



Urgent action necessary to support English Language Learners in New York's schools

The New York State Educational Conference Board (ECB) — comprised of the six leading educational organizations representing school boards, parents, superintendents, teachers, school administrators and other educators — believes that it is crucial to strengthen programs and services in order to ensure successful educational outcomes for English Language Learner (ELL) students.

Students who are identified as English Language Learners come from a multitude of backgrounds and have varying degrees of educational attainment. They include pupils who are newly arrived to our country with no prior formal education or students with interrupted formal education (SIFE), those with families that are a part of incoming refugee communities, unaccompanied minors and children whose home language is not English. Based on recent New York State Education Department (NYSED) data, the total number of ELL students exceeded 218,000 for the 2016-17 school year.

Academic achievement among ELL students in New York continues to show steady gains. However, performance is still below that of non-ELL pupils. Local efforts to provide ELL students with necessary programs and services are hampered by inadequate state and federal funding, a shortage of bilingual educators, a deficient number of interpreters, unreasonable testing protocols and unnecessarily stringent accountability measures.

Recommendations related to English Language Learners (ELLs)

- **Create an English Language Learner (ELL) aid category and fund it at \$100 million to ensure districts can deliver the enhanced levels of service necessary for ELL success.**
- **Adjust funding structures for BOCES aid to help offset new costs associated with providing services to ELL students and provide commensurate resources for non-component school districts with large numbers of ELL pupils.**
- **Expand opportunities for teachers to obtain bilingual extension certification and incentives for individuals in teacher prep programs to become certified to teach English Language Learners.**

In September 2014, the Board of Regents adopted changes to Part 154 of the commissioner's regulations to set new standards for providing education and services to ELLs. These regulations went into effect at the start of the 2015-16 school year. Providing appropriate services under the new regulations is necessary and right. However, school districts are already faced with significant

fiscal, staffing and programmatic challenges as they implement these changes and support ELL pupils. ECB is calling for additional resources and policy changes in order to assist school districts in their efforts to strengthen programs and services for ELL students.

Background: increasing enrollments include vulnerable student populations

Despite reports indicating decreasing student enrollments nationwide, nearly a third of New York's school districts continue to experience significant enrollment increases. These newly enrolled pupils include some of the most vulnerable populations. In fact, New York has the fourth highest number of English Language Learners in the country. See the accompanying chart for examples of ELL enrollments.

New ELL-related requirements without new supports

Most of the new ELL-related requirements are in the form of amendments to Part 154 of the commissioner's regulations. **The changes significantly expanded school districts' responsibilities related to:**

- Identifying and placing English Language Learners in appropriate educational settings.
- Providing new educational, support and transitional services for ELLs.
- Serving ELLs designated as students with disabilities.
- Planning and reporting on ELL students and related ELL programming.
- Creating and providing new ELL-specific staff development.

Total ELLs in selected New York school districts

NYS School District	Number of 2016-17 ELL Students
New York City	132,135
Brentwood (Suffolk County)	5,773
Buffalo	5,700
Rochester	3,720
Syracuse	3,336
Yonkers	3,100
East Ramapo (Rockland County)	2,650
Hempstead (Nassau County)	2,310
Statewide Total	158,724

- Communicating with families of ELL students (thus necessitating increased use of interpreters and translators).
- Providing training and planning time to effectively implement integrated co-teaching best practices.

Districts with ELL populations have found it necessary to increase staffing and divert resources to comply with these new regulations. While members of the Educational Conference Board fully support initiatives that help underserved populations, *adequate funding and policy changes must accompany the mandated programs in order to ensure successful implementation.* Members of the Educational Conference Board are recommending:

Recommendation: Create English Language Learner aid category at \$100 million in new funding to ensure districts can deliver the enhanced levels of service necessary for ELL success.

Additional aid in the amount of \$100 million is necessary to ensure districts can deliver the enhanced levels of service necessary for ELL success. A similar formula was folded into foundation aid when it was created in 2007. However, school districts cannot wait for full funding of the foundation aid formula.

ECB members recognize that additional aid is necessary to ensure ELL students have access to the research-based programming and services that will allow them to succeed and that are required under recently adopted regulations. This additional aid allotment is critical given the low fiscal capacity of large urban districts where most ELLs reside and the effects of the tax levy cap in fiscally independent school districts across the state.

