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Dear Colleagues,

We would like to take this opportunity to acknowledge your hard work for and dedication to English Language Learners (ELLs). We recognize the invaluable work that educators of ELLs and teachers of World Languages are doing and believe that together we can improve educational services for ELLs so that our students can attain the highest level of academic success and language proficiency.

We know that you are presently planning for the next school year when CR PART 154-2 and 154-3 will be fully implemented. In order to facilitate this planning, we are attaching for your use and reference some [English as a New Language \(ENL\)](#) and [Transitional Bilingual Education \(TBE\)](#) Unit of Study tables. These will assist you in planning next year's program requirements for ENL and Bilingual Education (BE) programs. Note that the intermediate level of proficiency has now been split into two levels to better identify and serve those students. Students at the new intermediate level will now receive 180 minutes of study, as opposed to the 360 minutes they currently receive. Also, note that recent revisions to CR Part 154 have also changed service level requirements in high school to better allow students to accumulate high school credits. The goal of all components of an ENL and BE program is for teachers to leverage their expertise so ELLs benefit linguistically, academically, and socio-emotionally. Attached are links to important Regents items and memos to the field providing reference and easy access to all changes and mandates currently taking place in New York State for ELLs. A follow up document will be released addressing different program models, including Dual Language.

We at the New York State Education Department, like you, are committed to ELLs' academic success by ensuring that ELLs are at the forefront of every educational initiative. In the last fifteen months, there have been many new initiatives and policy changes focusing on this population. We have made many strides to ensure the needs of ELLs are addressed, and New York State is moving in a powerful direction for the education of ELLs. We will continue our efforts to lead this work. Below is an overview of our recent efforts:

- In the last year, as the nation celebrated the 40th anniversary of *Lau v. Nichols*, the landmark Supreme Court case that expanded ELL rights, the New York State Board of Regents adopted new amendments to Part 154 of the Regulations of the Commissioner of Education. CR Part 154-2 and 154-3 set the standards for educational services for ELLs.
- In April 2014, the Department released ["The Blueprint for English Language Learners Success,"](#) a statewide framework of eight guiding principles for administrators, policy makers, and practitioners to prepare ELLs for success beginning in Prekindergarten, to lay the foundation for college and career readiness.
- The Department has also created [a new pathway to make available a local diploma via appeal](#) for ELLs who score between a 55-61 on the Regents examination in English and meet additional criteria for appeal. In addition, there is now better defined criteria for students to exit ELL status, described in Section 154-2.3(m). As a result, over 3,000 ELLs statewide were identified who met or exceeded proficiency standards under that provision.
- The Department is also recommending changes, effective for a three year period from July 1, 2015 until June 30, 2018 to the [supplementary bilingual education extension](#) and the ESOL supplementary certificate, which will allow more teachers to be eligible for these certificates. This will assist school districts and BOCES in finding certified ESOL teachers and bilingual teachers to instruct English Language Learners.

Furthermore, we have been working on several initiatives to create resources and supports for schools and districts as they deliver Common Core-aligned instruction to ELLs. Some highlights are:

- Creating two ELL District Leadership Councils that meet every month to discuss challenges, opportunities, and solutions, as well as developing resources based on best practices at the district level.
- Working with the American Institute for Research to enhance and build on [scaffolds for ELLs in the P-12 ELA and Math Common Core curricula](#).
- Developing the [New York State Bilingual Common Core Progressions](#), which address each Common Core standard for ELA, and demonstrate how ELLs at all levels of language development incrementally reach the Common Core standards.
- Aligning the New York State English as a Second Language Achievement Test (NYSESLAT) to the Common Core. [The Spring 2015 Common Core-aligned NYSESLAT](#) will drive the provision of ELL services in BE and ENL programs beginning in the 2015-2016 school year, as prescribed in Commissioner's Regulations Part 154. It is crucial that our ELLs are provided with the necessary classroom supports as determined by the levels on the NYSESLAT. Results reflecting five expanded proficiency levels (Entering/Beginning, Emerging/Low Intermediate, Transitioning/Intermediate, Expanding/Advanced, Commanding/Proficient) will provide important information about each ELL's English language development that helps inform and drive instruction aligned to the NYS Common Core Learning Standards (CCLS), Blueprint for ELL Success (BELLS), and Bilingual Common Core Initiative's (BCCI) Language Arts Progressions. This will ensure that all New York State ELLs are adequately and appropriately supported in Common Core classes as they successfully prepare to be college and career-ready upon graduation.
- Translating the P-12 Math Curriculum Modules into the top five languages spoken in New York State, including Spanish, Chinese, Arabic, Bengali, and Haitian Creole. These long awaited math lessons will begin to be posted in the next month.
- Developing new resources for parents of ELLs to enable them to make informed decisions about their child's education. There will be resources available for use with parents of ELLs such as a Parent Bill of Rights and a Parent Hotline. These resources can be used to report any civil rights complaints from ELLs, their parents, or persons in parental relation under Part 154.
- Developing a Student with Interrupted Formal Education (SIFE) curriculum to meet the needs of low-literacy newcomer students in secondary school. This curriculum will offer a rigorous and accelerated framework for providing students with the content, language, and literacy skills necessary for their academic success. There are several pilots currently being implemented throughout the state.
- Creating an online tool in nine languages to determine the home literacy level for SIFE students.
- Collaborating with the Office of Early Learning to establish a committee comprised of educators and advocates who share the importance of promoting ELLs' receptive and productive oral and literacy development, as well as the advantages of multilingualism. The Committee on Bilingual Education in Prekindergarten Programs was established in May of 2014. On October 20, the committee recommended to the Board of Regents [to direct staff to draft and develop protocols and procedures to reflect the needs of emerging bilingual children in prekindergarten programs](#), which will include items such as a student questionnaire, professional development curricula for prekindergarten administrators and teachers, and the creation of resources for families.
- New York State has legislation to recognize high school graduates who demonstrate academic excellence in attaining proficiency in one or more languages other than English with a state Seal of Biliteracy. The Seal will be attached to diplomas and transcripts of graduates who excel in listening, speaking, reading, and writing in multiple languages. The Department is currently running several pilots that will inform the implementation of the Seal of Biliteracy.

