

L.I. RBERN

Bilingual/ENL Coordinators' Networking Meeting February 29, 2024

Standalone ENL Survey

<https://bit.ly/StandaloneSurvey>



Agenda:

https://www.canva.com/design/DAF5me0pv5Y/0NOL_W00aR-LAIWbEnBVZg/edit?utm_content=DAF5me0pv5Y&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

Standalone ENL Survey

- <https://bit.ly/StandaloneSurvey>
- <https://forms.gle/1ZafyYKcXJCV89Qv6>



New L.I. RBERN Website!!

www.longislandrbern.org



Special Thanks!

Breakfast and Book Samples

Compliments of:

Sussman Education / Lightswitch Learning / Continental Press

Steve Sussman, President

Sussman Education/Lightswitch Learning



Supplementary Certification Amendments

Emergency amendment adopted at the September 2023 Board of Regents meeting provides **flexibility in Supplementary Certificate requirements**.

Flexibility options are applicable to:

- ESOL certified teachers seeking a certificate in another area
- Teachers certified in other areas seeking a certificate in ESOL
- Certified teachers seeking a Bilingual Extension

Teachers must apply between September 12, 2023 and August 31, 2024.

<https://www.highered.nysed.gov//tcert/NewSupplementarycertoptions.html>

<https://www.regents.nysed.gov/sites/regents/files/923hep12a1revised.pdf>

Supplementary Certification Amendments Teachers Seeking ESOL and Other Certification Areas

Old Requirement

- Hold Valid NYS Teaching Certificate
- Complete 9-12 credits of coursework
- Pass CST for title sought
- Employer Statement
- Valid for 5 years

Amendment - must apply before 8/31/2024

- Hold Valid NYS Teaching Certificate
- Pass CST
- Employer Statement

OR

- Hold Valid NYS Teaching Certificate
 - Complete 9-12 credits of coursework
 - Employer Statement
-
- Valid for 5 years. Not renewable.

Supplementary Certification Amendments

Bilingual Extension

Old Requirement

- Hold Valid NYS Certificate in Teaching or a PPS title
- Demonstration of language proficiency
- Enrollment in a NYS registered program leading to Bilingual Ext
- Institutional Recommendation
- Complete 3 credits of coursework
- Employer Statement
- Valid for 3 years; non renewable

Amendment - must apply before 8/31/2024

- Hold Valid NYS Certificate in Teaching or a PPS title
- Pass the Bilingual Education Assessment
- Employer Statement
- Valid for 3 years; **renewable** for 3 additional years if certain conditions are met

January 2024 ELLs with Disabilities Memo

Joint Memo issued by OBEWL & OSE
Link to the memo:

[Joint NYSED OSE+OBEWL Memo](#)

Clarifies the intersection of CR Part
154 and Part 200.

LONG ISLAND
REGIONAL BILINGUAL E
RESOURCE



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234
OFFICE OF BILINGUAL EDUCATION AND WORLD LANGUAGES
ASSOCIATE COMMISSIONER
OFFICE OF SPECIAL EDUCATION
ASSISTANT COMMISSIONER

January 2024

TO: BOCES District Superintendents
School District Superintendents
Superintendents of Special Act School Districts
Superintendents of State-Operated Schools
Superintendents of State-Supported Schools
Public School Administrators
Charter School Leaders
Special Education Directors
Chairpersons of Committees on Special Education
Chairpersons of Committees on Preschool Special Education
Administrators of Nonpublic Schools with Approved Special Education Programs
Organizations, Parents, and Individuals Interested in Special Education

FROM: Elisa Alvarez

Christopher Suriano

SUBJECT: Bilingual and English as a New Language (ENL) Services for English Language Learners (ELLs) who are Students with Disabilities

This memorandum supersedes the March 2011 joint field guidance and clarifies New York State Education Department (NYSED) policy regarding the right of English Language Learners (ELLs) who are identified as eligible for special education to continue receiving language acquisition services as required under Part 154 of the Regulations of the Commissioner of Education and federal civil rights law. Consistent with this mandate, section 154-2.4(b) directs each school district to provide assurances that each ELL, including an ELL with a disability, has access to appropriate instructional and support services.