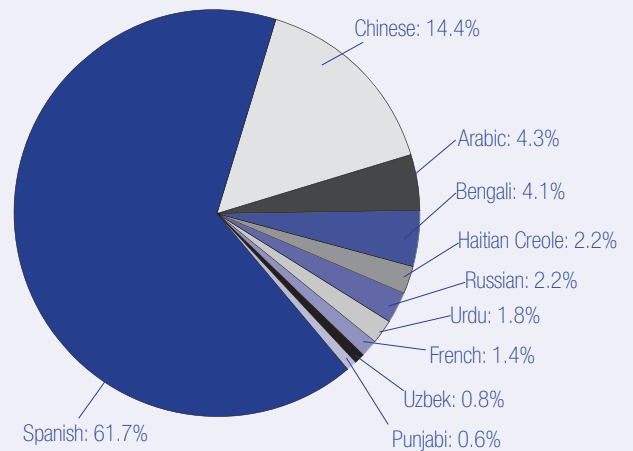
Recommendation: Adjust the funding structure for BOCES aid and provide commensurate resources for non-component school districts with large numbers of ELL pupils to help offset the costs associated with providing services to ELL students.

ECB recommends modifying BOCES aid to make language-related services an aidable expense through BOCES in order to offset costs incurred by school districts, particularly in small, low-wealth rural districts.

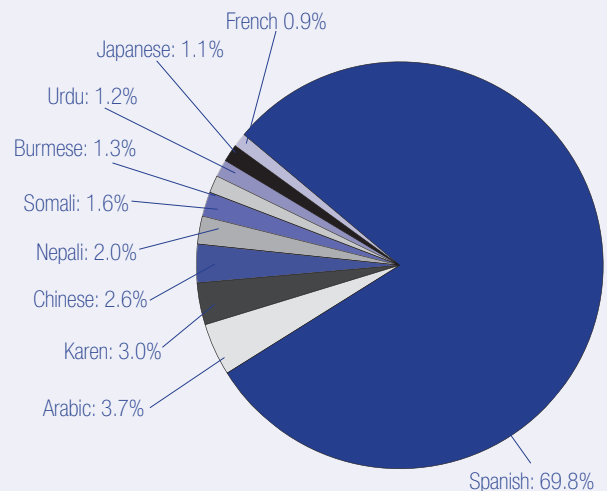
Many school districts in the state are finding it necessary to hire staff to address the needs of ELLs in accordance with the state regulations. Often, shared services offered through BOCES provide an efficient option for fulfilling these needs, especially if districts need part-time rather than full-time staff. Under current regulations,

New York is a linguistically diverse state with more than 200 languages spoken by our students

Top 10 Languages Other Than English: New York City



Top 10 Languages Other Than English: Rest of State



Source: New York State Education Department

no additional BOCES aid can be distributed in these circumstances because there is an assumption that districts already receive aid for services provided to these students through other funding streams. However, since the foundation aid formula is not fully funded, pupils are not being properly accounted for in any funding formula. If school districts opt to increase their use of BOCES shared services in an effort to be more efficient in serving ELLs, BOCES aid should be available to help cover these costs. This action could lower the total statewide cost of ELL programs by encouraging program consolidation.

In addition, commensurate resources should be provided for non-component school districts with large numbers of ELL pupils. The Big 5 school districts are home to almost 70 percent of all ELLs in the state. Each of these districts is facing serious funding shortfalls and the need for expanded programs for ELL pupils.

Recommendation: Assist school districts with critical bilingual teacher shortages by expanding opportunities for teachers to obtain bilingual extension certification and incentives for individuals in teacher prep programs to become certified to teach English Language Learners.

The Educational Conference Board recommends that the Board of Regents and the State Education Department (SED) work with college- and university-level teacher preparatory programs to expand the pipeline for bilingual teachers by coordinating with higher education institutions to foster and promote bilingual teachers in the multitude of languages spoken in our schools. In addition, the Board of Regents and SED should develop a plan for providing incentives to individuals to

Members of the Educational Conference Board declare that there is a moral and constitutional imperative to act on behalf of all children.

become teachers of English to Speakers of Other Languages (ESOL) or teachers of Languages Other Than English (LOTE). The State Education Department should also expand opportunities for teachers to obtain bilingual extension certification and expand offerings of intensive teacher institutes to include more regions and more classes geared toward ESOL teachers seeking grade-level or content certification.

There is a critical shortage of ESOL-certified and bilingual teachers in New York. Providing incentives for teachers to specialize in fields with shortages has worked in the past (most recently for science, technology, engineering and math, or STEM, teachers) and can be successful again to address the lack of certified education professionals who are considered qualified to work with English Language Learners.

ELL students cannot wait

ELL pupils are some of the state's most vulnerable populations. The addition of multilingual students adds to the rich tapestry of our society and reflects the global village in which we live. Members of the Educational Conference Board declare that there is a moral and constitutional imperative to act on behalf of all children.

The New York State Educational Conference Board comprises the Conference of Big 5 School Districts; New York State Council of School Superintendents; New York State PTA; New York State School Boards Association; New York State United Teachers and the School Administrators Association of New York State.