

June 30, 2023

BY ELECTRONIC MAIL

Commissioner Betty Rosa  
New York State Commissioner of Education  
New York State Education Department  
89 Washington Avenue  
Albany, New York 12234  
Email: Commissioner@nysed.gov

Re: Yeshiva Torah V'Yirah – Recommendation Relating to Substantial Equivalency

Dear Commissioner Rosa,

Yeshiva Torah V'Yirah, located at 110 Throop Avenue, in Brooklyn, New York (BEDS Code No. 331400226342) is one of the yeshivas on that list. This yeshiva serves students in grades 1 through 7. The DOE conducted an inquiry into the secular instruction provided at this school, which involved a review of the allegations in the Complaint, meetings with school leaders, meetings with complainants, two school visits that took place on November 8, 2017, and February 14, 2023, a review of evidence submitted by the school in response to requests for

(a) The 2017 School Visit to Yeshiva Torah V'Yirah

A team from the DOE conducted a site visit to Yeshiva Torah V'Yirah on November 8, 2017. The team met with school leaders to obtain information about the school and then engaged in a building walk-through and observed classroom instruction.

During the meeting with school leaders in 2017, the DOE team was informed of the following:

- One administrator stated that the main goal in secular instruction is for students to speak, read, and write English. The administrator stated that students are ELLs and that ELA instruction focuses on:

During the 2017 school walk-through, which included classroom visits, the DOE team saw:

- A first-grade Judaic Studies class, taught in Yiddish, in which the teacher used the biblical story of Jacob crossing the Jordan to illustrate the themes that one should never become arrogant from God's kindness and should never be deterred by temporary setbacks. The teacher explained that, after Jacob successfully crossed the Jordan with his family and acquired great wealth, he turned to God and said, "I am humbled by all the kindness." The teacher asked students to interpret the meaning of the story.
- A first-grade ELA class in which the teacher conducted a phonics lesson on short and long "a" sounds using *Palmtree Reading Program* (Palmtree Publishing). The teacher wrote: "can...can...can.../man...man...man" on the whiteboard and asked students to write words on lined paper, instructing them to "take their time writing and write nice." The curriculum leader emphasized the teaching of directionality as a means of introducing English writing from right to left. Students were also asked to write their name and date on the top of the sheet.
- A second-grade ELA class focusing on plurals. The teacher wrote "bell...well...tell...fell" on the whiteboard. The teacher walked around the room to check students' work as they changed the words written on the board from singular to plural. He stated that one can change a word from singular to plural by adding "s" or "es." He added that the students would learn about "es" at another time.
- A third-grade Judaic Studies class, taught in Yiddish, in which the teacher demonstrated four parts of a palm tree by having students touch and examine a palm frond. The lesson was derived from the Torah study of the four plants mentioned in Leviticus 23:40 as being relevant to the holiday of Sukkot.
- A third-grade mathematics class, taught in English, on place value. The teacher reviewed the previous day's lesson about writing numbers in standard form (i.e., 3,333). The teacher then posed the question, "How would you write this number on a check: Three thousand three hundred thirty-three?" The teacher directed students to open their textbooks (Sadlier) and keep their notebooks out. The teacher then asked, "How much is 100 using place value tile blocks?" The teacher demonstrated using the tile blocks and stated, "See what 100 looks like," "what 1,000 looks like," and so on.

- **A fourth-grade ELA lesson**, taught in English and Yiddish, using the book *People and Places* by (Palmtree Publishing). The teacher introduced the “Words of the Day”: together, stopped, little, teeth, another. The teacher asked students to use the words in a sentence. A student responded: “We need to brush our teeth every day.”

(b) **The 2023 School Visit to Yeshiva Torah V’Yirah**

After the issuance of Commissioner’s Regulation Part 130, DOE administrators in the Office of Nonpublic Schools (“ONPS”) requested a second school visit to observe instruction in required content areas that were not demonstrated during the first school visit and to see implementation of curriculum. On February 14, 2023, a team from the DOE conducted a follow-up visit to Yeshiva Torah V’Yirah.

