

student participation. "Since there is such a small percentage of Native American students electing to take the exams, the scores do not truly reflect their subgroup as a whole," he said.

But Silva questioned Dyno's explanation. "Our low test scores are chronic," said Silva, who attended the schools and said he recalled being treated "culturally" as an outsider. "It wasn't pleasant. There was generally no course work on our culture. There were not too many [Shinnecock] kids in advanced-placement classes."

Dyno noted the district completed an "extensive social studies curriculum review and rewrite and we're including a lot of our local history in that rewrite, which includes the Shinnecock history."

In a \$50 million lawsuit filed by Jonathan Smith and his wife Kayla Looking Horse, the parents of the child referred to as A.W.S. allege neglect after their son struck his head when he fell in the playground and his injuries "went unnoticed by any school employee." Dyno said the school district does not comment on pending litigation.

The school on three occasions denied the child special services required under the contract, the suit claims, in violation of anti-discrimination laws and the tribe's contract. The suit says the family "was ignored and treated differently as members of the Native American race in comparison to other non-Native American members of the district," which "failed to investigate and correct [Smith's] allegations of racial discrimination . . ."

The suit specifically alleges a violation of the Native American Tuition Agreement between the state and the district for the tribe, including failing to file the Annual Native American Student Achievement reports, failure to provide information on the budget for the education of Native American children, and "failing to spend restricted funds received" for the benefit of Native American children.

Jean Mingot, assistant superintendent for business, said the district can only spend on Native American children the funds allotted based on enrollment. He called it a "misunderstanding" that the entire \$26 million allotted under the contract can be applied to Shinnecock children beyond the amount allowed for tuition per student. "There's no way for us to do that," he said.

# NY teachers protest digital tests for kids

BY JOHN HILDEBRAND  
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ALBANY — Criticism of New York's digital tests for elementary and middle school students mounted Monday, as the state's largest teacher union called for halting the program that involves tens of thousands of children on Long Island and statewide.

Demands for a long-term shutdown of computer-based tests, or CBTs, came from leaders of New York State United Teachers after last week's temporary suspension statewide of the digital English Language Arts exam. The stoppage occurred when database servers overloaded because of increased use.

Jolene DiBrango, the union's executive vice president, said the organization's calls for a longer halt stem from a number of misgivings, including doubts that computer-based testing is appropriate for elementary-age children. In addition, the union wants more research to determine what such tests show, in terms of academic knowledge.

"We're not sure whether it measures what students know, or whether it's measuring their computer skills," said DiBrango, whose organization represents more than 600,000 educators and others.

The group also is urging the state to change its testing in other ways, including a lowering of benchmark scores, also known as cutoffs, so that more students in grades three through eight can reach "proficiency," or passing level. The union's position is that such a change would make passing percentages on the ELA and math tests more comparable to those on high-school-level Regents exams.

Federal law has long required state testing in English and math. In 2015, New York added new rules, strongly opposed by teachers, that based their job ratings largely on students' scores. Those requirements have since been modified.



Education Commissioner Elia, left, and Betty Rosa speak to the media.

Authorities in the state Education Department, which sponsors the tests, responded quickly to the union's attack, saying that more than 120,000 students successfully completed digital assessments last week.

Overall, about 1.1 million students in grades three through eight are eligible to take the exams, with districts determining whether to give the traditional paper-based tests or the digital tests.

Education Commissioner MaryEllen Elia told a group of reporters that the agency is keeping its options open for the future. School districts that administer computer-based tests do so voluntarily, she pointed out.

"We're in the 21st century," Elia said. "I think our students need to be exposed to technology for a purpose."

About three-quarters of students statewide, including those in Nassau and Suffolk counties, continue to take traditional paper-and-pencil tests. But the volume of those taking computer-based exams rose sharply this year.

Elia has noted that New York still lags behind many

other states in use of digital assessments. A 2016 study, published by the Tennessee Comptroller Office of Research and Education Accountability, found that two dozen states administered online exams.

A recent Newsday survey found at least 29 districts in Nassau and Suffolk counties — up from 19 last year — planned to administer digital exams in at least some classes during the test season.

Jill Gierasch, who became superintendent of Mattituck-Cutchogue schools at the beginning of this academic year, said she and her staff will review results of the past week's electronic testing before deciding on future steps.

Mattituck-Cutchogue had students in some grades take computer-based tests both this year and during spring 2018 testing.

Gierasch said the district's testing last year was reported to have gone well. This year, there were reports of students who spent more time than usual taking the exams because of delays caused by technical glitches.

"The results left me very concerned," she said.

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### CORRECTIONS

"PJ Masks Live: Save the Day" has canceled its Friday and 10:30 a.m. Saturday shows at NYCB Live's Nassau Coliseum because of the Islanders' playoff game Friday night. "PJ Masks" shows now will be at 2 and 5:30 p.m. Saturday and Sunday. The live musical production was listed in 10 Top Things to Do This Week in Sunday's LI Life.

Aceto Corp. is in Port Washington. The company's name and location were incorrect in a photo caption in Friday's editions.

### THIS DATE IN HISTORY

**1865** Confederate Gen. Robert E. Lee surrendered to Union Lt. Gen. Ulysses S. Grant at Appomattox Court House in Virginia.  
**1913** In the first game at Ebbets Field, the new home of the Brooklyn Dodgers, the Philadelphia Phillies won, 1-0.  
**1939** Marian Anderson sang in a concert at the Lincoln Memorial, after being denied the use of Constitution Hall by the Daughters of the American Revolution.  
**1942** Some 75,000 Philippine and American defenders on Bataan surrendered to Japanese troops, who forced them into what became known as the Bataan Death March; thousands died or were killed.  
**1968** Funerals were held for Martin Luther King Jr. at the Ebenezer Baptist Church and Morehouse College in Atlanta, five days after his assassination in Memphis.