

Welcome! We will begin shortly.



Sponsored by  
NYSUT and NYSTESOL



Advocating for  
ELLs at State and  
National Levels



All attendees are muted upon entry.

If you can see the slide and hear the music, then you are all set.

# NYS TESOL Advocacy Leadership Team

**JPB Gerald**  
VP Advocacy



**Susan Lafond**  
Federal Advocacy Coordinator



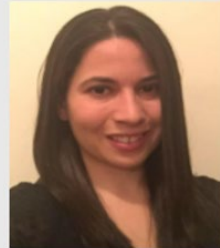
**Lisa Friscia**  
Statewide Advocacy



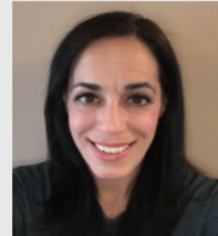
**Jasmine Byrd**  
Statewide Advocacy



**Dorothy Caldone**  
Statewide Advocacy



**Christine Passarelli**  
Statewide Advocacy



For more information or if you would like to join, please email  
[vpadvocacy@nystesol.org](mailto:vpadvocacy@nystesol.org)

## Today's Panelists:



Jackie Paredes  
Senior Legislative  
Representative - NYSUT



César Moreno Perez  
Senior Associate  
Director for Human  
Rights & Community  
Relations - AFT



Susan Lafond  
Assistant in Educational  
Services - NYSUT

# Jackie Paredes

Senior Legislative Representative  
New York State United Teachers



# NYS Budget

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## Funding

- Totals \$212 billion, a 9.67 percent increase over the previous year.
  - Increase is attributable to:
    - an infusion of federal funds as part of two federal COVID-19 relief packages — the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) that was enacted in December of 2020, and the recently enacted American Rescue Plan Act (ARPA).
    - as well as higher than expected tax receipts and revenue raisers that are included in this budget. (The state revenue components total \$4.3 billion when fully realized.)

# Revenue Campaign

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- Lawmakers' Statement & Pledge to Raise Revenues ([FundOurFutureNY.org](http://FundOurFutureNY.org))
- “We the undersigned are clear: We will not allow state budget cuts without raising revenue from those who can most afford to pay more.”

# NYS Budget

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## ■ Foundation Aid and Funding

- Provides \$19.8 billion in Foundation Aid, for a total of \$29.5 billion, an 11 percent increase.
- Includes a three-year phase-in of the Foundation Aid formula and ensures every school district receives at least a 2 percent increase and at least 60 percent of their Foundation Aid amount.
- Rejected the creation of the Local District Funding Adjustment (LDFA) and rejected the executive proposal to reduce state support for schools by \$607 million. Also, provides fully funded expense-based aids and a \$1.4 billion increase in Foundation Aid.

# NYS Budget

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## Learning Loss Grants

- Includes grants to certain school districts to address students' academic, social and emotional needs and address the impact of COVID-19 on low-income students, children with disabilities, English language learners, migrant students, homeless students and children in foster care.
- These grants will be paid via ARPA and can be used for summer enrichment, afterschool programs extended day or extended school year programs.



# NYS Budget

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## Community Schools

- Provides \$250 million in community school funding as a set aside through Foundation Aid. The minimum award amount is set at \$100,000.
- The enacted budget also includes \$250,000 for grants to school districts to allow community schools to expand mental health services.

# NYS Budget

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## School Meal Program

- Provides \$34.4 million for the school meal program and provides \$10 million for school lunch programs that purchase at least 30 percent of their food products from New York farmers, growers, producers or processors and a \$2.3 million appropriation for reduced school meals, starting July 2021.

# NYS Budget

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## After-School Programs

- Continues to fund the Empire State After-School Program at \$55 million and fully funds the Advantage After-School Program to \$33 million.

# NYS Budget

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## Special Education “Mandate Relief”

- Rejects language to allow school districts, BOCES and private schools to petition the State Education Department for flexibility in complying with certain special education requirements.

