New rules on opt-outs

Preliminary OK for plan to boost test participation

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Education Commissioner MaryEllen Elia, left, and Chancellor Betty Rosa at Monday's meeting.

School districts where large numbers of students boycott mandated tests could be required to spend part of their federal funding to encourage greater test participation under regulations tentatively approved Monday by the state's Board of Regents.

The new regulations also create an academic rating system, called a Composite Performance Level, that factors in test participation in each district. The entire regulatory package passed the Regents board with 14 in favor and three abstaining.

State education department officials, who report to the Regents, said they would invite more public comment on the regulations in July and August and then ask the board to give final approval in September.

Regent Roger Tilles, who represents Long Island on the board, voted with the majority while voicing continued concern over certain provisions he termed "onerous."

The rules dealing with test refusals are part of a broader package designed to carry out requirements of a major federal law, the Every Student Succeeds Act or ESSA, passed by Congress with bipartisan support in 2015. That statute requires at least 95 percent of eligible students to take state tests each year.

State Education Commissioner MaryEllen Elia told Regents during the meeting that regulations dealing with test boycotts were prompted by federal officials, who wanted to make sure the state's ESSA compliance plan included provisions addressing that issue.

"Everybody didn't get everything that they wanted," the commissioner said. "But we came up, I think, with a very comprehensive plan."

Some Regents said parents and others with misgivings about Albany's testing program probably would be confused by aspects of the new regulations, including the complex Composite Performance formula.

"I think our message is garbled," said Regent Susan Mittler of Ithaca, one of those abstaining. "There is not an understanding of what these tests are and why we are asking children to take them."

Only a handful of schools on Long Island meet the 95 percent test participation requirement due to massive annual boycotts.

In April, nearly half of all eligible students in Nassau and Suffolk counties — 91,974 in all — refused to take the state's English Language Arts assessments in grades three through eight, a Newsday survey showed. The inquiry drew responses from 115 districts out of a regional total of 124.

The new regulations would authorize Elia and future education commissioners to take steps that "may include requiring that the district set aside a portion of its Title I funds to use on activities to increase student participation in state assessments." Title I is a federal program that provides more than $15 billion a year nationwide, mostly to help students struggling with their math and reading lessons.

Leaders of New York State United Teachers, a statewide union group, criticized the Regents' action Monday, as did parent organizers of Long Island Opt Out, a regional network of boycott supporters.

Jeanette Deutermann, chief organizer of Long Island Opt-Out, a regional parent network, criticized the Regents' vote. "Parents were assured no action would be taken against high opt-out districts, and now clearly they've gone back on their word."

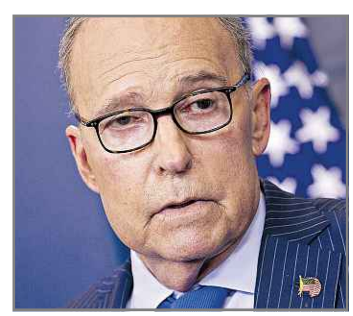
State education officials, on the other hand, have said that the regulations cannot be considered punitive.

The Regents' action was supported by Education Trust-New York, a nonprofit group that promotes higher academic achievement, especially for low-income minority students.

"It's a step forward," said Ian Rosenblum, executive director of the Manhattan-based organization. "The regulations simply do what the law says and what the state plan says."

Trump adviser has mild heart attack

The Associated Press



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Economic adviser Larry Kudlow

Larry Kudlow, President Donald Trump's top economic adviser, suffered a "very mild" heart attack and was being treated at a military hospital, the White House said Monday.

Kudlow was in good condition at Walter Reed National Military Medical Center in Bethesda, Maryland, White House press secretary Sarah Huckabee Sanders said in a statement. She said Kudlow was doing well and that doctors expect him to make a "full and speedy recovery."

News of Kudlow's illness was broken by Trump himself just minutes before he met with North Korean leader Kim Jong Un in Singapore. "Our Great Larry Kudlow, who has been working so hard on trade and the economy, has just suffered a heart attack," Trump tweeted.

Kudlow, the director of the National Economic Council, had joined Trump last week in Quebec for what became a contentious meeting of the Group of Seven world leaders.

The meeting was shadowed by the Trump administration's escalation of rhetoric on trade and tariffs and splintered shortly after the president left Quebec and tweeted he was pulling back his approval of a joint statement by the group.

Kudlow appeared Sunday on CNN to back up Trump's complaint that he had been blindsided by Canadian Prime Minister Justin Trudeau's criticism of his tariff threats at a summit-ending news conference.

Trump's choice of Kudlow to be his top economic aide elevated the influence of a longtime fixture on the business news network CNBC. He had served in the Reagan administration and emerged as a leading evangelist for tax cuts and smaller government. Kudlow succeeded Gary Cohn, a former Goldman Sachs executive who left the post in a dispute over Trump's decision to impose tariffs on imported steel and aluminum.

Kudlow has been advising a president who pushed to tax imports — a policy Kudlow personally opposes. Kudlow said he is "in accord" with Trump's agenda and his team at the White House would help implement the policies set by the president. After working in President Ronald Reagan's administration, Kudlow moved to Wall Street and, though he never completed a master's program in economics and policy at Princeton University, served as chief economist at Bear Stearns. He left that position in the early 1990s to treat an addiction to alcohol and drugs.