

STATE OF NEW YORK

1290

2017-2018 Regular Sessions

IN ASSEMBLY

January 11, 2017

Introduced by M. of A. ROZIC, COLTON, CRESPO, 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 § 2. This act shall take effect immediately.

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

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