

Commissioner's Regulations: Part 154

A Report Presented to *The New Paltz Central School District Board of Education*

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Overview

Part 154 of the Commissioner's Regulations provides guidance to school districts regarding the education of English Language Learners (ELLs). In 2015 the Part 154 Regulations were amended. The amendments to Part 154 expand regulations governing the education of English Language Learners. School districts are mandated to respond to these expanded regulations most of which are to be implemented in the 2015 – 2016 school year. These expanded regulations establish parameters in the following areas:

- Registration/Intake,
- Identification of students as English Language Learners,
- Progress monitoring of English Language Learners utilizing the NYSESLAT Assessment,
- Establishing an English as a New Language (ENL) Program or refining existing programs in accordance with the expanded Part 154 Regulations, i.e., stand-alone, integrated, or bilingual,
- Teacher Certification including a “Teachers of English to Speakers of Other Languages” (TESOL) extension certification,
- Professional development of teachers,
- Procedures for communicating with families of English Language Learners,
- Establishing the Language Proficiency Team (LPT) the members of which will communicate with the members of the Committee on Special Education for the purpose of designing Individual Educational Plans for English Language Learners with learning disabilities, and
- Identifying and supporting students with interrupted formal education (SIFE).

The State Education Department has issued a companion document to the Commissioner's Part 154 Regulations, entitled, *Blueprint for English Language Learners' Success*. This document outlines the beliefs and principles which have guided the changes to the Part 154 Regulations.

This report to the New Paltz Central School District Board of Education includes an overall explanation of the amendments to the Part 154 Regulations and, where appropriate, reference is made to the Blueprint in order to provide the “thinking” behind the change. Additionally, this report will illuminate the actions which will be taken by the New Paltz Central School District (NPCSD) to accommodate the changes to the Part 154 Regulations.

Discussion

Beginning in September 2014 a group of New Paltz Central School District educators met to discuss the District’s current program for English Language Learners as well as the proposed changes to Part 154. The members of the ELL Team and their positions in relation to the education of English Language Learners are listed in the table below.

2014 – 2015 English Language Learners Team

Member	Position
Iva Profaci	Kindergarten Integrated ENL Teacher
Lilly Andino-Skinner	Second Grade Integrated ENL Teacher
Denise Rega-Sanchez	Third Grade Integrated ENL Teacher
Lynn Bartlett	English as a New Language Teacher, K - 2
Amy Chapman	English as a New Language Teacher, 3 - 8
Shawn Doyle	English as a New Language Teacher, 3 – 5; 9 - 12
Principal Jackie Sinatra	Lenape Elementary
Principal Deborah Hogencamp	Duzine Elementary
Michelle Martoni	Assistant Superintendent for Educational Programs

Initially the ELL Team discussed improvements to our existing program. Suggestions included organizing an ELL parent night, establishing visitations to pre-schools for the purpose

of articulating program, and culling resources to support the translation of school-to-home communications. As the Part 154 Regulations were proposed and the associated timeline for implementation was made clear, the attention of the ELL Team turned to evaluating these changes. To that end, the three English as a New Language (ENL) teachers and the Assistant Superintendent for Educational Programs met frequently. At each meeting this subgroup of the ELL Team evaluated each change to Part 154 in terms of its impact on learning. Visualizing individual students and possible scenarios helped the team members to keep their thinking focused on the impact to individual students and, at the same time, consider the impact to our existing program and the District as a whole. Proceeding in this manner, it became clear that not all of the mandated changes would necessarily improve our students' learning experiences. Upon this realization, our mission became twofold: Preserve those aspects of our existing program which were identified as critical to the emotional and cognitive development of our English Language Learners and at the same time "creatively" comply with the expanded Part 154 regulations.

Action Planning

In order to facilitate an understanding of the regulations and the District's response to the regulations, the ELL subcommittee developed an Action Plan. The following table is excerpted from that action plan. The language has been modified for increased clarity within the context of this report. In the same way, the table is supplemented with a narrative further explaining various components of the action plan.

