Systemic Crisis for English Language Learners in New York City

To: New York State Education Commissioner Richard Mills

Cc: Office of Bilingual Education Committee of Practitioners et al.

BC: CEEELL and Media Lists

From: Luis O. Reyes, Ph.D., Coordinator, Coalition for Educational Excellence for English Language Learners (CEEELL), and others (individuals and organizations listed below)

Subject: RESPONDING TO THE SYSTEMIC CRISIS FOR ENGLISH LANGUAGE LEARNERS (ELLs) IN NEW YORK CITY

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Given:

- the high 4-year English Language Learner (ELL) dropout rate (June 2007): 29.4% statewide,

- the low 4-year ELL graduation rate (June 2007): 25.2% statewide; 23.5% in NYC,

- the still low 5-year (37.7% for the 2002 cohort) and 6-year ELL graduation rates (44.3% for the 2001 cohort),

- the very low proportion of ELLs graduating after 4 years with a Regents diploma: 9% in 2005 and 10% in 2007, compared with 43% and 41% respectively for NYC as a whole,

- the decreasing % of ELLs in transitional bilingual programs in New York City: 37.4% in 2002-03 and 21.6% in 2007-08,

The increased % of ELLs in ESL-only classes in New York City: 53.4% in 2002-03 and 69.1% in 2007-08

- the lack of access to new small high schools over the last 3-4 years outside of the new International High Schools,

- Nearly one-third of high school ELLs in New York City being provided no ELL instruction, according to preliminary findings from an upcoming New York Immigration Coalition report,
-the lack of equal access for ELLs to charter schools in New York City: 2-3% ELL enrollment despite citywide 13-14% ELL enrollments over the last 3-4 years,

-the lack of required coursework re ELLs for principals, especially considering all the new schools opened under Chancellor Klein,

-the lack of dedicated $s for ELLs in New York City’s Contract for Excellence (C4E) Plans (citywide or districts) during 2007-08 fiscal year,

-the lack of adequate fiscal accountability re the new C4E funds in last year’s state budget and in this year’s 2008-09 state budget (despite the additional $70M in Foundation Aid generated by New York City ELLs (i.e., there is allowable use of C4E $s for ELLs, but no required use of C4E $s for ELLs), and

-the lack of any significant enforcement action by Regents and the State Education Department (SED) to require the New York City Department of Education to meet its obligations under state law, regulations, and legal mandates re identification and placement of ELLs in appropriate programs, equal access to new instructional programs and schools, adequate funding to meet ELLs’ instructional and support service needs, and providing a sound basic education to ELLs (including graduation with a Regents high school diploma).

Therefore,

**We call on the New York State Board of Regents and the State Education Commissioner to take immediate and deliberate action, including to:**

-Ensure that policy and programmatic decisions are made on the basis of the latest research on ELL instruction,

-Develop an SED action plan for New York City to meet annual targets for increased ELL graduation rates tied to allocation of new Foundation Aid/ and Contract for Excellence funds,

-Improve fiscal accountability re ELL funding built into the budget law and Regents regulations,

- Build upon recent steps to improve ELL outcomes in New York City, including a $7 million dollar ELL Grant Initiative pilot program and increased accountability for ELL funding and services,

-Improve SED monitoring and full enforcement of federal, state and court mandates, especially in New York City, given the issues raised above,

-Initiate an Annual Demographic and Performance Report on ELLs by school
district modeled on the New York City Department of Education’s annual report, and

-Appoint an Assistant, Associate or Deputy Commissioner re ELLs in the State Education Department empowered to bring an honest and comprehensive assessment of ELL conditions to the attention of the Commissioner and the Regents and to recommend to the Commissioner appropriate action to be taken by the Regents and the Commissioner.

Respectfully,

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