

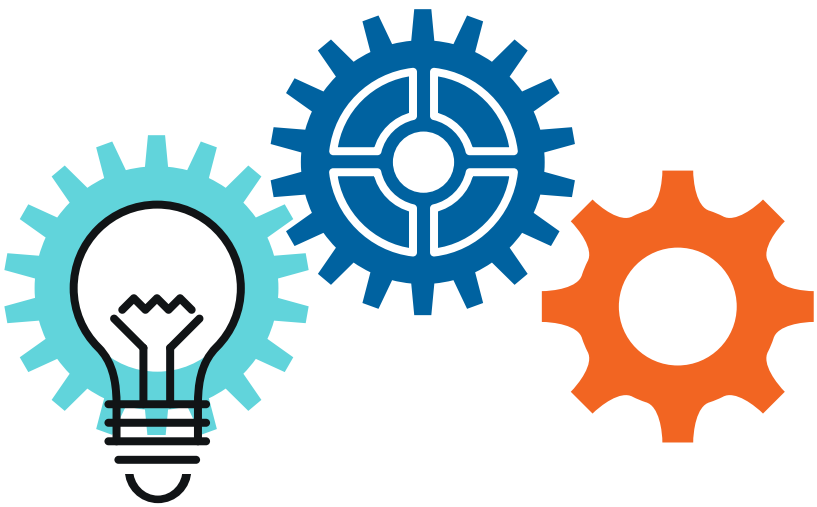
# A Look at the Ramifications of Part 154 Changes to ELL Education

**KEY RECOMMENDATIONS FOR DECISION-MAKERS**

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**NYSUT has an advisory body of ELL educators to provide NYSUT with a practitioner's perspective on the impact of current or proposed state education policies. The ELL Subject Area Committee recommended development of this report to raise awareness of the unintended consequences resulting from the CR Part 154 changes on ELL education. Special thanks to committee members:**

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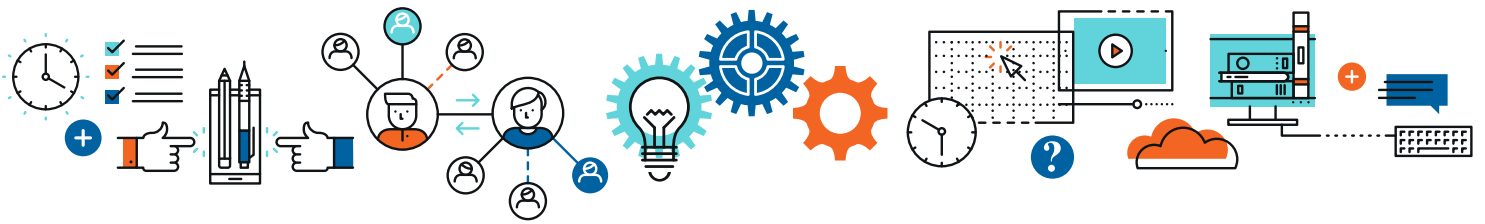
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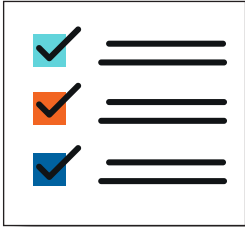
# A Look at the Ramifications of Part 154 Changes to ELL Education

## OVERVIEW:

In 2015, the Board of Regents adopted amendments to Part 154 of the Commissioner’s Regulations regarding Bilingual Education and English as a New Language (ENL) programs. These amendments imposed significant requirements on school districts and educators regarding the instruction, assessment, program placement, and services for English Language Learners/ Multilingual Learners (ELLs/MLLs). The amendments also mandated new professional learning requirements for educators in the effort to provide English learners with opportunities to achieve the same educational goals and standards established for all students. Though well-intentioned, not all the changes have been beneficial. For the past five years, NYSUT has periodically sought feedback from members on the implications these changes have had on students as well as on teaching and learning in the classroom.

The wording in the regulations allows a broad interpretation. This leads to confusion when decisions are determined by administrators who lack formal training in language acquisition but are working with linguistically-diverse populations. With the added financial burden on districts, there is often an inconsistency in the implementation of the new policies and even “cutting corners” in the attempt to be compliant with the regulations. This trickles down to the classroom and educators who are faced with demands of high-stakes assessments and accountability. The relationship with their ENL colleagues has been negatively affected by fears from testing pressures, and as a result, a true collaborative environment has not been forged. At the student level, ELLs/MLLs at the middle- to higher-levels of English language proficiency lost contact time in Stand-alone ENL classrooms when the units of study were revamped. This directly impacts student achievement as evidenced by NYSESLAT scores, student growth scores and English Language Proficiency (ELP) accountability, ELL/MLL graduation data and dropout rates. It also influences measures of teaching practice for ENL and classroom teachers as part of APPR evaluations.

