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2015-2016 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2015
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Introduced by M. of A. ROZIC, COLTON, CRESPO, ROBINSON, WEPRIN --
    Multi-Sponsored by -- M. of A. ARROYO, MOSLEY -- read once and
    referred to the Committee on Education

AN ACT to amend the education law, in relation to administration of
    language assessment instruments to students receiving a program of
    bilingual education or English as a second language

    THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

 1   Section 1. Paragraph 3 of subdivision 2-a of section 3204 of the
 2 education law, as added by chapter 827 of the laws of 1982, is amended
 3 to read as follows:
 4   3. Eligibility for such programs shall be based on the following
 5 criteria. A pupil who by reason of foreign birth or ancestry speaks a
 6 language other than English, and either understands and speaks little or
 7 no English, or who has been identified by any English language assess-
 8 ment instrument approved by the commissioner as a pupil of limited
 9 English proficiency, shall receive a program of bilingual education or
10 English as a second language in accordance with standards established by
11 the commissioner. [A] SUCH pupil's proficiency in the English language
12 shall be measured [annually] by [such] A language assessment instrument
13 AFTER THE PUPIL HAS BEEN ENROLLED IN A PROGRAM OF BILINGUAL EDUCATION OR
14 ENGLISH AS A SECOND LANGUAGE FOR A PERIOD OF THREE CONSECUTIVE SCHOOL
15 YEARS AND ANNUALLY THEREAFTER in order to determine further partic-
16 ipation in bilingual education or English as a second language program
17 in accordance with standards established by the commissioner, subject to
18 the provisions of subdivision two of this section. The parent or guardi-
19 an of a pupil designated as limited English proficient shall be informed
20 by the local school authorities of the pupil's placement in an instruc-
21 tional program.
22   S 2. This act shall take effect immediately.

     EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                    [ ] is old law to be omitted.