STATE OF NEW YORK

2269

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. ROZIC, COLTON, CRESPO, WEPRIN -- Multi-Sponsored by -- M. of A. ABBATE, 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 Assembly, do enact as follows:

Section 1. Paragraph 3 of subdivision 2-a of section 3204 of the education law, as added by chapter 827 of the laws of 1982, is amended to read as follows:

3. Eligibility for such programs shall be based on the following criteria. A pupil who by reason of foreign birth or ancestry speaks a language other than English, and either understands and speaks little or no English, or who has been identified by any English language assessment instrument approved by the commissioner as a pupil of limited English proficiency, shall receive a program of bilingual education or English as a second language in accordance with standards established by the commissioner. [~~A~~] **Such** pupil's proficiency in the English language shall be measured [~~annually~~] by [~~such~~] **a** language assessment instrument **after the pupil has been enrolled in a program of bilingual education or English as a second language for a period of three consecutive school years and annually thereafter** in order to determine further participation in bilingual education or English as a second language program in accordance with standards established by the commissioner, subject to the provisions of subdivision two of this section. The parent or guardian of a pupil designated as limited English proficient shall be informed by the local school authorities of the pupil's placement in an instructional program.

§ 2. This act shall take effect immediately.

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

LBD00984-01-9