

# STATE OF NEW YORK

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1290

2017-2018 Regular Sessions

## IN ASSEMBLY

January 11, 2017

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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.

LBD00414-01-7