Though well-intentioned, not all the changes [to ELL education] have been beneficial.



The number of subjects or periods they co-teach per day ranges from one to nine with an average of three. The number of teachers with whom they co-teach ranges from one to 12 but the average respondent co-teaches with three other teachers.

## SURVEY

In early 2017, NYSUT surveyed 424 members whose primary job title involved teaching bilingual education or English as a New Language (ENL) in K-12 schools. NYSUT asked questions about changes that have come about since the implementation of updates to Part 154 of the Commissioner's Regulations governing how ELLs receive services. The respondents provided a wealth of feedback, both on topics addressed in the survey as well as issues outside the scope of the survey questions.

The respondents teach pre-K-12th grade, are certified in a variety of areas including elementary education, ESOL, and English, and carry different teaching loads ranging from three to 240 ELL students. The average respondent teaches 34 ELL students. More than 70 percent, and in some cases more than 90 percent of the respondents, are responsible for ELLs who are either Entering, Emerging, Transitioning, Expanding, Commanding or Former ELLs. Two-thirds of the respondents are responsible for students at all these proficiency levels.

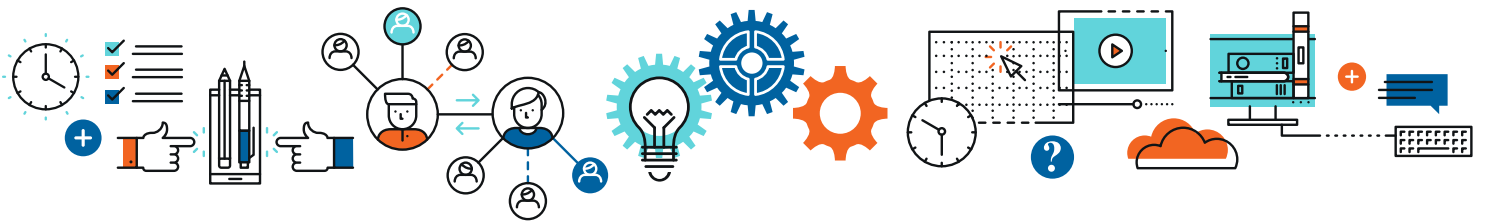
Two-thirds of the respondents are currently co-teaching. The number of subjects or periods they co-teach per day ranges from one to nine with an average of three. The number of teachers with whom they co-teach ranges from one to 12 but the average respondent co-teaches with three other teachers.

One of the difficulties these respondents seem to be facing is a lack of training on co-teaching ELLs. While two-thirds of the respondents are receiving professional development specifically regarding co-teaching ELLs, one-third are not involved in that type of professional learning. Additionally, approximately half of the respondents say the teacher(s) with whom they are co-teaching have not received co-teaching training.

Further, 64 percent say they are not receiving planning time with their co-teachers and 88 percent say there is not enough planning time for them to cover all the issues they need to cover with their co-teachers.

There are two aspects mentioned as needing improvement: planning time and professional development. Many respondents say they do not have enough planning time in the day. This can be heightened when a teacher needs to coordinate with a co-teacher and there is not enough time available.

Some respondents say ENL teachers are treated as teaching assistants rather than equal partners when content teachers do not understand the role of the ENL teacher.



## NYSUT ELL SUBJECT AREA COMMITTEE

NYSUT convenes an advisory body of ELL educators to provide NYSUT with a practitioner’s perspective on the impact of current or proposed state education policies. This ELL Subject Area Committee develops positions and recommends actions that NYSUT should consider related to these policies. Over the past three years, the members of this committee raised these same issues highlighted in the NYSUT Survey as what they are experiencing in their district.

### ISSUES:

#### 1. Integrated ENL

The role of the district and building leaders is pivotal in setting up a thriving co-teaching environment as the arbiters of language acquisition policy and district programming. Without positive administrative leadership and guidance to coordinate consistent messaging across departments, a culture of collaboration with clearly conveyed expectations cannot be established. These individuals play a vital role in providing the necessary supports that undergird a flourishing co-teaching program, such as common planning time, feasible schedules, and much-needed professional learning and preparation.