[Services under Part 154](#)

Key Point #1 - CR Part 154 Services are Core Instruction

An ELL who is eligible for special education services must continue to participate in the district's bilingual education or ENL program.

- a. *Services under Part 154 are considered core instruction.*
- b. *The CSE may determine that a bilingual education or ENL program be provided to the student in their special class.*
- c. *If the CSE has determined that an ELL with a disability cannot participate in the district's bilingual or ENL program, **it must consider specially designed instruction provided by the appropriate qualified staff.***
 - i. *This means a teacher dually certified in special education or reading and a bilingual extension or ESOL (English to Speakers of Other Languages) certification. This means that **specially designed instruction provided by an individual who does not hold a bilingual or ESOL certification cannot replace a student's right to access the district's bilingual or ENL program as a result of scheduling or availability of staff to provide such services.***

Key Point #1 - Q&A

Q: *Can Special Education services and CR Part 154 services be provided at the same time?*

A: Yes, but ELLSWD with an integrated co-teaching service recommendation must be provided instruction by separate special education and general education teachers.

Q: *Isn't providing CR Part 154 services to ELLSWD in their special class considered "double dipping" if services are provided at the same time?*

A: No, the prohibition on double-dipping refers specifically to the requirement that integrated co-teaching services be provided by two separate teachers (i.e., a special education teacher and a general education teacher).

Key Point #1 - Q&A

Q: How and where would ENL or bilingual education services be documented on the IEP? Are districts documenting the location of services, the provider, or the units of study? What is this supposed to look like on the IEP?

A: The IEP must include documentation that the CSE considered special factors related to the language needs of ELLs in the development of the student's IEP. If the CSE determines that an ELL requires special ed services such as bilingual speech and language therapy or a bilingual special class, the applicable box in this section of the IEP would be checked "Yes" (if a bilingual service is to be provided, the IEP must specify the language).

Since ENL, transitional bilingual education and dual language are general ed services, they will not be referenced in the IEP.

Also note, that per CR Part 154-2.3(a)(9) the CSE for must include at least one certified bilingual or ESOL teacher who is knowledgeable about the student's English and home language development needs.

Key Point #2 - CSE Authority

- a. **The CSE does not have the authority to terminate an ELLSWD's participation in the district's bilingual or ENL program**, unless the student has met the exit criteria (NYSESLAT and NYSESLAT plus ELA/Regents pathway).
- b. For ELLSWD placed in an **out-of-district program** (e.g., Board of Cooperative Educational Services, charter school, approved special education program), the **school district should consider how bilingual and/or ENL programs will be made available to the student** including, but not limited to, consideration of whether the student could participate in the public school district's stand-alone ENL program to receive the necessary units of instruction.

Key Point #2 - Q&A

Q: *While the CSE does not have the authority to terminate an ELLSWD's participation in the district's bilingual or ENL program, unless they have met the exit criteria, **can the CSE modify mandated CR Part 154 services?***

A: *No. CR Part 154 services can neither be modified or terminated.*

Key Point #3 - Emergent Multilingual Learners

- a. *Personnel with knowledge of second language needs and how these needs relate to the student's disability should be invited to participate in the CPSE*
- b. *CPSEs and approved preschool programs are reminded that the requirement that the language needs of the student as such needs relate to the student's IEP be considered in the IEP development process applies to students ages 3-21 based on IDEA regulations.*

Key Point #4 - Testing Accommodations

- a. *In addition to testing accommodations ELLs are entitled to under CR Part 154, the CSE should also identify individual testing accommodations needed as a result of their disability.*
 - i. **Many CSEs overlook accommodations for Listening and Speaking sections on the NYSESLAT.**
- b. *To ensure that IEPs for ELLs with disabilities are appropriately developed, **the CSE must include one individual who is appropriately certified in bilingual services or ESOL instruction.***

