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# English Language Learners (ELLs)



# INTRODUCTION

In the fall of 2014, the Board of Regents adopted the





# 1. SCREENING

## 1a. Screening – Home Language Questionnaire (HLQ)

After registration and enrollment in the school, the HLQ is completed by the parent/guardian.



## 1b. Screening – Individual Interview

This interview must be conducted in English and the student's home language by qualified personnel. The interview and all future oral and written communications must be conducted with a qualified translator/interpreter provided by a school/district. The interview should include a review of the student's abilities or work samples in:

- reading and writing in English
- reading and writing in the home language
- math

These items are collected or generated during the interview. These can be writing samples or exercises completed at the time of the interview.

For students reentering the NYS public school system, the interview must include a review of prior experience in the home language and/or English instruction to determine if the student shall be administered the New York State Identification Test for English Language Learners (NYSITELL) and to determine the student's level of literacy in their home language and grade level in math. All documents must be placed and should remain in the student's cumulative record. Some of this information may be used to determine if a student is a potential Student with Inconsistent/Interrupted Education (SIFE). This will be discussed in 2b.

If the home language is English or the student's primary language is English, then the student is not an ELL and **screening for ELL Identification stops**.

If the student has an IEP, proceed to Step 1c – Screening – Student with an IEP.

If the home language is other than English or the student's primary language is other than English, then the student may be an ELL.

Step 1c. Screening – Student with an IEP

If the Language Proficiency Team (LPT) determines that the student with an IEP may have second language acquisition needs, the LPT will determine whether the student



the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within this grade level.

Emerging (Low Intermediate): A student at this English language proficiency level has some dependence on supports and structures to advance his or her academic language skills. As measured by the NYSITELL or the NYSESLAT, a student at this level has yet to meet the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within this grade level.

Transitioning (Intermediate): A student at this English language proficiency level shows some independence in advancing his or her academic language skills. As measured by the NYSITELL or the NYSESLAT, a student at this level has yet to meet the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within this grade level.

Expanding (Advanced): A student at this English language proficiency level shows great independence in advancing his or her academic language skills. As measured by the NYSITELL or the NYSESLAT, a student at this level is approaching the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within this grade level.

If the student's language proficiency is the following, then **the student is not an ELL** and the parent/guardian will receive a Non-Entitlement Letter:

Commanding: As measured by the NYSITELL a student at this level has met the linguistic demands necessary to demonstrate English language proficiency in a variety of academic contexts within his or her grade level.







## 2c. Parent Notification/Entitlement of ELL Identification Determination

Within five school days of a student being identified as an ELL, the parent/guardian is to receive written notice in their indicated preferred language, including the following:

- ELL's English language proficiency level
- Parent/Guardian's right to seek a review of ELL Identification/Entitlement Determination
- Information regarding the Parent Orientation session

## 2d. Parent Orientation for New English Language Learners

to an ELL's placement in a Bilingual Education (BE) or English as a New Language (ENL) program, districts are required to provide the parent/guardian of new entrants with a high quality orientation session. The session must include information regarding:

- Program goals and requirements for BE and ENL programs
- New York State Common Core Learning Standards (CCLS)
- State/Local Assessments
- School expectations for ELLs

All agendas and sign-in sheets must be maintained in a central location in the district/school's files.

NOTE: The student must be placed in a program even if the parent does not attend the orientation.

Proceed to Step 3 – ELL Program Placement.

### 3. ELL PROGRAM PLACEMENT

Within 10 school days of enrollment, the student must be placed in the appropriate ELL program. Bilingual Education (BE) is the default program for ELL instructional placement; however, parents can decide to have their child enrolled in English as a New Language (ENL) in its place.

Parents/guardians must receive written notification of their child's ELL program placement in a BE or ENL program.

A BE program is required in a school when 20 or more





## 5. ELL EXIT CRITERIA

ELLs can exit ELL status in the following ways:

Grades K-12: Scoring at the Commanding/Proficient level on the NYSESLAT.

Grades 3-8: Scoring at the Expanding/Advanced level on the NYSESLAT and 3 or above on the NYS ELA assessment within the same school year.

Grades 9-12: Scoring at the Expanding/Advanced level on the NYSESLAT and 65 or above on the Regents Exam in English within the same school year.

In accordance with section 200.4(d), the CSE must annually determine if a student with a disability needs individual testing accommodations to participate in a State assessment of student achievement.<sup>2</sup> The NYSESLAT is a NYS assessment of students' English language proficiency achievement. The NYSESLAT must be administered in consideration of any testing accommodation recommended in the student's IEP that is allowable by State policy. In accordance with section 154-3.4, a student with a disability participates in the NYSESLAT with or without the use of testing accommodations, as specified in the IEP and in accordance with State policy for the administration of the assessment. Students with 504 plans that include recommendations for testing accommodations must also be provided those accommodations on the NYSESLAT that are consistent with State policy for the administration of the assessment.

Once an ELL has exited ELL status, he/she is entitled to two years of Former ELL services and is now designated a Former ELL.

<sup>2</sup> A CSE must also specify if the student will participate in an alternate assessment on a particular NYS assessment of student achievement. If so, the IEP must provide a statement of why the student cannot participate in the regular assessment and why the particular assessment selected is appropriate for the student. However, while CR Part 154 regulations state that the CSE can recommend an alternate assessment of English language proficiency, this option currently is not available in NYS as the State does not have an approved alternate NYSITELL, NYSESLAT, or other ELP assessment.

