

1 BEFORE THE NEW YORK STATE SENATE  
2 STANDING COMMITTEE ON EDUCATION  
-----

3 PUBLIC HEARING

4 THE REGENTS REFORM AGENDA: "ASSESSING" OUR PROGRESS  
5 -----

6  
7 Syracuse City Hall  
8 Common Council Chambers, 3rd Floor  
9 233 Washington Street  
10 Syracuse, New York 13202

11  
12  
13 October 1, 2013  
14 11:00 a.m. to 3:00 p.m.

15  
16 PRESIDING:

17 Senator John J. Flanagan  
18 Chair

19 SENATE MEMBERS PRESENT:

20 Senator John A. DeFrancisco

21 Senator Elizabeth Little

22 Senator Thomas F. O'Mara

23 Senator James L. Seward

24 Senator Cecilia Tkaczyk

25 Senator David Valesky

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1           SENATOR FLANAGAN: Good morning.

2           Good morning.

3                   (Audience says "Good morning.")

4           SENATOR FLANAGAN: Good morning.

5           All right.

6           Welcome to everyone.

7           I said to Senator Valesky, I'm totally  
8 unaccustomed to being -- I think I'm on a perch  
9 here.

10           But, it's very nice to be here, and this is  
11 my first time in this building, having been to  
12 Syracuse a number of times, but I feel like --  
13 I almost feel like I'm in church, with the way the  
14 pews are setup.

15           So, I know Commissioner King is behaving  
16 already, so we look forward to hearing his  
17 testimony.

18           But, let me start by welcoming everybody.

19           And there is a -- there's a lady outside.  
20 Actually, I don't know her last name, but I do know  
21 her first name, and it's Carmelita.

22           Carmelita has been extraordinarily helpful in  
23 putting everything together for us to be here today.

24           And for anyone who does these types of  
25 events, including all my colleagues, you know that

1       these things don't happen without the support and  
2       help of a lot of people; our media services people.

3               A lot of planning goes into these things, and  
4       we are very happy that all of you are here today.

5               And I want to explain a couple of different  
6       things, introduce my colleagues, and then get  
7       started, and I apologize for the delay.

8               We are scheduled to be here from 11:00 to  
9       3:00.

10              We had our first hearing on Long Island, and  
11       that was scheduled from 10:00 to 2:00.

12              We started at 10:20, we got out at 3:20, so,  
13       we ran an hour over, but I think, on the whole, we  
14       had a very good reception.

15              We had excellent testimony from a lot of  
16       different people, including State Education  
17       Department, who is here as well.

18              And I'm going to begin by introducing my  
19       colleagues, and I'm going to start, not to my  
20       political left, but just to my left here, with  
21       Senator Valesky and Senator DeFrancisco, both of  
22       whom reside in Syracuse and represent this great  
23       community.

24              And, we are also joined by  
25       Senator Betty Little, Senator Jim Seward,

1 Senator Tom O'Mara, and, Senator Cecilia Tkaczyk,  
2 who is our newest member in the Senate.

3 Some of our colleagues up here are members of  
4 the Education Committee; others are not.

5 But, I'm going to put this in  
6 parenthetically:

7 Chairman DeFrancisco has been the Chair of  
8 the Finance Committee for a number of years, and he  
9 has been to about 500 more hearings than probably  
10 any of us, so one of the things that he is very  
11 adept at is, brevity, being succinct, and asking  
12 people to be, accordingly, essentially, act the  
13 same.

14 So, here at the basic components:

15 We are -- we have four hearings scheduled.  
16 We are probably going to add a fifth hearing.

17 We have been on Long Island.

18 We're in Syracuse.

19 We're going to be in Buffalo in two weeks,  
20 the city of New York two weeks thereafter.

21 And there's probably an excellent chance that  
22 we will be in Albany for our final hearing.

23 The premise of what we're doing here, there's  
24 no predisposition or any kind of agenda, for anyone  
25 who may think that.

1           We are endeavoring to listen to people who  
2       are in the field, at the professional level, at the  
3       parent level, at the teaching level, at the  
4       administrative level, to see what is going on with  
5       the Reform Agenda that's being advanced by State Ed  
6       and the Regents.

7           And our expectation is, that we will get a  
8       wealth of information.

9           That we will probably conference on a lot of  
10      this stuff at the end, and figure out what  
11      recommendations we may advance, if any.

12          And as many of my colleagues know, the  
13      primary obligation of the Legislature is to, in  
14      essence, provide a very broad framework and the  
15      financing of education.

16          Educational policy is set by State Ed and the  
17      Board of Regents, and we respect that distinction,  
18      but we also know that we have to be responsive to  
19      our constituents.

20          I have spoken individually and collectively  
21      to all of my colleagues.

22          Senator Valesky's office has been extremely  
23      helpful, as has Senator DeFrancisco, in getting this  
24      list together.

25          I want to be clear: No one should feel that

1 someone is being included or excluded by design.

2 We have had requests to testify.

3 We have tried to match up a broad  
4 cross-section of different people.

5 For example, today, we have charter schools  
6 testifying. They did not testify on Long Island.

7 Today we have the PTA, who I believe is  
8 clearly and fairly representative of parents.

9 We have NYSED who is testifying again, having  
10 done so on Long Island.

11 So what we are really shooting for is to get  
12 the best input possible.

13 We had a good exchange on Long Island.

14 I expect that we will have the same today.

15 And I do know we have -- on Long Island we  
16 had a little glitch. We did not have a flag in the  
17 room.

18 So I'm going to ask Senator Valesky to stand  
19 and lead everyone in the Pledge of Allegiance.

20 (All persons say:)

21 "I pledge allegiance to the flag of the  
22 United States of America and to the republic for  
23 which it stands, one nation under God,  
24 indivisible, with liberty and justice for all."

