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# TESTIMONY TO THE SENATE STANDING COMMITTEE ON EDUCATION

## *The Regents Reform Agenda: “Assessing” Our Progress*

**Syracuse City Hall  
October 1, 2013**

Senator Flanagan and honorable members of the Senate Standing Committee on Education thank you for your leadership in holding these important and timely public hearings in regard to New York State's education reforms. Thank you also for inviting the School Administrators Association of New York State (SAANYS) to contribute to the testimony you will consider in determining what is right about our initiatives and trajectory, and in identifying what should be changed so that students are not disadvantaged and educators have a clear and manageable path of reform implementation in the important mission of educating our children. At the outset, we wish to state that our association and school leaders fully support the establishment of a more constructive evaluation system for educators and of high expectations and standards for students. The State Education Department has many times likened the phase-in of its reforms to building an airplane while flying it. The education services provided to our students are life altering. With this in mind, we recommend that state legislative and education leadership be mindful of the Hippocratic Oath: First, do no harm.

This testimony is written on behalf of more than 7,000 school administrators across New York State. Four active administrators join in this presentation of verbal testimony and are available to answer any questions you may have regarding specific experiences in local implementation. The four administrators are:

- Paul Gasparini – Principal of the Jamesville-DeWitt High School
- Timothy Heller – Principal of the Groton Elementary School
- Russell Kissinger – Principal of the Mount Markham High School
- Maureen Patterson – Assistant Superintendent for Instruction, K-12 in the Liverpool School District

My name is James Viola and I am the SAANYS Director of Government Relations.

Many people regard all that is happening in New York State as a single great reform, and accordingly they "lump" their observations of what's working and what's not working in a large amorphous way. In fact, there are numerous reforms that are being implemented simultaneously. To facilitate analysis, our testimony is presented according to specific headings. Each heading will include recommendations.

### **Costs**

Each and every one of the education reforms we are discussing here today entail significant new costs for school districts and BOCES – costs that were not foreseen, costs that could not have been planned for. The phase-in of the reforms coincided with one of the most austere financial times experienced during our careers. While foundation aid remained flat funded, new state fiduciary measures including the property tax cap and gap elimination adjustments were put in place. School districts continue to be challenged by state aid today, as the NYS Council of School Superintendents has determined, 87 percent of school districts will receive less overall state aid in 2013-14 than the amount allocated to them five years earlier. Even at the federal level, Title program allocations declined for most school districts even before the current 4.7 percent reduction resulting from sequestration. According to a study by the New York State School Boards Association, \$155,355 is the one-year amount spent by school districts outside the Big 5 to implement just the APPR reform, with an average Race to the Top (RTTT) allocation of \$25,167. The resources provided through the Race to the Top grants were insufficient, some districts signed-over their entire RTTT allocation for Network Team services, and some districts received no RTTT funding at all. The financial impact of these reforms generally appears to be most acute in small rural school districts.

The costs are continuing to unfold. This year, some school districts will sustain additional costs for the administration of two sets of English and Mathematics Regents exams. Although SED will provide both

sets of Regents examinations (one based on 2005 NYS standards, the other aligned with common core standards) at no cost; school districts will be responsible for costs for the provision of two levels of instruction to meet student needs and the costs associated with administration of the additional tests including administration, accommodations, and scoring. This, however, does not consider the additional cost of lost instructional time – when students are tested, they are not learning. School districts will also sustain increased costs for additional Academic Intervention Support services to the extent they plan to meet the needs of all students who have not performed proficiently on the 2013 common core-aligned assessments for grades 3 through 8. Many school districts also face substantial costs to purchase the technology needed for computer-based assessment that may be required for the 2014-15 administration of state assessments. When the Race to the Top program ends, how will the Network Teams established throughout New York State be funded?

Recommendation: Education reforms, and any other mandates to be assigned to school districts or BOCES, should include sufficient funding for implementation. Measures should be established to guard against any additional unfunded and under-funded mandates for school districts and BOCES.

### **College and Career Readiness**

The chief rationale for initiating the education reforms below is the need and urgency to improve students' college and career readiness. Yet there is no definition and only a loose understanding of what college and career readiness is. We do not accept the department's contention that there is a single threshold for college readiness spanning from pre-medical programs to community colleges and trade schools. We also reject the contention that there is a single threshold for career readiness spanning from professional careers, to trades, sales and service occupations.

The department's calculations regarding college and career readiness are based on questionable methods as to sample population and sample size. The State Education Department asserts that although 74 percent of students graduate from high school, only 35 percent of students graduate college and career ready. Many, many school districts say that these statistics do not reflect the reality of what is occurring in our schools.

