

The NYSABE Bilingual Times



New York University
Metropolitan Center for
Research on Equity and the
Transformation of Schools
726 Broadway, 5th Floor
New York, NY 10003

www.nysabe.net

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2014-2015

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A Message from the President, Tatyana Kleyn, Ed.D.



Dear NYSABE Community,

It is a great honor and responsibility to assume the presidency of our organization for the 2014-15 year. I come into this role with a profound respect for those who have come before me to stand up for the rights of ELLs/bilingual learners and establish policies to ensure an equitable education for linguistically and culturally diverse students across the state. This year is especially momentous in that we mark the 40th anniversary of the Lau v. Nichols 40th court decision with events in Regions I-III (Long Island, New York City and Mid-Hudson) and Regions IV-VI (Syracuse-Capital Region, Rochester and Western New York). I hope you can join us as we “*Embrace our Victories to Shape a Better Future.*”

In order to continue this forward momentum, my motto for this year is “**Centered on Bilingual Learners.**” I’d like to take this opportunity to explain what this means to me and the work ahead of us by breaking down each area.

Centered: We must ground our efforts in what is best for students, who remain in our minds and hearts. This also means basing our work in the vast body of research that has shown us what is best for the teaching, learning, and development of ELLs/bilingual learners from Pre-K through high school.

Bilingual: We must focus on all home languages that students bring to school – including those that occur with high and low frequency. This multilingual inclusivity means promoting bilingual education programs while also valuing and building bilingualism in education, regardless of the program model. Finally, all students should be set on a path towards earning the NYS Seal of Biliteracy, thereby becoming bilingual and biliterate.

Learners: Students must be viewed beyond their language strengths and needs. Our students require access to the Common Core through their full linguistic repertoire, inclusion in arts and technology programs, support in their socio-emotional development, and preparation in becoming global and critical citizens so that they are learners in the broadest sense of the term.

I hope you will join in on our efforts this year as we have much to advocate for and

need our strong, collective voices. Some of our priorities include ensuring our Pre-K learners have access to bilingual education programs, that bilingual learners with disabilities are assessed in appropriate ways, that secondary students can have their literacy skills evaluated in their home languages and that the NYS Dream Act finally passes. As you can see, it will be a busy year!

Finally, I would like to invite each of you to our annual conference, which will take place March 12-14, 2015 in White Plains, NY. Our call for proposals is now open and we are also seeking nominations for adult and student awards. Be a part of this important event, and visit our conference website regularly to stay up-to-date:

www.nysabeconference.net.

Sincerely,
Tatyana Kleyn
President, 2014-15

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From the Desk of the Executive Director,



Nancy Villarreal de Adler

"I speak not for myself but for those without voice... those who have fought for their rights... their right to live in peace, their right to be treated with dignity, their right to equality of opportunity, their right to be educated."

"Let's pick up our books and pens. They are our most powerful tools and weapons. One child, one teacher, one book and one pen can change the world."

"Education is education. We should learn everything and then choose which path to follow." Education is neither Eastern nor Western, it is human."

-Malala Yousafzai

This past October the impassioned words of a 17 year old young woman resonated in classrooms and communities throughout the world. It was the courageous voice of Malala Yousafzai, one of the two recipients of the 2014 Nobel Peace Prize, who has dared to envision a world where all children can be empowered to reach their potential through quality education. She has declared that without education we are trapped in a cycle of poverty which can only be broken when access to quality education is provided to all members of

the community. Her vision stresses the urgent need to make systemic changes in education that can safeguard the empowerment of students, educators, community members and leaders. During more than six years, Malala's voice has represented a call to worldwide action to safeguard the human right to education for all children.

On October 25th, a few days after the announcement of the Nobel Peace Prize awardees, NYSABE celebrated the 40th anniversary of the Lau vs. Nichols US Supreme Court decision which aimed at ensuring access to **meaningful and equitable education** for all ELLs/bilingual learners. The keynote presentation, panel discussions, and conversations provided the participants with a forum conducive to deep reflection on the impact of the court decision in their daily educational endeavors. The activities also inspired the attendees to reaffirm their commitment that all ELLs/bilingual learners in New York State have access to an equitable and meaningful education from Pre-K through high school.

As NYSABE continues its advocacy work on behalf of New York State's ELLs/bilingual learners, the spirit of Malala's vision and the Lau vs Nichols celebration - access to meaningful, quality education, must prevail in our community. We, bilingual educators, do hope that the current revision process of C.R. Part 154 as well as the development and implementation of innovative programs for ELLs/bilingual learners throughout New York State will embody our collective sense of mission and our joint commitment to NYSABE President Tatyana Kleyn's motto, "Centered on Bilingual Learners."

Editor's Note:



Editor, Tamara Alsace

Dear Readers,

With the 2015 annual conference fast approaching, in this issue we bring you highlights and reminiscences of last year's conference. You will also meet this year's Executive Board and new members of the Delegate Assembly and have the opportunity to catch up on the tremendous advocacy work NYSABE has been doing. In addition, you'll hear from Dr. Eugene Garcia about his latest research in early childhood education for bilingual learners, which supports one of the priorities espoused by our president, Dr. Tatyana Kleyn.

Last month, as I drove to White Plains for a conference planning meeting, I passed through the Catskills, near the site of the first NYSABE conference I attended as an undergrad in 1980. I remembered the awe I felt as I met the leaders in our field at the time and I felt grateful as I reflected on all the learning and networking opportunities that NYSABE has offered me throughout the years. I am also thankful for the varied opportunities I've been afforded to serve NYSABE.

As you read about today's accomplished leaders of our organization, please consider how you might contribute to the future leadership and continued success of NYSABE, whether by seeking a place on the delegate assembly yourself, or by mentoring and encouraging a colleague or future teacher.

"Let's pick up our books and pens. They are our most powerful tools and weapons."

-Malala Yousafzai



Tatyana Kleyn, Ed.D.
NYSABE President

Dr. Kleyn is an associate professor at the City College of New York in the Bilingual Education and TESOL programs. For 2014-15 she is a Fulbright scholar in Oaxaca, Mexico, conducting a study called "The Other Side of Deportation: Children and Youth (Back) in Mexico." In 2007 Tatyana received an Ed.D. from Teachers College, Columbia University in International Educational Development, with a specialization in Bilingual/Bicultural Education. Her dissertation focused on the intersections of bilingual and multicultural education in Spanish, Haitian Creole, Chinese and Russian bilingual classrooms and earned the second place Outstanding Dissertation Award from the National Association of Bilingual Education (NABE).

Tatyana is also an associate at the Research Institute for the Study of Language in Urban Society at The CUNY Graduate Center, where she worked with Kate Menken on a multi-phase study focusing on 'Long-Term ELLs' in secondary schools. Their research was featured in the *International Multilingual Research Journal*, *International Journal of Bilingual Education and Bilingualism* and *Educational Leadership*. Tatyana was also acting co-Principal Investigator and associate investigator for the CUNY NY State Initiative on Emergent Bilinguals (CUNY-NYSIEB) that supports administrators in developing bilingual ecologies.

Tatyana is co-author of "Teaching in Two Languages: A Guide for K-12 Bilingual Educators" with Adelman Reyes (Corwin Press, 2010), and author of "Immigration: The Ultimate Teen Guide" (Scarecrow Press, 2011). She co-produced and directed the documentary "Living Undocumented: High School, College and Beyond" (www.livingundocumented.com). and led her CCNY Education that is Multicultural course in a collaboration with *El Diario/La Prensa* to develop a "Social Justice and Latinos in NYC: 1913-2013" curriculum, downloadable at <http://centenario.eldiario.com/latinos-in-nyc/?lang=en>.

On an international level, Tatyana has written about the cultural, linguistic and educational needs of the Garifuna people in Honduras and was involved with the organization "Pwof Ansanm" (Teachers Together) which supports secondary teachers across Haiti in developing their philosophical and pedagogical approaches to teaching and learning. Tatyana was an elementary school teacher in San Pedro Sula, Honduras and Atlanta, Georgia.



Evelyn Arent
NYSABE First Vice-President

Evelyn was born and raised in Guatemala until age 14, when she immigrated to Los Angeles, California. Before she entered the educational field, Evelyn worked as an Administrative Sales Assistant for Investment firms in Beverly Hills, Los Angeles, California and Troy, Michigan.

Mrs. Arent came to Buffalo N.Y. and earned her Bachelor of Science degree in Spanish 7-12 from the State University of New York College at Buffalo and California State University San Marcos College of Education. Evelyn and her family then returned to San Diego, California where she took on several roles in the Sweetwater Union High School District. She taught Native Language Arts and Spanish as a Second Language. During her stay in California, Mrs. Arent received an 'Excellence in Education' award and an 'Academic Excellence' award for committing to provide support to improve the academic performance indicators of the school. She also received a professional certificate for California Foreign Language Projects.

Following a return to Buffalo, Evelyn earned her Master of Science degree in Bilingual Special Education from the State University of New York College at Buffalo. She has worked with the Buffalo Public School District for 10 years and is currently a bilingual special education teacher and bilingual coordinator for her school. Mrs. Arent is also a member of the school leadership team, the school-based management team, and the steering committee for the district's NYS Seal of Biliteracy pilot. She is currently pursuing a degree in Educational Leadership and Supervision.

Evelyn has been an active member of the New York State Association for Bilingual Education since 2004. She has served as a language and regional delegate for the Western NY region, an elected member of the Executive Board as Second Vice President for two consecutive terms, and as registration conference chair.

Evelyn's educational vision is to promote bilingual education and ensure that bilingual education programs are rigorous, effective, and productive in meeting the needs of our English language learners with and without disabilities, while continuing to maintain their rich cultural heritage and native language.



Marguerite Lukes, Ph.D.
Second Vice President

Marguerite Lukes has been an educator and advocate for immigrant students, emergent bilinguals and English Language learners for more than 25 years. Currently at Internationals Network for Public Schools, Marguerite is the Director of National Initiatives, overseeing a five-year federally-funded school reform initiative to promote higher levels of achievement for English language learners (ELLs).

A former ESL teacher, Marguerite has taught in and directed programs in English as a Second Language, Spanish literacy and basic skills for youth and adults, and adult immigrant and parent education. She has also designed, implemented and evaluated professional development programs for K-12 and adult education with a focus on emergent bilinguals. Marguerite was a bilingual professional development specialist at the New York State Spanish BETAC, where she worked with teachers and administrators from around New York State to improve services for ELLs. She continues to work with adult basic education programs around the city to enhance their availability in students' home languages. Marguerite has taught graduate and undergraduate courses in bilingual/ multicultural education for pre- and in-service teachers and developed courses for adult and family educators.