25 SENATOR FLANAGAN: Senator, thank you very



1 much.

2 And one last thing before we bring up the  
3 State Education Department and the Regents, I will  
4 do this politely, and I will do it diplomatically:

5 No one is going to read their testimony.

6 We're all intelligent people, to an extent,  
7 and we can read things that have been submitted.

8 Everything that's been submitted has already  
9 been up online. It's available for people to see.

10 If you want to summarize, fine.

11 If you want to speak ad lib, fine.

12 But, we're going to try and keep it as tight  
13 as possible, and I'm sure that my colleagues are  
14 going to have questions.

15 And as we ask you to summarize and be  
16 succinct, certainly, I know my colleagues will do  
17 the same.

18 And having said that, I'd ask the  
19 Commissioner and the Vice Chancellor if they would  
20 come up and start us off.

21 ANTHONY S. BOTTAR, B.A., J.D.: Good morning,  
22 Senators, Chairman.

23 Thank you for the opportunity to present a  
24 few remarks to you this morning.

25 It's my intent to provide you with a broad

1 overview of the action that the Regents have taken  
2 over the past decade or so to set the stage, so to  
3 speak, for some more specific comments that will be  
4 delivered by Commissioner King.

5 As you well know, one of our responsibilities  
6 in supervising the State Education Department is to  
7 oversee K-12 education, and the education that is  
8 provided to approximately 3 million students  
9 throughout the state.

10 The topic for today, the Regents Reform  
11 Agenda, from our perspective, is a continuation of  
12 work that began many, many years ago.

13 It wasn't too long ago, and probably within  
14 the memory of many people in this room, that a local  
15 diploma was something that was granted by a local  
16 school district using local school standards.

17 And in the late '70s and '80s, we  
18 realized as a state that that did not provide  
19 students with enough of an education for the world  
20 that existed then.

21 So about 30 years ago, the Regents began a  
22 process of elevating the standards for all students,  
23 and one of the first steps was the adoption and  
24 implementation of a Regents competency test, which  
25 was administered to all students as a prerequisite

1       for obtaining a local diploma.

2               The Regents diploma that most of you are  
3       familiar with continued on a parallel track.

4               That stayed in place for quite a while, and  
5       then in the '90s, we realized that that Regents  
6       competency test was not adequate.

7               At that time I had served on a local school  
8       board, and I remember feeling proud when we received  
9       reports from the administration that we had pass  
10      rates and graduation rates in the low 90s and  
11      high 80s.

12              We felt very proud of ourselves.

13              But then we realized that the Regents  
14      competency test, which was an avenue that about  
15      40 percent of the students used, really only met  
16      about a seventh- or eighth-grade level of  
17      achievement.

18              And so the Regents said, "Well, that's not  
19      sufficient," and we started to make some changes  
20      that were phased in over a decade, which result in  
21      the system that is in place now, where students are  
22      required to take five Regents examinations to  
23      graduate.

24              As that process evolved, we continued to  
25      speak with parents and teachers, business leaders,

1 and it was clear to us that that system was not  
2 adequate; that even though we had pass rates on a  
3 statewide basis in the 70s -- excuse me,  
4 graduation rates, that the students really were not  
5 prepared for the next level, either in college, a  
6 two-year college, or working in the community.

7 So we developed at the time, I'm not quite  
8 sure we used the phrase "Reform Agenda," but we were  
9 thinking then about making changes to what we  
10 required.

11 And one of the things that we thought of is,  
12 Well, are these students really prepared?

13 The students who graduate from high school  
14 with a Regents diploma, which is based on completing  
15 five, are these students really prepared?

16 And the Commissioner and his colleagues, they  
17 did some back-mapping, and they looked at  
18 achievement in state university and city university  
19 and New York schools.

20 And what we learned, and it was eye-opening  
21 for some of us, that many, many students who  
22 graduate from high school are not prepared to take  
23 college-level courses for credit; they require  
24 remediation.

25 The percentages, I believe, are not

1 percentages that the wider community understands.

2 Here in Onondaga County, it's my  
3 understanding that approximately 60 percent of the  
4 students who attend OCC, the local community  
5 college, require some type of remediation before  
6 they are able to take credit-bearing courses.

7 Those percentages vary around the state, but  
8 somewhere -- and the Commissioner can give you more  
9 specifics -- between 40 and 60 percent of  
10 high school grads require some type of remediation.

11 Now, some have criticized us for focusing  
12 exclusively on college, but that hasn't been our  
13 focus.

14 We meet regularly with business leaders.

15 In fact, this Friday, the Commissioner will  
16 be in town at a leaders meeting out at Welch Allyn.  
17 About 200 business leaders will be in attendance,  
18 along with students.

19 And the main topic for our discussion, is  
20 that the business community does not have students  
21 who are prepared to learn the specific skills needed  
22 in the business community.

23 I've heard the same thing to the east in the  
24 Utica area, where a member of the Assembly,  
25 Anthony Brindisi, is working with a group, trying to

1 raise the standards for high school grads; not  
2 college grads, but high school grades, so that  
3 they're able to learn the skills.