In fact, it is possible that New York State's rapid push to be amongst the first to increase rigor, raise standards, and administer assessments that are fully common core-aligned may have the reverse impact on students' post-secondary education opportunities and success.

- How will New York State high school students who take common core-aligned Regents examinations compare to students from other states who are not yet taking common core-aligned tests? Will college acceptance rates fall? Will New York State students be less competitive than students from other states in being accepted by prestigious colleges?
- Will New York State students shy away from advanced mathematics and science courses while they are working through the common core-aligned courses and examinations?
- If student performance on common core-aligned Regents exams is similar to what has occurred in grades 3 through 8, what will be the impact on the rate of successful high school completion?
- Will the speedy transition to common core standards and assessments lead to a burgeoning underclass of students who were not able to make such a large transition so quickly? Are such students to be considered collateral damage?

Recommendation: College and career readiness should be clearly defined. An independent study should be conducted to determine the current status of standards and student performance against the definition.

### **Common Core Learning Standards**

We have high expectations for all our students and we support the establishment of standards that will promote college and career success. The common core standards are more rigorous, call for higher order thinking, and the application of what has been learned. Recognizing that we live in a mobile world, we also feel that there is a clear benefit to having schools address common core standards not only across New York State, but across many other states as well. However, it must be recognized that the Common Core was never piloted and proven to yield the results we all hope for.

The common core, itself, includes several reforms: the adoption and dissemination of standards; development of curricula; identification, development and purchase of instructional materials; implementing new teaching pedagogy; and extensive professional development and internal feedback/monitoring systems – only some of which have been implemented in most districts. While we very much appreciate the observation of Board of Regents Chancellor Merryl Tisch that “Teachers, principals, superintendents, and school boards have worked extraordinarily hard to implement the Common Core” the truth is that the transition to the common core was very uneven in 2012-13 for many reasons:

- Catastrophic weather struck some school districts, delaying school in general and the implementation of reform activities.
- Some school districts had very limited resources available for needed professional development and common core-aligned materials.
- The State Education Department released many instructional tools in August 2012 – too late for many school districts. Today, the department’s development and roll-out of curricula and instructional materials remains a work in progress.

Like a line of falling dominoes, the uneven opportunity to transition to the common core impacted all the other state reforms by reducing students’ readiness to perform proficiently on common core-aligned ELA and mathematics tests in grades 3 through 8, resulting in lower scores and evaluations for teachers’ and principals’ annual professional performance reviews.

In regard to transition to common core curricula, both Commissioner King and former Commissioner Steiner many times remarked on the inefficiency of school districts developing their own curricula. Due to insufficient local resources and uncertainty regarding common core rigor level and content, many school districts determined to adopt the State Education Department’s common core curricula – which are still being developed and rolled-out. However, as the department has experienced difficulty in producing such products in a timely manner, it has deflected the onus and responsibility back on to school districts – school districts who acted upon the best information they had, from SED.

Recommendation: Continue to track and study common core transition and implementation, and its connectivity to college and career readiness. Revisions/enhancements of standards, curricula, instructional materials, and pedagogy should be identified and implemented as appropriate.

### **Annual Professional Performance Reviews**

School administrators faced numerous challenges in implementing the new APPR procedures this year. According to a SAANYS survey, 75 percent of school administrators reported that they did not receive clear and meaningful guidance from the State Education Department regarding APPR laws and regulations. In addition, 77 percent of school administrators reported that they received no additional resources (clerical help, relief from duties), 46 percent reported cuts in administrator positions that could help with implementation, and 45 percent reported that their work week increased 10 to 20 hours for APPR implementation.

The State Education Department did not always follow the advice of their own experts. On March 11, Dr. Kristen Huff, State Education Department Senior Regents Fellow and primary advisor on assessment design, conducted a presentation to the full Board of Regents and department leadership clearly indicating that student performance on the 2012 state assessments in ELA and math for grades 3 through 8 are not comparable to the common core-aligned assessments administered in 2013. Upon the completion of her presentation, Regent James Tallon advised that for the APPR evaluation system, "Take year one with a grain of salt." Nonetheless, SED leadership maintains that teachers and principals will not be adversely impacted by the comparison of 2012 and 2013 ELA and math scores for grades 3 through 8 because the performance of each teacher's students will be compared to other similar students and the performance of each principal's students will be compared to other similar students. It is unclear how invalid and unreliable performance data become valid and reliable by being compared to others.