# NYS Budget

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## Bilingual Education and English Language Learners

- Provides \$18.5 million to support bilingual programs in school districts, BOCES, colleges, universities and an entity chosen through a competitive procurement process, to assist in conducting self-assessments.
- These assessments will help to identify areas that need to be strengthened and ensure compliance with the various federal, state and local laws that govern limited English proficiency and English language learning education.

# NYS Budget

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## Tenant Protections

- Provides \$339 million to establish the COVID-19 Emergency Residential Assistance Program of 2021, which provides funding relief for rent-burdened households, regardless of immigration status, that have been impacted by COVID-19.

# NYS Budget

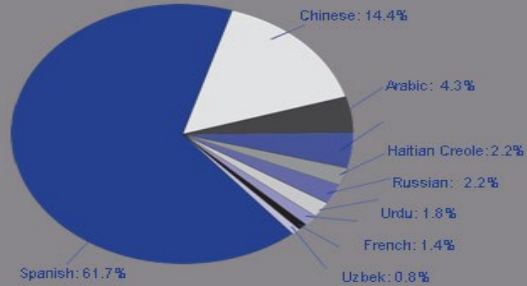
## Broadband Internet Access

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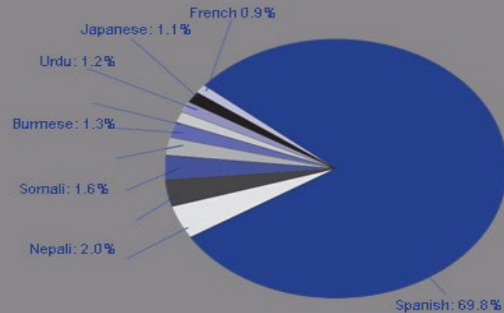
- Requires every person, business, corporation or their agents providing or seeking to provide wireline, fixed wireless or satellite broadband service to offer high speed broadband service at a cost of no more than \$15 per month to low-income consumers whose household:
  - (a) is eligible for free or reduced-priced lunch through the National School Lunch Program; or
  - (b) is eligible for, or receiving the supplemental nutrition assistance program (SNAP) benefits; or
  - (c) is eligible for, or receiving Medicaid benefits; or
  - (d) is eligible for, or enrolled in senior citizen rent increase exemption; or
  - (e) is eligible for, or enrolled in disability rent increase exemption; or
  - (f) is a recipient of an affordability benefit from a utility.

**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

# Background on ELLs



# Background on ELLs

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- The four-year graduation rate for the 2016 cohort (these are kids who should have graduated in 4 years in June 2020) for ELLs is 34%. By comparison the statewide four-year graduation rate is 82%.
  
- If you look at a six-year graduation rate for ELLs it rises to 46% and this compares to a statewide 6 year graduation rate of 84%.

# Estimated ELL Students 2020-21 In Selected School Districts

District	2020-21 ELLs
New York City	119,929
Brentwood (Suffolk County)	6,900
Buffalo	5,784
Rochester	3,957
Syracuse	3,500
Yonkers	3,450
East Ramapo (Rockland County)	4,177
Hempstead (Nassau County)	3,040

# English Language Learners & Educational Conference Board

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- 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.

# Legislation – Seal of Biliteracy

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- S.7522-A Robach/A.10292-A Arroyo - Signed Chaptered 271 - 07/31/12
- New York (2012) was the second state in the nation, following California (2008) to authorize a State Seal of Biliteracy.
- NYSUT has a long history supporting instruction in Languages Other Than English (LOTE) and recognizes the value of foreign language and native language instruction in preparing our students to meet the challenges of the 21st century.

# Seal of Biliteracy

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- Since the New York State Board of Regents adopted the Seal of Biliteracy in 2012, the NYSSB has been awarded to over 12,300 students in New York State.
- There has been significant growth in the participation in the NYSSB by both Ever ELLs and Never ELLs, with a slight decrease in 2019-20 in the participation of Current ELLs.
- According to SED, it is believed that the COVID-19 pandemic and resulting school closures had a greater negative impact upon ELLs than others relative to earning the Seal.