4 So that was the predicate, the background,  
5 for the Regents Reform Agenda.

6 It has several parts. The Commissioner may  
7 talk about them.

8 If you strip it all down, it's higher  
9 standards, a stronger curriculum, an assessment  
10 system, that provides us with feedback on whether  
11 the students are learning, and, an evaluation system  
12 for the educators.

13 Now, as part of this, the way this was  
14 rolling out, was also at that point in time when the  
15 economy was in serious trouble.

16 And if you look at our Regents Reform Agenda  
17 and compare it to the Race To The Top, they fit  
18 together rather well.

19 So New York, along with a number of other  
20 states, applied for the Race To The Top, and we were  
21 successful in securing a substantial sum,  
22 approximately \$700 million.

23 At the time we applied, many people supported  
24 that application.

25 Legislation was adopted to strengthen the

1 application, and school districts around the state  
2 saw, I believe, 90, 91 percent buy-in to the Race To  
3 The Top applications.

4 So we were all moving in, generally, the same  
5 direction of raising the standards, a process that  
6 had started many, many years ago.

7 We are using that money to strengthen our  
8 data system, to make sure we understand how students  
9 perform so that it will inform instruction.

10 We're using it to help us strengthen teacher  
11 performance, leadership performance at the principal  
12 level, and we are optimistic that this process will  
13 yield the results, which is, a citizen who is  
14 prepared and able to move on in life, to either  
15 function at a high level in college or to function  
16 at a high level in the workplace.

17 We believe that there are many challenges.

18 I'm quite sure that we will hear some of  
19 those today.

20 But we believe with your support, we'll  
21 accomplish the objective in front of us.

22 Thank you very much, Senator.

23 SENATOR FLANAGAN: Thank you.

24 Commissioner, I wanted to ask if you would  
25 direct your remarks in a couple of areas, and I know

1       you're going to have some comments.

2               For anyone who is interested, there is an  
3       extensive PowerPoint presentation from the  
4       department, which I know the Commissioner is not  
5       going to go through slide by slide.

6               But, one of the things that came up yesterday  
7       was test scores, and the delay in the release of  
8       those test scores.

9               So if you could touch on that, AIS, and the  
10      implementation as it relates to Regents in  
11      particular, because those are things that have come  
12      up, and I know you're aware of them.

13              But, if you would speak to those components  
14      in your remarks, I'd appreciate it.

15              COMMISSIONER JOHN KING:   Sure.

16              Thank you, Mr. Chairman, and thank you to the  
17      members of the Senate who have gathered today.

18              I appreciate the opportunity to talk with  
19      you.

20              I want to try and build first on the  
21      Vice Chancellor's remarks, to say that the work that  
22      we're doing at the department is squarely focused on  
23      this very clear objective of ensuring that our  
24      students who graduate from high school graduate  
25      ready for college and career success.



1           The work that we're doing on the Common Core  
2 standards reflects that straightforward goal, and  
3 the Common Core standards were developed by mapping  
4 back from college and career success, asking: Given  
5 what students need for college and career success,  
6 what does that mean that they need to know at  
7 tenth grade, at seventh grade, at fourth grade, all  
8 the way back to kindergarten?

9           Higher education:

10          The business community and K-12 educators  
11 from around the country joined with governors and  
12 chief state school officers in constructing those  
13 standards.

14          And we have been engaged since the Regents  
15 adoption of those standards in 2010, in supporting  
16 the work of schools to move forward that  
17 implementation.

18          It's important to emphasize that the  
19 standards are not about testing. They are also not  
20 about a national curriculum.

21          They are about a common definition across  
22 states, and 45 states have adopted these standards,  
23 along with the District of Columbia, the Department  
24 of Defense schools, because they represent an  
25 indicator of college- and career-readiness.

1 Curriculum decisions still remain at the  
2 local level, and that's important to emphasize;  
3 although, we are building an extensive set of  
4 resources at the department to support districts'  
5 implementation of Common Core.

6 It's important to say that what the  
7 Common Core asks for is a set of changes in  
8 instruction:

9 For students to read more challenging texts  
10 that will ensure that they're on a trajectory to  
11 college- and career-readiness;

12 That students write more frequently, not just  
13 in English-language arts, but across the curriculum;

14 That students learn to use evidence from  
15 texts to support their arguments;

16 That students do more problem-solving in  
17 mathematics.

18 And the work that we're doing on professional  
19 development is in support of those shifts in  
20 instruction.

21 This year, in third through eighth grade, we  
22 had our first assessments that reflect the  
23 Common Core.

24 Students were required to use more evidence  
25 from texts, to write more, to do more

1       problem-solving in mathematics.

2               The scores were indeed lower than they had  
3       been previously.

4               That was similar to the experience of  
5       Kentucky that was a year ahead of us in  
6       implementation of the Common Core. And,  
7       undoubtedly, similar to the experience of the other  
8       states as they transitioned their assessments to the  
9       Common Core.

10              But the fact that the scores were lower is an  
11       indicator of a new baseline; a new set of standards.

12              It doesn't mean that schools taught less or  
13       that teachers taught less; but, rather, that we  
14       raised the standards to better reflect college- and  
15       career-readiness.

16              Going forward, the Regents exams were also  
17       changed to reflect the Common Core.

18              This year, beginning with the algebra exam,  
19       which we required of students, and will reflect the  
20       Common Core.

21              And students will be able to opt to take the  
22       English-language arts Common Core exam as well.

23              Those requirements will phase in over the  
24       next four years, such that, the students who  
25       graduate in 2017 will be the first students required

1 to pass Common Core Regents exams.

