




TO: P-12 Education Committee
FROM: Ken Slentz 
SUBJECT: Revisions of New York's English Language Proficiency Standards

DATE: March 6, 2012

AUTHORIZATION(S): 

SUMMARY

Issue for Decision

Does the Board of Regents direct Department staff to revise New York's English Language Proficiency (ELP) standards by developing:

1. New frameworks, pathways and performance indicators, by English language proficiency levels, for English as a Second Language that correspond to the NYS P-12 Common Core Learning Standards; and
2. New Native Language Arts standards for the 10 most frequently spoken languages in New York State public schools that parallel the New York State P-12 Common Core Learning Standards?

Reason(s) for Consideration

English Language Learners are among the lowest performing groups on State assessments and, in recent years, have been performing below the national average for English Language Learners in ELA and math on the National Assessment of Educational Progress (NAEP). As schools transition to the NYS P-12 Common Core Learning Standards, we must ensure that appropriate instructional supports are provided for all teachers working with English Language Learners to help them reach the same educational goals established for all students. In addition, New York in its Elementary and Secondary Education Act (ESEA) waiver application provided the United States Department of Education with an assurance that New York will no later than the 2013-14 school year adopt ELP standards that correspond to the State's college- and career-ready standards.

Proposed Handling

This issue will come before the P-12 Education Committee for decision at the March 2012 meeting.

Procedural History

The issue of revising ELP standards to align with New York's Common Core Learning Standards has not been previously addressed by the Board of Regents.

Background Information

On January 10th, 2011, the Board of Regents approved the recommended additions to the Common Core Learning Standards for English Language Arts & Literacy and Common Core Learning Standards for Mathematics, plus a new set of Prekindergarten Standards. As New York transitions to Common Core standards and curriculum, the needs of English Language Learner (ELL) students must be addressed through the development of instructional frameworks, pathways and performance indicators, as well as a curriculum package that parallels the curriculum being developed for ELA and all content areas.

The Department proposes that the Regents adopt the following process to revise ELP standards:

- An ESL/NLA NYS Steering Committee be convened by the Regents and organized by SED staff to guide the development of the standards. The Committee would include representatives of statewide ESL and Bilingual teacher associations, leaders of initiatives funded by the State Education Department that support the education of ELLs, such as the Regional Bilingual Education Resources Networks and the Intensive Teacher Institute, a parent representative and such other relevant stakeholders;
- ESL and NLA Expert Advisory Groups of national experts in English Language Proficiency and Native Language Arts standards, curriculum, and assessments and the Common Core be selected to support the work of developing the standards;
- Teams of New York State teachers and New York Higher Education faculty be established to write each set of standards;
- ESL and NLA Committees of Practitioners, including one for teachers/administrators and one for ELL district staff, review and provide recommendations on draft standards; and
- Draft standards be reviewed by the advisory groups and the steering committee, revised as appropriate by the writing team, and then submitted to the Board of Regents for consideration.

Recommendation

The Regents direct Department staff to revise the English Language Proficiency (ELP) standards (ESL and NLA) so that they correspond to the NYS P-12 Common

Core Learning Standards and present them to the Board of Regents for action in summer 2012.

Timetable for Implementation

Upon approval by the Regents, Department staff will implement the plan outlined in the attachment entitled "Development of New York State Common Core English as a Second Language and Native Language Arts Standards and Adoption Process."

Development of New York State Common Core English as a Second Language and Native Language Arts Standards and Adoption Process

Background Information

Title I of the Elementary and Secondary Education Act (ESEA) requires states to “establish standards and objectives for raising the level of English proficiency that are derived from the four recognized domains of speaking, listening, reading, and writing, and that are aligned with achievement of the challenging State academic content and student academic achievement standards described in section 6311(b)(1).” 20 U.S.C.A. § 6823(b)(2) (Section 6311 outlines the requirements for uniform and challenging academic standards). In addition, states must ensure that districts that receive Title I funds “annually assess the English proficiency of all limited English proficient children participating in a program.” 20 U.S.C.A. § 6823(b)(3)(D). Finally, Title I requires states to hold schools that receive Title I funds accountable for “annually measuring the English proficiency of limited English proficient children, so that such children served by the programs carried out under this part [Title I] develop proficiency in English while meeting State academic content and student academic achievement standards as required by section 6311(b)(1).” 20 U.S.C.A. § 6826(b)(3)(C).

NYSED has developed two sets of standards to help English Language Learners meet the Language Arts standards: English as a Second Language (ESL) Standards and Native Language Arts (NLA) Standards. The current ESL and NLA standards were published in 2004 and align to the ELA standards that were in existence at that time, the 1996 ELA standards.¹

The purpose of the ESL standards is to be a “spring-board” to content area standards; they provide the knowledge and skill development for high-level student achievement in the non-ESL content classrooms.”² At the same time, the ESL standards “serve as a framework for the New York State ESL Achievement Test (NYSESLAT).”³ Thus the ESL standards and the NYSESLAT were designed to serve hand in hand to both provide instructional guidance to ESL teachers and measure ELL student’s progress towards the proficiency goals outlined in the ESL standards.⁴

The NLA standards were “adapted from the New York State learning standards for English Language Arts (ELA), and use them as their foundation.”⁵ The purpose of the

¹ See e.g., NYSED, *The Teaching of Language Arts to Limited English Proficient/ English Language Learners: Learning Standards for Native Language Arts*, 2004, at 8. (“The Learning Standards for Native Language Arts use the English Language Arts Resource Guide with Core Curriculum (1998) as its foundation.”) <http://www.p12.nysed.gov/biling/resource/NLA.html>.

