

## **Ellen Schulze, Teacher, Utica CSD**

Dear Regent Johnson,

I wanted to write to you about how revisions to CR 154 are hurting our second language students in New York. As I understand it, CR 154 was a response to *Lau v Nichols* heard by the Supreme Court in 1974. It is supposed to ensure that students have access to education by learning English at school. In the past, we ESL teachers pulled out groups of students to work on English. How much time students got depended on their level. The changes keep advanced students in the classroom. We are supposed to push into the classroom to address their needs. The result is that we no longer work on language but try to help them understand the curriculum of the classroom. Some of the more "advanced" students tested at that level, but are not coping with classwork well. They need more support than a period of push in allows. The same amount of pull out time would be more beneficial, but this is not allowed.

It would be allowed were we language teachers in possession of an elementary ed certificate. The changes to certification rules are not helping students learn language. The people who have changed the rules are confused about the distinction between content and language. Helping advanced students cope with the content is not furthering their language acquisition process. It is highly frustrating to note gaps in language ability and not have the time to address them. The pace is so fast in the classroom, most of the time we are not keeping up with the teacher as it is.

The feasibility of actually helping our advanced language students is in question. Most of the time when I'm in the classroom I end up helping the lower students and the advanced students are on their own to sink or swim. There isn't time. There isn't space! Sometimes there is a table we can sit at, but more often I move around the room from student to student because there isn't room for a table in the room. My knees, hips and back are not really your concern, but my workplace is creating conditions that are harming my body and I can hardly do my best when everything hurts. I'm an athletic person, but I'm not 25 anymore. Working conditions are poor and there is really nothing anyone at school could do to improve this. The space is what it is. Were I allowed to take students to my room, we could work at a table in a quiet space. A much better environment than squatting next to a desk in a room of 28 students. It is surprisingly difficult to concentrate with that many people in a room. A small group works so much better.

In the past, beginners were afforded an extended period of time in the pull out setting. This time has been divided between pull out and push in which essentially halves their time because they are not in any position to understand what is going on in the classroom. If I spoke their language, I might be able to translate, but this doesn't further their English. But I can't translate. I don't speak Nepali, Karen or Burmese. Beginners are not really being taught English. They don't get enough time to do that well. This

being the case, NYS really is defying the intent of CR 154, not improving upon it with the revisions.

When students came to the room, there was a sense of community. Students who might feel isolated in the room were with peers of the same ethnic group for a while. They saw other students going through the same struggles and felt less alone. With push in, that's mostly gone. The lowest students get some of that, but the time is insufficient with the changes. Without time working on language, I am much less sure of where my ESL students are with basic skills. I simply don't have the same opportunity to assess when I am in the middle of a large group trying to help with content. Even if that content is ELA, it is not the same as working on language acquisition. Students have much less time to verbalize their ideas. In the small group they all get a chance to talk. I am struck by how silent my students are in the classroom surrounded by native speakers. Even the advanced students seldom speak.

Because of the changes, students with learning disabilities end up studying with newcomers who barely speak. It is impossible to meet the needs of two such different types of students, but they need to be in the same groups for scheduling reasons. As I observe what students are expected to do in classroom through seven grades, I notice that it is not only my ESL students who are lost, but a large number of the regular education students who are unable to cope with the CCSS. Teachers are struggling to help students "go deeper" into a text, but they don't have the basic skills to allow this and they're not getting to time to improve basic skills because they are spending time on tasks students can't perform. NYS is making one bad decision after another and revisions to CR 154 are another example of this trend. Sadly, it seems there is a loud cry against the direction the state is taking and it is unresponsive to our concerns.

I live in Utica which has a very large refugee population. Our numbers are large and the needs of students are high. The revisions to CR 154 need to be rethought. Small group instruction was more beneficial to students. Language acquisition is a necessary process our students need to go through. It is best handled by a trained ESL teacher. I am an expert in my field. Classroom teachers can never address those needs with their language extension credentials. I, by the same token, am not as capable in this coteaching role. I simply don't have the background to do this effectively. Somehow the reality of language acquisition is escaping the people making the rules in NY. Frankly I think there is an issue of civil rights here as well - these students deserve better language instruction so they can fully participate in school and our society. It is so disheartening. Morale couldn't be lower.