



MEMORANDUM

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TO: Members of the New York State Board of Regents
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FROM: Dr. Joseph S. Famularo, NCCSS President
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RE: Part 154 Reform

Long Island school districts value English Language Learners as students who have much to offer our schools and our communities. We hold our students accountable to a high standard of academic outcome and ourselves to delivering the education to achieve that goal as a moral imperative.

However, vast discrepancies between Long Island communities demand that the Part 154 Regulations offer the flexibility to achieve those high levels of academic outcomes for ELLs and MLLs. Below are cost-neutral, practical suggestions that will empower districts with discretion.

1. Increase the flexibility to adjust the cohort for both SIFE and non-SIFE students.

Twenty-four months is insufficient for some SIFE students. Flexibility may be needed for non-SIFE students. NYSED can use a waiver to approve case-by-case scenarios.

2. Provide accountability relief to school districts who enroll new students, who then withdraw or stop attending within a short period of time.

Each year, students enroll and then “disappear” without warning or explanation. Districts employ resources to locate them, whether their enrollment is measured in days or months. If the student is not recovered, the accountability status suffers, even after just one day.

3. Eliminate the ENL/ELA dual certification requirement at the secondary level.

If a district can prove through a waiver that its professional development and staff are capable of meeting the mandate for ENL/ELA for Entering, Emerging and Transitioning students (62 percent on Long Island), it would relieve a tremendous staffing shortage.

4. Allow districts to identify who can administer the HLQ and NYSITELL.

Sixty-two percent of ELLs on Long Island represent the lowest three levels of proficiency. Therefore, teachers are needed most in the classroom. This requirement pulls teachers frequently and inconsistently, which threatens the continuity of high-quality instruction. Allow the district to identify and train individuals to administer these assessments.

5. Amend Part 154-2.3(i), the Grade Span requirement.

The maximum span for grouping instruction is two contiguous grades. Many schools have configurations of three grade levels (K-2, 3-5, 6-8), which creates an unnecessary staffing and fiscal burden in meeting the requirement. Set the requirement at a three contiguous grade span range, as in Part 200 of the Special Education Regulations.

6. Eliminate the “a year and a day” requirement to take the ELA Assessment.

This is an ESSA State Plan recommendation. The November 16 meeting established consensus on this point.