##### Schedule

ENL educators are experiencing an inequitable distribution of classes when they are assigned to co-teach Integrated ENL. Some ENL educators are assigned to nine classes per day, compounded by multiple grades, multiple subjects, and multiple co-teaching partners. Within Integrated Collaborative Teaching (ICT) classes that include students with learning disabilities and/or special needs, ENL teachers may have up to seven different grade levels.

When ENL teachers are pulled to sub or proctor, it impacts mandated minutes. Case in point, recently arrived ELLs who are eligible for a one-time exemption from taking the Grades 3-8 ELA test or ELLs whose parents chose to opt them out of taking the state tests, are placed in a separate room on testing days but don’t receive services. They are just left to “sit & stare.”

##### Planning

Another overwhelming issue of the ENL teacher’s schedule is the lack of adequate planning time to attain the depth and breadth of collaboration that is necessary for a full instructional partnership. This relationship begins with the announcement of the upcoming integrated co-teaching assignment and continues over the summer and throughout the year. Teachers who co-teach require regular time for collaboration

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if the partnership is to be successful. Districts grossly underestimate the amount of preparation, communication, common planning time and ongoing professional learning required to establish and maintain an effective co-teaching partnership. It is critical that time for planning together be built into the school day. Planning time for co-teaching partners must supplement, not supplant, individual personal planning provided to teachers.

### Collaborative working environment

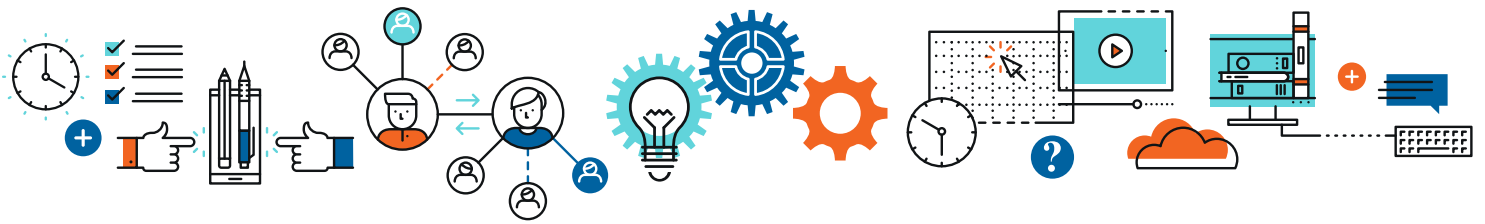
Assigning two certified teachers to the same class without providing them adequate time to create and develop a strong foundation upon which to build a co-teaching partnership is doomed to failure. What it ends up being in that case is an ENL teacher who pushes into a content classroom while the general education teacher leads. Instead of a true co-teaching situation, collaboration is only at face value which is much to the detriment of both English language and academic achievement. The ENL teacher is frequently relegated to a peripheral role of supporting the academic teacher with a diminished professional stature in the eyes of both students and colleagues. In the end, neither teacher's skills nor expertise has been tapped for the benefit of the students.

### Training

The importance of professional learning cannot be stressed enough. Nor can the participation of all the educators involved in the many facets of co-teaching. This includes school leaders who are needed to develop the budget, schedule teachers, and nurture a supportive environment.

It is expected that ENL teachers will need additional training in the subject areas, while content area teachers will benefit from professional learning related to language acquisition and instructional strategies that best fit the needs of ELLs. Co-teachers should understand how to explicitly integrate concepts with academic language (key vocabulary, grammar and discourse) to support content-area tasks. They should also be able to design lessons that make content comprehensible while facilitating language acquisition that support ELLs of varying proficiency levels and previous educational experience to access the content.

Co-teachers also need professional learning in the different models of co-teaching, the practice of developing a positive co-teaching partnership with agreed upon co-planning norms, a shared vision for instruction, and an equitable division of the responsibilities. But it shouldn't stop there. Training should continue throughout the year and focus on strengthening the co-teaching relationship by building in intentional reflection, effective communication, and thoughtful planning. These skills will equip co-teaching pairs to rise above the pitfalls and challenge one another to take the level of instruction to a higher level where all students thrive.