Marguerite received her doctorate from New York University, where she conducted research on the educational experiences of Latino migrant youth and designed professional development for schools serving immigrant students in New York State.

Marguerite co-chairs the Special Interest Groups on Adult Literacy and Adult Education of the American Educational Research Association (AERA) and is a member of the National Association for Bilingual Education (NABE). Her scholarship and research on second language learning, literacy, and the education of immigrant populations has appeared in the *TESOL Quarterly*, *Journal of Latinos and Education*, *Urban Education*, *International Multilingual Research Journal*, *Teachers College Record*, and *Rethinking Schools*. Her book, *Dropouts, Shut-outs and Dreamers* on immigrant young adults with interrupted schooling is to be released in the spring of 2015.



Bahar Otcu-Grillman
NYSABE Secretary

Dr. Bahar Otcu-Grillman is an Assistant Professor of TESOL/Bilingual Education in the department of Literacy and Multilingual Studies at Mercy College, NYC. She is currently teaching graduate courses in bilingual education, intro. to linguistics, methods of teaching ESL, and clinical practices. Her many years of work in higher education and teacher training began as a research assistant at Middle East Technical University in Turkey in 1997. Bahar came to the U.S. to pursue her doctoral studies at Teachers College Columbia University in 2004. She received her doctorate in 2009 from the program in International Educational Development with a focus on language, literacy, and technology.

Bahar's dissertation was published in 2010 as a book titled *Language Maintenance and Cultural Identity Construction: A Linguistic Ethnography of Discourses in a Complementary School*. Actively involved in the NYC Turkish community, she served as board member and secretary general of the Turkish Women's League of America (TWLA) from 2007-2009. The doctoral work she conducted in the Saturday school operated by TWLA was pioneering. It was the first case study of Turkish language maintenance and development in a Turkish community-based school in the U.S.

In addition to Bahar's work with the Turkish community and language, she has taught English in the U.S. and abroad for many years. Her research interests include an array of topics in bilingual education, applied linguistics, language policies and ideologies, discourse analysis, and pragmatics. She is the author of several book chapters, and articles on these topics. Dr. Otcu-Grillman is also the co-editor of the recently published book titled *Bilingual Community Education and Multilingualism: Beyond Heritage Languages in a Global City* with Ofelia García and Zeena Zakharia. Here, she further investigates the Turkish American bilingual community of New York. In 2013, she also worked with French and Italian communities in the city and supported their efforts to establish dual language programs within their communities.

Bahar has been serving as NYSABE's Turkish language delegate since 2013, and has been elected as the secretary for the 2014-15 term. In addition, she is a member of the NYSABE publication team and provides assistance to the editor of the *Bilingual Times Newsletter*, Dr. Tamara Alsace, and to the project director, Nancy Villarreal de Adler.



Dr. Rosa E. Lien
NYSABE Treasurer

Rosa Lien grew up in Lima, Peru and moved to the United States of America in 1984. Presently, she is the Director for Bilingual/ESL Programs at Central Islip School District. Her experience as an educator began in the New York City public schools where she worked as a paraprofessional, bilingual special education teacher, coordinator of Project ACCESS, a federally funded Title VII Grant, and assistant principal in District 75. Both as Project ACCESS coordinator and as assistant principal in District 75, Rosa was provided with opportunities to ensure appropriate educational services for ELLs/bilingual learners with severe disabilities. She coordinated the development of literacy curriculum that was aligned with the NYS English Language Arts Standards and integrated technology and augmentative communication. She also coordinated the successful professional development plan and the parental/family engagement projects at the schools she served. Additionally, in both situations Rosa was responsible for budgeting and managing federal and local funds.

In April 2014, Rosa received her doctoral degree in Administration Leadership for Teaching and Learning from Walden University. Her dissertation titled "ELL Parental Involvement toward Building Collaboration and its Policy Implications," focused on the role that parental involvement plays in the success of ELL students in becoming proficient in English while maintaining their home language.

Rosa believes that in today's increasingly multicultural and multilingual society, her passion for multilingual education has deepened as a result of her broad knowledge and multiple experiences acquired through supporting her students' development of their first and new languages. It is the knowledge and passion that have sustained her desire to advocate for ELLs/bilingual learners and their families.

Rosa has been a member of NYSABE since 2000, and this is her second year as a delegate for Region I/Long Island. She has served as a volunteer for various conference committees, including the Parent Institute and Special Education Strand. As she assumes her new position as NYSABE's Treasurer, Rosa reaffirms her professional pride and commitment to provide NYSABE with excellent service.



Yazmín Torres
NYSABE Past President

Ms. Yazmín Torres attended the University of Puerto Rico and completed a bachelor's degree in secondary education with a major in social studies. In the year 2000, while at the University of Puerto Rico, she was offered a contract with the Rochester City School District (RSCD). In Rochester, she earned a Master of Science in international studies and a bilingual extension. In addition, she has obtained her second Master of Science degree in Educational Leadership at Saint John Fisher College. Yazmín has more than twelve years teaching experience, two New York State teaching certifications and New York State building and district leader certifications. She was a RSCD bilingual teacher and an ELL Curriculum writing specialist. Later, Yazmín worked at the New York City Regional Bilingual Education Resource Network (R-BERN) as a Bilingual Resource Specialist. At the present time, Yazmín has the position of Instructional Specialist at the Center for Educational Innovation.

In the Rochester community, Yazmín is known as a committed and dedicated educator and a strong advocate for bilingual education. Her involvement with the local Hispanic community includes actively participating in the RSCD Bilingual Council, co-chairing the IBERO Work Task Force, and acting as chairperson of the Latino Dropout Research Committee. Upon moving to NYC, Yazmín has continued her advocacy work on behalf of ELL/bilingual learners. As a NYSABE volunteer she has been the chairperson of the membership committee, co-chairperson of the Nivia Zavala student essay and art contest committee, a regional delegate, the executive board secretary, treasurer and First Vice President.

Ms. Torres became NYSABE's 38th president in September 2013 and now serves on the NYSABE Executive Board in her role of immediate past president. Her vision is summarized as follows, "NYSABE will continue to be at the forefront in promoting high quality education for our next generation of biliterate citizens. The students' academic achievement, coupled with their acquisition of biliteracy skills, will lay a strong foundation for becoming successful citizens in a global community."



Gregory Halzen
Delegate-at-large

Greg is, in part, a 4th generation Frisian American. Born in Gallup, New Mexico and schooled mostly in Maryland. After various study and work experiences in South America and the Balkans, Greg returned to the USA as a Peace Corps Fellow in the Bilingual/Bicultural Education Masters Program at Teachers College, Columbia University.

Since 2007, he has taught in and organized, with community members, programs that develop multilingual school experiences for students and families. In 2012, Greg was named the NABE teacher of the year. He now mentors new teachers in the Teaching Residents at Teachers College program.

Greg is an active member of the NY Collective of Radical Educators, an intentional Christian community, and the Nazarene Congregational United Church of Christ. He believes that bilingual education is a key part of the process of anti-bias, humanizing transformation in our communities.



Rosemarie Colón
Delegate-at-Large

Rosemarie has been a bilingual educator in Buffalo Public Schools for 28 years and a Bilingual Supervisor for the past eleven. Her involvement with NYSABE began as an undergrad in 1985. Since then, Rose has had the pleasure of contributing to and serving NYSABE in many ways: Secretary for over 5 years, regional delegate for 8 years, conference and registration co-chairperson, and essay contest chairperson. In addition, Rose has chaired and co-chaired fundraising events, mini conferences, and teacher training initiatives in her region.

Rose is passionate about fighting for the rights of ELLs. As an Executive Board member, she joined NYSABE in Albany to advocate for the NYS *Dream Act* and other initiatives, and served on committees to advocate for the rights of ELLs across NYS on the following initiatives: Immigration reform, identification of ELLs, bilingual special education students, changes in CR Part 154 Regulations and the NCLB assessment and graduation requirements. Through her continued advocacy with NYSABE, Rose hopes that the education of ELLs will be positively impacted.



Claire E. Sylvan, Ed. D.
Delegate-at-Large

Claire is the founding Executive Director of Internationals Network for Public Schools, which supports schools in providing recently immigrated English language learners (ELLs) with high quality public education. She has worked with and on behalf of English learners for more than 30 years in diverse roles and settings including in the community, teacher preparation programs, public secondary education and policy/advocacy venues.

Claire participates in local, state and national policy bodies concerned with immigrants and ELLs, and with broader education reform initiatives. She has coauthored papers and articles with Isaura Santiago Santiago, Migdalia Romero and Ofelia García.

Attending McGill University and Brooklyn College as an undergraduate, Claire completed her graduate studies at Teachers College, Columbia University, with master's and doctoral degrees in TESOL, education administration and curriculum and teaching, each with a bilingual education minor. Fluent and literate in Spanish, she lives in Jackson Heights, the most diverse center of immigration in New York City.



María Teresa (Maite) Sánchez, Ph.D.
Delegate-at-Large

Maite is the project director of CUNY-NYSIEB, the New York State Initiative on Emergent Bilinguals. CUNY-NYSIEB provides professional development to schools in New York to support the use of bilingualism as a resource. She holds a Ph.D. from Boston College in curriculum and instruction. For the past 13 years, Dr. Sánchez has conducted research and evaluation studies of policies and practices for educating emergent bilinguals, in both bilingual education and mainstream settings. She has also worked with school leaders in bilingual programs through professional development and technical assistance to strengthen the programs' instruction in English and other home languages.

As NYSABE Delegate-at-Large, Dr. Sánchez is committed to supporting the dissemination of best practices for bilingual students and to working on making New York a state that is **Centered on Bilingual Learners**.



Kate Menken, Ed.D.
Region II/New York City Delegate

Kate Menken is an Associate Professor of Linguistics at Queens College of the City University of New York (CUNY), and a Research Fellow at the Research Institute for the Study of Language in Urban Society at the CUNY Graduate Center. She is Co-Principal Investigator of the CUNY-New York State Initiative for Emergent Bilinguals (NYSIEB) project (www.cuny-nysieb.org), and Associate Editor/Review Editor for the journal *Language Policy*. Previously, she was a researcher at the National Clearinghouse for Bilingual Education and an English as a second language teacher. She holds an Ed.D. from Teachers College, Columbia University. Her research interests include language education policy, bilingual education, and emergent bilinguals in secondary schools. Recent books are *English Learners Left Behind: Standardized Testing as Language Policy* (Multilingual Matters, 2008) and *Negotiating Language Policies in Schools: Educators as Policymakers* (co-edited with Ofelia García, Routledge, 2010). Further information can be found on her website: <http://katemenken.org>



Janet Quiñones Eatman
Region IV/Syracuse Delegate

Ms. Janet Quiñones Eatman was born in Brooklyn, NY. She was raised in a Colombian home, speaking, dancing and tasting the flavors of her Colombian heritage. Due to her parents' strong advocacy for bilingual education, she attended bilingual programs in New York City and went on to attend Pace University in NYC, majoring in speech and language pathology. She obtained her master's degree from Temple University in Philadelphia, majoring in communication disorders with an emphasis on the Latino population.

