THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

Office of P-12

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## School District Justification to Place a New Bilingual Education Program in a Focus School or Priority School for the 2016-2017 School Year

CR section 154-2.3(d)(3) mandates that districts shall not place any new Bilingual Education program required by CR section 154-2.3(d)(2) in a school that has been identified as a School Under Registration Review or as a Focus or Priority School. To place a new Bilingual Education program in a Focus or Priority School, the district must submit a justification in this form by October 30th, 2015 for the Commissioner’s approval, demonstrating that a school that has not been identified as a School Under Registration Review or as a Focus or Priority School 1) does not exist, or 2) does not have the physical space for a new Bilingual Education program.

In the case of New York City, in the event that a Priority School is the only option for placement of a new Bilingual Education program, the district must, in addition to the justification above, ensure that parents or persons in parental relation have the option to transfer their child to a Bilingual Education program in a school that has not been identified as a School Under Registration Review or as a Focus or Priority School in a neighboring community school district.

**Fill out all required fields and all fields that apply. Forms that are incomplete must be resubmitted or will not be considered for review.**

# Section 1: District Information

1. Date:
2. Name of Person

 Completing Form:

1. Title:
2. Phone Number: 5. E-mail:

6. District/BOCES Name: 7. BEDS Code:

8. Street Address: 9. City: 10. Zip Code:

11. School Year:

**All Local Education Agencies (LEAs)** must maintain a Part 154 Comprehensive Plan on file and have it available for review upon request by the New York State Education Department (NYSED), parents, or any other school or community member.

1. Indicate Date **Part 154 Comprehensive Plan** Submitted:
2. All school districts with English Language Learners (ELLs) must complete and submit a **C.R. Part 154 Data/Information report** to NYSED. Indicate date submitted:
3. Indicate the total number of students enrolled in the district in 2015-16:
4. Indicate the total number of ELLs enrolled in the district in 2015-16:
5. Indicate the percentage of ELLs in the district as a share of the total student population:

**Section 2: Program Placement Availability**

1. Is there a school within the district that is not identified as a School Under Registration Review, or as a Focus or Priority School? Yes No

2a. If the answer to question 1 is Yes, does the district lack the physical space to place a Bilingual Education program in a school that is not identified as a School Under Registration Review, or as a Focus or Priority School? Yes No

2b. If the answer to question 2a is Yes, explain the lack of physical space in the box below, including details such as:

* The class sizes, by grade and content area, at the three least crowded schools in the district;
* The ELL population to be served by the new Bilingual Education program(s), by grade, school, and language;
* Relevant scheduling conflicts and logistics.

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2c. Attach documentation and data demonstrating the lack of physical space, including, but not limited to:

* Class schedules of the three least crowded schools in the district;
* Building size and number of classrooms;
* Bilingual teacher schedules;
* Number of teachers with appropriate certifications to teach in Bilingual Education programs, by language, and their schedules.

3. Is there a Focus School within the district? Yes No

4. List all school(s) in which the district intends to place a new Bilingual Education program. Indicate whether each school is a Focus School or Priority School. (The district may not place a Bilingual Education Program in a school that has been designated as a School Under Registration Review.)

**New York City Only:**

5a. Is there a school other than a Priority School in which a new Bilingual Education program can be placed? Yes No

5b. If the answer to 5a is No, does the district ensure that parents or persons in parental relation are given the option to transfer their child to a Bilingual Education program in a school that has not been identified as a School Under Registration Review, Focus School, or a Priority School in a neighboring community school district? Yes No

5c. In all cases where the opportunity to transfer to another school is offered, does the district ensure that the student is provided transportation in accordance with Education Law section 3635 and/or district policy, as applicable? Yes No

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| **Sign this form and submit electronically by October 30, 2015: OBEWLDocSubmit@nysed.gov** **In the subject line, please write “Focus/Priority School BE waiver, <*insert* *name of LEA*>”** |
| **Superintendent/Chief Administrative Officer or designee electronic signature.** By entering your name below, you are signing this form electronically. You agree that your electronic signature is the legal equivalent of your manual signature on this form. |
| **Name**:      **Title:**        | **Date:**       |
| **Email:**  |  |
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| **To be completed by the Office of Bilingual Education and World Languages****Request** **[ ]  Approved** **[ ]  Not Approved**  |
| **Comments:**  |
| **Date:**  |

 Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Associate Commissioner, OBEWL