

# ENGLISH LANGUAGE LEARNERS (ELLs) SCREENING, IDENTIFICATION, PLACEMENT, REVIEW, AND EXIT CRITERIA

ELL Screening, Identification, and Placement must be completed within 10 school days from enrollment date.

## STEP 1: SCREENING

**1a. SCREENING - HOME LANGUAGE QUESTIONNAIRE:** Administer the Home Language Questionnaire (HLQ) to all new students, which is to be maintained in each student's cumulative record. *Students must be enrolled in school upon registration.*

HLQ indicates student's home or primary language is other than English.  
**CONTINUE TO STEP 1b. SCREENING – INDIVIDUAL INTERVIEW**

OR

HLQ indicates student's home or primary language is English.  
**STOP STUDENT IS NOT an ELL**

**1b. SCREENING - INDIVIDUAL INTERVIEW:** An Individual Interview is conducted in English and in the student's home language by qualified personnel with students and parents/guardians. This includes reviewing documents, prior assessments, and academic experience. An assessment of the student's abilities and/or work samples determines the student's literacy and math level in his/her home language. *Based on the parent or guardian's indicated preferred language, the interview must be conducted with a qualified translator/interpreter provided by the school/district.*

Results of the individual interview confirm that the student's home or primary language is other than English. Results may assist in Student with Interrupted/Inconsistent Formal Education (SIFE) determination in step 2b.

OR

Results of the individual interview indicate that the student's home or primary language is English.

**STOP STUDENT IS NOT an ELL**

**FOR STUDENTS WITH DISABILITIES WHO ENTER WITH AN INDIVIDUALIZED EDUCATION PLAN, CONTINUE TO STEP 1c. SCREENING – STUDENT WITH AN IEP**

**FOR STUDENTS WITHOUT AN IEP, CONTINUE TO STEP 2a. INITIAL ELL IDENTIFICATION ASSESSMENT – NYSITELL**

**1c. SCREENING - STUDENTS WITH DISABILITIES WHO ENTER WITH AN IEP:** Follow CR Part 154-3 procedures regarding Students with Disabilities. Based on evidence reviewed, the Language Proficiency Team (LPT) makes the following determination:

If the LPT determines that the student with an IEP *may have* second language acquisition needs, the LPT shall recommend in accordance with the potential ELL's IEP whether the student shall take the NYSITELL with or without testing accommodations specified in the IEP.  
**CONTINUE TO STEP 2a. INITIAL ELL IDENTIFICATION ASSESSMENT - NYSITELL**

OR

If the LPT recommends to the principal that the student with an IEP does not have second language acquisition needs, and the principal agrees, the principal notifies the superintendent and the parents/guardians. The superintendent then has ten days to agree or disagree. If the superintendent agrees, the parents/guardians are notified within five days of the final determination if the student will not take the NYSITELL and thus not be designated as an ELL, and their right to request a review and their screening for ELL Identification stops. Interview notes, academic and assessment history, work samples, and record of LPT considerations are to be collected and maintained in each student's cumulative record.  
**STOP STUDENT IS NOT an ELL**

## STEP 2: INITIAL ELL IDENTIFICATION ASSESSMENT

**2a. INITIAL ELL IDENTIFICATION ASSESSMENT – NYSITELL:** Qualified personnel administer the statewide English language proficiency identification assessment, currently the NYSITELL. *For students with disabilities, provide approved testing accommodations per the student's IEP or 504 Plan, as indicated in CR section 154-3.3(a)(7).* Originals or copies of NYSITELL score sheets and results must be maintained in each student's cumulative record.

Student demonstrates English language proficiency at one of the following levels:

- ▶ Entering (Beginning)                      ▶ Transitioning (Intermediate)
- ▶ Emerging (Low Intermediate)           ▶ Expanding (Advanced)

**STUDENT IS an ELL**

**IF A STUDENT WAS IDENTIFIED AS A POTENTIAL SIFE DURING STEP 1b., CONTINUE TO STEP 2b. DETERMINATION OF ELL STUDENT WITH SIFE STATUS OTHERWISE, CONTINUE TO STEP 2c. PARENT NOTIFICATION OF ELL IDENTIFICATION**

OR

Student demonstrates English language proficiency at the

- ▶ Commanding (Proficient) level.

**STOP STUDENT IS NOT an ELL**

**2b. DETERMINATION OF ELL STUDENT WITH INTERRUPTED/INCONSISTENT FORMAL EDUCATION (SIFE):** Qualified personnel administer the SIFE questionnaire and diagnostic tool to determine SIFE status.

ELL student *is also designated* as a SIFE. Interview notes, academic and assessment history, and work samples are to be collected and maintained in each student's cumulative record.

