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Office of P2

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May 13, 2020

TO: School District Superintendents  
School Principals  
BOCES District Superintendents  
Charter School Leaders  
English as a New Language, Bilingual Education & World Languages  
Directors  
Organizations, Parents/Guardians and Individuals Concerned with English  
Language Learners/Multilingual Learners and World Languages Students

FROM: Elisa Alvarez, Associate Commissioner

RE: Provision of Services to English Language Learners and World Languages  
Students During Statewide School Closures Due to the Novel Coronavirus  
(COVID-19) Outbreak in New York State

The COVID-19 outbreak has had a profound impact on the way we

needs pursuant to Part 154 of the Commissioner's regulations; the term English Language Learner/Multilingual Learner (ELL/MLL) is used to refer to all students who speak or are learning a language other than English. The federal Every Student Succeeds Act (ESSA) refers to ELLs as English Learners; ELLs are also sometimes referred to as Emergent Bilinguals or Dual Language Learners. These terms generally refer to students whose home or primary language is a language other than English and who need support to attain

Under the federal Every Student Succeeds Act (ESSA) and Part 154 of the Commissioner's regulations, all ELLs (including Newcomers, Developing ELLs, Long-Term ELLs, ELLs with Disabilities, Students with Interrupted Formal Education, and Former ELLs) are entitled to an academically rigorous education in all content areas through which they may develop their new language skills in either an English as a New Language (ENL) or Bilingual Education setting. Further, under the Equal Educational Opportunities Act of 1974 and other federal and State laws, school districts must act to

Additional Resources:

- x [Office of Bilingual Education & English as a New Language and World Languages home page](#)
- x [OBEWL ELL Resource Collection](#)
- x [Regional Bilingual Education Resource Network \(RBERN\) Contact Information](#)
- x [NYSED's COVID-19 Resources](#)
- x [U.S. Department of Education \(USDE\) guidance regarding students' civil rights and the COVID-19 outbreak](#)

Attachment: Provision of Services to English Language Learners/Multilingual Learners and World Languages Students During Statewide School Closures Due to Novel Coronavirus (COVID-19) Outbreak in NYS Questions and Answers

PROVISION OF SERVICES TO ENGLISH LANGUAGE LEARNERS /MULTILINGUAL  
LEARNERS AND WORLD LANGUAGES STUDENTS DURING STATEWIDE  
SCHOOL CLOSURES DUE TO THE NOVEL CORONAVIRUS (COVID-19)  
OUTBREAK IN NEW YORK STATE

Questions and Answers  
May 12, 2020

English Language Learner Services

1. Pursuant to Executive Order 202.4d319]TJ 0 T022 Tm [(E)-4 (nBDC /CS1 1001 Tc 0.00 /TT0 1 T

NYSED'S Blueprint for English Language Learner/ Multilingual Learner Success is a statewide framework that sets expectations for administrators, policymakers, and practitioners to prepare ELLs/MLLs for academic success, beginning in pre-kindergarten, and to lay the foundation for college and career readiness. These principles provide guidance, resources, and support to districts, schools and teachers, as well as promoting a better understanding and appreciation of Bilingual Education, ENL, and World Language studies (including indigenous languages of New York State).

The Blueprint for English Language Learner/Multilingual Learner Success provides guidance on:

- x Ensuring the academic and social needs of ELLs/MLLs are met, and how these needs are to be addressed by educators and school leaders;
- x Engaging ELLs/MLLs in the Next Generation Learning Standards instruction;
- x Involving parents and families of ELLs/MLLs in the education of their children;
- x Supporting Bilingual Education, ENL, and general education teachers;
- x Leveraging ELLs/MLLs' home languages and cultural assets; and
- x Monitoring ELLs/MLLs' content knowledge and new and home language development to inform instruction.

The Blueprint makes clear that all teachers are teachers of English Language Learners/Multilingual Learners and must have the skills to support ELLs/MLLs as they acquire content knowledge while progressing toward English language proficiency.

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in the ELL identification process. The HLQ is completed by the student's parent/guardian; however, due to the

bilingual extension and/or a teacher of ESOL, director of special education or individual in a comparable role (or his/her designee); the student's parent/guardian and a qualified interpreter or translator<sup>3</sup> of the language the parent/guardian best understands shall be present at each meeting of the LPT.

Each school district shall maintain all documents related to its students

educational backgrounds, as well as the cultural diversity of ELLs/MLLs in their classrooms.

