



NEW YORK STATE ASSOCIATION FOR BILINGUAL EDUCATION

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POSITION STATEMENT

Presented to

The Assembly Standing Committee on Education

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The New York State Association for Bilingual Education (NYSABE) is the professional organization that advocates for the equitable access to optimal educational opportunities of New York State's Limited English Proficient/English language learners (LEP/ELLs). On behalf of all the educators, parents, advocates, community-based and educational entities whom NYSABE represents, I thank you for this opportunity to focus on the policy and programmatic barriers affecting the academic achievement of New York's LEP/ELLs. The areas of concern include the following:

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- The statewide low proportion of LEP/ELLs graduating with a High School Diploma (25.2%) and the high LEP/ELL dropout rate (29.4%),
- The decrease in the number of LEP/ELLs participating in Bilingual Education, consequently closing of Bilingual Education classes, and the increase of LEP/ELLs attending ESL Only programs, mostly in New York City,
- The high percentage of entitled LEP/ELLs not participating in ELL programs in New York City,
- The limited number of Bilingual Education programs and resources for Asian Pacific students, particularly in the geographical areas of greater immigrant influx such as New York City,
- The specific needs of Dual Language teachers as they relate to teacher preparation and professional development programs,
- The limitations of the LAB-R as a tool for the identification of entitled LEP/ELLs,
- The use of the NYSESLAT to assess the linguistic progress of LEP/ELLs with severe disabilities, disregarding their IEP's specification not to participate in standardized testing,
- The gradual exclusion of Native Language Arts teaching and the limited use of the native language in content area instruction in Bilingual Education programs,
- The lack of Fidelity and Consistency in the district/school program design which causes students to continuously travel back and forth between Bilingual Education and ESL settings throughout his/her years of schooling.

Based on these observations provided by our membership, NYSABE proposes the following recommendations:

- Develop procedures to enforce federal mandates, state law, and regulations governing the identification, placement, and appropriate instructional and support services for LEP/ELLs in general and special education.
- Make publicly available every school district's comprehensive student data that is disaggregated by ethnicity, native language, ELL status, ELL program type, and achievement in all curriculum areas, for LEP/ELLs in general and special education.

- Mandate the use of a proportionate amount of Contract for Excellence funding to develop and/or strengthen innovative model projects specifically designed for LEP/ELLs. The procedures for fiscal accountability and alignment with Part 154 shall include: SED’s clear guidelines, approval of plan submitted by district to SED, progress indicators, and evaluation reports.
- Allocate specific funding for the expansion of Bilingual Education programs and development of materials to meet the needs of Asian American LEP/ELLs, particularly those from the Bengali, Urdu, and Vietnamese populations.
- Expand the Bilingual Pupil Services (BPS) program to provide support and incentives to prospective teachers of Two Way/Dual Language Programs and Asian Pacific populations.
- Expand certification requirements for Bilingual Education teachers to include a category for “Biliteracy Specialists”, in recognition of the specific skills and knowledge needed to teach in Two Way/Dual Language programs.
- Revise the LAB-R to expand its scope of assessment areas and to ensure appropriate identification of LEP/ELLs.
- Conduct statewide professional development activities for teachers and administrators that specifically focus on research finding and best practices in:
 - The teaching of Native Language Arts
 - The use of native language in the teaching of content areas
 - The development of Biliteracy skills
- Ensure that the NLA Standards is included in the SED’s revision process of the trilogy: ELA, ESL, and NLA Standards.
- Develop Alternate Assessment measures to assess entitlement and the cognitive linguistic progress of LEP/ELLs with severe disabilities.
- Ensure that district administrators and school principals apply the research-based core features of RTI to the development of the district’s/school’s program design for Fidelity and Congruence purposes:
 - Use of assessment to match needs with research-based instruction
 - On going monitoring of progress
 - Implementation of research-based interventions
 - Use of Fidelity measures to ensure that instruction was implemented with consistency thus creating a “Cognitive-Linguistic Pathway” for each student
 - Consideration of the student’s linguistic and cultural strengths throughout the assessment and instructional process.

In closing, NYSABE reiterates its commitment to advocate for every child’s birthright to succeed in school through equitable access to optimal educational opportunities.

Thank you.
 Nancy Villarreal de Adler
 Executive Director

