

Follow-up Q&A Handout (October 12, 2023)

Hello,

Thank you to those able to join us last week for the Diploma Requirements and Graduation Pathways workshop with Melissa Montague. Also, big thanks to those who submitted questions in advance or asked them during the PD! As a reminder, pass any future questions/scenarios along to your METS Director who will make sure they are forwarded to Melissa/SED.

Below is follow-up information that Melissa sent after the workshop and the slides handout is attached as well.

As always, the recording and other resources can be found on the NYS-MEP website in the event archive for future reference. The path is: **News & Events > Event Archive > Choose Event**. Here is the direct link: <https://www.nysmigrant.org/events/Diploma-Requirements-and-Graduation-Pathways-with-Melissa-Montague>

From: Melissa Montague

Thank you again for inviting me to spend time with our regional METS directors and migrant educators. I value our time together!

The PDF of yesterday's slide deck is attached, and here are some of the resources we discussed that I mentioned I would forward:

Appeal to the Commissioner of Education (310 Appeal)

[Education Law §310](#) provides that persons considering themselves aggrieved by an action taken at a school district meeting or by school authorities may appeal to the Commissioner of Education for a review of such action. This is a legal process; you can find additional information pertaining to §310 Appeals on our [Appeals to the Commissioner webpage](#).

Credit in World Languages

Schools can award credit in World Languages for students who attended school in an "other-than-English-speaking" environment. You can reference question 50 of the Special Situations section (section X) of the [LOTE FAQ](#).

50. Can students earn unit(s) of credit in a LOTE based on documented residence and school attendance in an "other-than-English-speaking" environment?

Yes. Schools may award up to 3 units of credit for each year of documented school attendance and residence in an "other than English-speaking" environment, provided that the experience occurred at age 10 or older and that the residence resulted in direct contact with that environment, its language and people. No more than a total of 5 credits may be awarded for

school attendance and residence in an “other than English-speaking” environment, regardless of the length of the experience.

NOTE: Although the students can receive units of credit, they are still required to take a locally developed comprehensive Checkpoint B examination in order to meet the requirements for a Regents diploma with advanced designation through world language study.

Guidance on Student Placement

I spoke with a colleague in Student Support Services and she is also unaware of any guidance related to student placement. You may also try connecting with the Office of Bilingual Education and World Languages for guidance related to this question. That office has a webpage dedicated to resources for [Students with Interrupted/Inconsistent Formal Education \(SIFE\)](#).

Incidental Teaching (Teaching a Course Outside Certification Area)

You can reference the Office of Teaching Initiatives' [Employment Authorizations webpage](#) which notes:

A superintendent of schools may assign certified teachers to teach a subject not covered by their certificate (incidental teaching) for a period not to exceed five classroom hours per week, when no certified or qualified teacher is available.

However, a superintendent of schools may assign certified teachers to teach a subject not covered by their certificate for a period not to exceed ten classroom hours a week through the 2023-2024 school year, when no certified or qualified teacher is available after extensive and documented recruitment.

For additional information incidental teaching, please see [Commissioner's Regulations 80-5.3](#). Additional questions related to incidental teaching should be forward to the Office of Teaching Initiatives, Email: [OTI Contact Form](#) or tcert@nysed.gov.

Oral Translations for Regents Exams (Required or Optional?)

The language on the webpage reflects this being an option and not a requirement as it states, “Schools may provide ELL students with an oral translation of a state examination when there is no translated edition provided by the Department.” I encourage you to confirm this with the Office of Bilingual Education and World Languages (obewl@nysed.gov or 518-474-8775).

Push-In vs. Pull-Out ENL Instruction

I will point you to some resources related to this question, but the Office of Bilingual Education and World Languages is in the best position to support you. There is a Q&A in OBEWL's [Q&A Document Related to Part 154 \(Spring 2015\)](#) related to push-in vs. pull-out models.

Q: What does Stand-alone ENL mean? Does it mean that it must be in a pull-out situation or can it be in a push-in model as well?

A: In Stand-alone ENL, students receive English Language Development taught by a New York State certified ESOL teacher in order to acquire the English Language needed for success in core content areas. See Units of Study Tables to determine the appropriate model. Only ELLs receive Stand-alone ENL instruction. Standalone ENL can be done in a variety of classroom settings. See link: <http://www.p12.nysed.gov/biling/resource/cr-part-154/units-of-studytables.html>.

You may also wish to reference the [Program Options for English Language Learners](#) page for detailed descriptions of ELL programs as well as the [\(9-12\) English as New Language \(ENL\) Units of Study and Staffing Requirements](#) (this is also linked in the slide deck).

Two Additional Questions

1. **Can students get double the credit if they test out of ENL by passing the ELA regents and having scored a particular level on the NYSESLAT?**

If this question related to diploma credit, students would not earn diploma credit in English language arts by passing the NYSESLAT. The only assessments that could lead to students earning credit by exam are the Regents Exams. To earn credit by exam, students need to earn an 85 or above on the Regents exam(s) and also pass a locally-developed oral exam or special project. You can reference the regulatory language (8 CRR-NY 100.5(d)(1), [Credit by examination](#)).

2. **Seal of Biliteracy- how does that impact credits, particularly for ELs?**

The Office of Bilingual Education and World Languages has a wonderful webpage dedicated to the [Seal of Biliteracy](#). While students may earn diploma credits on their way to earning the Seal of Biliteracy, earning the seal itself does not result in additional diploma credits being earned.

There is a question that explains the difference between the +1 Pathway assessments in world languages and the Seal of Biliteracy which may be helpful. It can be found on pg. 55 of the [Seal of Biliteracy Handbook](#)

Q112: What is the difference between the 4+1 Pathway in world languages and the NYSSB?

A112: The 4+1 Pathway assessments in world languages are a set of exams that measure Checkpoint B proficiency in world languages. A student who earns a 65% or better on one of these exams may use the exam as both the Checkpoint B exam requirement of the Regents Diploma with Advanced Designation and as the fifth Regents exam required for the Regents Diploma. The NYSSB is an award that recognize high school graduates who have attained a high level of proficiency in English and one or more world languages. The required proficiency level for world languages is consistent with Checkpoint C.