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**To:** District Superintendents  
Superintendents of Schools  
Principals of Public, Religious, and Independent Schools  
Leaders of Charter Schools

**From:** Elisa Alvarez 

**Subject:** Administration of the Spring 2021 New York State English as a Second Language Achievement Test for Provisionally Identified English Language Learners

This memorandum provides further information about the administration of the Spring 2021 New York State English as a Second Language Achievement Test (NYSESLAT) for provisionally identified English Language Learners (ELLs). A provisionally identified ELL is a student who, as a result of having enrolled in a New York State school during the COVID-19 pandemic and having always received entirely remote instruction, has been identified as needing ELL services by their school but has not able to complete the ELL identification process including an in-person administration of the New York State Identification Test for English Language Learners (NYSITELL).

Per guidance from the US Department of Education, provisional ELLs are to be treated the same as identified ELLs, which includes **“administering the annual English Language Proficiency assessment to such students.”**

Therefore, the parents/guardians of provisionally identified ELLs receiving entirely remote instruction must be included in the outreach conducted by the school. The parent/guardians of provisionally identified ELLs are to be informed that their child has the right to participate in the NYSESLAT and be informed of the arrangements to have their child participate in person in the school building in the NYSESLAT during the testing window. As always, communication with these families should be conducted in the parents' preferred language and mode of communication.

**Provisionally identified ELLs whose parents previously submitted a NYSITELL waiver and who take the NYSESLAT are not required to take the NYSITELL during this time.** As those students remain remote-only in their learning model, the NYSITELL parental-waiver will remain in effect.

Building principals are responsible for all decisions regarding the NYSESLAT exam room location for these students within the building for the test administration. These student placement decisions must be consistent with guidelines provided by the Centers for Disease Control, the New York State Department of Health, and the school's local department of health.