**During the 2023 school walk-through**, which included classroom visits, the DOE team saw:

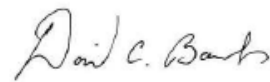
- **A third-grade ELA class**, taught in English: The teacher conducted a word search for names of fruits. Students printed the names of fruits in English underneath an illustration of that fruit. Students were learning how to spell the names of various fruits, but they did not speak during the lesson and the teacher did not check to see if students were understanding or completing the activity.
- **A sixth-grade ELA class**, taught in English: The teacher led the students in reading a chapter about banking in *The Amazing Book of Insights*. The lesson focused on the function and work of banks and economics, including the Federal Reserve Bank.
- **First-grade math class**, taught in English, focusing on addition and subtraction for numbers up to 10. None of the students participated in the lesson, so the DOE could not determine whether and to what extent they understood the math concepts.
- **A sixth-grade math class**, taught in English, on multiplying mixed-numeral fractions and finding the lowest common factor. Students responded to questions in unison as a group, and the teacher did not call on students who raised their hands. It was difficult to determine the degree to which individual students understood the concepts.
- **A second-grade science class**, taught in English, on how frogs grow, using photocopied pages from the *A-to-Z Science Reading Series* workbook. The lesson illustrated the life cycle of a frog as it develops. Students were engaged in the lesson, responding to questions and writing responses in their workbooks.
- **A third-grade science class**, taught in English, on the sun and moon. The teacher referred to photocopied pages from a Palm Tree Publishing book. The class was primarily in lecture format. When students replied to questions, they did so with one-word responses.
- **A sixth-grade science class**, taught in English, on the water cycle, using a photocopied packet. The teacher read to the class from the packet but did not check for understanding or engage students during the lesson.
- **A second-grade social studies class**, taught in English. The DOE team was told it was a geography lesson. The teacher discussed how to read information on maps, using a globe and a map to identify streets, street names, and geographic features (such as oceans and cardinal directions). The teacher asked questions, including “What is in the east? What is the holiest land in the world?” Students did not respond, and the teacher answered,

- "Israel." The school's education consultant told the teacher to tell students to write "map" in the W column of their KW (know-want-to-know) chart. All students did so.
- A fourth-grade social studies class, taught in English. The teacher conducted a lesson on economics, reading to the students a text called *The World of Money*. The teacher did not appear to know the students' names during the lesson. The teacher asked in Yiddish if the children understood the lesson. The teacher explained what a consumer was and what it meant to consume, then asked a student to read the word consumer, which was written on the board. The student called on could not read the word, but another student did. The teacher corrected the students on their pronunciation as they read aloud, in English, from the text. At one point, the teacher provided an example of drinking or consuming orange juice from a glass to explain what it means to be a consumer.
  - A sixth-grade social studies class, taught in English. The teacher conducted a lesson on the White House, using photocopies of a text called *The World Around Us*. The teacher read sections of the text aloud and described different offices in the White House. The teacher asked students to write down his definition of "Press Room," but not all students did so.
  - A first-grade physical education class, taught in English, where the teacher led a class with 25 students in a newly constructed public park located next-door to the school. Students ran from one end of the park's blacktop space to the other.

4. Recommendation

Based on the evidence obtained during this inquiry, and for the reasons set forth herein, I recommend that you, as Commissioner, **determine that Yeshiva Torah V'Yirah is not providing substantially equivalent instruction, as required by Education Law § 3204 and Commissioner's Regulation Part 130.** The documentary materials supporting this recommendation will be transmitted to your office shortly after our submission of this letter.

Sincerely,



David C. Banks  
Chancellor

cc (by email):

David Frank, Assistant Commissioner, NYSED

Dan Weisberg, First Deputy Chancellor

Mieasia M. Edwards, Chief Executive, Office of Nonpublic & Charter Schools

Mark Otto, Executive Director for Teaching & Learning, Office of Nonpublic Schools

Eric T. Weinbaum, Executive Director of Operations, Office of Nonpublic Schools

Joanna Reyes, Senior Advisor, Office of Nonpublic Schools

Liz Vladeck, General Counsel, Office of General Counsel

Robin Singer, Deputy Counsel, Office of General Counsel

אינעם בילד ווי א ישיבה ביים ערשטן רעגירונג באזוך בשנת תשע"ז האט מען בלויז געלערנט אין דעם מוסד, און נאר געקענט ווייזן פאר די רעגירונג אינספעקטארס, (1 יודישע קלאסן) (ELA 3) מאטעמאטיק,

אבער ליידער בשנת תשפ"ג ביים צווייטן באזוך האט מען שוין אנגעהויבן משנה זיין און אויך אנגעהויבן צו לערנען סייענס אין סאשעל סטאדיס און פיזיקעל עדשוקעישאן רח"ל כדי צו געפעלן פאר די רעגירונג, און מיט דעם אלעם האט די רעגירונג זיי געפסל'ט אז מען איז נאך נישט אנגעקומען צום לעוועל פון פאבליק שולע רח"ל