

## Important Resource Sites

NYS Bilingual Education & Foreign Language Studies

[www.emsc.nysed.gov/biling/](http://www.emsc.nysed.gov/biling/)

National Clearinghouse for English Language Acquisition (NCELA)

[www.ncela.gwu.edu](http://www.ncela.gwu.edu)

Center for Applied Linguistics (CAL)

[www.cal.org](http://www.cal.org)



## NYSED Regulations & Policies regarding Limited English Proficient/English Language Learners (LEP/ELL)



**Supporting educators in 8 Western New York counties: Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Orleans, Niagara, and Wyoming.**

*Courtesy of and compiled by Mid-West BETAC*

## Mandated Programs & Services for LEP/ELL under CR Part 154

[www.emsc.nysed.gov/biling/bilinged/pub/](http://www.emsc.nysed.gov/biling/bilinged/pub/)

### Identification Process

[www.emsc.nysed.gov/biling/bilinged/pub/LEPproc.pdf](http://www.emsc.nysed.gov/biling/bilinged/pub/LEPproc.pdf)

- Administer the **Home Language Questionnaire (HQL)** to all students who register for the first time in NYS schools.

[www.emsc.nysed.gov/biling/bilinged/pub/hlq.html](http://www.emsc.nysed.gov/biling/bilinged/pub/hlq.html)

- Administer the **Language Assessment Battery (LAB-R)** to all students whose HLQ indicates a language other than English.

[www.emsc.nysed.gov/osa/lab\\_r](http://www.emsc.nysed.gov/osa/lab_r)

- The English proficiency level is determined by the LAB-R upon identification and subsequently by the **NYSESLAT**, administered annually.

[www.emsc.nysed.gov/osa/nyseslat](http://www.emsc.nysed.gov/osa/nyseslat)

### Mandated Programs

[www.emsc.nysed.gov/biling/bilinged/NEWCRPT.154.html](http://www.emsc.nysed.gov/biling/bilinged/NEWCRPT.154.html)

- English as a Second Language (ESL) instruction is **developmental**, not supplemental.
- Parents **do not have the right to decline** their child's participation in an ESL program.
- ESL instruction must be provided by a **certified ESL teacher**. Bilingual instruction must be provided by a **certified teacher with a bilingual endorsement**.

### Required Language Arts for LEP/ELL

ESL Program				
English Proficiency Level	GRADES K-8		GRADES 9-12	
	Number of Units*		Number of Units*	
	ESL	ELA	ESL	ELA
Beginning	2	-	3	-
Intermediate	2	-	2	-
Advanced	1	1	1	1

Bilingual/ESL Program						
English Proficiency Level	GRADES K-8			GRADES 9-12		
	Number of Units*			Number of Units*		
	ESL	NLA	ELA	ESL	NLA	ELA
Beginning	2	1	-	3	1	-
Intermediate	2	1	-	2	1	-
Advanced	1	1	1	1	1	1

\*Each unit is 180 minutes per week



**West Region  
BETAC**

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West Seneca, NY 14224

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[leppolito@elb.org](mailto:leppolito@elb.org)  
[mbochicchio@elb.org](mailto:mbochicchio@elb.org)

[www.elb.org/betac](http://www.elb.org/betac)



## New York State Assessments

[www.emsc.nysed.gov/osa/schedules](http://www.emsc.nysed.gov/osa/schedules)

- LEP/ELL students may receive **testing accommodations** for all State exams except the NYSESLAT. This also extends to former LEP/ELL students for up to 2 years. Accommodations are listed in the School Administrators Manual for state assessments.

[www.emsc.nysed.gov/osa/manuals](http://www.emsc.nysed.gov/osa/manuals)

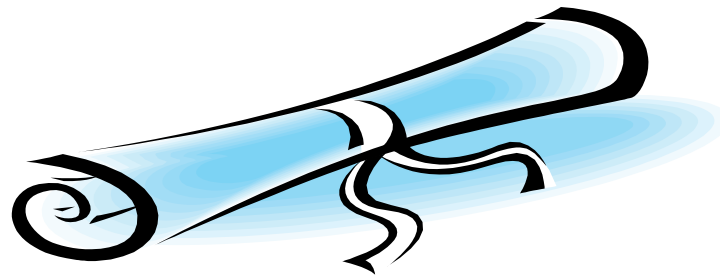
[www.emsc.nysed.gov/sar/accommodations10-08.pdf](http://www.emsc.nysed.gov/sar/accommodations10-08.pdf)

- LEP/ELLs may use **bilingual glossaries** for all state assessments, except NYSESLAT. Order glossaries at the beginning of the school year for students' use during their classes and on local exams as well as for state assessments.