- Funding the Intensive Teacher Institute for Bilingual Education. [NYSED's Office of Bilingual Education and World Languages \(OBE-WL\) is partnering with institutions of higher education \(IHE\)](#) across the state to expand bilingual and ESOL teacher training and certification. We are currently working with the following colleges and universities: Hunter College, Molloy College, St. Johns University, Teachers College of Columbia University, and Touro College. The Department continues to be committed to the recruitment and certification of new BE and ESOL teachers, in an effort to address the increasing shortages in several regions of NYS
- Developing a set of model adaptations of content aligned to the Common Core that are appropriate for ENL teachers and for content teachers to use with ELLs, as well as a set of technology-enabled tools to help teachers adapt content so that novel adaptations can be created by individuals or communities of teachers.

On the horizon:

- As part of the ESEA Flexibility from the United States Department of Education (USDOE), NYSED is applying for [a federal waiver](#) to better capture data and measure growth in language arts for ELLs. The state currently relies exclusively on the ELA assessments to make language arts accountability determinations for ELLs. The waiver seeks to exempt newly arrived ELLs from participating in the ELA assessments for two years.
- NYSED is also applying to USDOE to allow the inclusion of the Performance on the NYSESLAT in the Grade 3-8 Performance Index for ELLs who have received less than three years of service. Beginning in 2014-15, New York State plans to give credit in the Grade 3-8 ELA Performance Index to students who would have received partial or no credit using the ELA test results (i.e., students who scored at Performance Level 1 or 2) and who have shown progress in learning English on the NYSESLAT examination (per requirements of Title III AMAO 1).
- As part of the 2015 Regents State Legislative Priorities, the Regents proposed tenure and Seniority Protections for Bilingual and ESOL Teachers and Teaching Assistants. This enactment of legislation will require districts, in the event of an abolition of a position, to excess the teacher/teaching assistant with the least seniority in the tenure area of the position abolished, except where the retention of a less senior teacher or teaching assistant fluent in a specific language is necessary for the school district to provide required bilingual/ESOL instruction.
- Regents 2014-15 State Aid proposal proposed a targeted \$86 million investment to provide schools with the appropriate tools that will enable teachers to best support the needs of ELLs. An additional \$14.75 million budget request has been made to enhance the achievement of ELLs for 2015-16. The new funding would support curriculum specialists to provide assistance and support to school districts and the development of a Native Language Arts assessment.

We are indebted to districts for ensuring that all ELLs receive the services and support they need. Once again, we want to thank you for your continued dedication to this work and above all, your commitment to this incredible population of children. We are excited to be working alongside you as we bring ELLs to the forefront of the national agenda for education.

All the best,



Angelica Infante
Associate Commissioner for Bilingual Education and World Languages

*See next page for additional language with embedded links

In 2012, NYSED launched the [Bilingual Common Core Initiative](#). In alignment to the Common Core, NYSED developed New Language Arts Progressions (NLAP) and Home Language Arts Progressions (HLAP) for every NYS Common Core Learning Standard in every grade.

In 2014, the [Blueprint for English Language Learners \(ELLs\) Success](#) provided the state with a framework aimed to augment expectations for administrators, policymakers, and practitioners to prepare ELLs for success, beginning in Prekindergarten, to lay the foundation for college and career readiness.

In 2014, new [Scaffolding Instruction for English Language Learners Resource Guides for ELA and Mathematics](#) were released on Engage NY.

In [September](#) and [November](#) of 2014, after an extensive three-year planning process, the Board of Regents passed amendments to Part 154 of the Commissioner's Regulations (CR) to better serve New York's ELL population.

In October of 2014, the Board of Regents approved [expanded criteria for qualifying ELL students](#) who enter school in high school to graduate with a local diploma.

[NYSED's Office of Bilingual Education and World Languages \(OBE-WL\) is partnering with institutions of higher education \(IHE\)](#) across the state to expand bilingual and ESOL teacher training and certification. As funding is made available and upon approval, NYSED is collaborating with IHEs to provide opportunities for graduate students to receive additional certifications in Bilingual Education and ESOL through Clinically Rich Intensive Teacher Institutes. In March of 2015, [the Office of Higher Education proposed amendments to Regulations of the Commissioner](#) governing pathways towards Supplementary Certificates for Bilingual Education Extension and English to Speakers of Other Languages.

[Regents 2015 State Legislative Priorities](#)