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WIZO - Women's International Zionist Organization
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Comments to NYS Department of Education Re Substantial Equivalency of Instruction in Nonpublic Schools

August 30, 2019

Hon. Christina Coughlin
Assistant Commissioner
NY Education Department, SORIS
89 Washington Avenue
Room 1075 EBA
Albany, NY 12234
seregcomments@nysed.gov

Dear Commissioner Coughlin,

We write on behalf of the Jewish Community Relations Council of New York, which is deeply concerned about the proposed "Substantial Equivalency of Instruction in Nonpublic Schools" regulations governing nonpublic schools announced by the New York State Education Department on July 3, 2019.

JCRC-NY recognizes the statutory requirement for substantial equivalency of instruction for students attending nonpublic schools and agrees that all students should receive the education to which they are entitled under the law. However, JCRC-NY strongly believes that there are multiple paths to equivalency.

The benefits of independent accreditation

A time-tested model developed by the New York State Association of Independent Schools (NYSAIS) provides an effective template to develop, approve and monitor such multiple paths, while complying with the statutory requirements.

NYSAIS' accreditation process is continuous, rigorous and designed to review a school using the highest of standards based on the principles of best practices and seen through the lens of the school's mission. A school undertakes a self-study, involving all members of the school community. It explores all aspects of school life including governance, finances, teaching and learning, operations and community.

The second phase of the NYSAIS accreditation process involves the visit of a committee of peers, experts in their field, chaired by a Head



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of School and finally an accreditation review by the accreditation body. When a school successfully participates in the NYS AIS process, it is then accredited for a fixed duration.

The need for multiple accreditation bodies

We endorse that process and advocate for the establishment of similar, alternative accreditation bodies, chartered by the New York State Board of Regents, which would require each accreditation body to comply with a set of operational or outcome standards ³/₄ including the state statutory requirements of substantial equivalency of state statutory requirements ³/₄ before granting a charter to the body. Schools with similar educational goals could band together to sponsor an accreditation body.

For example, the mission of most Jewish schools includes the recognition of a dual curriculum because many in the Jewish community believe that education in both secular and religious education is critical

to the continuity of the Jewish community. An alternative accreditation body would need to be culturally competent to be able to recognize such important considerations and determine whether both the affiliated schools meet their stated missions and the New York State statutory requirements. All schools must meet established standards to be effective. Schools are more likely to achieve that goal when they also take seriously parental choices and communal mores.

Accrediting bodies must be credible

Our advocacy for multiple paths to equivalency recognizes that each alternative accreditation body must be credible. We must be able to guarantee the integrity of each accreditation body by including recognized educational experts, clear standards, defined processes (including mechanisms for parents to appeal if they feel that their children's school is substandard) and enforcement steps for non-compliant schools. Individual accreditation bodies should regularly submit a report to the NYS Department of Education, reflecting a summary of the continued compliance of individual schools regarding standards. If the report indicates a school no longer meets standards, a process to review, identify remediation steps and, if necessary, withdraw, the school's accreditation. The charter of any accreditation body not effectively monitoring whether its schools continue to meet standards can be terminated by the State.

Transparency

Finally, we believe that an important element of credibility is transparency. A document, accurately reflecting the product of each school's self-study, the report of the visiting committee and any other conclusions or recommendations of the alternative accreditation body (but not including sensitive or proprietary information) should be publicly posted by the accreditation body. This report will also be of use to parents in making their decisions about the choice of schools and to others interested in the quality of education provided to New York State students.

Conclusion

The Jewish Community Relations Council of New York is concerned about the New York State Education Department's proposed regulations. The quality of individual schools -- public and nonpublic -- runs the gamut from excellent to unacceptable. The proposed rules concerning Substantially Equivalent Instruction for Nonpublic School Students focus on a wide range of

educational inputs, while they should focus on promoting quality educational outcomes for all students. We think that our suggestion will better ensure a positive results for each and every student, without compromising the educational choice that private and religious schools offer parents.

We strongly urge that that the proposed rules be reformulated to recognize and include multiple paths to equivalency. We oppose the proposed regulatory change that would transfer the oversight of a school's educational program from their designated educators and their Board of Trustees to the local public school superintendent and the local board of education. We see that mechanism as counterproductive.

Thank you for your consideration.

Respectively submitted,

Handwritten signatures of Cheryl Fishbein and Michael S. Miller. Cheryl's signature is on the left, and Michael's is on the right.

Cheryl Fishbein
President

Michael S. Miller
Executive Vice President & CEO