Ms. Quiñones Eatman has practiced as a bilingual speech language pathologist for over 20 years in the Midwest and New York including work in migrant camps in Illinois. Currently, she continues her advocacy work in Syracuse by coordinating the Dual Language Reading Circles at Syracuse University's La Casita Cultural Center Project. This program is a collaborative effort with local artists to bring award winning Latino children's literature to the children of Syracuse, NY. [www.lacasita.syr.edu]



Md. Abul Kalam Azad
Bengali Language Delegate

Mr. Azad is a Bangladeshi American who has taught at all levels, from elementary to college, on three continents--Asia, Africa, and North America--and he has loved his pupils and his job in a very profound way.

In 1991, Mr. Azad introduced the teaching of Bengali in the NYC public schools. He successfully advocated for establishing teacher certification in minor languages, including Bengali, and started the Bengali program in the City College of New York. Mr. Azad also established the Bangladesh American Parents Association and the Bangladesh American Teachers Association in order to help immigrant parents and teachers of Bangladeshi origin.

Mr. Azad joined NYSABE in 2004, becoming the first Bengali language delegate, and has also served as delegate-at-large. Newly re-appointed as Bengali language delegate, he expresses his commitment to our organization's mission by stating "I've loved working with NYSABE all these years."



Maria Kot
Parent-at-Large

Maria Kot has been a devoted advocate for bilingual education and the rights of immigrant children since 2009. Maria started her advocacy by organizing and leading a Russian community parent movement in support of bilingual programs in the NYC public schools. An intensive advocacy campaign organized by Maria, in collaboration with NYSABE, the New York Immigration Coalition, and Advocates for Children, resulted in the first fully established Russian dual language program at PS 200 Benson School. In September 2012, the second Russian dual language program was launched at IS 228 David A. Boody.

Maria Kot is the recipient of a commendation by Comptroller John C. Liu for her outstanding advocacy on behalf of immigrant families and for her steadfast work in support of bilingual education. In addition, Maria was the recipient of the NYSABE *Pillars of Biliteracy Award* in recognition of her leadership and commitment to NYSABE's mission and the field of bilingual education.



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NYSABE Leadership Luncheon

By Marguerite Lukes,
NYSABE Delegate-at-Large



At the 37th annual conference in New York City, NYSABE members and conference attendees had the distinct pleasure of taking part in a dialogue between Carmen Fariña, New York City Public Schools Chancellor and author of *A School Leader's Guide to Excellence: Collaborating Our Way to Better Schools*, and Dr. David L. Kirp, professor at the University of California at Berkeley and author of *Improbable Scholars: The Rebirth of A Great American School System and A Strategy for America's Schools*. The dialogue, which took place at the Leadership Luncheon on Friday, March 7th, was moderated by Dr. Claire Sylvan, Executive Director of Internationals Network for Public Schools and member of the NYSABE Executive Board.

Both distinguished educators made references to their books as they discussed their views and experiences on issues related to educational leadership, collaboration among schools, bilingual education, and other factors contributing to the development of an effective school system that can ensure academic success for all students, including those from diverse backgrounds.

The dialogue began with Dr. Kirp sharing his experiences in Union City, New Jersey, home to a large population of Cubans who arrived both in the 1960's, after the initiation of the Cuban Revolution, as well as those who arrived with the Mariel

Boatlift. Cuban teachers in Union City, Dr. Kirp stated, went into teaching because they were highly committed to Cuban students in the schools. Thus began a legacy of bilingualism, research-based multicultural pedagogy and extensive community involvement which led to successful outcomes.

Chancellor Fariña followed Dr. Kirp's discussion with comments from her own experience as an immigrant in U.S. public schools and her subsequent commitment to maintenance models of bilingualism. Chancellor Fariña discussed her goal of doubling the number of dual language classes in New York City Public Schools during her administration, to great acclaim by attendees. She seeks to meet this goal not by opening new dual language schools, but by launching



new programs within existing schools. Another one of the Chancellor's goals is to honor teachers and programs that are teaching Spanish and raising the status of the home language. She mentioned Betty Cartagena's "Academy for New Americans," a transitional middle school that has been very successful with newcomer ELLs. The Chancellor also highlighted demonstration sites and inter-visitations among successful and developing schools. One of her new initiatives is to foster peer support among schools, where teachers can visit exemplary programs to learn from their peers. The Chancellor also emphasized the need to

increase the use of technology, to foster and strengthen collaboration as opposed to competition, and to underscore high expectations for all schools.

Responding to the Chancellor's comments, David Kirp emphasized that from his perspective, we have "a system of schools and not a school system;" therefore, we must aim at defining and building an effective school system where all children can succeed. Coaching for teachers and administrators, collaboration among teachers and across schools, and quality, sustained professional development would enhance connections across schools, disseminate learning, and strengthen the school system.

The inspiring conversation between Chancellor Fariña and Dr. Kirp ended with their expressions of a profound commitment to working towards building a strong school system that will envision - and turn into a reality - the education of all children, including ELLs/bilingual learners.

Carmen Fariña is the author of *A School Leader's Guide to Excellence: Collaborating Our Way to Better Schools*, available from Heinemann.

David Kirp, *Improbable Scholars: The Rebirth of a Great American School System and a Strategy for America's Schools* (also AERA book of the year), available from Oxford University Press.



An Interactive Dialogue with Legislators

by *Melanie Pores and Marguerite Lukes*

The NYSABE 37th annual conference included an “Interactive Dialogue” with New York State legislators, moderated by Assemblywoman Carmen Arroyo from the 84th Assembly District in the Bronx. Present on the panel were Assemblyman José Rivera from the 78th Assembly District; Michaelle Solanges from the 22nd Assembly District (First Haitian Assembly member); Marcos Crespo from the 85th Assembly District and Chairperson of the Task Force on New Americans; Assemblywoman Catherine Nolan from the 37th Assembly District and Chairperson of the Education Committee; and Francisco Moya from the Assembly District 39th Assembly District. The dialogue was facilitated by Dr. Claire E Sylvan, Executive Board Member of NYSABE and Executive Director of the Internationals Network for Public Schools.

Assemblywoman Arroyo provided a context for the dialogue by giving some historical background of bilingual education in New York. She expressed concern that bilingual educational services, designed for students of all language groups, are not being consistently offered to address the needs of ELLs/bilingual learners.

Representatives from NYSABE presented a variety of concerns:

Milady Báez, Executive Director of the Association of Dominican-American Supervisors and Administrators (ADASA) focused on equity for ELLs in relation to the Common Core. She underscored the importance of implementing policies that promote equity and meet the needs of each child, providing all with access to quality education in all schools. Ms. Báez highlighted the importance of access to the Common Core in languages other than

English (e.g., the top languages in NYS) as well as the need for an adjusted pacing calendar to meet the needs of ELLs, who are developing academic English alongside acquiring content set forth in the CCSS. She also emphasized the need for textbooks aligned with the Common Core, on-going professional development for educators, and support to help parents understand the Common Core.

Yecedia Tovar, a CUNY undergraduate student and “Dreamer,” who is also co-founder of the CCNY Dream Team spoke about her personal experiences as an undocumented student in both the K-12 system and college. Yecedia emphasized the importance of the New York State Dream Act to ensure access to higher education for undocumented students across the state. The act, passed in the NYS Assembly, was awaiting a vote in the Senate. Assemblyman Rivera encouraged NYSABE members to contact Governor Cuomo and Senate members to pass the bill. Carmen Dinos, recognized as the “mother of bilingual education in New York State,” encouraged the use of social media to promote the Dream Act, and Assemblywoman Nolan suggested targeting the Senate Education Chair of Higher Education-Senator LaValle and the Chairman of the Senate Standing Committee on Education-Senator Flanagan.

Vanessa Ramos, Director of Policy at the Committee for Hispanic Children and Families, Inc. and Dr. Luis O. Reyes from Hunter College, Centro de Estudios Puer-torriqueños, presented the importance of bilingual Pre-K education in New York. Both are members of the Latino Coalition for Early Care and Education. Ms. Ramos underscored the critical importance of supporting the use of the home language as a resource in early education, beginning at birth, and the importance of sup-

porting parents. Dr. Reyes discussed the need to build an effective bridge between early education and K-12 education. He also pointed out that the ASPIRA Consent Decree only covers K-12 bilingual education even though research evidence demonstrates the need for bilingual education during the early childhood years. Dr. Reyes also reiterated the need for early childhood/preschool teachers and directors to receive salaries that are comparable to K-12 teachers and administrators.

Assemblywoman Nolan expressed support for developing a strategic plan as the next step in the process of establishing bilingual Pre-K programs.

Susanne Marcus, President of the New York State Teachers of English to Speakers of Other Languages (NYS TESOL), explained how the current New York State assessment system is creating barriers for English Language Learners to graduate from high school, as the local diploma is no longer an option. She described one of her students, “Joel”, who is 20 years old and has tried 4 times to pass the NYS Global Studies Regents with no success. Assemblywoman Nolan described how her son, a native English speaker, is also struggling with the Global History Regents Exam and offered to share a copy of the test with the legislators. She suggested she might ask them to take it themselves to assess its difficulty.

This interactive dialogue with NYS legislators adjourned with the expressed commitment of all the participants to strengthen their spirit of collaboration while working on behalf of New York State’s ELLs/bilingual learners.