Key Point #5 - Evaluation of Newly Enrolled ELLs

- a. ***There is no minimum period of time that must pass prior to evaluating a newly enrolled ELL for special education services.***
- b. *An ELL suspected of having a disability or referred by a parent must be evaluated subject to the regulatory timeline under Part 200.*

Key Point #5 - Evaluation of Newly Enrolled ELLs

- a. ***There is no minimum period of time that must pass prior to evaluating a newly enrolled ELL for special education services.***
- b. *An ELL suspected of having a disability or referred by a parent must be evaluated subject to the regulatory timeline under Part 200.*

Key Point #5 - Q&A

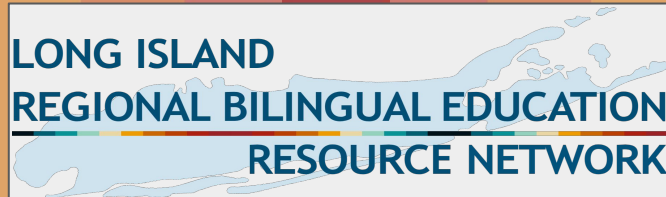
- a. ***Can SIFE suspected of having a disability be referred for an evaluation without waiting a minimum period of time?***
- b. *Yes, SIFE are ELLs and IDEA rights apply to **all** students.*

Key Point #6 - Exiting ELL Services

- a. *The sole criteria to exit an ELL student, including those with disabilities, from mandated CR Part 154 services are to:*
- i. *score Commanding on the NYSESLAT or;*
 - ii. *score Expanding plus attain a proficient score on the annual ELA exam, regardless of placement.*
- b. **The district or CSE does not have the authority to cease CR Part 154 services for any other reason.**

Grades 3-8 Assessments Testing Calendar & Administration

Reminders



Changes to Administration of Grades 3-8 Assessments Test Schedule

For the 2023-24 school year, there will be a multiple-week window to administer the Grades 3-8 English Language Arts (ELA) and Mathematics Computer-based Tests and the Grades 5 & 8 Science Computer-based Tests.

Computer-based testing	Grades 3-8 English Language Arts	Monday, April 8 – Friday, May 17	Make-ups must be given within the testing window	Must be completed by Friday, May 24*	N/A
	Grades 3-8 Mathematics				
	Grades 5 & 8 Science				
NYSESLAT Speaking		Monday, April 15 – Friday, May 24	Make-ups must be given within the testing window	Speaking is usually scored as it is administered	TBD
NYSESLAT Listening, Reading, Writing		Monday, May 13 – Friday, May 24	Make-ups must be given within the testing window	TBD	TBD

Changes to Administration of Grades 3-8 Assessments Test Schedule

Grades 3-8 ELA, Math & 5/8 Science

NYSESLAT Speaking

NYSESLAT L, R & W

Possible Vacations

*Strongly suggest
scheduling ELA
administration early in
the testing window.*

	S	M	T	W	T	F	S
	31	1	2	3	4	5	6
April	7	8	9	10	11	12	13
	14	15	16	17	18	19	20
	21	22	23	24	25	26	27
	28	29	30	1	2	3	4
	5	6	7	8	9	10	11
May	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28	29	30	31	1

Changes to Administration of Grades 3-8 Assessments Translated Editions – Math and Science

Beginning with spring 2024 administration, **all translated** editions of the test will be provided to students as **paper-based tests**.

- Tests will be available in Arabic, Bengali, Chinese (Simplified), Chinese (Traditional), Haitian Creole, Korean, Russian, and Spanish.
- The tests can also be translated orally into other languages for those ELLs whose home language is one for which an alternate language edition is not available from the Department.

Changes to Administration of Grades 3-8 Assessments Translated Editions – Math and Science

- Ordering Instructions - page 3, #15:

<https://www.nysed.gov/sites/default/files/programs/state-assessment/instructions-exam-requests-2024.pdf>

- *All alternate language editions of the tests will be paper format. Alternate language computer editions are no longer available. When requesting alternate language editions, schools will also receive the corresponding paper copies of the English editions of the tests to provide as a testing accommodation.*