



Legislation Text

File #: Res 1327-2012, **Version:** *

Res. No. 1327

Resolution calling on the New York State Legislature to pass and the Governor to sign A.9824/S.7247, legislation which would amend the State Education Law to require school districts to provide supplemental educational services to low-income students in failing schools.

By Council Members Dilan, Jackson, Barron, Chin, Dickens, Eugene, Ferreras, Koo, Mark-Viverito, Mendez, Palma, Recchia, Rose, Vann, Williams, Wills and Rodriguez

Whereas, On September 23, 2011, President Obama announced an opportunity for states to apply for relief from provisions of the Elementary and Secondary Education Act (ESEA), also known as No Child Left Behind (NCLB), four years after NCLB was due to be rewritten by Congress; and

Whereas, A state may request flexibility from the U.S. Department of Education (USDOE) through waivers of several specific provisions of NCLB, including flexibility related to the use of federal education funds; and

Whereas, In February 2012, the USDOE announced that it had granted waivers to 11 states and that it had received a second round of waiver requests from 26 additional states, including New York; and

Whereas, Currently, under the ESEA, schools that fail to make Adequate Yearly Progress (AYP) for two consecutive years must set aside a portion of their Title I funds to provide supplemental educational services (SES) to low income students; and

Whereas, The dedication of these funds ensures that low-income students receive quality tutoring through the SES program, and nearly 66% of students (87,406) who are eligible for the program in New York elect to take part in the program; and

Whereas, The New York State Education Department (NYSED) has applied to USDOE for a waiver to the requirements of ESEA that would, among other things, eliminate the requirement that schools that fail to

make AYP for two consecutive years set aside a percentage of their Title I funds for SES; and

Whereas, Under the NYSED waiver request, school districts would have the option to provide tutoring but would no longer be required by federal law and state regulation to set aside federal funds to do so; and

Whereas, According to the NYSED 's recent ESEA waiver request, only 53% of students statewide met or exceeded English Language Arts (ELA) standards in 2009-10, while in math, only 63% of students met or exceeded standards.; and

Whereas, Further, there is a significant achievement gap for African-American and English Language Learners (ELLs) throughout the state; and

Whereas, Thirty-five percent of African-American students met or exceeded the ELA proficiency standard compared to 64% of white students, and 44% met or exceeded the proficiency standard in math, compared to 73% for white students; and

Whereas, Only 13 percent of ELLs met the proficiency standard in ELA and just 32% met the math proficiency standard; and

Whereas, As evidenced by these statistics, New York has a long way to go to ensure that all students meet proficiency standards in ELA and in math, while African-American and ELL students are even further behind their peers in meeting the proficiency standards; and

Whereas, SES is a highly effective way to provide one-on-one or small group instruction to disadvantaged students, as studies by the USDOE conclude that tutoring programs lead to significant gains in reading and math; and

Whereas, It is critical that failing schools be required to provide supplemental educational services to students and to set aside dedicated Title I funds to cover the costs associated with the tutoring; and

Whereas, Without the requirement to set aside Title I funds and to provide supplemental educational services, low-income students in failing schools will no longer have access to proven educational opportunities outside of the normal school day that will help them improve in ELA and math; and

Whereas, A.9824, introduced by Assembly Member Karim Camara, and S.7247, introduced by Senate Education Committee Chair John Flanagan, would preserve and continue supplemental tutoring opportunities at schools that have failed to make adequate yearly progress for two consecutive years by requiring that they continue to set aside a portion of their Title I funds to offer supplemental educational services to low-income students free of charge; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign A.9824/S.7247, legislation which would amend the State Education Law to require school districts to provide supplemental educational services to low-income students in failing schools.

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