2 The Regents adopted the standards in 2010.

3 Again, the first students required to pass  
4 Common Core Regents exams for graduation will be the  
5 class of 2017, so, a 7-year phase-in process for the  
6 Common Core.

7 It's important to say, on those Regents  
8 exams, we will continue to have two score levels, as  
9 we have for some time: one that is the passing  
10 standard, and one that reflects college- and  
11 career-readiness.

12 And the challenge for us as a state is to  
13 close the gap between those two things.

14 Last year in the state, we had a 74 percent  
15 graduation rate for those students who started in  
16 ninth grade, four years earlier, but only 35 percent  
17 of those students actually met the bar for  
18 college- and career-readiness, and that leads to the  
19 remediation problem that the Vice Chancellor  
20 described.

21 Turning to AIS, one of the challenges now,  
22 with a larger percentage of students scoring at the  
23 1 and 2 level -- we have four levels of performance  
24 in the state test, 1, 2, 3, 4 -- with a larger  
25 number of students scoring at the 1 and 2 level,

1 districts have to reassess how they provide support  
2 to those students who are performing at the lowest  
3 levels.

4 What the Regents' action at their last  
5 meeting requires, is that districts serve roughly  
6 the same percentage of students in intervention  
7 services as were served previously under the old  
8 standards, allowing districts to continue to focus  
9 their intervention resources on those students who  
10 are lowest-performing.

11 Finally, on the issue of the test-score  
12 release, this first year of new assessments means  
13 that we had to do a process called  
14 "standard setting."

15 Anytime you have a new assessment system, you  
16 have to bring in educators from across the state to  
17 look at the assessment, to look at information on  
18 student performance, and to advise the department on  
19 the standards to use to identify student performance  
20 at the proficient level on that exam.

21 "Standard setting" meant that the test scores  
22 were released somewhat later this year than they  
23 will be in future years, but not particularly late.

24 There also were some districts that, because  
25 of a technology issue, got their scores turned over

1 to parents a little bit later than had initially  
2 been projected.

3 I think that's the issue that was touched on  
4 in a newspaper article yesterday.

5 Just -- the place where I'd end, is just that  
6 there -- change is always hard.

7 Anytime you try to raise standards, there  
8 will be anxiety around that, and there will be the  
9 challenge of bringing the whole community through  
10 the change process.

11 I was here in the Syracuse area a couple  
12 weeks ago for a "back-to-school," and I visit school  
13 districts a lot --

14 I had the pleasure of visiting schools with  
15 Senator Flanagan earlier this year.

16 -- and was in Fayetteville-Manlius.

17 You'll hear from the superintendent there  
18 later in the hearing.

19 And what you see in Fayetteville-Manlius is a  
20 district where they committed early to the work on  
21 the Common Core.

22 Even when the standards were still in draft  
23 form in 2009, they began having teams of teachers  
24 and administrators getting to know the standards,  
25 and integrating the standards into their curriculum

1 and instruction in the district.

2 I met with teachers and principals,  
3 school-board members, as well as visited classes,  
4 when I was in Fayetteville-Manlius, and I was struck  
5 that their early engagement around the Common Core  
6 meant that there was a clear understanding across  
7 their community about what the standards would mean;  
8 a clear commitment to integrate the standards with  
9 good work that was already happening in the  
10 district.

11 And I'm sure that  
12 Superintendent Corliss Kaiser will talk about the  
13 work that's going on in the district. The way they  
14 focused on writing, for example, which we know is an  
15 area where many of our students are underprepared  
16 when they leave high school.

17 And Fayetteville-Manlius is committed to  
18 intensive work across the curriculum on writing, and  
19 integrating that work with the work of the  
20 Common Core.

21 So what we know, is that there are districts  
22 that are making huge strides, based on these new  
23 higher standards.

24 And our task at the department is to support  
25 that work throughout the state.

1           SENATOR FLANAGAN: Commissioner, thank you  
2           very much.

3           I will probably have some comments and  
4           questions, but I'm going to start with  
5           Senator DeFrancisco, and go to Senator Valesky, and  
6           then Senator Little, and any of my colleagues who  
7           I'm sure would like to make inquiries.

8           Senator DeFrancisco.

9           SENATOR DeFRANCISCO: Tony, how long have you  
10          been on the Board of Regents?

11          ANTHONY S. BOTTAR, B.A., J.D.: 1996.

12          SENATOR DeFRANCISCO: So you're -- well, you  
13          started, about, when you were 12? Is that what --

14                       [Laughter.]

15          SENATOR DeFRANCISCO: The reason I ask that,  
16          the Board of Regents -- the members of the Board of  
17          Regents do not get paid.

18          This is a commitment by a Central New Yorker,  
19          right here, one of our members of this community, to  
20          education in the state of New York.

21          And, I just want to thank you.

22          I mean, you don't get the thanks.

23          The other part that you'd normally get, along  
24          with the Commissioner, on an hourly basis, is  
25          criticism.



1           And, to me --

2           I get criticized. I got criticized a couple  
3 times along the way.

4           -- and my theory about criticism, is that the  
5 only people who don't get criticized are people that  
6 don't do a damn thing.

7           Okay?

8           Those are the ones who will never get  
9 criticized.

10          And the amount of time that you've put into  
11 this transition, which is monumental, needs to be  
12 congratulated, first of all.

13          Second of all, in any transition, there's  
14 going to be bumps in the road.

15          Obviously, if the curriculum is going to be  
16 more of a challenge, there's going to be lower test  
17 scores for a while.