**CONTINUE TO STEP 2c. PARENT NOTIFICATION OF ELL IDENTIFICATION DETERMINATION**

OR

ELL student *is not designated* as a SIFE. Interview notes, academic and assessment history, and work samples are to be collected and maintained in each student's cumulative record.

**CONTINUE TO STEP 2c. PARENT NOTIFICATION OF ELL IDENTIFICATION DETERMINATION**

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## 2c. PARENT NOTIFICATION OF ELL IDENTIFICATION DETERMINATION: *The notification letter must be maintained in the student's cumulative record.*

Within 5 school days of a student being identified as an ELL, parents/guardians are to receive written notice in their indicated preferred language, including the:

- ▶ Parents' right to seek a Review of ELL Identification Determination
- ▶ ELL's English language proficiency level
- ▶ Information regarding the Parent Orientation session

CONTINUE TO STEP 2d. PARENT ORIENTATION FOR NEW ENGLISH LANGUAGE LEARNERS

## 2d. PARENT ORIENTATION FOR NEW ENGLISH LANGUAGE LEARNERS

Prior to an ELL's placement in a Bilingual Education (BE) or English as a New Language (ENL) program, districts are required to provide the parents/guardians of new ELL entrants with a high-quality orientation session in the parents'/guardians' indicated preferred language. The session must include information regarding New York State Common Core Learning Standards (CCLS), assessments, school expectations for ELLs, and program goals and requirements for BE and ENL programs. Orientation agendas and sign-in sheets must be maintained in district/school files.

CONTINUE TO STEP 3. ELL PROGRAM PLACEMENT

## STEP 3: ELL PROGRAM PLACEMENT

**3. ELL PROGRAM PLACEMENT:** Students must be identified and placed in an appropriate ELL program within 10 school days of enrollment. BE is the default ELL instructional program placement. Grade span for any BE or ENL class is 2 contiguous grades. *Bilingual Special Education services are provided per the IEP of a student with a disability. The grade/age span for ENL classes provided within a special class must comply with CR section 200.6 (h)(5).*

Parent Notification and Agreement of ELL Program Placement: *BE is the default ELL Program Placement. BE programs must be in place for parents to have the ability to opt out of a BE program. ELLs are to be placed in a timely fashion whether or not parents/guardians attend the orientation session. If parent/guardian does not attend the orientation, then the student must be placed in a BE program.*

Parents must receive written notification of their child's ELL Program Placement, including, but not limited to the following:

- 1) Their ELL child's placement in a BE or ENL program.
- 2) A BE program is required in a school when 20 or more recently enrolled grade-level students speak the same home/primary language. In New York City, per the ASPIRA Consent Decree, a BE program is required in grades K-8 if 15 or more grade-level students speak the same language in two contiguous grades. In any district in New York State, if there is not a sufficient number of qualifying students in a school, but there are within the district, the district must provide a BE program.
- 3) In a school district where the number of eligible students requires that a program be provided, but the school district has been granted an exemption, the notification must explain how the school will offer home language support and its plans for instituting a BE program the following school year.  
*For more information to include in the parent notification of ELL program placement letter, see CR section 154-2.3(f).*

## STEP 4: REVIEW OF ELL IDENTIFICATION DETERMINATION

**4. REVIEW OF ELL IDENTIFICATION DETERMINATION:** CR section 154-2.3(b) provides a mechanism for schools/districts to address possible instances of initial ELL misidentification.

Upon receiving a written request from a parent/guardian, teacher, or student age 18 years or older within 45 school days of a student's initial ELL designation, a district has 10 school days to initiate a Review of ELL Identification Determination. The review must be concluded within 10 school days (if Committee on Special Education (CSE) consulted, 20 school days). Before final determination, parents are to be informed and consent to the results of the Review of ELL Identification Determination. Within six months to one school year of a review, the school principal is required to review all decisions to remove ELL status. Any reversal must be made in consultation with the Superintendent and with consent of the parent.

## STEP 5: ELL EXIT CRITERIA

**5. ELL EXIT CRITERIA:** Upon exiting ELL status, an ELL is entitled to 2 years of Former ELL Services and testing accommodations on NYS assessments. *The same Exit Criteria pertain to ELLs with disabilities, but they must receive testing accommodations listed in their IEPs. (Please refer to CR section 154-3.4.)*

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

OR

Grades 3-8: Scoring at the Expanding/Advanced  
Level on the NYSESLAT, and 3 or above on the  
NYS ELA assessment in the same school year

OR

Grades 9-12: Scoring at the Expanding/Advanced  
Level on the NYSESLAT and 65 or above on  
the Regents Exam in English