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(ii)(I) assess, and report the performance of, such an English learner on the reading or language arts and mathematics assessments required under paragraph (2)(B)(v)(I) in each in such a school; and (II) for the purposes of the State-determined accountability system in such a school, exclude the results on the assessments described in subclause (I); (bb) include a measure of student growth on the assessments described in subclause (I) in the school; and (cc) include proficiency on the assessments described in subclause (I) in the third year of the such a school, and each succeeding year of such enrollment.

The purpose of these waivers will be to allow the Department to do the following:

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proficiency test, the NYSESLAT, regardless of whether or not they participate in the ELA assessment. New York State students are initially identified as ELLs/MLLs using the New York State Identification Test for English Language Learners (NYSITELL), which is administered on a one-time basis upon enrollment. Thereafter, all ELLs/MLLs take the NYSESLAT on an annual basis in the spring of each school year to assess their yearly progress at attaining English language proficiency. Both the NYSITELL and NYSESLAT assess age abilities across four modalities: Speaking, Listening, Reading and Writing.

Over the last decade, there has been an increase in the number of ELLs/MLLs enrolled in New York State public schools, with a 2016 population of 85,405 Grades 3-8 students who speak over 200 languages. Of these students 11,950 recently arrived ELLs/MLLs in 2015 and 13,228 recently arrived ELLs/MLLs in 2016 did not

socio-emotional needs are met in multiple languages leading them to college and career readiness. In order for these students to succeed, NYSED uses language proficiency data from the NYSESLAT to provide targeted instruction that will enable students to meet proficiency levels towards the rigorous New York State Next Generation Learning Standards.

E. Include only information directly related to the waiver request.

ADD RESULTS OF PUBLIC COMMENTS HERE

F. Describe how schools will continue to provide assistance to the same populations served by programs for which waivers are requested and, if the waiver relates to provisions of subsections (b) or (h) of section 1111, describe how the State educational agency, local educational agency, school, or Indian tribe will maintain or improve transparency in reporting to parents and the public on student achievement and school performance, including the achievement of the subgroups of students identified in section 1111(b)(2)(B)(xi).

The Department will continue measured these students for English language proficiency through the NYSESLAT and will continue to take all other scheduled assessments. As described in our state plan, NYSED hopes to provide additional services to these students by seeking funding from the New York State legislature to develop Native Language Arts/Home Language Arts (NLA/HLA) exams for Grades 3-8 and for high school.

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cc: MaryEllen Elia
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