18          But, do you not make that transition so that  
19 everyone feels good when they get a diploma, and  
20 don't have the skills, and are one of the 60 percent  
21 that go to a college, a community college, that need  
22 remediation?

23          That's criminal.

24          So, although there may be bumps in this road,  
25 I support this transition 100 percent, and I'll

1 continue to do so.

2 Now, with respect to some questions, the  
3 questions I had go more to the Core curriculum.

4 Just for my own edification, how was the  
5 actual -- how were the tests for the Core curriculum  
6 actually created?

7 COMMISSIONER JOHN KING: So the  
8 test-development process --

9 Thank you for your comments.

10 The test-development process starts with the  
11 standards; and so you take the standards, and then  
12 you begin to build items from those standards; so,  
13 at each grade level, using the standards to  
14 construct items.

15 And there's a multi-stage review process for  
16 the items that include educators from around the  
17 state.

18 You build the items.

19 You then field test the items; you try them  
20 out with students in the state. You see how the  
21 items performed with actual students.

22 And then you make adjustments to the items to  
23 construct the eventual test.

24 SENATOR DeFRANCISCO: Who actually created  
25 the tests?

1           COMMISSIONER JOHN KING: So the vendor for  
2           the test creation is Pearson. That's the company  
3           that builds the test, but with tremendous oversight  
4           from, both, department staff, and our technical  
5           advisory committee, which is a committee of  
6           measurement experts from around the country who  
7           advise us on the construction of the tests.

8           SENATOR DeFRANCISCO: Are the tests the same  
9           in Kentucky as they are in New York State?

10          COMMISSIONER JOHN KING: Not yet.

11          So, Kentucky created their own tests to  
12          reflect the Common Core.

13          New York did so.

14          We are also participating in a consortium of  
15          states, 20 states, that are working together to  
16          build a future generation of assessments that would  
17          be common across states.

18          Because, one of the flaws in past standards  
19          efforts around the country, particularly No Child  
20          Left Behind, was that every state was given the task  
21          of defining their own standards and assessments, and  
22          what you had was very different standards between  
23          Massachusetts and Mississippi, for example.

24          And, now, the federal government has put  
25          resources into the work of developing a potential

1 future common assessment, and the Regents will  
2 consider that assessment down the road.

3 SENATOR DeFRANCISCO: All right, because --  
4 and I'll quit after this, because others have  
5 questions, but, I have grandchildren.

6 It's hard to believe, because I look so good.

7 [Laughter.]

8 SENATOR DeFRANCISCO: But I have  
9 grandchildren, and those grandchildren are taking  
10 these tests.

11 And there was a question -- I got several of  
12 them, but I'm just going to ask you one.

13 "Use pictures, numbers, and words to explain  
14 another way to say '6500.'"

15 Numbers and words I could probably figure  
16 out, but how does somebody describe "6500" in  
17 pictures?

18 COMMISSIONER JOHN KING: So there are a  
19 number of ways --

20 [Laughter.]

21 COMMISSIONER JOHN KING: -- but one is, that  
22 you might draw figures that represent thousands, and  
23 then you would draw the figures that represent  
24 hundreds as a tenth of the thousands.

25 It's another way of helping students,

1 particularly in the earlier grades, visualize the  
2 concepts behind the mathematics.

3 SENATOR DeFRANCISCO: Oh, and that's the  
4 theory, to visualize?

5 Well, I'd recommend that you scrap the  
6 pictures --

7 [Laughter.]

8 SENATOR DeFRANCISCO: -- and let them learn  
9 the math in the traditional ways that I think will  
10 be more helpful to them, rather than trying to grope  
11 with a picture of some type.

12 But, that's the type of thing that really has  
13 to be dealt with as we develop this further.

14 But, I think there are some valid concerns of  
15 the testing, and that those concerns have to be met  
16 as we go through the process.

17 Thank you.

18 SENATOR FLANAGAN: Thank you,  
19 Senator DeFrancisco.

20 Senator Valesky.

21 SENATOR VALESKY: Thank you.

22 Well, it's always tough to follow  
23 Senator DeFrancisco, that's for sure.

24 But let me, first, I know we didn't have an  
25 opportunity, all, because we're running a little

1 late, to make opening comments.

2 I just want to thank the Chairman of the  
3 Committee, Senator Flanagan, for being here today,  
4 and for convening this set of hearings around the  
5 state.

6 We, as individual members of the Senate, hear  
7 on a daily basis from those who are either involved  
8 in the formal education of our children, or, in some  
9 way, shape or form, connected to it.

10 That's an awful big part of our job as  
11 members of the Senate.

12 So thank you, and welcome to Syracuse.

13 We appreciate your outstanding advocacy that  
14 you have shown for all of the years that you've been  
15 Chairman of the Committee.

16 I'm just going to ask one, sort of, broad  
17 question, and I'm basing this upon the comments that  
18 I receive, and have heard about the Reform Agenda,  
19 and I guess it's -- it's really a question for you,  
20 Vice Chancellor.

21 And, again, thank you for your service, and  
22 longevity of it, on behalf of the people of  
23 Central New York.

24 But, you had mentioned in your comments, in  
25 describing the Reform Agenda, and the time frame,

1 and the financial resources, particularly from the  
2 federal government, the Race To The Top application  
3 that was filed back in 2009 or '10, somewhere in  
4 that time frame, you also reminded us that, at that  
5 same time is when we were hit with a pretty severe  
6 recession.

