




THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234
Office of P-12

Lisette Colón-Collins, Assistant Commissioner
Office of Bilingual Education and World Languages

55 Hanson Place, Room 594
Brooklyn, New York 11217
Tel: (718) 722-2445 / Fax: (718) 722-2459

89 Washington Avenue, Room 505 EB West
Albany, New York 12234
(518) 474-8775/ Fax: (518) 474-7948

TO: District Superintendents
Superintendents of Public School Districts
Public School Administrators
Administrators of Nonpublic Schools and Charter Schools

FROM: Lisette Colón-Collins 
Assistant Commissioner, Bilingual Education and World Languages

DATE: April 2017

SUBJECT: English Language Learners/Multilingual Learners (ELLs/MLLs) Student Counts for 2017–18 ESEA Title III ELL/MLL Allocations

The New York State Education Department (NYSED) is preparing to calculate allocations to Local Education Agencies (LEAs) for 2017–18 ESEA Title III ELLs/MLLs. The allocations are based on the number of ELLs/MLLs in each LEA. It is very important that NYSED has accurate counts of ELLs/MLLs. To allow LEAs to update and/or verify their counts of ELLs/MLLs, **the following procedures and timeline have been established:**

| Date | Procedures |
|---|---|
| Beginning the week of May 15, 2017 through the week of June 5, 2017 | Public ELL/MLL counts by district and charter school in Level 2 of the Student Information Repository System (SIRS) from the previous Friday's data refresh and nonpublic school ELL/MLL counts by district in the Basic Educational Data System (BEDS) will be available to authorized users in the "2016–17 Title III ELL/MLL Counts Report" on the Information and Reporting Services Portal (IRSP) at http://portal.nysed.gov . Instructions on accessing the portal can be found at http://www.p12.nysed.gov/irs/irsportal/ . LEAs should review the counts in the report, make changes in their local student management systems to correct public and charter school data, and work with nonpublic schools to correct inaccurate nonpublic school data reported using the BEDS Online Report of Nonpublic Schools. |
| June 12, 2017 | Public ELL/MLL counts by district and charter school in Level 2 of the SIRS and nonpublic school ELL/MLL counts by district in BEDS on June 12, 2017 will be used for 2017-18 Title III ELL/MLLs allocations. |

| Date | Procedures |
|-------------------------------------|---|
| End of June 2017 to early July 2017 | Title III ELL/MLL allocations will be posted at http://www.nysed.gov/bilingual-ed/regulations/title-iii-compliance-and-reporting |

Note that in preparing for the administration of the New York State English as a Second Language Achievement Test (NYSESLAT), LEAs may have already reported appropriate ELL/MLL codes in the SIRS. However, LEAs should review the counts in the reports available **May 15 – June 9**, make corrections to inaccurate public and charter school student data in their local student management systems, and ensure that the revised data are loaded into Level 2 of the SIRS by **June 9**. Local Level 1 data centers will require earlier due dates to allow sufficient time for processing.

Districts should work with nonpublic schools to ensure that inaccurate data are identified. Nonpublic schools with incorrect ELL/MLL counts should **scan** corrected ELL/MLL counts for Item 7A of their **Fall 2016** BEDS Report of Nonpublic Schools form and send them to the NYSED Office of Information and Reporting Services (IRS) at datasupport@nysed.gov with the subject line “Nonpublic BEDS ELL/MLL correction.” Corrections require the principal’s signature and date. Nonpublic school ELL/MLL counts should reflect students who were enrolled on BEDS day, **October 5, 2016**. Questions concerning nonpublic school ELL/MLL corrections may be directed to the IRS office at datasupport@nysed.gov or (518) 474-7965.

If you have any questions regarding these procedures, please call the Office of Bilingual Education and World Languages at (518) 474-8775 or contact the Office of Information and Reporting Services at datasupport@nysed.gov or (518) 474-7965.

cc: Rose LeRoy
 Ellen Martin
 Kristen DeSalvatore

Business Rules for extracting ELL/MLL data from the Student Information Repository System (SIRS) to provide counts to be used for allocation of ESEA Title III funds

1. Rules specified in this document pertain to public and charter school data extracts. BEDS data are the source for nonpublic school ELL/MLL student counts.
2. Students must have an enrollment record in the 2016-17 school year with one of the following enrollment codes:

| | |
|------|--|
| 0011 | Enrollment in building or grade |
| 5544 | Transferred in under the NCLB Title I "School in Improvement Status" transfer option |
| 7000 | Transferred in under the NCLB "Persistently Dangerous School" transfer option |
| 7011 | Transferred in under the NCLB "Victim of Serious Violent Incident" transfer option |

If a student has enrollment records for multiple schools in the 2016-17 school year, use the enrollment record with the latest beginning enrollment date. A student should only be counted as an ELL/MLL for a single school.

3. Include all of the following grade levels in school counts: K (half-day KH and full-day KF kindergarten) through grade 12, ungraded elementary (13), and ungraded secondary (14).
4. Students must have a 0231 ELL/MLL Eligible program service code in order to be counted for the school.
5. If a student has any of the following ending reasons on his or her enrollment record, the student will *NOT* be included in the count for the school.

| | |
|------|--|
| 153 | Transferred to another school in this district or to an out-of-district placement |
| 170 | Transferred to another NYS public school outside this district with documentation. |
| 204 | Transferred to a NYS nonpublic school with documentation |
| 238 | Transferred to homebound instruction provided by this district |
| 255 | Transferred to home-schooling by parent or guardian |
| 5927 | Leaving a school under NCLB – a victim of a serious violent incident |
| 5938 | Leaving a NYC community district under NCLB – a victim of a serious violent incident |
| 323 | Transferred outside district by court order |
| 442 | Left the U. S. <i>(and did not return to the U.S. on the date these data were retrieved)</i> |
| 459 | Deceased |
| 221 | Transferred to a school outside NYS with documentation. |
| 136 | Reached maximum legal age and has not earned a diploma or certificate |
| 8338 | Incarcerated student, no participation in a program culminating in a regular diploma. |
| 1089 | Transferred to an approved GED program outside this district |

6. Students who have an enrollment record during the 2016-17 school year that ended with any of the following ending reasons *WILL* be counted as an ELL/MLL for the school.

| | |
|-----|--|
| 799 | Graduated (earned a Regents or local diploma) |
| 085 | Earned commencement credential |
| 629 | Previously earned commencement credential or IEP |

7. Students reported with the following ELL/MLL exit program service codes during the 2016-17 school year will *NOT* be counted as an ELL/MLLs for the school.

| | |
|------|--|
| 3045 | ELL/MLL Eligibility Exit based on review of identification determination |
|------|--|

8. Students reported with one of the following ELL/MLL exit program service codes during the 2016-17 school year *WILL* be counted as an ELL/MLL for the school.

| | |
|------|--|
| 3011 | ELL/MLL Eligibility Exit Using NYSESLAT score only |
| 3022 | ELL/MLL Eligibility Exit Using NYSESLAT score and a NYSTP or Regents score |
| 3033 | ELL/MLL Eligibility Exit due to determination by CSE |