# Legislation We Support

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- S.5433 Parker (Education Committee) - Bilingual Teachers of Tomorrow
  - Establishes the Bilingual Teachers of Tomorrow Teacher Recruitment and Retention Program to attract and retain bilingual, certified teachers in areas with the greatest need, especially in schools under registration review and provides for grants, procedures for applying for such grants and eligibility requirements for fund distribution.
  
- S.5281 Parker (Finance Committee) - Promoting Instruction in Foreign Languages
  - Establishes an incentive program for school districts wishing to implement foreign language programs in elementary schools. The bill also establishes an incentive program for college students wishing to become foreign language teachers.

# Legislation We Support

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- S.1100 Liu (Education Committee) – Grow Your Own
  - Relates to developing grow your own initiatives at school districts, boards of cooperative educational services and higher education institutions aimed at attracting underrepresented candidates into the teaching profession.

# Legislation We Support

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- S.1984 Jackson/A.2399 Hyndman – (Education Committee)-  
Bringing Together Underrepresented Educators
  - Relates to directing the commissioner to convene statewide and regional conventions to bring together underrepresented educators



# César Moreno Perez

Senior Associate Director of Human Rights  
& Community Relations

American Federation of Teachers



## **Advocating for ELLs at State & National Levels**

Cesar Moreno Perez  
AFT Human Rights & Community Relations Department  
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twitter: @profe\_c

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## **National Update, Moving Beyond the Headlines**

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## Economic Impact of Undocumented Workers?

- According to the Institute on Taxation and Economic Policy, undocumented immigrants in the U.S. pay an estimated \$11.7 billion in state and local taxes annually.



[itep.org](http://itep.org)

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## Day one Immigration Executive Orders signed by President Biden

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## Day one Immigration Executive Orders:

- **Affirming DACA protections:** On Jan. 20<sup>th</sup> President Biden signs EO instructing the DHS Secretary to take all actions consistent with law to “preserve and fortify” DACA.
- **Rescission of the Muslim and African bans:** This EO rescinds the Trump bans that restricted travel from majority Muslim and African countries, and requires the Department of State to provide a report within 45 days ensuring a process for expeditious adjudication of visas for applicants who were pending a waiver, and ensure that all those whose visa applications were denied on the basis of the bans may have their applications reconsidered without prejudice.

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## Day one Immigration Executive Orders signed by President Biden:

- **Rescission of the Trump interior enforcement EO:** This EO rescinds the sweeping EO on interior enforcement that Trump issued his first week in office, and states the administration’s intent to “**reset the policies and practices for enforcing civil immigration laws** to align enforcement” with a set of values and priorities articulated as including protecting national and border security, addressing humanitarian challenges at the southern border, and ensuring public health and safety.
- **Restoring proper census count:** Ensuring that the census include all people regardless of immigration or citizenship status.

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## Day one Immigration Executive Orders signed by President Biden:

- **Halting border wall construction:** This EO terminates the national emergency declaration that allowed the Trump administration to grab money from other departments to fund the wall; pauses wall construction and the obligation of funds for construction projects; and directs all relevant agencies to develop a plan for the redirection of the \$1+ billion funds already appropriated for 2021 for border wall construction.
- **Liberian DED:** This EO reinstates Deferred Enforced Departure for Liberians, extending to June 30, 2022 protections and employment authorization for those who were under a DED grant as of January 10, 2021.

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## Immigration Executive Orders signed by President Biden:

- **Establishment of Interagency Task Force on the Reunification of Families.** [Executive Order](#)
- **Creating a Comprehensive Regional Framework to Address the Causes of Migration,** to Manage Migration Throughout North and Central America, and to Provide Safe and Orderly Processing of Asylum Seekers at the United States Border. [Executive Order](#)

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## What's the State of DACA?

- ✓ **Deferred Action for Childhood Arrivals (DACA) program was launched on June 15, 2012**

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## The State of DACA..