As evidence that teachers and principals were not adversely impacted by the new Enhanced Growth Scores the department points out that approximately the same proportions of teachers and principals received scores equating to each of the "HEDI" (highly effective, effective, developing, ineffective) categories last year, in 2012, and this year. However, this system is norm referenced, not criterion based. The reality is that the State Education Department can "work the data" to produce any distribution it wishes across the four rating categories, but this does not make the data valid and fair for evaluated educators.

The recent release of Enhanced Growth Scores for principals and teachers also raises questions as to methodology. For example, why is student attendance included as a factor in the calculation of teachers' scores but not for principals' scores? For both teachers and the principals with whom they work, students do not generally learn common core standards (or New York State Standards) if they do not attend instruction. The Enhanced Growth Scores also raise questions as to scoring. For example, why did the growth scores of some teachers and principals who were rated highly effective last year fall sharply in 2013 given the same teachers, principal, and students?

The State Education Department has made it clear that the APPR system should result in employment decisions including hiring, firing, and promotional opportunities. Under the current APPR system, it is possible that good teachers and principals could become collateral damage – dismissed from or exiting

the educational system of their own volition because of an imperfect evaluation system and unrealistic work expectations.

Recommendation: Any high-stakes consequences for teachers and principals accruing from the APPR system should be held in abeyance until an objective third party review is completed of the APPR system.

### **Testing**

Virtually all school districts are implementing additional testing in connection with the state's education reforms. Most of the additional testing is attributable to the APPR system – consistent with information presented at early Network Team Institutes. The tests, overall, put in place as part of the education reforms are different from school-to-school and sometimes student-to-student.

There has been and there remains uncertainty as to the extent students receive instruction at a “college and career ready” level. In 2010, the State Education Department revised cut scores on the grade 3 through 8 assessments to align student test performance with college and career readiness. Student proficiency in ELA fell 24.2 percent (77.4% to 53.2%) and in math fell 25.4 percent (86.4% to 61.0%). Now, three years later, we again recalibrate for college and career readiness. Student proficiency in ELA fell 24.0 percent (55.1% to 31.1%) and in Math fell 33.8 percent (64.8% to 31.0%). Next year, the 2014-15 school year, it is expected that students will take the new common core aligned PARCC assessments. What is the projection for student performance? Will student performance plummet a third time? Will these tests too constitute a new baseline?

Are the tests right? There are questions as to how the common core-aligned tests, themselves, performed. For example, every year from 2006 to 2012 the student proficiency rate was consistently higher in math than in ELA. Now the proficiency rates are virtually the same. How did this happen?

Some educators ask, “Will the common core-aligned Regents exams be as difficult for high school students as the common core-aligned tests for grades 3 through 8 were for elementary and middle level students?” The 3-8 tests have been re-calibrated for college and career readiness twice, with proficiency falling a total of 48.2 percent in ELA and 59.2 percent in math. To date, the Regents examinations have never been re-calibrated for college and career readiness. Therefore, it is expected that student performance will fall sharply, and if they do not, one must ask why not? High school student performance is the “end game” for successful college transition.

The field has received inconsistent information from SED regarding computer-based testing, scheduled for 2014-15. The reality is, many school districts do not have the technological capacity for computer-based test administration and many lack the resources necessary to purchase such technology – technology that will also become a recurring expense for training staff and students, repairs, and upgrades.

There is another model for a more gradual transition to common core standards, to common core-aligned assessment, and to computer-based assessment. The model exists in New York State and is being implemented by the State Education Department for the transition from the current GED tests (the primary vehicle used to achieve a New York State High School Equivalency Diploma), to the new Test Assessing Secondary Completion (TASC). The transition will begin January 2014. Because tests centers do not have technology for computer-based testing, the test format will remain paper-pencil, and common core standards alignment will gradually occur over a three-year period.

At the elementary and middle school levels, the new tests resulted in anxiety and stress. Some parents, such as those who testified at the September 17 Senate Committee Hearing on Long Island, feel that the new tests and the preparation for the new tests have diminished students' love of learning. At the high school level, especially for struggling learners, the current schedule for transition to common core-aligned Regents examinations may be much more serious. In addition to stress and anxiety there is risk of student disengagement, mental and physical health issues, and dropout.

Recommendation: The State Education Department should review and reconsider transition to common core assessments, especially in grades 9 through 12, by benchmarking what the department is doing for tests required for a high school equivalency diploma.

**Overall Recommendation**

In January 2012, SAANYS was joined by six other educational associations in sending the attached recommendation to the State Board of Regents that an independent evaluation be conducted of the state APPR system. We still feel that such an evaluation is warranted for APPR – and for all other planks of New York State's educational reforms.

We thank you again for the opportunity to address you at today's hearing. We will be pleased to respond to any questions you may have.