OBEWL has created a Resource Collection for ELLs and World Language Students to support educators in providing continuity of learning during COVID-19-related school closures. This collection includes educational resources for students and their parents/guardians that promote genuine learning opportunities, support their new language acquisition in the absence of traditional classroom instruction and support their distance learning of core content areas.

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In addition, school districts are advised that while the units of study requirements mandated by Part 154 are flexible during COVID-19-related school closures, they are still required to support ELLs through ENL and Bilingual Education programs via distance education combined with the delivery of instructional support.

Furthermore, to the greatest extent possible, school districts are expected to utilize each student's level of language proficiency to design instruction with appropriate scaffolds that support continuity of learning and take individual students' levels of language proficiency into account as instruction is planned with the appropriate scaffolds. ENL and Bilingual Education teachers, as well as content area teachers co-teaching with ENL teachers in Integrated ENL courses, are expected to provide instruction and supports to all ELLs in their classes. English for Speakers of Other Languages (ESOL) and content area teachers should continue to work collaboratively to address the needs of all the ELLs they are teaching, including differentiating grade level materials and instruction.

Each school community should, to the greatest extent possible starting on the date this guidance document is released and forward, record the minutes and type of remote ENL and Bilingual Education instruction missed for each ELL who received flexibility from the Part 154 unit of study requirements during COVID-19-related school closures (especially when students or teachers have endured a traumatic event or were impacted as a direct result of COVID-19). This information will help to inform and plan delivery of instruction upon the return to school.

OBEWL has identified a number of strategies and tools to support teachers as they continue to address the linguistic demands of ELLs/MLLs at this time:

- x Review and use the New Language Arts Progressions (NLAP) and Home Language Arts Progressions (HLAP) to make the NYS learning standards accessible to students at different language proficiency and literacy levels;
- x Scaffold instruction and assignments and present concepts in a variety of ways, using real life examples, representations, and visuals;
- x Target instruction for specific student populations, design instruction in different settings, and differentiate instruction for students based on language programs and settings;
- x Provide explicit instruction when teaching academic vocabulary, focusing on academically useful words;
- x Embed language through content instruction, conversations, readings, activities;
- x Deploy strategies to combine content area learning with English language acquisition;
- x Activate prior knowledge and build on personal experiences;
- x Use students' English language proficiency levels to develop formative assessments;
- x Develop specific language objectives and create strategies to address these objectives;
- x Utilize a variety of strategies to monitor, assess, and provide feedback to students about their assignments and learning;

- x Create opportunities for students to practice their speaking and listening skills, through varied activities, such as reading-aloud, singing songs, and reciting poetry;
- x Use varied audio/visual methods to make content comprehensible and accessible;
- x Provide ELLs/MLLs with ample opportunities to speak, listen, read and write to learn and apply academic language;
- x Provide ELLs/MLLs the opportunity to produce content-specific, academic language through both written and oral work;
- x Deliver content in accordance with tools and resources available for ELLs/MLLs;
- x Use culturally relevant resources to support students' cultures and backgrounds;
- x Provide social-

Strategies and tools to address SIFE's diverse needs include the following:

- x Create SIFE support groups to address cultural transition and socioemotional needs;
- x Provide opportunities for SIFE to work with peers who speak their home language and share the same culture;
- x Choose appropriate texts and balance reading at their level with reading more complex texts;
- x Promote collaborations between teachers and bilingual counselors knowledgeable about students' cultures and immigration circumstances;
- x Use students' home language as a tool to access content whenever feasible;
- x Support home language literacy development;
- x Provide social-emotional support (see Question & Answer #6, below, for more information); and
- x Review instructional protocols for SIFE, including those available through the Bridges SIFE Manual.

Additional resources:

- x Students with Interrupted/Inconsistent Formal Education (SIFE) resources
- x Bridges Online Curricular Resources Page (Additional resources will be added to this website on an ongoing basis.)

Resources are available using the sheltered ENL/English Language Arts curriculum targeted to SIFE in secondary school who are at third grade or below in-home language literacy. These resources include online curricular resources and lesson plans to aid teachers in online transition, including web-based texts, audio guides, and vocabulary cards.

6. Are school districts expected to support and protect students' emotional well-being during COVID -19-related school closures? -

Yes. It is critical that school districts support the social-emotional needs of all students. School districts have a responsibility to support students and their families, with opportunities to address the impact of the unprecedented challenges that COVID-19 presents.

