



**THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234**  
Office of P-12

Schwartz, Assistant Commissioner  
Office of Accountability  
Hanson Place, Room 400  
Brooklyn, New York 11217  
Tel: (718) 722-2796 / Fax: (718) 722-4559

**TO:** Superintendents of Public School Districts  
Charter School Principals  
Bilingual/ESL Coordinator/Director

**DATE:** April 2011

**FROM:** Ira Schwartz *Ira Schwartz*

**SUBJECT:** Limited English Proficient (LEP)/English Language Learner (ELL) Student Counts for 2011–12 NCLB Title III LEP Allocations

The New York State Education Department is preparing to calculate allocations to Local Education Agencies (LEAs) for 2011–12 NCLB Title III LEP. The allocations are based on the number of limited English proficient (LEP) students in each LEA; therefore, it is very important that NYSED has accurate counts of LEP students. To allow LEAs to update and/or verify their counts of LEP students, the following procedures and timeline have been established:

Date	Procedure
May 5, 2011 to May 11, 2011	Public LEP counts by district and charter school in Level 2 of the Student Information Repository System (SIRS) and nonpublic school LEP counts by district in the Basic Educational Data System (BEDS) on April 29, 2011 will be available to authorized users in the “2010–11 Title III LEP Counts Report: April 29, 2011 Data” on the Information and Reporting Services Portal (IRSP) at <a href="http://portal.nysed.gov">http://portal.nysed.gov</a> . Instructions on accessing the portal can be found at <a href="http://www.p12.nysed.gov/irs/irs-portal/">http://www.p12.nysed.gov/irs/irs-portal/</a> .  LEAs should review the counts in the report, make changes in their local student management systems to correct public and charter school data, and work with nonpublic schools to correct inaccurate nonpublic school data using the Nonpublic School BEDS forms.
May 12, 2011 to May 18, 2011	Public LEP counts by district and charter school in Level 2 of the SIRS and nonpublic school LEP counts by district in BEDS on May 6, 2011 will be available to authorized users in the “2010–11 Title III LEP Counts Report: May 6, 2011 Data” on the Information and Reporting Services Portal (IRSP).
May 19, 2011 to May 25, 2011	Public LEP counts by district and charter school in Level 2 of the SIRS and nonpublic school LEP counts by district in BEDS on May 13, 2011 will be available to authorized users in the “2010–11 Title III LEP Counts Report: May 13, 2011 Data” on the Information and Reporting Services Portal (IRSP).
May 27, 2011	Public LEP counts by district and charter school in Level 2 of the SIRS and nonpublic school LEP counts by district in BEDS on May 27, 2011 will be used for 2011–12 Title III LEP allocations.
Mid June 2011	Title III LEP allocations will be posted at <a href="http://www.p12.nysed.gov/nclb/allocations">http://www.p12.nysed.gov/nclb/allocations</a>

Note that in preparing for the administration of the New York State English as a Second Language Achievement Test (NYSESLAT), LEAs may have already reported appropriate LEP codes in the SIRS. However, LEAs should review the counts in the reports available May 5 – May 27, make corrections to inaccurate public and charter school student data in their local student management systems, and ensure that the revised data are loaded into Level 2 of the SIRS by May 27.

Districts should work with nonpublic schools to ensure that inaccurate data are identified. Nonpublic schools with incorrect LEP counts should fax corrected LEP counts for Item 9 of their Fall 2010 BEDS Report of Nonpublic Schools form to the NYSED Office of Information and Reporting Services (IRS) at (518) 474-4351. Nonpublic school LEP counts should reflect students who were enrolled on BEDS day, October 6, 2010. Questions concerning nonpublic school LEP corrections may be directed to the IRS office at (518) 474-7965.

If you have any questions regarding these procedures, please call the Office of Bilingual Education and Foreign Language Studies at (518) 474-8775 or the Office of Information and Reporting Services at (518) 474-7965.

c: Pedro J. Ruiz  
Jeff Baker  
Clara DeSorbo

**Business Rules for Extracting LEP Data from SIRS**  
**for Allocation of NCLB Title III Funds**  
 (For Data Collection and Reporting Staff)

1. This is for public and charter schools. Nonpublic counts will need to be obtained from BEDS data.
2. Enrollments to be used:

0011	Enrollment in building or grade
5544	Transferred in under the NCLB Title I "School in Improvement Status" transfer option
7000	Transferred in under the NCLB "Persistently Dangerous School" transfer option
7011	Transferred in under the NCLB "Victim of Serious Violent Incident" transfer option

The enrollment record will be the student's last or most recent one in SIRS.

3. Grade: K – 12, ungraded elementary (13), and ungraded secondary (14).
4. Select all students with a program service code of 0231 LEP Eligible.
5. Exclude the following ending reasons on the enrollment records:

153	Transferred to another school in this district or to an out-of-district placement
170	Transferred to another NYS public school outside this district with documentation. <i>Note: documentation of transfer is not required for preschool students with disabilities.</i>
204	Transferred to a NYS nonpublic school with documentation
238	Transferred to homebound instruction provided by this district
255	Transferred to home-schooling by parent or guardian
5927	Leaving a school under NCLB – a victim of a serious violent incident
5938	Leaving a NYC community district under NCLB – a victim of a serious violent incident
323	Transferred outside district by court order
442	Left the U. S. ( <i>and did not return to the U.S. on the date these data were retrieved</i> )
459	Deceased