NYSABE 2014 CONFERENCE AWARDEES



Francisco Fernández
Instructional Assistant of the Year
PS 87, NYC DOE



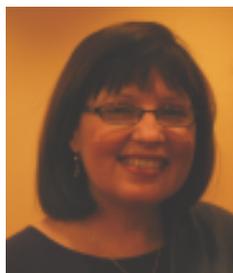
Janet Gil
Bilingual Teacher of the Year
PS 89, NYC DOE



Nellie Mulkey
Bilingual Administrator of the Year
L-RBERN at NYU



Melanie Pores
Dr. Antonia Pantoja Advocacy Award
NYSUT



Aida A. Nevárez-La Torre
Gladys Correa Memorial Award
Fordham University



Norka Vera
Parent of the Year



Amalfi Richard
Bilingual Support Personnel Award

2014 NYSABE Students Essay and Art Award Luncheon *By Margarita G. Reyes, NYSABE Past President*

The primary reason that NYSABE exists is because of our English language learners. Therefore, we consider the Students Essay and Art Awards Luncheon to be the most important event of our annual NYSABE conference. It is at this luncheon that the winners of the Bilingual Student Essay and the Nivia Zavala Art contests are recognized.

This year, the luncheon was a true manifestation of academic excellence and a showcase of our students' talent. The event convener, past president Margarita G. Reyes, praised the work of the students and the remarkable job done by the co-chairpersons and members of the committee as well as the efforts of parents, teachers, and school districts to coordinate their energies and have students present at the luncheon to receive their awards. Electing the winners was a very challenging task due to the fact that there were many excellent entries received from students across New York State. We were delighted to present the awards to the following contest winners for all three grade level categories: 3-5, 6-8, and 9-12:

All the winners received a certificate of achievement and a monetary incentive. In addition, the first place winners received a gold medallion, the second place winners received a silver medallion, and the third place winners received a bronze medallion. The students' works of art were displayed during the luncheon and readings of the essays by the award winners were video recorded by the Hispanic Information and Telecommunications Network (HITN).

NYSABE would like to thank all participants' parents, families, teachers, and principals for their support, dedication and commitment to quality education, as demonstrated by their achievements. Congratulations to all for such an outstanding job!

NYSABE would like to thank all participants' parents, families, teachers, and principals for their support, dedication and commitment to quality education, as demonstrated by their achievements. Congratulations to all for such an outstanding job!

	Place	Essay Contest Winners	School
Grades 3 - 5	1 st	Briana Pabón, 5 th Grade	Eugenio Maria De Hostos,, Rochester
	2 nd	Melissa Noguera, 4 th Grade	School 9, Yonkers
	3 rd	Jinet Aguirre, 4 th Grade	School 9, Yonkers
Grades 6 - 8	1 st	Jenifer Flores, 8 th Grade	North Middle School, Brentwood
	2 nd	Gianella Miza-Vásquez, 6 th Gr	Enrico Fermi School, Yonkers
	3 rd	Leslie Cruz, 8 th Grade	Robert C. Dodson, Yonkers
Grades 9 - 12	1 st	Yarelis Torres, 9 th	Monroe High School, Rochester
	2 nd	Cristian Dorado, 11 th Grade	Brentwood High School, Brentwood
	3 rd	Delmy Maldonado, 12 th Grade	Brentwood High School, Brentwood

First
Place
Winners



		Art Contest Winners	School
Grades 3 - 5	1 st Place "The Best of Morocco"	Noor Saouri, 5 th Grade	Patricia A. DiChiaro Elem. Sch., Yonkers
	2 nd Place "I am Smart Like an Owl"	Marjorie Almonte, 3 rd Grade	Museum 25, Yonkers
	3 rd Place "No Bullying"	Reggie Vilsaint, 4 th Grade	Museum 25, Yonkers
Grades 6-8	1 st Place "What School Is All About"	Fredellin Padilla, 6 th Grade	Museum 25, Yonkers
Grades 9 - 12	1 st Place "La Educación Bilingüe me Lleva al Éxito"	Ana Dávila, 10 th Grade	Monroe High School, Rochester
	2 nd Place "Malinconia Euforia"	Jazmin Morales, 11 th Grade	Early College High School, Yonkers
	3 rd Place (9-12) "Crazy Peace"	Mike Mayancela, 9 th Grade	Yonkers Montessori Academy, Yonkers

Highlights of the Special Education Institute

By Kayla Sorin, Fordham University



The Special Education Institute of the New York State Association for Bilingual Education (NYSABE) was held on Thursday, March 6, 2014. Corinne Rello-Anselmi, Deputy Chancellor, Division of Students with Disabilities and English Language Learners, New York City Department of Education, gave opening remarks to the participants of the conference. She excited the crowd when she revealed that a response-to-intervention model for English Language Learners (ELLs) was in the works at the New York State Department of Education.

Keynote speaker, Dr. José Luis Alvarado, Dean of the College of Education at California State University at Monterrey, followed Ms. Rello-Anselmi to formally kick off the institute. Dr. Alvarado spoke of the overrepresentation of ELLs in special education. He argued that ELLs are both overrepresented in special education and underserved in today's schools. He also stated that although one of the goals of today's educational movement is to close the performance gap in our schools, doing so can have harmful effects on our high-performing students, who, because of a focus on remediation, are most likely not afforded the resources necessary to encourage them to reach their potential. This, Dr. Alvarado stated, is a dilemma and one of the many trade-offs we must balance in our educational system. In an attempt to address these challenges, Dr. Alvarado suggested that teachers and

school leaders not focus on the dichotomy between teaching techniques such as direct instruction and whole-language approaches, which are said to improve academic outcomes for ELLs with disabilities, but rather that they maintain a focus on high expectations for all students and a strong belief that every student can learn. Dr. Alvarado suggested that we not hold ELLs to the same behavioral and academic standards as their peers because they face a host of hardships and frustrations, which are not experienced by native English speakers. Finally, Dr. Alvarado emphasized the importance of parent empowerment, which proved to be a consistent theme throughout the Special Education Institute.

Dr. Elizabeth Ijalba of Queens College, CUNY presented a breakout session titled "Parents and Teachers as Cultural Brokers in their Children's Education," in which she discussed the need for getting parents involved in the educational decisions of their children. She alluded to the fact that since English is the primary language spoken in schools, the culture of schools very much reflects that. Non-English speaking parents are often intimidated by the fact that they know very little about how the school system operates. Dr. Ijalba indicated that it is a responsibility of educators to engage in an ongoing process in which they constantly assess their beliefs, attitudes, and behaviors about the cultural backgrounds of the students they instruct. Teachers must build trust between themselves and their students' parents by engaging in face-to-face interactions, using skilled dialogue in order to level the playing field between teachers and parents in schools, and conducting ethnographic interviews of parents in order to learn more about their students, including their culture and background. Dr. Ijalba also spoke of the importance of fostering, or at least maintaining, bi-

lingual students' first languages. In order for students and parents to feel that they are welcomed members in school communities, their native languages must be celebrated - not muted, according to Dr. Ijalba.

Overall, the Special Education Institute focused largely on celebrating the skills of bilingual students with disabilities and urged teachers to build upon these students' first languages, rather than negating their home language by trying to teach them English skills in the same way they teach native English speakers. Dr. Peishi Wang of Queens College, CUNY offered local and web-based resources that could aid educators in fostering early literacy development in young children. Ms. Elena Hayward's presentation pinpointed key assessment issues pertaining to English learners with disabilities. She examined formal and informal educational decision-making. Dr. Linda Rosa Lugo, an associate professor from the University of Central Florida, identified and discussed services for English learners with disabilities. Her session highlighted the power of two languages. Mr. Paul Conor, Ms. Erica Serain-Hoffman, Mr. Ivan Borrás, Mrs. Kayla Sorin, and Ms. Sharene Shaw, graduate students from Fordham University's Division of Curriculum and Teaching, held a panel discussion on consultation and collaboration in the field of special education. Finally, Drs. Diane Rodriguez, Angela Carrasquillo, and Kyung Soon Lee mentioned the release of their new co-authored textbook, *The Bilingual Advantage*, and shared ideas and strategies for teaching bilingual special education students.



Effective Investments for Dual Language Learners In the Early Years of Education

Eugene E. Garcia, PhD

(Dr. Garcia is Dean Emeritus, the Colleges of Education at UC, Berkeley and Arizona State University)

A Solid Investment for a Growing Population

Children acquiring two languages in their early years (zero to eight years of age), referred to here as Dual Language Learners (DLLs), are a large and rapidly growing population throughout the United States. In 2011, there were 4.5 million DLLs in the U.S., and they accounted for one of every four children (23.4 percent). The U.S. Census Bureau projects that by 2031 DLLs will account for 30 percent of all children, and this will climb to 35 percent in 2050. Thus, these children will be entering adulthood during the coming decades and will be a rapidly rising proportion of all persons who are joining the labor force, starting their own families, and entering the voting booths for the first time. Their success, or lack of success, will have enormous consequences for the social and economic vitality of their local communities and the nation as a whole.

Children who are DLL live in families with important strengths. They are about as likely as other children to live in two-parent families, to have fathers and mothers who are working to support the family (worked in the last year), to have families who have a high regard for the role of education in the positive futures for their children, and, to live in families who are putting down deep roots in their local communities by engaging in civic, community, and religious institutions. Of course, they are children who are learning two languages with all the now-recognized linguistic, cognitive and socio-emotional positive attributes of such circumstances.

But DLLs also face serious challenges to their future success. Over one-third have parents who have not graduated from high school, more than one-third have family incomes below the federal poverty threshold, and six-in-ten live in low-income families with incomes below 200% of the federal poverty threshold.

On average, children whose parents have completed fewer years of school tend to complete fewer years of school themselves and also tend to obtain lower paying jobs when they reach adulthood. High-quality pre-kindergarten programs are a very cost-effective investment for improving the educational attainment of children, and hence for fostering their economic productivity when they reach adulthood. However, the positive effects of good pre-kindergarten can “fade-out” if not purposefully sustained. If high-quality pre-kindergarten is linked with the elementary grades through an integrated PreK-3rd grade model with a common structure and coherent set of academic and social goals spanning **Prekindergarten to Third Grade, the effects can be impactful and long-lasting.**

New investments in high-quality pre-kindergarten integrated into strong PreK-3rd grade programs could yield enormous benefits not only to Hispanic children and their families, but also much more broadly to society as a whole. Drawing on the most comprehensive and thorough evaluation of a leading PreK-3rd program, an estimate was made of the benefits that would accrue from investing in this

type of program beginning at age 3 for Hispanic children who are DLL and who live in families with incomes below 200% of the federal poverty threshold. These investments would yield a return of at least \$6.75 for every additional \$1.00 invested in pre-kindergarten through third grade. The return on pre-k alone is at least \$8.98 for every \$1.00 invested, while the investment in the elementary school years through grade three yields a smaller but still substantial return of at least \$3.06 for every \$1.00 invested.