7 So my question to you, and on behalf of the  
8 Board of Regents:

9 There are two overarching concerns that  
10 I have heard from the education community --  
11 administrators, teachers, parents, and so on, and  
12 those questions involve the allocation of resources  
13 to implement the Reform Agenda, and the time frame  
14 in which the agenda is expected to be met, or  
15 benchmarks along that path, towards implementation.

16 I hear all the time, the resources are  
17 insufficient, and the time frame is not what it  
18 potentially should be.

19 From the perspective of the Regents --

20 And I understand that all of us here have a  
21 very significant role to play when it comes to  
22 resources, obviously. That's part of the budget  
23 process.

24 -- but, has the Reform Agenda been given  
25 sufficient, and have school districts, in

1 particular, been given, sufficient resources to meet  
2 the expectations of the Regents in the time frame  
3 that you have established?

4 ANTHONY S. BOTTAR, B.A., J.D.: I suspect  
5 that my former colleagues in the school-board  
6 community and superintendents would say that there's  
7 never enough money to accomplish the change that we  
8 have set out. And I respect that.

9 I remember, clearly, struggling with budgets  
10 as a school-board member.

11 The dilemma we have, is that if we wait until  
12 everyone agrees that there is enough money to  
13 accomplish everything, then very little change will  
14 occur.

15 There's a certain urgency about this at our  
16 table.

17 We are mindful of the budgetary constraints  
18 on school districts.

19 We understand how difficult it is for a  
20 superintendent to present a budget with the  
21 limitations that are in place.

22 But from our perspective, saying that we  
23 should slow down or back off because there isn't  
24 enough money to do everything, takes the focus off  
25 of the real objective here, which is to make sure



1 the students are prepared for either credit-bearing  
2 work at the college level, two- or four-year degree,  
3 or ready to work any job that will pay a decent  
4 wage.

5 So we're mindful of it, but we don't see a  
6 way to slow it down.

7 If we prioritize, you know, our objectives,  
8 I believe we will find a way to do this.

9 SENATOR VALESKY: Commissioner, do you have  
10 anything to add to that?

11 COMMISSIONER JOHN KING: I have two points:

12 One is, that the Regents have long advocated  
13 for greater equity in school finance.

14 And I think one of our challenges, is that  
15 resources are not evenly distributed.

16 And that's a challenge, not just in New York,  
17 but around the country, and something I know you all  
18 will grapple with in the upcoming budget process.

19 But a second issue is, I don't think we, as a  
20 state or as a country, are very clear on how dollars  
21 get spent.

22 We have conversations, particularly in  
23 legislatures, not only our own, but across the  
24 country, about how resources are distributed. But,  
25 there is, in a sense, a black box of

1 local-expenditure decisions.

2 And, so, every district has a  
3 professional-development line item of some sort, and  
4 the question becomes, How is that professional --  
5 how are those professional-development dollars used?

6 Now, some districts prioritize the work on  
7 the Common Core in their use of  
8 professional-development resources; others less so.

9 Some districts use creative scheduling  
10 strategies to make sure that teachers have time to  
11 meet in grade-level teams or departments to talk  
12 about the work on the Common Core, to look at  
13 student work together. Other districts struggle  
14 with that.

15 And so I think there's work to do to ensure  
16 that we identify those districts that are going  
17 about this in the best way, and really use them as a  
18 model to inform the work in other districts, and  
19 support those districts that aren't innovating.

20 So here in Syracuse, for example, there's an  
21 innovation zone that Sharon Contreras, the  
22 superintendent, has worked out with her bargaining  
23 units, where the schools have extended learning time  
24 for students and extended professional-development  
25 time for teachers.

1           That's a promising innovation.

2           We'll see how that translates into changes  
3           and results, but we've got to do more of that.

4           SENATOR VALESKY: Thank you both.

5           SENATOR FLANAGAN: Thank you,  
6           Senator Valesky.

7           Senator Little, and then she will be followed  
8           by Senator Tkaczyk.

9           SENATOR LITTLE: Thank you very much.

10          Thank you, Commissioner.

11          As been stated before, the Common Core is a  
12          change, and change is difficult, but, one of the  
13          things that I question, and am concerned about, is  
14          I understand that, when the scores are returned to  
15          the school districts, there's an analysis of how the  
16          students did on that.

17          As a former teacher, I'd really want to know  
18          how my students did. I'd really want to see the  
19          test's result, and how they answered the questions.

20          And as to Senator DeFrancisco's example,  
21          I'd want to know which ones of my students were able  
22          to visualize "6500," just so that you really could  
23          get to the core of what their teaching needs are.

24          And I just think the test would have much  
25          more value if the teacher could see the results, and

1 not just an analysis that's out there, that  
2 such-and-such a percentage did this, and that, and  
3 the other thing.

4 So if we could accomplish that, I don't know  
5 if that's -- is there any reason not to give them  
6 the results of the tests?

7 COMMISSIONER JOHN KING: Sure.

8 So, it's important to say what resources are  
9 available for educators in the state.

10 So, one of the things that we've made  
11 available is actually the test-design documents.

12 The most transparent the State has ever been  
13 about assessment design -- the actual criteria that  
14 are used to evaluate each of the questions, the  
15 actual criteria that are used to select each of the  
16 passages -- to inform teachers' understanding of  
17 what the assessments intend to measure.

18 With the announcement of the scores, we  
19 provided item-level analysis.

20 So, the "RICs," or, the data centers, in each  
21 of the big five could develop for teachers, item  
22 analysis that would say, at the level of standards  
23 and groups of standards, how students did on the  
24 different question types.