[www.emsc.nysed.gov/biling/bilinged/bilingual\\_glossaries.htm](http://www.emsc.nysed.gov/biling/bilinged/bilingual_glossaries.htm)

- The **NYSESLAT**, administered annually, determines English language proficiency of LEP/ELL students and is the **ONLY criterion to determine proficiency**. Multiple measures may not be used.

[www.emsc.nysed.gov/osa/nyseslat/](http://www.emsc.nysed.gov/osa/nyseslat/)



## Awarding Credits to Secondary LEP/ELLs

### Awarding ELA Credits for ESL

To receive a NYS high school diploma, all LEP/ELLs must obtain a minimum number of units of credit in high school. Students entering 9th grade in 2001 and thereafter, must complete 22.0 units of credit. There is a minimum of 3.5 units of credit in sequence courses/electives.

**English Language Arts (ELA) credits may be awarded for English as a Second Language (ESL) instruction** to LEP/ELL students in Grades 9-12 at the Beginning, Intermediate, and Advanced levels of English language proficiency. The following chart outlines how ELA credits can be awarded for ESL.

PROFICIENCY LEVELS	REQUIRED UNITS OF STUDY Grades 9-12		Units of Credit awarded in ELA	Units of Credit awarded in ESL
	ESL	ELA	Core Credits	Elective Credits
Beginning	3	-	1	2
Intermediate	2	-	1	1
Advanced	1	1	2	-

### LEP/ELL Entering NYS Schools for the First Time in Grades 11 or 12

[www.emsc.nysed.gov/part100/pages/policytransqainrevision.html](http://www.emsc.nysed.gov/part100/pages/policytransqainrevision.html)

To receive a high school diploma, the **a student who transfers into a NYS school in 11th grade** must pass the Regents Comprehensive English Examination, a Regents Examination in Mathematics, a Regents Examination in U.S. History and Government, and a Regents Examination in Science, or approved alternatives. **A student who transfers into NYS schools in 12th grade** must pass three Regents: English, Mathematics, and U.S. History and Government, or approved alternatives.

**LEP/ELLs entering a NYS school for the first time in 11th and 12th grade** can be awarded the appropriate number of credits needed to complete the core English Language Arts credit requirements.

These cohorts of students will be required to obtain English Language Arts credits in order to graduate, but have a much briefer timeframe. The following chart outlines how such requirements can be met.

PROFICIENCY LEVELS	REQUIRED UNITS OF STUDY		Units of Credit awarded in ELA	Units of Credit awarded in ESL
	ESL	ELA	Core Credits	Elective Credits
Beginning	3	-	3	-
Intermediate	2	-	2	-
Advanced	1	1	2	-

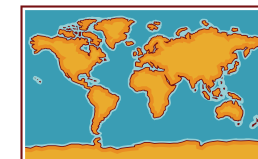
## Awarding Credit for Languages Other Than English (LOTE) to LEP/ELL

[www.emsc.nysed.gov/ciai/lote/documents/LOTEQAU.doc](http://www.emsc.nysed.gov/ciai/lote/documents/LOTEQAU.doc)

Schools may award LEP/ELLs the required credit for LOTE based on years of schooling in a language other than English, either outside the United States or in a bilingual education program in the U.S.

Schools may award LEP/ELLs **three to five Regents credit for documented continued school attendance and residence in an other-than-English speaking environment**, provided that the experience occurs at age 11 or older and that the residence resulted in direct contact with that environment and its people. At age 12, the school may award four credits under the above conditions, and at age 13, the school may award the maximum of five Regents credits. No more than five units of credit of languages other than English may be awarded for school attendance in an other-than-English speaking environment, regardless of the length of experience.

In cases where there are no available records to document the schooling experience, schools may rely on information provided by the parents or guardians in the Home Language Questionnaire, on interviews with the student and his/her parent or guardian and on information gathered from a diagnostic assessment of the students' native language literacy skills.



For more information contact::

**NYSED Office of Foreign Language Studies**  
[www.emsc.nysed.gov/ciai/lote](http://www.emsc.nysed.gov/ciai/lote)