The magnitude of investments in the Child-Parent Centers in Chicago, which provide the basis for these calculations, was \$8,512 per child for the pre-k program and \$12,719 per child for the additional early elementary school years (in 2007 dollars). If these investments had been initiated for the roughly 65 percent of age 3 Hispanic children with low family incomes in 2012, the total magnitude of the investment beginning with pre-kindergarten continuing through third grade would be \$8.6 billion. This would yield a benefit to society with a value of \$57.7 billion, or a net benefit of \$49.2 billion across the lifetimes of these children.

The largest source of these benefits (35.4 percent) derives from reduced expenditures and costs associated with reduction in juvenile crime (12.4 percent) and adult crime (23 percent). The second largest source of benefits (27.9 percent) derives from the economic contributions of increased earnings (21.7 percent) and increased payment of taxes (6.2 percent). The third largest source is in reductions in expenditures and costs associated with child abuse and neglect (20.5 percent). Also important are reductions in educational expenditures

(13.7 percent) for special education (12.5 percent) and reduced grade retention (1.2%). Of course, these benefits will not begin accruing to society unless and until the investments are made and the necessary changes and reforms are implemented in the educational system.

DLL Educational Performance Patterns in Early Childhood

Apart from the need to improve the quality of pre-k programs available to Hispanics, it is also essential to expand access to Pre-K for Hispanic DLLs. Attendance by DLLs lagged well behind that of other four year olds among both poor and non-poor children. Thus the need for greater access to preschool reaches across social class lines for DLLs. Although the reasons for the relatively low attendance of DLLs have not been firmly established, several factors seem to be involved. Evidently, one is inadequate preschool capacity to meet the demands in many communities with DLLs. For example, an analysis commissioned by the National Task Force on the Early Education for Hispanics in 2008 of the preschool supply-demand situation for Hispanics in two large urban areas (Los Angeles and Chicago) found an overall shortage of center-based preschool seats in Hispanic neighborhoods.

A survey of Hispanic adults' views on pre-kindergarten asked the respondents what they think accounts for the low enrollment rates of Hispanic children. The two most cited reasons were: 1) Hispanic parents' lack of knowledge about program availability in their communities (one-third of the respondents held this view); and 2) the inability of Hispanic parents to afford to pay for preschool for their children (one-fifth gave this reason).

Because a large segment of DLL par-

ents have limited knowledge of English, getting information about preschool programs would be expected to be difficult for many of them. Also, the cost of preschool is likely to be an obstacle for many middle class and lower middle class Hispanic families—just as it is for similar families from other groups. Such families have incomes that are too high to qualify for Head Start or other programs that target low SES children, but are too low for the families to have the discretionary income to pay for their children to attend a good preschool program. These circumstances may help explain why a majority of the respondents to that survey said that government-funded preschool should be available to all children, not just youngsters from low-income families.

The survey also identified another obstacle of potential importance: About one-eighth of the respondents believed that many parents do not have the documents required to enroll their children in preschool. The extent to which this is a real obstacle in many cases is unclear. However, because many parents and some of their DLL children are undocumented, an appreciable number may be reluctant to enroll their children in pre-kindergarten. Because there is not yet a full explanation for why DLLs lag far behind all other populations in pre-school attendance, much more research and analysis is required in this area. Nonetheless, policymakers will most certainly need to address the supply and affordability issues described here. Providing much better information about available preschool opportunities to immigrant parents with limited English proficiency will also probably be necessary.

(Cont. on next page)

Early Childhood Education and DLLs—A Story of Significant Success

Across the industrialized world, children with parents who have relatively little formal education generally achieve at much lower levels in school than children who have parents with a great deal of education. Consequently, societies with large numbers of children from families in which the parents have low educational attainment levels have a very strong incentive to provide these youngsters with high level interventions. Unfortunately, an enormous number of DLLs will be from families in which there is relatively little human educational capital (formal positive experience in school). Such circumstances would undoubtedly present complex educational challenges in most industrialized nations. Adding to the complexity here in the United States is the fact that DLLs are heavily underrepresented among children who attend preschool. This means that essential developmental opportunities that can be provided by high (or even average quality) quality prekindergarten are simply not available to many of the nation's children who are in most need of those opportunities.

Under these circumstances, it is almost inevitable that a substantial percentage of DLLs would enter kindergarten each year with very weak language skills along with school readiness gaps in other areas. Owing to the limited educational success experience possessed by a large percentage of the parents in immigrant DLL families, it also seems likely that many of these children would enter kindergarten with relatively weak skills in their heritage language. This combination would place many of

these children at risk of achieving at low levels academically throughout their elementary school years and beyond.

It does not need to be this way. Recent evidence from the evaluation of full day 4-year-old pre-school programs for DLLs is extremely encouraging. This data comes from Abbott preschool interventions in New Jersey, universal preschool evaluations in Oklahoma, and, similar evaluations of Pre-K—third grade in Texas, New Mexico and California. Cities like Denver, San Francisco, Seattle, Albuquerque and San Antonio have launched early learning initiatives, particularly attentive to DLLs. In addition, federal efforts in Head Start, and a new initiative (Race-to-the-Top, Early Learning Challenge) is addressing issues directly related to DLLs.

Conclusion

Overall, given the circumstances described above, it would seem that the home-based human capital and home language patterns coupled with the immigrant attributes of DLLs have much to do with how DLLs perform academically. As these children have moved through elementary school, their math and reading achievement levels have been very low. At the end of the third grade, the 30% of DLLs who had weak or essentially limited language skills at the start of kindergarten were performing significantly below expected levels in reading and math.

Yet emerging evidence makes it clear that promoting greater educational progress for DLLs will require improving the school readiness and early academic learning opportunities. Furthermore, since a large segment of DLLs

from immigrant families are starting kindergarten with little or no knowledge of early education and early learning opportunities and their access to high quality learning venues is limited, it is imperative that ways be found to meet their needs for access to language development programs and related high quality learning opportunities. Recent evidence indicates that these children benefit most from early learning and care circumstances that utilize both their heritage language and English, taking advantage of their dual language abilities.

For further discussion and references related to this contribution, please see E. Garcia and E. Garcia, *Understanding the Language Development and Early Education of Hispanic Children*. Teachers College Press: New York, NY. (2012)

Bilingual Education and Royalty Collide at Dos Puentes Elementary

By Alcira Jaar, Dos Puentes Elementary

Dos Puentes Elementary is a new dual language bilingual school in its second year of existence. This public school in Washington Heights, located between two bridges as its Spanish name suggests – works every day to bring its motto of “Building Bridges between Languages, Cultures and Worlds” to life. On September 22, 2014 the school did just that, as they had the honor of hosting Spain’s Queen Letizia on her first foreign event as Queen.

Four New York schools, selected through a competitive application process, became members of the International Spanish Academies. Dos Puentes Elementary, along with The Dual Language Middle School, The Laboratory School of Finance and Technology, and the Southampton Intermediate School were officially initiated into this network, which provides members with support and resources from Spain’s Ministry of Education and Science. This event was presided over by Queen Letizia, the Chancellor of NYC Schools Carmen Fariña, and many NYC politicians and dignitaries.



First graders from Dos Puentes sang “Libre Soy” (Let it Go) for their royal visitor.

The ceremony was followed by classroom visits where the visitors, accompanied by Dos Puentes Principal Dr. Victoria Hunt, got a glimpse of how students learn bilingually. The children had an opportunity to ask Queen Letizia questions. One student asked, “How does it feel to be a queen?” and then ceremoniously bowed. At the end of the visit students gave Queen Letizia parting gifts and were shocked to learn that she also spoke English. On this very special day, students at Dos Puentes Elementary experienced another reason why learning in two languages definitely has its benefits!



Queen Letizia (center, in purple) with Chancellor Fariña and representative from four NY schools initiated into the International Spanish Academies at Dos Puentes Elementary.



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NEW YORK STATE ASSOCIATION FOR BILINGUAL EDUCATION

New York University
Metropolitan Center for Research on Equity and the Transformation of Schools
726 Broadway, 5th Floor
New York, NY 10003
Tel: 212-998-5104 Fax: 212-995-4199

August 20th, 2014

Mr. Cosimo Tangorra
State Education Department
Office of P-12 Education
State Education Building, 2M West
89 Washington Ave., Albany, NY 12234

Dear Mr. Tangorra,

On behalf of the New York State Association for Bilingual Education's (NYSABE) Executive Board, Delegate Assembly, Executive Director, and members, I present to you our organization's recommendations for the Proposed Revisions of Commissioner's Regulations Part 154.

One of NYSABE's main goals is to safeguard the educational rights of English language learners (ELLs)/bilingual learners. We are at a pivotal time in education in which we are facing major shifts. For this reason, it is imperative that we ensure that the unique needs of New York's more than 250,000 ELLs/bilingual learners are at the forefront of these shifts. These students and their families must be provided access to the most appropriate, research-based, high quality education designed to ensure their academic success as well as their optimum socio-emotional development.

In accordance with this goal, we submit NYSABE's comments on the Proposed Revisions to the Commissioner's Regulations Part 154. Thank you for this opportunity to share our views and recommendations.

In closing, NYSABE applauds the work of the Board of Regents and NYSED's staff which reflects their commitment to ensure that ELLs/bilingual learners have equal access to all educational opportunities. We are also grateful for their unfailing support to the work of educators, parents, and community members whom NYSABE represents.

Sincerely,

Yazmín Torres
Yazmín Torres
NYSABE President, 2013-2014

COMMENTS ON THE PROPOSED AMENDMENTS TO PART 154 OF COMMISSIONER'S REGULATIONS

The New York State Association for Bilingual Education (NYSABE) appreciates the commitment, dedication and focus that the New York State Education Department (NYSED) and the Board of Regents have demonstrated in their deliberative, extensive and thorough review of Commissioner's Regulations Part 154. We appreciate the opportunity to review the Proposed Amendments to CR Part 154 as New York State seeks to update their regulations to reflect best practices for the education of ELLs/bilingual learners in their preparation for the 21st century.

NYSABE applauds the work done to promote the integration of language and content and support the proposed amendment that requires districts to provide integrated ESL instruction, in which ESL methodologies are integrated into content area instruction, in addition to stand-alone ESL. Research has demonstrated the effectiveness of instructional practices that allow students to develop language skills in context, rather than in isolation.