25 We also released about 25 percent of the

1 items from every test, and with those items, an  
2 analysis of -- an explanation of what the correct  
3 answer was, and an explanation of the misconceptions  
4 that may have been responsible for students choosing  
5 the incorrect option;

6 As well as, for the open-ended questions, the  
7 rubric that was used to score those open-ended  
8 questions, and samples of student work at the  
9 different levels of performance.

10 Now, we can't release all of the items  
11 because some of them are for the item bank for  
12 future tests.

13 Depending on the state, the [unintelligible]  
14 and the number of items, the percentage of items  
15 ranges that are released each year.

16 We would like to be able to release more  
17 items.

18 The challenge is, that items come with a  
19 cost. There's an item-development cost.

20 And, it's important to make sure that you  
21 have an item bank for assessments, going forward.

22 New York is on the -- actually on the low end  
23 of expenditures for assessments costs; the  
24 per-student assessment cost.

25 And one of the constraints that that imposes,

1 is that we are -- we need to have a limited number  
2 of items released so that we have items for future  
3 item banks.

4 SENATOR LITTLE: But aren't these tests, are  
5 they just disposed of when this company just throws  
6 them away?

7 Or, couldn't they just return the same tests,  
8 so the teacher got to look at how Mary did and how  
9 Johnny did, and who needs what kind of help, in  
10 order to progress?

11 COMMISSIONER JOHN KING: So, again, for each  
12 student, the teacher will get an analysis --

13 SENATOR LITTLE: An analysis.

14 COMMISSIONER JOHN KING: -- of which  
15 questions they got right and wrong, related to each  
16 of the standards.

17 But the tests themselves, the items, some of  
18 them are saved for future test administrations.

19 So, that's why the tests are secure, and all  
20 of the items are not distributed each time.

21 Some of the items are saved for future  
22 assessments.

23 And that's the challenge, and that's a cost  
24 trade-off around assessment development, and all  
25 states grapple with this.

1           Again, all states release a different  
2           percentage of items, based on the number of items  
3           they need to keep back for the item bank for future  
4           test administrations.

5           SENATOR LITTLE:   So this company would charge  
6           more to release the entire test?

7           COMMISSIONER JOHN KING:   If you don't have  
8           items for the bank, yes, the development of the test  
9           will cost more.

10          SENATOR LITTLE:   One other thing that I hear  
11          a lot of, and I represent 48 school districts, many  
12          of them rural, is that the Common Core, and with the  
13          changes, and with the lack of resources, many of the  
14          schools are doing away with their business  
15          departments.

16          And while, you know, everyone likes to see a  
17          lot of children and a big percentage go on to  
18          college, it's almost necessary today, there are  
19          children who don't to go college; and, yet, we're  
20          not really preparing them to go out into the  
21          workforce at the local levels?

22          Is there any encouragement for these schools  
23          to keep their -- some part of a business program?

24          COMMISSIONER JOHN KING:   Yes, I'll let the  
25          Vice Chancellor add, but, we are very committed,

1       that we're not just focused on college-readiness,  
2       but also career-readiness.

3               Business teachers have an important role to  
4       play there, as do to career- and technical-education  
5       teachers. There's an important role for the BOCES  
6       there.

7               The Regents are engaged in a discussion that  
8       we've been having for some time now, about how we  
9       might better incorporate career-readiness into the  
10      graduation requirements to create multiple pathways  
11      for students. And that's a conversation I expect we  
12      will continue.

13              And, that, to the extent that there is a  
14      viable career pathway that is clearer for districts,  
15      that may result in them prioritizing resources for  
16      things like business teachers and career- and  
17      tech-ed teachers.

18              But, I'll let the Vice Chancellor answer.

19              ANTHONY S. BOTTAR, B.A., J.D.: One of the  
20      challenges we have is trying to find a way to offer  
21      a rich alternative to a so-called "college track."

22              And we're concerned that we do not develop a  
23      two-tier system, where some students prepare for  
24      college, and then the rest are prepared for, quote,  
25      "a job," or whatever that might mean.



1           So we have been working on this for a while.

2           And that's one of the purposes of the meeting  
3 on Friday here in Syracuse, is to talk about that  
4 some more.

5           We want to make sure that if there are  
6 multiple pathways to graduation, and to college and  
7 career success, that we've mapped that out well so  
8 the districts will have something to really offer  
9 the students.

10          And we hear about the comments that you're  
11 hearing as well.

12          In districts that do not have the resources,  
13 they're stripping away from certain programs and  
14 just offering, you know, what their vision is of  
15 college-readiness.

16          So, hopefully, when we have this in place, it  
17 will provide districts with options.

18          And it will also help the places where  
19 teachers are prepared, something more than they have  
20 right now.

21          I mean, right now, career/technical education  
22 is kind of ephemeral, and not many education schools  
23 offer enough courses in that area.

24          So once we have this in place, we hope it  
25 will help address the supply of teachers.

1           SENATOR LITTLE: Well, I think it's really  
2           important, because some of the -- I have paper mills  
3           and some large companies, medical-device things, and  
4           everything's done by computer, so it's not just  
5           "show up at the door and you can work here."

6           So I am encouraged that you will continue on  
7           that, because I think it is necessary.

8           And thank you very much.

9           ANTHONY S. BOTTAR, B.A., J.D.: Thank you,  
10          Senator.

11          SENATOR FLANAGAN: Senator Little, thank you.  
12          Senator Tkaczyk.

13          SENATOR TKACZYK: Thank you.

14          I just wanted to, first of all, thank you,  
15          Senator Flanagan, for holding this hearing.

16          I think it's timely, because we're getting a  
17          lot of questions and concerns from parents and  
18          teachers and administrators.