- **DACA has been restored!**

**Effective Dec. 7, 2020, U.S. Citizenship and Immigration Services (USCIS) is:**

- Accepting first-time requests for consideration of deferred action under Deferred Action for Childhood Arrivals (DACA) based on the terms of the DACA policy in effect prior to Sept. 5, 2017, and in accordance with the Court's Dec. 4, 2020
- Advance Parole is back in its original form
- Anyone who received a 1-year renewal of their DACA will automatically have their protections extended to two years
- Renewals continue to be accepted

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To learn more about the requirements to apply for DACA for the first time read the AFT's DACA Guide for Educators and School Support Staff.

## Deferred Action for Childhood Arrivals (DACA)

### Who qualifies?

- ✓ Under age of 16 at time of arrival to U.S.
- ✓ Meet education or training requirement
- ✓ Present in the U.S. since June 15, 2007
- ✓ Under the age of 31 on June 15, 2012
- ✓ Pass background check
- ✓ Pay \$465 in application fees

**~2.8 million are eligible.**



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## DACA is still under threat..

- ❑ On December 22, Judge Andrew Hanen, from the Federal District Court in Texas court held a hearing on the legality of DACA.
- ❑ Judge Hanen has yet to publish an opinion on that hearing, but if the Judge rules negatively against the program, DACA could be at risk again.
- ❑ We expect a ruling any day now.

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## Legislative Solutions:

### ❑ **American Dream & Promise Act of 2021 (H.R. 6)**

***What it does:** Creates path to citizenship for Dreamers and TPS and DED recipients.*

### ❑ **Farm Workforce Modernization Act (H.R. 1603)**

***What it does:** Creates a workforce solution for America's agriculture industry by providing stability, predictability, and fairness to one of the most critical sectors of our nation's economy. Provides undocumented farmworkers and their immediate family members legal immigration status and a path to citizenship.*

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## Legislative Solutions:

### ❑ U.S. Citizenship Act (S. 348) (H.R. 1177)

**What it does:** The bill will create a path to citizenship for the 11 million undocumented immigrants who live, work, and contribute to the United States, without any enforcement trade-offs.

### ❑ Citizenship for Essential Workers Act (S. 747) (H.R. 1909)

**What it does:** Creates a workforce solution for America's agriculture industry by providing stability, predictability, and fairness to one of the most critical sectors of our nation's economy. Provides undocumented farmworkers and their immediate family members legal immigration status and a path to citizenship.

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## Citizenship for Essential Workers Act (S. 747) (H.R. 1909)

### WHAT DOES THE CITIZENSHIP FOR ESSENTIAL WORKERS ACT DO?

- Adjustment of Status to Legal Permanent Resident under the Citizenship for Essential Workers Act is **open to any non-citizen worker in the sectors of:**
  - Health care
  - Agriculture
  - Construction
  - Emergency response
  - Sanitation
  - Food
  - Restaurants
  - Hotels and hospitality
  - Meat, fish, and poultry processing
  - Domestic work
  - Childcare
  - Disaster recovery
  - Home health and residential care
  - Manufacturing
  - Warehousing
  - Transportation and logistics
  - Janitorial
  - Laundry services
  - Any other worker deemed essential by the Department of Homeland Security or state or local government.
- The Citizenship for Essential Workers Act **will also include undocumented workers who worked in essential industries but lost employment** due to COVID-19, including leaving the job due to unsafe working conditions, **as well as undocumented relatives of an essential worker who died from COVID-19.**
- Applicants for adjustment of status will be required to pay a reasonable fee and go through a background check. **All information provided or disclosed in an application for this act may not be used for enforcement purposes.**

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## Legislative Solutions:

### □ Dream Act of 2021 (S. 264)

**What it does:** The bill will create a path to citizenship for nearly 2 million undocumented young people. Fast track for DACAmented individuals.