NYSABE believes that all administrators, teachers, clinical/support staff (e.g., guidance counselors, school psychologists, etc.) and teacher assistants should receive meaningful and relevant professional development specific to the needs of ELLs. As the population of ELLs continues to increase across the state, it is likely that the vast majority of district leaders, school building administrators and supervisors, teachers and clinical/support staff can expect to be involved in the education of these students at some point in their careers. Therefore it is imperative that all district leaders, school building administrators and supervisors, teachers, clinical/support staff, and teacher assistants in the New York State are prepared to meet their unique needs. Similarly, we support the proposal for regulatory amendments to section 52.21 regarding the requirement that all prospective teachers complete coursework on ELL instructional needs, language development, and cultural competency. However, these regulatory amendments must be extended to include this requirement to all prospective district leaders, school building administrators and supervisors, teachers, clinical/support staff (e.g., guidance counselors, school psychologists, etc.) and teacher assistants as well.

NYSABE supports the proposal for regulatory amendments to Part 100.5 that would allow for additional graduation requirement options for ELLs who enter the United States in 9th grade or above, particularly the expansion of the appeals process for such students scoring 55-64 on the ELA exam. NYSABE believes that the proposed changes reflect a positive step toward creating such additional graduation pathways for ELLs. However, as New York State continues to raise the rigor of its content standards and increase its graduation assessment requirements, NYSED must also continue to ensure that appropriate assessments that allow ELLs to demonstrate what they know and various pathways to graduation are available.

NYSABE supports extending the regulation for serving ELLs to Pre-K programs that are established by local school districts with public funds. Given the nature of language development in early childhood, the NYSITELL should be administered no earlier than Kindergarten, as is done currently. The state should develop/identify and utilize an age-appropriate identification protocol to identify pre-K students who may be ELLs requiring bilingual or ESL instructional services. Further, all teacher certifications that include pre-kindergarten grades (e.g., Pre-K to Grade 6, Birth to Grade 6, etc.) must include preparation regarding home and new language development as well as incorporating students' culture(s), as required of K-12 teachers in the amended certification requirements. Finally, in districts with pre-K (UPK) programs, bilingual instruction should be made available once there are 15 (not 20) children who speak a common language -- since the UPK class size is set at 18.

NYSABE appreciates the work done to address the needs of students with disabilities who are also ELLs/bilingual learners. In accordance with the guidelines submitted by the US Department of Education on July 18, 2014, a Language Proficiency Team (LPT) or a Committee on Special Education (CSE)/IEP Team cannot make the determination that a student with disabilities should not participate in a State English Language Proficiency (ELP) assessment. All students with disabilities must "be included in all general State assessment programs, including assessments described under section 1111 of the ESEA, with appropriate accommodations and alternate assessments, if necessary, as indicated in their respective IEPs (section 612(a)(16)(A) of the IDEA, 34 CFR §300.160(a), and section 1111(b) of the ESEA)."

The IDEA, Titles I and III of the ESEA, and Federal civil rights laws require that all students, including those with disabilities, take statewide assessments that are valid and reliable for the purpose for which they are being used, and these include the English Language Proficiency assessment. In accordance with these regulations, the CSE/IEP Team will determine whether the students will participate in the statewide standardized assessment program, with or without accommodations. In New York State the standardized assessment program includes the NYSITELL, for initial identification, and the NYSESLAT for continued classification of the student as an ELL. The CSE/IEP Team will also determine if a student is unable to participate in the State's standardized assessment program; therefore, alternate assessments must be provided, in accordance with Federal laws and regulations. In both cases, the determination of the CSE/IEP Team must be included in the student's Individualized Education Program (IEP).

In summary, NYSABE, in accordance with Federal laws and regulations, recommends that:

1. The proposed initial identification process of using a Language Proficiency Team (LPT) for the year 2015-2016 for a newly enrolling or re-entering student who has a disability and the possibility of being an English language learner be eliminated.
2. The CSE/IEP Team will determine if the student identified with a disability is able to participate in the statewide standardized assessment programs, which include the NYSITELL and the NYSESLAT, with or without accommodations;
3. The CSE/IEP Team will determine if a student identified with a disability is unable to participate in standardized assessment programs; therefore, alternate assessments for English language proficiency must be provided;
4. The determination made by the CSE/IEP Team be included in the student's IEP, specifying any accommodations to be provided;
5. NYSED must develop alternate assessments for the NYSITELL and NYSESLAT for those students who are unable to participate in statewide standardized assessments.

As we continue to serve the students, families, educators, members of community-based and private entities whom NYSABE represents, we reaffirm our commitment to ensure equitable access to high quality bilingual education programs for all ELLs/bilingual learners in New York State by submitting these comments on the Proposed Amendments to C.R. Part 154.

Respectfully,

Yazmín Torres

Yazmín Torres
NYSABE President 2013-2014



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NEW YORK STATE ASSOCIATION FOR BILINGUAL EDUCATION

New York University
Metropolitan Center for Research on Equity and the Transformation of Schools
726 Broadway, 5th Floor
New York, NY 10003
Tel: 212-998-5104 Fax: 212-995-4199

November 24, 2014

Mr. Cosimo Tangorra
NYSED, Office of P-12 Education
State Education Building, 2M West
89 Washington Avenue
Albany, NY 12234

Dear Mr. Tangorra,

On behalf of the Executive Board, Delegate Assembly, Executive Director, and members of the New York State Association for Bilingual Education (NYSABE), I present to you our organization's comments on the proposed amendments to Commissioner's Regulations Part 154-2.

The main goal of NYSABE is to advocate for equitable and meaningful educational opportunities for all English language learners (ELLs)/bilingual learners in New York State by strengthening the professional skills of the educational community and promoting the significant participation of parents and families of ELLs/bilingual learners in the decision-making process at schools. To this end, the comments presented in this document reflect the collective views and expertise of more than 1,000 members, including educators, parents, and community members, whom NYSABE represents.

In closing, NYSABE applauds the work of the NYS Board of Regents and the New York State Education Department's staff which reflects their commitment to ensuring that ELLs/bilingual learners have equal access to all educational opportunities. We are also grateful for this opportunity to present our comments on the proposed amendments to Part 154-2.

Sincerely,

Tatyana Kleyn, Ed.D.
NYSABE President



March 12-14, 2015 - Crowne Plaza Hotel - White Plains, New York

COMMENTS ON THE PROPOSED AMENDMENTS TO PART 154-2 OF THE COMMISSIONER'S REGULATIONS

INTRODUCTION

The comments made by NYSABE in this document are based on the following beliefs:

- NYSABE acknowledges the profound impact that the meaningful participation of parents/families in the education of their children has on their academic achievement and socio-emotional development. For this reason, NYSABE is committed to promoting the strengthening of school-family partnerships by (1) valuing the home language and culture of parents and families of ELLs/bilingual learners, (2) promoting ongoing communication between schools and these parents/families, (3) supporting schools' efforts to offer educational experiences for parents and families of ELLs/bilingual learners so they can support their children's learning at home, and (4) empowering these parents/families to participate in the educational decision-making process and exercise their parental rights regarding the education of their children.
- NYSABE believes that all district/school administrators, teachers, clinical/support personnel (i.e. guidance counselors, psychologists, social workers, etc.) and teacher assistants should receive meaningful and relevant professional development specific to the needs of ELLs/bilingual learners. As the population of ELLs/bilingual learners continues to increase across the state, it is likely that the vast majority of educators can expect to be involved in the education of ELLs at some point in their careers. Therefore, it is imperative that all district leaders, school building administrators and supervisors, teachers, clinical/support personnel, and teacher assistants in New York State are prepared to meet the unique needs of ELLs/bilingual learners by participating in frequent, research-based, and high quality professional development experiences focusing on best educational practices and approaches for working with ELLs/bilingual learners.

COMMENTS AND RECOMMENDATIONS

In accordance with the beliefs stated above, NYSABE:

- Supports the proposed amendment to Part 154-2.3 (f)(3) and 154-2.3(k) to "afford parents ten school days, rather than five school days as originally proposed, to sign and return to the school district the notification form indicating that the parent is either in agreement with the child being placed in a bilingual education program or directs the district to place the child in an English as a new language/English as a second language program." (NYSED Memorandum, September 11, 2014).
- Supports the proposed amendment to allow, under certain circumstances, school districts to request a waiver to "the requirement that a minimum of 15% of the required professional development clock hours for all teachers and a minimum of 50% of the

required professional development clock hours for all bilingual and English as a second language teachers be dedicated to the education of ELLs/bilingual learners." (NYSED Memorandum, September 11, 2014). School districts where there are fewer than thirty ELLs/bilingual learners enrolled or ELLs/bilingual learners make up less than five percent of the district's total student population could apply for the waiver on an annual basis. "School districts would apply for a waiver in a format and timeline as may be prescribed by the Commissioner, and would be required to submit evidence that all teachers, including bilingual and English as a second language teachers, receive training in specific areas sufficient to meet the needs of the district's English language learners." (NYSED Memorandum, September 11, 2014).

- Recommends that the professional development requirements established for teachers be extended to clinical/support personnel, i.e. school psychologists, guidance counselors, social workers, who need to be prepared to engage in the identification process, assessment, and instructional support for ELLs/bilingual learners with disabilities.

As we continue to serve the students, families, educators, members of community-based and private entities whom NYSABE represents, we reaffirm our commitment to ensuring equitable and meaningful access to high quality bilingual education programs for all ELLs/bilingual learners in New York State by submitting these comments on the proposed amendments to C.R. Part 154-2.

Respectfully,

Tatyana Kleyn, Ed.D.
NYSABE President



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New York University
Metropolitan Center for Research on Equity and the Transformation of Schools
726 Broadway, 5th Floor
New York, NY 10003
Tel: 212-998-5104 Fax: 212-995-4199

October 29, 2014

Mr. Cosimo Tangorra
NYSED, Office of P-12 Education
State Education Building, 2M West
89 Washington Avenue
Albany, NY 12234

Dear Mr. Tangorra,

On behalf of the Executive Board, Delegate Assembly, Executive Director, and members of the New York State Association for Bilingual Education (NYSABE), I present to you our organization's recommendations for the proposed Revisions of Commissioner's Regulations Part 154-3.

One of NYSABE's main goals is to safeguard the educational rights of English language learners (ELLs)/bilingual learners. We are at a pivotal time in education in which we are facing major shifts. For this reason, it is imperative that we ensure that the unique needs of New York's more than 250,000 ELLs/bilingual learners, with and without disabilities, are at the forefront of these shifts. These students and their families must be provided access to the most appropriate, research-based, high quality education designed to ensure their academic success as well as their optimum socio-emotional development.

In accordance with this goal, we submit NYSABE's comments on the Proposed Revisions to the Commissioner's Regulations Part 154-3. Thank you for this opportunity to share our views and recommendations.