## 2. ENL Units of Study

While we recognize that Stand-alone time cannot be the only service model, dedicated Stand-alone time in conjunction with Integrated ENL/ELA is crucial for additional attention to language instruction. In the updated CR Part 154-2 regulations, Stand-alone ENL time has been replaced by integrated ENL for some ELLs/MLLs. But we know that one shouldn't replace another since Stand-alone ENL provides much-needed time for direct, explicit instruction, reteaching, content-based language instruction embedded in context, as well as the opportunity for oral and written practice. Expanding and Transitioning students suffer the most without contact time with ENL teachers in Stand-alone classes. Unable to get the full range of language services they need, they are poised to fail to make adequate progress and meet the state threshold, which will have repercussions on districts in which ELLs/MLLs have not attained the expected proficiency indicator.

By providing Transitioning students an additional ½ unit of study of Stand-alone time, ½ unit of study in Integrated ENL/ELA and Expanding students ½ unit of study of Stand-alone time, they would gain additional time to focus on language acquisition needs in a smaller class with similar students centered on their needs and delivered by a certified ENL specialist.

## 3. APPR issues for ENL and Classroom teachers

In the article, *Co-Teaching: Making it Work* (Educational Leadership, 2015/2016), Wendy Murawski and Philip Berhardt state that many education leaders who conduct teacher evaluations for APPR have never had the personal experience of co-teaching themselves. In order to conduct fair observations, they must possess the understanding of co-teaching principles and strategies in addition to knowledge of second language acquisition and effective teaching practices for English language learners. Observers should be trained to look and listen for evidence of co-instructing and co-assessing, student engagement, and access to content through language. However, these elements will only be present if provided common planning time and enough training have been provided, and the conditions for a collaborative culture have been established.

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## WHAT HAVE WE LEARNED?

While ELL graduation rates are slowly rising, the data is still far from where it should be in the effort to close the achievement gap between current ELLs and their native English-speaking peers. If CR Part 154 regulations were implemented with fidelity across the state, imagine the results we would have.

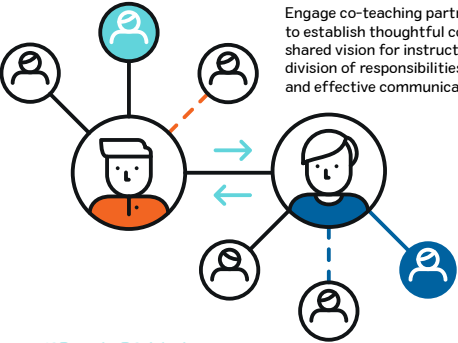
While we understand that it is impossible to anticipate the ramifications that might arise from initial changes, it behooves the New York State Education Department to be realistic, vigilant and responsive to the field. It is important to recognize that mandates are often created from a separate lens and lack insight into the daily practices of instruction. Similar to the debacle of the Common Core State Standards roll out, the introduction of the changes made to the CR Part 154 regulations and the roll out of Integrated Co-teaching did not provide sufficient time, attention, and preparation for the administrators and teachers involved in its implementation.

What process is in place to review the efficacy of changes that are made? How have the changes affected the landscape of ELL instruction across the state? What unintended consequences are arising as a result of the changes? What method of communication has been established to get a pulse from the field and correct the unanticipated problems?

## MUST-HAVES FOR A STRONG CO-TEACHING TEAM

### MANAGEABLE TEACHING SCHEDULES

Limit the number of different co-teaching assignments (grade levels and content areas) and co-teaching partners so relationships can be established and grow. Invite teacher input on scheduling and capitalize on areas of expertise and strength.

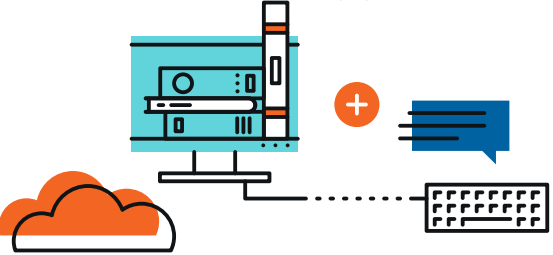


### THINKING FOR TWO

Engage co-teaching partners in the opportunity to establish thoughtful co-planning norms, a shared vision for instruction, an equitable division of responsibilities, intentional reflection and effective communication.

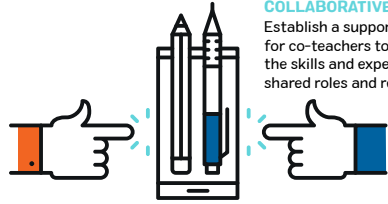
### PROFESSIONAL LEARNING

Provide ongoing training for co-teaching pairs on how to integrate academic language and make content comprehensible while facilitating language acquisition for students.



