

To the extent each charter school is required to comply with C.R. 154, the following protocol should be followed with respect to **creating a Language Proficiency Team (LPT)**:

1. The charter school must create an LPT that has all of the required individuals under the regulation. The LPT shall be minimally comprised of a school/district administrator; a teacher or related service provider with a bilingual extension and/or a certified teacher of English to Speakers of Other Languages; the director of special education or individual in a comparable title; and the student's parent or person in parental relation.
 - a. One of those required individuals is a “director of special education or individual in a comparable title.”
 - i. If the charter school has a staff member with those or comparable special education credentials, that person should be designated as part of the LPT.
 - ii. If the charter school does not have any staff members that meet those credentials, they should reach out to the applicable CSE chairperson to request the participation of a CSE staff member with a special education license to participate on the LPT.
2. The LPT must review the student’s IEP, and other supporting documents, to determine whether the student’s disability is the determinant factor affecting whether the student can demonstrate proficiency in English.
 - a. If these documents contain sufficient information to make that determination, the LPT does not need to contact the CSE.
 - b. If the LPT does not believe these documents contain sufficient information to make that determination, the LPT should:
 - i. Reach out to a member of the student’s CSE team that created the student’s IEP to request guidance; and/or
 - ii. Reach out to the district CSE Chairperson to request guidance.
3. The participation of the CSE (whether the CSE that created the student’s IEP or the district CSE) should be flexible. It may consist of:
 - a. Reviewing the student’s clinical file and providing input by email as to whether the evaluative materials would show that the student’s disability is the determinant factor affecting whether the student can demonstrate proficiency in English; or
 - b. Reviewing the student’s clinical file and participating in the LPT meeting in person; or
 - c. Reviewing the student’s clinical file and participating in the LPT meeting by teleconference.
4. LPT sends recommendation to principal for review, and the principal makes a determination as to whether the student should take the NYSITELL.