Part 154 Regulations and Action Steps

Regulation	Responsibility	Timeline	Evidence of Effectiveness
<p><i>Intake/Registration</i> <i>Identification of English Language Learners</i></p> <p>An ENL teacher or qualified personnel will be present during Kindergarten registration and provide the appropriate intake procedures as outlined by Part 154. This includes determination of interrupted formal education (SIFE)</p> <p>For students registering during the year or for a grade level other than Kindergarten, Central Registration will notify the building principal of the new entrant. An ENL teacher or qualified personnel will meet with the new entrant at the building and provide the appropriate intake procedures as outlined by Part 154</p> <p>*See Appendix A for Identification Steps</p>	<p>Central Administration</p> <p>Building Administrators</p> <p>ENL teachers</p>	<p>2015 - 2016</p>	<p>Records of Intake Procedures</p> <p>Screening</p> <p>English as a New Language (ENL) Program Recommendation</p>
<p><i>Progress Monitoring</i></p> <p>ENL teachers will administer the NYSESLAT Assessment</p> <p>Teachers and administrators will analyze NYSESLAT data and local assessment data in order to provide pupil and programmatic recommendations</p>	<p>ENL teachers</p> <p>Teachers of ELLs in integrated setting: ENL teachers or teachers with TESOL Extension Certification</p> <p>Administrators</p>	<p>2015 - 2016</p>	<p>Increased student achievement as demonstrated by local and State Assessments</p>

Regulation	Responsibility	Timeline	Evidence of Effectiveness
<p><i>Program: Stand-alone and Integrated Learning Experiences</i></p> <p>Review newly established proficiency levels and newly established required units of study (See Appendix B)</p> <p>Review guidelines governing classroom grouping for ELLs; i.e., Limitations on contiguous grade levels</p> <p>Provide predictions for student placement</p> <p>Determine staffing needs</p>	<p>ENL teachers</p> <p>Central and Building Administration</p>	<p>Spring 2015</p>	<p>Successfully demonstrate “good faith” effort to meet unit requirements for each English Language Learner</p> <p>Successfully demonstrate that grouping for instructional purposes of English Language Learners adheres to the guidelines for grade levels</p>
<p><i>Bilingual Seal</i></p> <p>Establish protocols for bilingual seal upon graduation</p> <p>Recommendation to Board of Education</p>	<p>Teachers</p> <p>Administrators</p>	<p>June 2015</p>	<p>Board Action</p>

Regulation	Responsibility	Timeline	Evidence of Effectiveness
<p><i>Certification</i></p> <p><i>Professional Development</i></p> <p>Identify key teachers to attend SUNY New Paltz TESOL extension certification program</p> <p>Continue discussion on increasing total ENL FTE from 3 FTE to 4 FTE</p> <p>Integrated Co-teaching Professional Development specifically for teachers of English Language Learners</p> <p>Book Study: <i>Scaffolding the Academic Success of Adolescent English Language Learners: A Pedagogy of Promise</i>, by Aida Walqui , and Leo van Lier</p> <p>Frame Professional Development: Part 154 Regulations and expectations for successful implementation</p>	<p>Spring 2015</p> <p>Ongoing</p> <p>2015 - 2016</p>	<p>Assistant Superintendent for Educational Programs</p>	<p>Successfully demonstrate “good faith” effort as teachers are enrolled in TESOL program</p> <p>Continue discussions about increasing the number of ENL teachers as budget allows</p> <p>Successfully demonstrate to SED that the NPCSD Professional Development Plan provides ENL teachers and co-teachers with high-quality staff development specifically related to the learning needs of English Language Learners</p> <p>Professional Development opportunities and rosters</p>

Regulation	Responsibility	Timeline	Evidence of Effectiveness
<p><i>Communication with Families of English Language Learners</i></p> <p>Teachers of ELLs (both general education and ENL teachers) will provide an additional parent teacher conference. This conference will occur between the first and last regularly scheduled conference.</p> <p>School-to-home communications will be translated into the “language and mode of preferred communication as identified by parent”</p>	<p>Administrators and teachers</p>	<p>2015 - 2016</p>	<p>Records of Parent Teacher conference</p> <p>School-to-home communications</p>
<p><i>Establishing Individualized Educational Plans (IEPs) for English Language Learners with learning disabilities</i></p> <p><i>Exit criteria for English Language Learners with Learning Disabilities</i></p> <p>The Language Proficiency Team (LPT) will be formed in the spring of 2015. Professional development will be offered in June 2015 to review the process for recommending ELLs to the Committee on Special Education. Key staff members will participate in this professional development:</p> <ul style="list-style-type: none"> • ENL teachers • Special Education teachers • Coordinators of Special Education • Director of Pupil Personnel Services • Building Administrators • Assistant Superintendent for Educational Programs <p>The Language Proficiency Team will be in action during the 2015 – 2016 school year.</p>	<p>Teachers/ Administrators/ Parents</p>	<p>2015 - 2016</p>	<p>Student programs are designed according to individual student need in terms of language acquisition and special education requirements</p> <p>Exit procedures and support for transition out of special education for English Language Learners are in place</p>

