



NEW YORK STATE ASSOCIATION FOR BILINGUAL EDUCATION

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January 7, 2015

Mr. Cosimo Tangorra, Jr.
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 the graduation requirements for English language learners (ELLs)/bilingual learners.

The main goal of NYSABE is to advocate for equitable and meaningful educational opportunities for all 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 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.

NYSED and the Board of Regents have shown remarkable leadership in developing alternative pathways to graduation that allow students to demonstrate mastery of standards in varied ways, such as the **4 + 1 Option** adopted by the Regents at the October 2014 meeting. This option allows students to take four Regents exams – which are available in certain languages other than English - and select a comparably rigorous exam in one of the following areas: career and technical education, science, technology, engineering and mathematics, the arts, bi-literacy or the humanities. Thus, under this option, students will now be required to pass only one, rather than two social studies exams to graduate. In addition, a variance will permit students to graduate by passing the ELA exam or the ELA and mathematics tests along with performance assessments, rather than demonstrating mastery by taking five Regents exams. However, as presently written, the proposed amendment could be interpreted to be limited only to students who take all five Regents exams; therefore, **we recommend revising the language to clarify that all qualifying ELLs/bilingual learners, including those who meet graduation assessment requirements through available alternative pathways, are able to benefit from this option.**

We also recommend that the proposed amendment be made available to ELLs/bilingual learners who enter the United States in 8th grade or later. This

would prevent students who arrive in 8th grade toward the end of the school year from being excluded from this option. In our experience, a significant number of newly arrived immigrant students begin school at the end of the school year, as late as May or June. Finally, in order to ensure that certain students are not unfairly excluded from this option, **we recommend that days missed for mandated immigration court appearances do not count against the 95 percent attendance requirement.**

Language Learning takes time and research is conclusive that, on average, it takes a minimum of 5-7 years for ELLs/bilingual learners to score to the level of English monolinguals on a test administered in English. Therefore, although we appreciate NYSED's efforts to provide greater flexibility to recently arrived ELLs/bilingual learners, we believe that the Local Diploma via appeal option still does not go far enough in establishing meaningful alternatives for ELLs/bilingual learners who cannot adequately demonstrate their knowledge and skills on standardized tests in English, but can show proficiency through other rigorous forms of assessment. In this regard, we continue to **encourage NYSED not to rely on high-stakes standardized tests for educational decision making, but rather to consider other assessment options for all ELLs/bilingual learners involving multiple measures of student performance, including more holistic and classroom-based assessments, in order to garner a more accurate picture of what these students know and are able to do across languages. We also encourage NYSED to continue to offer exams in languages other than English across the content areas and allow students to provide answers using their full linguistic repertoire.**

As we continue to serve the students, families, educators, members of the community-based organizations and private entities whom NYSABE represents, we thank you for your consideration of these recommendations on the proposed amendments to graduation requirements for ELLs/bilingual learners. If you have any questions or need additional information, please contact Nancy Villarreal de Adler, NYSABE Executive Director, at nancyvill@aol.com.

Respectfully,

Tatyana Kleyn, Ed.D.
NYSABE President