In closing, NYSABE applauds the work of the NYS Board of Regents and the New York State Education Department's staff which reflects their commitment to ensuring that ELLs/bilingual learners have equal access to all educational opportunities. We are also grateful for their unflinching support to the work of educators, parents and community members whom NYSABE represents.

Sincerely,

Tatyana Kleyn, Ed.D.
NYSABE President



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COMMENTS ON THE PROPOSED AMENDMENTS TO PART 154-3 OF
COMMISSIONER'S REGULATIONS

INTRODUCTION

The recommendations made in this document are based on the following crucial premises:

- ELL/bilingual learners with disabilities are not a monolithic group. They represent a wide range of disabilities and a broad spectrum of language development characteristics and needs, including English language proficiency. In this regard, the definition of English language proficiency may vary among ELLs/bilingual learners with disabilities.
- The main purpose of the assessment process is to ensure that appropriate educational opportunities are afforded to all students, including ELLs/bilingual learners with disabilities.

According to the Office of Civil Rights policy statements, 1990, appropriate services means that the program is based on the student's English proficiency needs and current program and instructional practices for second language learners.

- A great number of students with disabilities may not be able to initially demonstrate proficiency in the English language; however, these students meet the definition of an ELL (LEP) (section 9101 (25) of the ESEA, as amended under the No Child Left Behind Act (NCLB). A LEP is "an individual
 - A. who is aged 3-21;
 - B. who is enrolled or preparing to enroll in an elementary school or secondary school;
 - C. (i) who was not born in the United States or whose native language is a language other than English;
 - (ii) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
 - D. whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual-
 - (i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111 (b) (3);
 - (ii) the ability to successfully achieve in classrooms where language of instruction is English; or
 - (iii) the opportunity to participate fully in society."
- The appropriate identification of a student's disability and language acquisition needs must be conducted by well trained professionals with expertise in both, disabilities and language development. This will prevent the students' misidentification and the denial of Bilingual Education/ESL services to which they are entitled.
- In accordance with the guidelines submitted by the US Department of Education on July 18, 2014, a Committee on Special Education (CSE)/IEP Team cannot make the determination that a student with disabilities should not participate in a State English Language Proficiency (ELP) assessment. All students with disabilities must "be included in all general State assessment programs, including assessments described under section 1111 of the ESEA, with appropriate accommodations and alternate assessments, if necessary, as indicated in their respective IEPs (section 612(a)(16)(A) of the IDEA, 34 CFR §300.160(a), and section 1111(b) of the ESEA)."

- The IDEA, Titles I and III of the ESEA, and Federal civil rights laws require that all students, including those with disabilities, take statewide assessments that are valid and reliable for the purpose for which they are being used, and these include the English Language Proficiency assessment. In accordance with these regulations, the CSE/IEP Team will determine whether the students will participate in the statewide standardized assessment program, with or without accommodations. In New York State the standardized assessment program includes the NYSITELL, for initial identification, and the NYSESLAT for continued classification of the student as an ELL. The CSE/IEP Team will also determine if a student is unable to participate in the State's standardized assessment program; in which case, alternate assessments must be provided, in accordance with Federal laws and regulations. In both cases, the determination of the CSE/IEP Team must be included in the student's Individualized Education Program (IEP).

CONCERNS

Our concerns are specific to the identification procedure proposed for students with disabilities who are subject to the initial and reentry identification process as specified in Subpart 154-3.

- We find that the proposed Part 154.3 policy will impede the Committee on Special Education (CSE) from recommending appropriate services in accordance with the regulations set forth in Section 200.4 of this Title and federal IDEA guidelines, for students identified by the CSE as having a disability. The proposed policy suggests the following steps: Step 1, the administration of the home language survey; Step 2, an interview of the student; Step 3, the determination, for the student with a disability, of whether the disability is the determinant factor affecting the student's ability to demonstrate proficiency in English; and Step 4, the administration of the statewide English language proficiency assessment. We are concerned that in Step 3 the student is referred to the CSE to determine if the student's disability is the determinant factor affecting his or her ability to demonstrate proficiency in English. This step is expected to be completed before it is known officially that the student is an English Language Learner (ELL).

Both Federal [34 CFR 300.306 (b)] and New York State regulations (CR Part 200.4), state that for students who are designated as limited English proficient, the CSE must determine if a student is eligible for special education and that his or her "limited English proficiency" is not the determinant factor for the disability. Contrary to this assertion, the proposed Part 154-3 policy indicates that the CSE must determine the student's disability prior to his/her official identification as an ELL/bilingual learner through appropriate English language proficiency assessments. This is an important area that must be addressed promptly.

- According to Part 200.4.6 (xvi), the CSE is required to document that the materials and procedures used to assess a student with limited English proficiency were selected and administered to ensure that they measure the extent to which the student has a disability and needs special education, rather than measure the student's English language skills. However, we are unclear as to how Part 154.3 will ensure that the CSE will be able to follow Part 200.4.6 (xi) for a student who has been identified as a "potential" ELL. The concerns that arise in this regard are related to: (1) How the CSE will be able to comply with Part 200.4.6 regulations for a student who is a "potential" ELL but has not been officially identified as having second language needs, and (2) whether the CSE will not be legally bound to follow Part 200.4.6 regulations for the student described above.

- As proposed in Part 154.3, upon completion of the CSE's assessment (of the disability), the CSE is required to make a determination as to whether the disability is the determinant factor affecting the student's ability to demonstrate proficiency in English. However, the "determination as to whether the student may have second language needs OR will take the statewide English language proficiency identification assessment" (see Rule Making Activities, October 1, 2014, Local Government Mandates, p.35), will be determined by a group from outside of the CSE called a Language Proficiency Team (LPT). The purpose of the LPT is to recommend to the principal whether a student identified as having a disability shall take the statewide language proficiency identification assessment (Part 154-3.3). In making this recommendation, the LPT must consider evidence of the student's English language development as outlined in, but not limited to, section 154-3.3 (b). If the LPT determines that the student does not have second language needs, the recommendation is sent to the principal, and subsequently to the superintendent, to review and make a final determination [154-3.3 (d), (e) and (f)]. In contrast, if the LPT finds that the student has second language needs and must take the English proficiency test, the CSE must determine, in accordance with the IEP developed for the student pursuant to Part 200 of this Title, whether the student shall take the assessment with or without testing accommodations or an alternate assessment as may be prescribed by the Commissioner [154-3.3 (g)]. In this connection, we are extremely concerned with the ability of the members of the LPT, as described in section 154-3.2, to determine the second language needs of a student with a disability, and more so, those of a student with a severe disability who may use a different mode of communication such as sign language, communication devices, etc., as they may lack the professional expertise to be able to determine the proficiency level for such a student. We are extremely concerned that this procedure will lead to the LPT team automatically finding a student whose mode of communication is different from the norm not to have second language needs, when in fact the student does.
- We are equally concerned that the CSE's determination that "the disability is the determinant factor affecting whether the student can demonstrate proficiency" may be misconstrued to mean that a student with a disability, especially one with a severe disability, will never be able to show English proficiency, as currently defined by the New York State Education Department (NYSED). We are aware that NYSED currently uses only one standardized English proficiency assessment, the NYSITELL, for the purpose of identification of students who are subject to the initial and reentry process. We are equally aware that (1) NYSED will be developing an alternate English language proficiency assessment in accordance with federal regulations (IDEA, Titles I and II of the ESEA and civil rights laws), and that (2) all students with disabilities must take statewide assessments that are valid and reliable for the purpose for which they are being used, including English language proficiency assessments. Consequently, NYSED's definition of what currently constitutes "proficiency" in English will need to be modified to include what "proficiency" will mean for a student with a severe disability. Otherwise, contrary to federal regulations, students with severe disabilities will be denied services due to the fact that (1) their disability is the determinant factor affecting whether they can demonstrate "proficiency", and that (2) NYSED's current definition does not take into consideration the various modes of communication and linguistic abilities of students with severe disabilities.
- In relation to the proposed procedure described above, we must note that Part 200.4.3 (ii) indicates that the CSE shall "in the case of a student with limited English proficiency, consider the language needs of the student as such needs relate to the student's IEP." In accordance with the proposed Part 154.3 procedures, the CSE will not be able to consider the language needs of the student in order to develop an IEP, as they would have to wait for the LPT to make an official determination of the student's second language needs, after the student is administered the appropriate assessment.

- Subtitle A of Title II of the Americans with Disabilities Act, Pub. L. 101-336, affirms that students with disabilities cannot be subjected to treatment which is different from the treatment to which similarly situated students without disabilities are subjected to. Thus, we are concerned that the initial and reentry procedures proposed for students with disabilities, who may have second language needs as outlined in section 154-3, are markedly different from the procedures followed for a student without a disability, as well as for a student with a disability who is monolingual.
- We are also concerned with the impact that the proposed Part 154-3 will have on the timeframe for the CSE's evaluation. In accordance with Part 200 of this Title, once the student has been referred to the CSE, the CSE must complete its evaluation, create an IEP, and place the student in the least restrictive environment within 60 days. Least restrictive environment placement options run through a continuum, and this proposed process has the potential of delaying the timeliness of the CSE's ability to provide the student with the services to which he or she is entitled under the law. The proposed regulation addresses a timeline of fifteen days (15) only for the Superintendent or his or her designee to review and make a final determination of the school principal's recommendation that the student will not take the English language proficiency identification assessment, and to notify the student's parents. However, the proposed regulation is vague in indicating the specific number of days during which the CSE has to forward the request for initial identification to the LPT, the number of days the LPT would have to forward their recommendation to the school principal, and the number of days the school principal would have to forward his or her decision to the Superintendent.
- Furthermore, Part 154.3 is not clear in identifying the school principal to whom the LPT will be sending its recommendation. When a student with disabilities is assessed by a CSE, based on the student's disability and services required, there is a possibility that the student might be placed in a school different from the one he/she was originally referred. We are also raising the question about the identification of the school principal for a student who has never attended any school in New York State.
- Finally, as outlined in the NYS Register of July 9, 2014, it is evident that there will be costs to local governments to implement the proposed policy as written. For local governments with large numbers of students who come from homes where languages other than English are spoken, such as NYC with 41% of the over one million students who report speaking a language other than English at home, the cost will be substantial. However, if the process was carried out by the Committee on Special Education with due diligence, taking into consideration the various linguistic needs of students with disabilities who come from homes where languages other than English are spoken, "any additional costs to the CSE will be minimal, and capable of being absorbed by existing staff, fiscal and other resources."