### □ SECURE Act (S. 306)

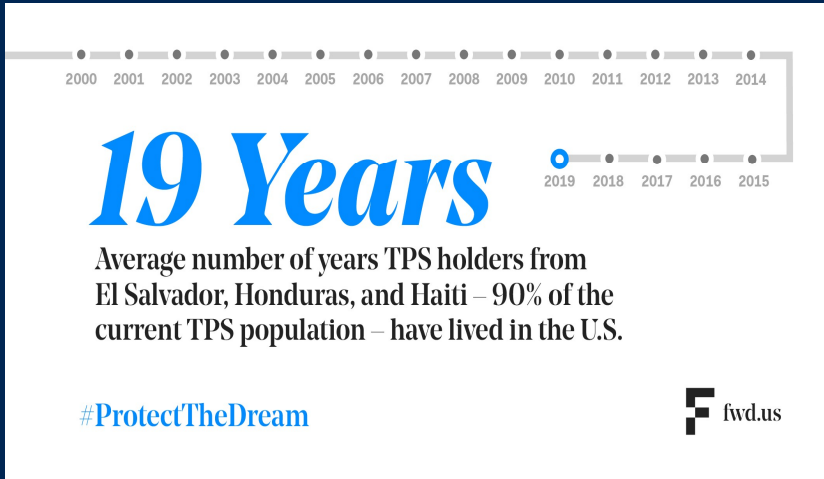
**What it does:** Under the bill, all TPS and DED recipients who qualified under the most recent designation and who have been continuously present in the United States for at least three years would be eligible to apply for legal permanent residency.

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## Legislative Solutions:

### ❑ BEST Act (S. 680)

**What it does:** Awards grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language.

### ❑ FLUENT Act

**What it does:** Awards grants to Family Literacy Providers. Aims to improve the educational, social, economic advancement and employment skills of families with ELLs in need of literacy by expanding services for them.

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Educators, grassroots organizers, faith and labor leaders play an important role in defending & protecting TPS & DED holders, DACAmented individuals, UACs, Undocumented Students, Refugees, workers and their families from the threat of deportation.

**Creating Safe and Welcoming Learning Environments for All Children!!**

## Creating Welcoming Learning Environments for ALL

- ❑ Schools & College Campuses must be safe havens, free from racism, discrimination and the threat of deportation
- ❑ Regardless of race, ethnicity or national origin you have a right to be treated with dignity and respect
- ❑ School districts are responsible for ensuring the safety and well-being of all their students. K-12 Education is a right.
- ❑ Institutions of Higher Ed are also responsible for ensuring the safety and well-being of all of its students.
- ❑ Educators and school support staff across the educational spectrum can work with community allies to reaffirm that their school and campus is an ICE free safe zone

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## Resources to Create Welcoming Classrooms and Schools

- **Share My Lesson**, SML offers a collection of lesson plans and resources to help educate all students about immigration, and to help create inclusive school communities that address the social, emotional and health needs of students. This can be found at

[www.sharemylesson.com/immigration](http://www.sharemylesson.com/immigration)



- **AFT Immigration**, collection of resources for educators and school support staff to defend DACA and educational success of undocumented and refugee students. Educators, school support staff, community-based organizations and other service providers play a key role in protecting undocumented students, refugees and their families from the threat of deportation.

Visit: [www.aft.org/immigration](http://www.aft.org/immigration)



*Immigrant Youth Guide*

*Pg 27* 24

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## Resources to Create Welcoming Classrooms and Schools

### ➤ **Colorín Colorado: ELL Resources**

In response to requests from teachers and other educators of English language learners of all language backgrounds asking for resources and information to respond to their students' concerns, many fears and many questions, Colorín Colorado put together a collection of resources for schools to address the needs of students who are immigrants or children of immigrants. Visit: [www.ColorinColorado.org/immigration](http://www.ColorinColorado.org/immigration)



➤ **Teach Human Rights**, is an essential tool to address underlying causes of human rights violations, to prevent human rights abuses, and to raise awareness about human rights issues throughout the world. This AFT platform includes lesson plans to raise awareness about contemporary human rights issues and how we can connect them to our past. This website offers educator-reviewed materials that you can click and use tomorrow in your classroom. Visit: [www.teachhumanrights.com](http://www.teachhumanrights.com)



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## Resources:

- **United We Dream**  
[www.unitedwedream.org](http://www.unitedwedream.org)
- **National Immigration Law Center (NILC)**  
[www.nilc.org](http://www.nilc.org)
- **American Federation of Teachers**  
[www.aft.org/immigration](http://www.aft.org/immigration)
- **Immigrant Defense Project**  
[www.immigrantdefenseproject.org](http://www.immigrantdefenseproject.org)
- **Asian American Justice Center**  
[www.advancingjustice-aajc.org](http://www.advancingjustice-aajc.org)
- **UndocuBlack Network**  
[www.undocublack.org](http://www.undocublack.org)
- **Lawyers Committee for Civil Rights Under Law**  
<https://lawyerscommittee.org/letuslearn/>
- **Immigrants Rising (formerly Educators 4 Fair Consideration-E4FC)**  
[www.immigrantsrising.org/](http://www.immigrantsrising.org/)
- **Californians Together**  
— [www.californianstogether.org/](http://www.californianstogether.org/)



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## What Can You Do?

- ❑ Learn about relevant State and local legislation that affect undocumented students including those related to higher education.
- ❑ Learn about DACA policy & the NY Dream Act
- ❑ Learn about Deportation Defense Work
- ❑ Provide general information about challenges facing undocumented students to educational personnel through e-mail, handouts and presentations
- ❑ Inquire about resources the district has available for ELs under Title III, Part ESSA allows for funding to address needs of immigrant youth which include Undocumented and Unaccompanied children
- ❑ Learn about the resources available under the American Recovery Act



## What Can You Do?

- ❑ Advocate for policies that support undocumented students.
  - ✓ Pay close attention to policies referencing DACA. Given the changes to DACA these may need to be adjusted.
- ❑ Push for Legislative Solutions, and Sanctuary Policies to protect students & families from the threat of deportation
  - #SanctuarySchools #SanctuaryCampus #HereToStay
- ❑ **Operationalize policies & make them systemwide**
  - ✓ Is there a process or protocol if ICE shows-up on campus.
  - ✓ Is there written policy which limits campus police interaction with ICE
  - ✓ Identify UndocuAlly support groups on campus or multicultural departments that can help

## What Can You Do?

- ❑ Create a culture of respect & acceptance for all who study & work on campus or virtual environments
- ❑ Remember, aggressive and increased enforcement actions may jeopardize student safety and interfere with the student's educational success.



“No matter how they got here, no matter how frustrated we are with our government, we can’t forget that these are children of God who are also just kids. No different than our sons and daughters, our nieces and nephews and cousins. We need to protect these children at our borders and keep them from falling into the hands of human traffickers. We need to give them guidance and warmth and a sense of welcome. No matter what, we need to remember these are innocent children who are lonely and frightened and far from home, caught up in circumstances they did not create and they cannot control.”

—Archbishop of Los Angeles Jose H. Gomez

[www.aft.org/immigration/ICEraid](http://www.aft.org/immigration/ICEraid)

**#EducationNotDeportation**





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**Call your U.S. Senators today**

Ask them to support a pathway to citizenship for

- ✓ Dreamers
- ✓ TPS recipients
- ✓ DED recipients
- ✓ Farmworkers
- ✓ Essential Workers
- ✓ 11 million undocumented people

**202-952-2564**




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**HERE TO STAY**



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## TAKE ACTION AT



WWW.WEAREHOME.US

#WEAREHOME

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## QUESTIONS?

## THANK YOU!

### **AFT Resources to advocate for Immigration Reform**

[www.aft.org/immigration](http://www.aft.org/immigration)

- ❑ Cesar Moreno Perez, Senior Associate Director, AFT Human Rights & Community Relations Department; 202/393-7480, [cmoreno@aft.org](mailto:cmoreno@aft.org)  
Twitter: @profe\_c

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Fulfills Language Acquisition for CTLE/CR Part 154

## Advocating for ELLs within the Scope of State and Federal Law

5 hour online seminar

<https://bit.ly/ELLSeminars>



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2021-2022

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Like/Follow us at NYSUT Education & Learning Trust - ELT