STATE OF NEW YORK

4572

2023-2024 Regular Sessions

IN SENATE

February 10, 2023

Introduced by Sens. RAMOS, KRUEGER -- read twice and ordered printed, and when printed to be committed 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:

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:

- 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 10 English as a second language in accordance with standards established by 11 the commissioner. [A] Such pupil's proficiency in the English language 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 participation in bilingual education or English as a second language program 16 in accordance with standards established by the commissioner, subject to 17 the provisions of subdivision two of this section. The parent or guardi-18 an of a pupil designated as limited English proficient shall be informed 19 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.

LBD06137-01-3