




Office of P-12 Education

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**MEMORANDUM**

TO: Superintendents of Public Schools  
Directors of Charter Schools  
Administrators, Coordinators, Directors of LEP/ELL Programs

FROM: Ira Schwartz 

SUBJECT: Provision of English as a Second Language (ESL) Component of a K-6 Bilingual Program by Common Branch Teachers with Bilingual Extensions

DATE: October 2011

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After a review of Commissioner's Regulations (CR) §154.2(e)(1)(ii) requested by school districts, the State Education Department has determined that the regulations permit common branch (K-6) teachers with a bilingual extension to teach the English as a Second Language (ESL) component of a K-6 bilingual program. In all other grades, 7 to 12, the ESL instruction must be provided by a certified English to Student of Other Languages (ESOL) teacher.

The Department encourages districts to take advantage of this flexibility to assign both ESOL and bilingual teachers in ways that maximize support for English language learners and increase the number of common branch bilingual programs offered.

If you have any questions, please do not hesitate to call the Office of Bilingual Education-Foreign Language Services office at (518) 474-8775 (Albany office), or (718) 722-2445 (New York City office).

CC: John B. King, Commissioner  
Pedro J. Ruiz, Coordinator OBE-FLS