




Ira Schwartz, Assistant Commissioner  
Office of Accountability  
55 Hanson Place, Room 400  
Brooklyn, New York 11217  
Tel. (718) 722-2796 / Fax: (718) 722-4559

## **MEMORANDUM**

**TO:** Superintendents of Public Schools  
Directors of Charter Schools  
Administrators, Coordinators, Directors of LEP/ELL Programs

**FROM:** Ira Schwartz 

**SUBJECT:** Provision of English as a Second Language (ESL) Component of a K-6 Bilingual Program by Common Branch Teachers with Bilingual Extensions

**DATE:** October 2011

---

After a review of Commissioner's Regulations (CR) §154.2(e)(1)(ii) requested by school districts, the State Education Department has determined that the regulations permit common branch (K-6) teachers with a bilingual extension to teach the English as a Second Language (ESL) component of a K-6 bilingual program. In all other grades, 7 to 12, the ESL instruction must be provided by a certified English to Student of Other Languages (ESOL) teacher.

After analyzing the credentialing requirements for both ESOL and Common Branch (K-6) teachers with a bilingual extension, the Department has concluded that these positions entail very similar certification requirements. In addition, teachers in these positions have completed extensive course work in linguistics, sociolinguistics, methods of teaching a second language, teaching language through content, and foundations of bilingual and multi-cultural education.

Therefore, as of October 2011, Common Branch (K-6) teachers with bilingual extensions may teach the English as a Second Language (ESL) component of a K-6 bilingual program. A bilingual program consists of Native Language Arts (NLA), English Language Arts (ELA), English as a Second Language (ESL), and content area classes both in the student's native language and in English (based on the bilingual program model selected by the Local Education Agency (LEA): transitional, maintenance, dual language, two way, etc.).

Please note that LEAs continue to have the option to have a certified ESOL teacher provide the ESL services in a K-6 bilingual program. LEAs using either approach will be in compliance with CR Part 154 requirements.

The Department encourages districts to take advantage of this flexibility to assign both ESOL and bilingual teachers in ways that maximize support for English language learners and increase the number of common branch bilingual programs offered.

If you have any questions, please do not hesitate to call the Office of Bilingual Education-Foreign Language Services office at (518) 474-8775 (Albany office), or (718) 722-2445 (New York City office).

CC: John B. King, Commissioner  
Pedro J. Ruiz, Coordinator OBE-FLS