OBEWL has identified strategies to help teachers address the emotional well-being of their students during COVID-19-related school closures:

- x Provide an opportunity for students to share and reflect on their own emotions, through writing, drawing, discussions, music, art, and other activities;
- x Continue to communicate with students and share words of encouragement and support;
- x Create activities that promote empathy and acceptance for others;
- x Develop lessons that address the information present (at)2 ( pr)D



services approved by the Commissioner under section 154-

at: NYSED Memo: Provision of Services to Students with Disabilities During Statewide

13. Can LEAs amend their Title III budget to support the changing needs of ELLs due to COVID -19 related school closures?

Yes. Any proposed Title III budget changes must continue to follow Title III guidelines. NYSED's Office of Grants Finance has established temporary procedures for accepting documents due to COVID-19-related closures. School districts that wish to submit a budget amendment should email electronic copies of the signed budget amendment document to OBEWL for programmatic review. Once approved, the district will be directed to mail in one original with two copies. In advance of receiving the hard copies, OBEWL will forward scanned documents that have been signed and approved by the program office for processing by the Office of Grants Finance.

Individuals with questions about amendments to their Title III budgets may contact [OBEWL@nysed.gov](mailto:OBEWL@nysed.gov).

#### World Languages Instruction

14. How will students who need to obtain Languages Other Than English (LOTE) credits required to graduate or to earn a Regents Diploma with Advanced Designation be impacted by the waiver of the Regents Examination graduation requirements?

As a result of the waiver of Regents examination graduation requirements, students are eligible for an exemption from LOTE tests under the following circumstances:

- x If the principal, in consultation with relevant faculty, determines that a student has met the standards assessed in the provided coursework leading to the Checkpoint A LOTE exam, the district may choose to waive the exam requirement and grant the student his/her first unit of diploma credit in LOTE;
- x A school or district may grant an exemption to the LOTE Checkpoint B examination requirement for any student scheduled to take such examination in June 2020 in order to meet the requirements for an advanced diploma as long as the student will have earned at least three credits in the LOTE subject prior to the end of the school year;
- x Students who are currently identified – or

Students who receive test exemptions as described above are eligible to qualify for all graduation requirements, including the Regents Diploma with Advanced Designation and the Seal of Biliteracy, as if they had successfully passed the assessments. For additional information, please review [NYSED's guidance regarding COVID-related cancellation of the June 2020 Regents Examinations and Regents Examination and Graduation Requirements Questions Related to COVID-19 Closure FAQ](#).

For more information about learning World Languages (including indigenous languages of New York State<sup>5</sup>), please visit [NYSED's World Languages website](#).

### The New York State Seal of Biliteracy (NYSSB)

15. Can school districts award the NYSSB in the 2019 -20 school year in light of COVID-19-related school closures?

Yes. The [criteria to earn the NYSSB](#) (three points in English; three points in a World Language, including indigenous languages of New York State) remain unchanged. As long as students are able to fulfill these requirements, school districts may award them the NYSSB. NYSED is working to support school districts to create the infrastructure needed to allow students seeking a NYSSB to meet the criteria on a remote basis, as described below.

Additional guidance regarding the implementation of the New York State Seal of



17. How shall school districts determine a student's final average in courses ending in June 2020 which will be used to earn a point toward the NYSSB in ELA or a World Language (including indigenous languages of New York State) ?

Student course grades shall continue to be determined in accordance with each school district's locally developed grading policy. School districts are expected to ensure equity and access for all students, including ELLs/MLLs and World Languages students seeking the NYSSB.

18. Can a student take one of the Approved Checkpoint C examinations from home?

Yes. A number of providers of the Approved Checkpoint C examinations (Advanced Placement, AAPPL/OPI/WPT, STAMP, etc.) have made provisions for students to take these examinations using a device from home.

School districts are responsible for communicating to students and parents/guardians the expectations for student behavior during the examination; districts may require students and parents/guardians to sign and submit a statement that no assistance was given or received by the student for the duration of the testing window.

19. Is the Culminating Project Notification Form required to be submitted for the 2019-20 school year?

No. In light of COVID-19-related school closures, the Culminating Project Notification Form does not need to be submitted for the 2019-20 school year.

20. Can Culminating Project Presentations be conducted via video conference during or after school closures?

Yes. School districts may choose to conduct Culminating Project Presentations via video conference. Students who are able to video conference for presentations should use both audio and video whenever possible to best approximate the conditions of an in-person presentation. School districts should, to the extent possible, ensure that students pursuing the NYSSB have access to video technology in order to conduct Culminating Project Presentations via video conference.

NYSSB Coordinators should work with NYSSB candidates to identify those students who have access to the technology necessary to conduct virtual presentations, and to identify alternative project presentation options (e.g., via telephone) for those students who do not have access to video technology