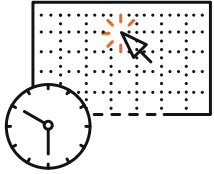
### COLLABORATIVE WORK ENVIRONMENT

Establish a supportive working environment in dedicated work spaces for co-teachers to engage in meaningful conversations that recognize the skills and expertise each brings to the partnership and lead to shared roles and responsibilities for all students.



### COMMON PLANNING TIME

Schedule time during the school day every week for co-teachers to plan together. Be sure to provide time for each different subject and co-teaching partner so there is adequate time to discuss lessons and assessments. This common prep time is in addition to personal planning time teachers receive.



### FEEDBACK = FEED FORWARD

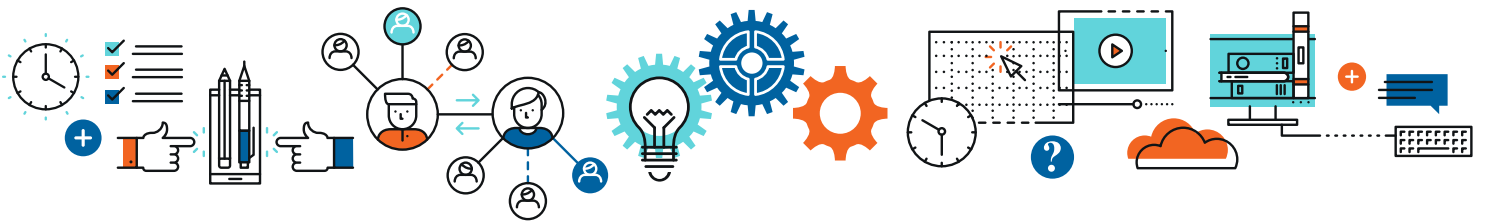
Solicit comments from co-teachers on what is working and fix what isn't. Generate ideas and suggestions on how to improve the district's co-teaching practices so they benefit students and teachers while meeting state mandates. Going above minimum requirements can yield maximum results.

*This project was prepared by the NYSUT ELL Subject Area Committee to facilitate co-teaching models for English language learner instruction, however, these recommendations would help strengthen other co-teaching teams, too.*



For training on co-teaching, visit NYSUT's Education & Learning Trust [ELT.NYSUT.ORG](http://ELT.NYSUT.ORG)





## RECOMMENDATIONS FOR NYSED:

- 1 Publish a guidance document directed to district/school leaders that lays out the steps to establish a successful integrated instruction program. Include the following advice:**
  - ⚙️ Create manageable co-teaching schedules by controlling the number of different co-teaching assignments (grade levels and content areas) and co-teaching partners for ESOL specialists.
  - ⚙️ Be thoughtful in pairing co-teachers and schedule time for co-planning.
  - ⚙️ Establish a supportive working environment for co-teachers to engage in a meaningful and productive collaboration that leads to a shared dialogue and responsibility for all students.
  - ⚙️ Allow successful co-teaching partners to remain together.
  - ⚙️ Provide ongoing joint training on the implementation of co-teaching for co-teaching pairs that includes content on teaching academic content and on teaching ELLs, the different models of co-teaching, the observation of effective co-teaching, and giving and receiving effective feedback.
  - ⚙️ Observe ENL teachers for purposes of APPR in Stand-alone classes they teach or co-teaching classes only when they have been provided dedicated, weekly planning time of a minimum of one period a week.
- 2 Mandate that every co-teaching partnership should receive at least one designated co-planning period per week.**
- 3 Showcase districts and schools from around the state that are exemplary role models of co-teaching. Share what they are doing and open the opportunity for educators to do site visits and learn from them.**
- 4 Create a repository of co-teaching lesson plans in a variety of grades and subject areas.**
- 5 Adjust the mandate so Transitioning students have an additional 1 full unit of study (½ unit Stand-alone ENL, 1 unit Integrated ENL/ELA, and ½ unit of study that can be Stand-alone ENL OR Integrated ENL/Core Content Area) for a total of 2 units of study per week or 360 minutes and Expanding students have an additional ½ unit of study of Stand-alone time (½ unit Stand-alone ENL and 1 unit Integrated ENL/Core Content Area) for a total of 1 ½ units of study per week or 270 minutes.**



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