² NYSED, *The Teaching of Language Arts to Limited English Proficient/ English Language Learners: Learning Standards for English as a Second Language*, 2004, at 12. <http://www.p12.nysed.gov/biling/resource/ESL/standards.html>.

³ *Id.* at 1.

⁴ See *id.* at 3 for a description of proficiency standards.

⁵ NYSED, *The Teaching of Language Arts to Limited English Proficient/ English Language Learners: Learning Standards for Native Language Arts*, 2004, at 8. <http://www.p12.nysed.gov/biling/resource/NLA.html>.

NLA standards is to serve “as a bridge to meeting the requirements and demands of an all-English curriculum and assessment system.”⁶

In addition to existing ESEA rules, New York State applied for an ESEA waiver in mid-February 2012. As part of that waiver, the State committed to adopting English Language Proficiency (ELP) standards that correspond to the new college and career ready standards. As part of the transition to new ELP standards, the U.S. Department of Education required states to “analyze the linguistic demands of those standards [the new college and career ready ELA and Math standards] to inform the developing or revision of its corresponding ELP standards.”⁷

Proposed Process and Committees

NYS ESL/ NLA Steering Committee

Convened by the Board of Regents, the committee will include:

- One representative from each initiative that is funded by State Categorical Bilingual funds (e.g., Regional Bilingual Education-Resource Networks, Intensive Teacher Institute, Bilingual/ESL Teacher Leader Academies);
- One representative each from the New York State Association of Bilingual Educators and the New York State Teachers of English to Speakers of Other Languages;
- One representative from an organization that works with parents of English Language Learners
- Two faculty members of the City University of New York (CUNY) - New York State Initiative for Emergent Bilinguals;
- One representative from each of the ESL and NLA expert advisory groups; and
- Other relevant stakeholders.

If the proposed alignment plan and adoption process is approved by the Regents, the NYS ESL/NLA Steering Committee would be formed immediately and would meet in Albany within a month of its formation. The purpose of the initial meeting would be to: (1) develop the charge of the advisory groups, including key theoretical and framing questions the advisory group will discuss to make recommendations to the Department; (2) recommend criteria for participation in the Committee of Teachers and Administrators; and (3) recommend criteria for selection of writers for the two sets of standards.

ESL and NLA Expert Advisory Groups

A separate advisory group would be established for ESL and NLA to reflect the different expertise necessary for development of standards in these two areas. The advisory groups will discuss key theoretical and framing questions, charged by the NYS ESL and NLA Steering Committee, and make recommendations to the Department for how to develop Common Core ESL and NLA standards.

⁶ *Id.*

⁷ US DEPARTMENT OF EDUCATION, “ESEA Flexibility Frequently Asked Questions,” Oct. 3, 2011, at 5.

The ESL advisory group will be composed of 5-10 members with expertise in standards and curriculum, instruction, assessments, the Common Core, and language within each of the main content areas (social studies, science, math, ELA/literacy).

The NLA advisory group will be composed of 5-10 members with expertise in standards and curriculum, instruction, assessments, the Common Core, and native language literacy and the disciplines (social studies, science, math) in as many of the ten most frequently spoken native languages of New York state students for which such experts can be secured.

ESL and NLA Writing Teams

A writing team for ESL and one for NLA will be formed and guided by a lead writer for each. Lead writers will be educators with strong backgrounds in standards and curriculum development. Writing teams will include a combination of six teachers and university faculty from New York State, with expertise in the relevant standards, linguistics and content areas, and representatives of the elementary, middle and high school grade bands.

ESL and NLA Committees of Practitioners

Two committees will be formed to review and provide input on the standards development process. One committee will include ELL teachers and administrators, a combination of ESL and bilingual staff, who will review the draft standards from an instructional perspective. The other committee will include central district staff from the districts that serve the largest ELL populations (New York City, Brentwood, Buffalo, Rochester, Yonkers, Syracuse, Hempstead, Newburgh, Central Islip, Spring Valley, Utica), who will review the draft standards from an implementation and professional development perspective.

Proposed Development and Adoption Timeline

March 2012

- Board of Regents consider proposed plan
- If directed by Regents, convene NYS ESL/NLA Steering Committee to meet and provide input on standards development plan and create the charge for the expert advisory groups

April 2012

- Convene ESL and NLA Expert Advisory Groups to discuss and recommend to the Department the appropriate approach to standards development and revisions
- Identify and contract lead writers for ESL and NLA standards
- Create criteria and select writing teams and select writers
- Writers conduct correspondence analysis and begin to write new standards

May 2012

- Identify and confirm members for both the ESL and NLA Committees of Practitioners
- Writing teams continue developing new ESL and NLA standards

June 2012

- Writing teams finalize work and lead writer compiles a completed draft
- Convene Committees of Practitioners for ESL and NLA to review draft standards and provide feedback
- Share draft with ESL and NLA Expert Advisory Groups for feedback
- Convene NYS ESL/NLA Steering Committee to review and discuss draft standards and provide feedback
- Lead writer incorporates feedback and produces a final draft to present to Regents

July 2012

- New ESL and NLA standards presented to Regents for action
- If approved by Regents, NYSED publishes new standards with phased in implementation beginning in September 2012