RECOMMENDATIONS

In accordance with Federal laws and regulations, NYSABE recommends that:

- I. The proposed initial identification process using a Language Proficiency Team (LPT) for entry or re-entry of a student who has as disability, and who may or may not have second language needs be eliminated.
- II. The process of initial identification must be conducted by the Committee on Special Education (CSE) which must include professionals with expertise in disabilities, home language, and new language development.

- III. The process of initial identification for ELLs/bilingual learners with disabilities must include, but not be limited to the following steps:

Step 1: The home language survey will be administered.

Step 2: The student will be interviewed in his/her preferred mode of communication, i.e. the student's home language, sign language, and communication boards.

Step 3: In consideration of the information obtained through Steps 1 and 2, and upon the suspicion that the student may have a disability, the student will be referred to the CSE. The CSE will:

- Conduct a review of the student's history of language use at home, school, and the community;
- Conduct an individual evaluation according to the procedures established in Section 200.4 (B) (6) of this Title, which shall include assessments administered in the student's home language;
- Determine (1) if the student has a disability, (2) that the determinant factor is not his/her English language proficiency, (3) if the student has second language acquisition needs, and (4) whether the student will be able to participate in the New York State's standardized assessment program which includes the New York State Identification Test for English Language Learners (NYSITELL), with or without modifications. If the student with a disability and is unable to participate in the New York State's standardized assessment program, alternate assessments for English language proficiency must be provided;
- Upon the review of the assessment results, the CSE will determine whether the student has or does not have second language acquisition needs. If the student has second language needs Bilingual/ESL instructional services must be part of the student's Individualized Education Program (IEP).

- IV. The determination of the CSE, in relation to the form of assessment in which the student is able to participate (standardized tests, with or without modifications, or alternate assessment), must be included in the student's IEP. The modifications and testing accommodations must also be specified.

- V. In order to assess ELLs/bilingual learners with severe disabilities whose IEPs specify the use of alternate assessments, NYSED must develop an alternate assessment for the initial or reentry identification of ELLs with severe disabilities.

- VI. In alignment with NYSED's *Blueprint for the English Language Learners Success* and in order to ensure the appropriate identification of ELLs/bilingual learners with disabilities, all NYS members of the CSE teams must participate in long term, continued, and meaningful professional development on the assessment and instruction of ELLs/bilingual learners with disabilities.

As we continue to serve the students, families, educators, members of community-based and private entities whom NYSABE represents, we reaffirm our commitment to ensuring equitable and meaningful access to high quality bilingual education programs for all ELLs/bilingual learners in New York State by submitting these comments on the Proposed Amendments to C.R. Part 154-3.

Respectfully,

Tatyana Kleyn, Ed.D.
NYSABE President



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NEW YORK STATE ASSOCIATION FOR BILINGUAL EDUCATION

New York University
Metropolitan Center for Research on Equity and the Transformation of Schools
726 Broadway, 5th Floor
New York, NY 10003
Tel: 212-998-5104 Fax: 212-995-4199

September 18, 2014

Dr. Deborah S. Delisle

Assistant Secretary for Elementary and Secondary Education

United States Department of Education

400 Maryland Avenue, SW

Washington, DC 20202

Dear Assistant Secretary Delisle:

On behalf of the New York State Association for Bilingual Education (NYSABE), I am writing to reaffirm our vigorous support to the New York State Education Department's requested ESEA waiver amendment in relation to English Language Learners.

The main goal of NYSABE is to advocate for equitable educational opportunities for all English language learners (ELLs)/bilingual students in New York State by promoting the professional skills of the educational community. To this end, the views presented in this letter reflect our members' experience and expertise in the implementation of research-based successful bilingual instructional practices aligned to the Common Core State Standards.

NYSABE urges the US Department of Education to approve the New York State Education Department's waiver renewal request to: 1) exempt recently arrived ELLs from participating in the English Language Arts (ELA) test for two years, 2) include the New York State English as a Second Language Achievement Test (NYSESLAT) in addition to the ELA as part of the Performance Index to better measure ELLs' progress, and 3) develop Spanish Language Arts assessments and offer school districts the option of utilizing them when they would best measure the language arts knowledge and skills of Spanish-speaking ELLs.

A growing number of studies reveal that during their first year of attendance at a school in the United States, ELLs are at the initial stage of understanding and using English; consequently, the English Language Arts (ELA) exam, designed for the non-ELL population, is not granular enough to capture the growth made by newly arrived ELLs in their acquisition of Language Arts skills (Abedi, 2002; Solórzano, 2008; Menken, 2010). As expected, this practice generates discouraging effects among students and parents as well as educators since the granular data is not captured and therefore does not hold schools accountable in a meaningful way that will drive higher student outcomes and promote higher standards.

We are strong advocates of holding teachers and schools accountable for assisting all students, including ELLs, in meeting high standards. However, appropriate measures must be used to achieve this goal. The NYSESLAT is now aligned with the Common Core Standards and was specifically designed to measure ELLs' progress toward proficiency in Language Arts. It also provides more accurate and useful information to teachers and administrators so they can design, plan, and implement appropriate Language Arts instruction. Using the NYSELAT *in addition to* the ELA as part of the Performance Index is appropriate.

We also acknowledge the ability of a large number of ELLs to demonstrate their progress in Language Arts through the use of home language assessments. In this regard, considering that Spanish-speaking ELLs constitute the largest ELL sub-group in New York State, we believe that it would be most appropriate to develop and utilize Spanish Language Arts assessments for recently arrived Spanish speaking ELLs.

On behalf of the students, families, educators, members of community-based and private entities whom NYSABE represents, we thank you for your commitment to address the educational needs of ELLs.

Sincerely,

Yazmin Torres

Yazmin Torres

NYSABE President 2013-2014

C:

Libia Gil, Assistant Deputy Secretary and Director, OELA, US Department of Education

John B. King, Jr., Commissioner, NYS Education Department

Angélica Infante-Green, Associate Commissioner, Office of Bilingual Education and Foreign Language Studies, NYSED

Ira Schwartz, Assistant Commissioner, Office of Accountability, NYSED

Julio Cruz, President, National Association for Bilingual Education (NABE)

Leo Gómez, Past President, National Association for Bilingual Education (NABE)

Santiago Wood, Executive Director, NABE

Yilin Sun, President, Teachers of English to Speakers of Other Languages (TESOL International Association)

Rosa Aronson, Executive Director, TESOL

Susan Bogdan-Ritty, President of the NYS Council of Educational Associations (NYSCEA)

Educational Organizations members of NYSCEA

Susanne Marcus, President, New York State Teachers of English to Speakers of Other Languages (NYS TESOL)

William Anderson, President, New York State Association of Foreign Language Teachers (NYS AFLT)

Henry Rubio, President, Association of Dominican American Supervisors and Administrators (ADASA)

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<p>NYSABE Dues: (please check one)</p> <p><input type="checkbox"/> \$35 Associate (full time student, parent, paraprofessional)</p> <p><input type="checkbox"/> \$45 Regular (teacher, administrator, teacher educator, researcher)</p> <p><input type="checkbox"/> \$75 Institutional</p> <p><input type="checkbox"/> \$100 Commercial</p>	<p>Select your local region: (check one)</p> <p><input type="checkbox"/> Region I-Long Island</p> <p><input type="checkbox"/> Region II-New York City</p> <p><input type="checkbox"/> Region III-Mid-Hudson</p> <p><input type="checkbox"/> Region IV- Syracuse/Capital District</p> <p><input type="checkbox"/> Region V-Rochester</p> <p><input type="checkbox"/> Region VI-Western New York</p>	<p>I would like to volunteer in:</p> <p><input type="checkbox"/> Advocacy</p> <p><input type="checkbox"/> Fundraising</p> <p><input type="checkbox"/> Special Events</p> <p><input type="checkbox"/> Membership</p> <p><input type="checkbox"/> Other</p>
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CONTRIBUTION: I would like to contribute to NYSABE's continuing efforts to strengthen Bilingual Education in New York State with my tax deductible contribution of:

\$25 \$50 \$100 Other \$ _____

Signature: _____ Date: _____

Please duplicate and disseminate this application among your colleagues and others.

Please make check payable to NYSABE and mail it with this completed form to:

NYSABE
 NYU Metropolitan Center for Urban Education
 726 Broadway, 5th Floor
 New York, NY 10003

THE ORGANIZATION

NYSABE is a multilingual, multicultural professional association that promotes the academic achievement of more than 300,000 English language learners (ELLs)/bilingual students, and supports the development of biliteracy skills among all students in New York State. Founded in 1976, NYSABE unites educators, parents, community and business leaders, elected officials, researchers, and members of professional organizations, educational institutions, and the news media sharing a common goal—to ensure excellence and equity for students from diverse linguistic and cultural backgrounds.

NYSABE encourages the establishment, maintenance, and expansion of quality programs in bilingual education. NYSABE promotes bilingual education as a process by which students achieve academic success through instruction in English and a language other than English.

NYSABE supports the belief that language pluralism and literacy in more than one language benefit the nation and all its citizens.

NYSABE collaborates with the NYS Education Department, school districts, and educational institutions by participating in their initiatives and ensuring excellence and equity in the education of ELLs/bilingual learners

NYSABE is affiliated with the National Association for Bilingual Education (NABE) and the New York State Council of Educational Associations (NYSCEA).

MEMBERSHIP BENEFITS

Join the NYSABE team! Through your membership dues and involvement, you will have the opportunity to make integral contributions towards positive educational change for ELLs/bilingual learners. Membership benefits include:

NYSABE Journal of Multilingual Education Research (JMER): The yearly issue of this journal is a must for every library and member of the association. It publishes current research on best practices in instructional methodologies, optimum program models, and key elements in the implementation of successful bilingual education programs

The NYSABE Newsletter, *The Bilingual Times*: The quarterly issues of *The Bilingual Times* offer updates on the regional and statewide activities of the association and its members. *The Bilingual Times* also provides information on current legislative and policy developments as well as articles on best educational approaches for ELLs/bilingual learners.

Professional Development: NYSABE offers local, regional, and statewide professional development activities that focus on optimum, research-based practices in bilingual education. These activities create a professional forum suitable to network with other professionals in your field of interest, to share experiences, and explore new ideas.

Advocacy and Leadership: NYSABE offers opportunities to develop leadership skills while participating in hands-on training, special committees, language group events, and advocacy activities on behalf of students, their parents, and educators.

NYSABE wishes to thank all of our contributors and supporters for lending their expertise to this publication.

NYSABE Bilingual Times Staff includes

Tamara Alsace, Editor

Nancy Villarreal de Adler, Project Director

Bahar Otcu-Grillman, Contributor