboe.net/SpecialPopulations/ELL/default.htm>

See SED's CR Part 154 website:

<http://www.p12.nysed.gov/biling/bilinged/CRPart154.html>

Review SED's Units of Study Tables (for TBE):

<http://www.p12.nysed.gov/biling/resource/cr-part-154/units-of-study-bilingual.html>

Review SED's Units of Study Tables (for ENL):

<http://www.p12.nysed.gov/biling/resource/cr-part-154/units-of-study-enl.html>

SIFE Resources:

<http://intranet.nycboe.net/SpecialPopulations/ELL/Resources/SIFE.htm>

Contact your senior ELL CPS:

<http://schools.nyc.gov/NR/rdonlyres/3E8548AB-3824-4328-91CE-18F2399599BA/0/SeniorELLComplianceandPerformanceSpecialistdec2014>