Overall Implications

The new Part 154 Regulations will result in English Language Learners receiving instruction in both a stand-alone and an integrated classroom. The Regulations establish specific requirements in terms of units of study to be completed in a stand-alone classroom as well as units of study to be completed in an integrated classroom. The allowable options are related to proficiency levels which are now established as follows:

- Beginner/Entering,
- Low-intermediate/Emerging,
- Intermediate/Transitioning,
- Advanced/Expanding, and
- Proficient/Commanding.

Allowable options are also guided by a student's grade level; i.e., K – 8 or 9 – 12. Parameters governing the grouping of ELLs will also affect program. As per the new Part 154 Regulations, the maximum allowable grade span is two contiguous grades for grouping instruction in an ENL program. Students at the secondary level will earn credit toward graduation for the completion of both stand-alone and integrated course work. In order to accommodate these program requirements, the NPCSD, as all New York State school districts, will need to increase the number of teachers certified to teach English Language Learners. In response to the increased need for certified personnel, the State Education Department (SED) is collaborating with colleges to establish an expedited pathway for teachers to earn the TESOL extension certification. Along these lines, SED has provided some leeway in terms of meeting this staffing demand. "As long as a school district demonstrates a 'good faith' effort to secure certified teachers," the district will be considered to have met this requirement for the 2015 - 2016 school year. This latitude translates as follows: Teachers who are registered in a program

leading to the TESOL extension certification and are taking three credits will be deemed qualified to provide instruction to ELLs. In the short term, the NPCSD plan is to identify key personnel who will acquire the certification extension. In the long term, consideration should be given to expanding the number of full time teachers with a full TESOL certification. This consideration is of import. Since the full TESOL certification is a pathway which includes a specific Master's Degree, the expedited pathway for the TESOL extension certification may not equally provide to teachers the deep level of knowledge and expertise necessary to meet the learning needs of English Language Learners. Continued monitoring is necessary.

Another point with regard to SED providing a degree of relief in terms of implementation of the Part 154 Regulations relates to the professional development of teachers. Originally, proposed professional development would include all teachers with a specific percentage of professional development for general education teachers and a specific percentage of professional development for teachers of English Language Learners; i.e., 15% and 50% respectively. Subsequently, SED has provided flexibility akin to the flexibility provided for securing certified personnel. The State Education Department prescribes the parameters for professional development as follows: Districts with an ELL population which constitutes less than 5% of the total student population may seek permission from the Commission for a one year waiver if the District demonstrates a professional development plan which meets the needs of teachers of English Language Learners in stand-alone classrooms, integrated classrooms, and content area classrooms. Since the ELL population in the NPCSD is indeed less than 5% of the total student population, this waiver will be requested for the 2015 – 2016 school year.

It is noteworthy that two long-standing yet loosely regulated educational issues are addressed within the updated Part 154 Regulations. Specifically, students with interrupted

formal education (SIFE) are to be identified and supported with academic interventions. In the same vein, articulation among the Language Proficiency Team (LPT) and the Committee on Special Education will afford educators a forum in which they may resolve the complicated process of providing an optimal learning experience for Student with Disabilities who are also English Language Learners.

According to the “Blueprint for English Language Learners’ Success” a priority for school districts is to demonstrate a philosophy which values English Language Learners and their families. Specifically, the Blueprint adopts the principle that the language and culture of English Language Learners and their families are both valuable assets to school districts. Therefore, in addition to program changes, communication with families of English Language learners will be expanded and fine-tuned so that all families are truly partners in the educational process. Similarly, in order to implement these changes accurately, professional development opportunities will be planned strategically to include key personnel and address individual regulations.

Conclusions

The Action Plan that the ELL Team has designed provides a roadmap for the NPCSD as the Part 154 Regulations are implemented. The full ELL Team will continue to meet and monitor progress toward implementation. When necessary, changes to the Action Plan will be recommended to increase efficiency and maximize student achievement. The efforts of this Team have placed the NPCSD in good standing as we move forward in this endeavor.