

Instructional Units of Study Position Statement and Guidance For COVID-19 Fall School Re-Opening

In light of the COVID-19 Pandemic School Closures and the need to ensure that we meet the academic, linguistic, and social emotional needs of our ELLs/MLLs under the guidelines of the Federal Act of Every Student Succeeds Act (ESSA) and Part 154 of the Commissioner's Regulations, school districts in New York State have been required to provide continuity of learning for all ELLs/MLLs. To support this, the Board of Regents has published Memo dated May 13, 2020, "*The Provisional Services to ELLs/MLLs and World Language Students during Statewide School Closures due to the Novel Coronavirus (COVID-19) Outbreak in NYS.*" This guidance, combined with emergency regulatory changes that were approved by the Board of Regents in April 2020, has provided flexibility regarding the ENL and Bilingual units of study requirements under CR Part 154¹. School districts are expected to utilize each student's level of language proficiency, as determined by the 2019 NYSESLAT or the administration of a 2019 or 2020 NYSITELL, to determine appropriate instruction as defined by the Units of Study established under 154-2.3 (h) (1-3iii) pages 23-28 of the regulations. In order to meet the individual academic and linguistic needs of our ELLs/MLLs, school districts have the flexibility of providing additional units of study if it deems necessary; within the student's language proficiency level as determined by the most recent NYSESLAT or NYSITELL.

Flexibility beyond the Units of Study as required by the NYSESLAT proficiency level, could take the form of additional ENL programming to provide instruction and support before or after school or through weekend or vacation academies. Teachers can provide these additional services via integrated or stand alone models whenever students may be available and their content area instruction is not compromised. Other ideas include lunch and learn sessions, book groups and special interest clubs.

It is imperative that co-planning and professional development continue to take place for all teachers regarding: effective scaffolding, bilingual support, subgroups, parent outreach, social emotional learning, assessment and strategies for ELLs.

For more information on the Units of Study and various resources for in-class and virtual learning please visit the OBEWL website.

Links to NYSED CR PART 154 Instructional Units of Study Charts:

- [CR Part 154-2 \(K-8\) English as New Language \(ENL\) Units of Study and Staffing Requirements](#)
- [CR Part 154-2 \(9-12\) English as New Language \(ENL\) Units of Study and Staffing Requirements](#)
- [CR Part 154-2 \(K-8\) Transitional Bilingual Education Program](#)
- [CR Part 154-2 \(9-12\) Transitional Bilingual Education Program](#)

Memo dated May 13, 2020, "*The Provisional Services to ELLs/MLLs and World Language Students during Statewide School Closures due to the Novel Coronavirus (COVID-19) Outbreak in NYS*"

- <http://www.nysed.gov/common/nysed/files/programs/coronavirus/nysed-covid-19-memo-qa-provision-services-ells-world-languages-students.pdf>

¹ Please note that the emergency regulations that provide this flexibility remain in effect only during COVID-19 related full school closures. Schools that re-open completely or partially (e.g., staggered schedules, hybrid instructional model) will be required to meet the Units of Study requirements for their ELLs.