19          And I appreciate your being here.

20          I represent a 5-county wide district, and  
21          I have about 28 school districts, many of them  
22          rural, and many of them stressed because of the lack  
23          of resources, because, not only have we implemented  
24          changes, we've also, over the years, reduced State  
25          aid.

1           And to my school districts, that's been a  
2           huge -- a huge challenge.

3           My -- the concerns that were raised at a  
4           public forum that I held in the Albany area, with  
5           some of my colleagues, were mentioned by  
6           Senator Valesky, which is, there's a big concern  
7           about, we -- the teachers and administrators haven't  
8           had the time to implement the Common Core standards  
9           before the kids were getting tested on them, and  
10          that schools may not have the resources to implement  
11          those testing systems.

12          Do you -- and I know you've gotten concerns  
13          and feedback from tons of people.

14          Are you making -- planning to make any  
15          changes to how we're implementing the Common Core?

16          And I just want to reiterate, no one has said  
17          to me, We don't want to do the Common Core.

18          Everyone agrees, getting kids more prepared  
19          for college and career, we're all on board.

20          Everyone wants to implement the Common Core.

21          I think how we do it seems to be the biggest  
22          hurdle.

23          And one more comment, and then I'll let you  
24          respond, is, when you have a school district that's  
25          struggling to pay for kindergarten, and you have to

1 divert so much of your resources to the testing  
2 component, that may not make sense to them locally.

3 And there may be other ways for local  
4 districts to improve the educational program for  
5 those kids to be college- and career-ready.

6 So I'm thinking, is there a way for those  
7 schools to be -- to have some flexibility in their  
8 version of being college- and career-ready?

9 ANTHONY S. BOTTAR, B.A., J.D.: Well, I don't  
10 have a crystal ball on what we might do.

11 I can share with you our experience with the  
12 roll out of the Regents diploma.

13 I mean, that was adopted as a policy item  
14 back in, I believe, '97.

15 And we still have some adjustments that we  
16 made, or accommodations, are still in place today.

17 So, with respect to that reform, which we  
18 believe raised the level of students graduating  
19 with, you know, at least a tenth-grade education, by  
20 about, 35, 40 percent.

21 We had a long phase-in period, where, if we  
22 ran into a problem, if there was a hurdle, there was  
23 a bump, you know, we would step back and make  
24 adjustments.

25 Now, I'm not sure this is going to be as easy

1       for us as that was, because there are more pieces  
2       moving now than there was then.

3               But we -- you know, there is a track record  
4       there of us making adjustments, as needed, to make  
5       sure that we are were able to stay on track.

6               But to give you a specific right now, it's  
7       too early, because we just don't have enough  
8       information.

9               COMMISSIONER JOHN KING: Two thoughts I would  
10       share, and I appreciate the question:

11               One is, that we've still got to grapple --  
12       the point I was making with Senator Valesky earlier,  
13       we've got to grapple with how the money is spent  
14       that's already allocated.

15               You know, since 2010, when the standards were  
16       adopted, in federal and state resources alone,  
17       there's some, billion, billion and a half, maybe  
18       more, that's been allocated to  
19       professional-development activities.

20               So the question becomes: Were those dollars  
21       used as effectively as possible in each district?

22               And I think we at the department need to do a  
23       better job of highlighting where those resources  
24       have been well-used, and supporting models of good  
25       practice.

1           We also have used a portion of the Race To  
2       The Top dollars that came to the department, to  
3       build professional-development resources; curriculum  
4       materials that are not required, but are optional,  
5       can be a resource for districts; a video project,  
6       videotaping excellent teaching practice reflecting  
7       the Common Core from around the state; a variety of  
8       tools for professional development, for engaging  
9       parents around the Common Core.

10           We made all of that available through  
11       training that we've done in Albany, that we've had  
12       upwards of 10,000 educators participate in over the  
13       last three years; as well as a website we launched,  
14       engageNY.org, that now has had, I think, nearly  
15       30 million page reviews, and has become a go-to  
16       resource.

17           But, it's never enough. There's always a  
18       need for more professional development.

19           And I think across the education spectrum of  
20       stakeholders, not just in New York, but around the  
21       country, everyone is focused on the need for more  
22       professional development around the Common Core  
23       standards, but, really, the underlying instructional  
24       shifts: the work on math problem-solving, the work  
25       on building academic language and vocabulary, in the

1 early grades, and so forth.

2 So we're committed to that.

3 And I think in this year's budget process,  
4 one of the considerations should be, How do we make  
5 sure there are adequate resources to support  
6 professional development throughout the K-through-12  
7 system as we move towards higher standards?

8 The other point I'd make on flexibility is,  
9 we've got to do a better job communicating to  
10 districts the flexibility that they have.

11 So, for example, the evaluation law leaves  
12 80 percent of the decisions about the evaluation  
13 process to local districts and their bargaining  
14 units.

15 And districts have a lot of flexibility  
16 around whether they add assessments, how many, what  
17 kinds. And I think sometimes districts have not  
18 leveraged that had flexibility as well as they  
19 might, and that's something that we're working with  
20 districts on.

21 We know there are certainly districts that,  
22 this fall, as they look back on the first year of  
23 implementation of the evaluation system, have made  
24 adjustments to their approach to assessment:

25 Districts that are deciding to use prior

1 academic history rather than pre-tests to set goals  
2 for particular courses;

3 Districts that have decided to scale back the  
4 number of interim assessments that they give on a  
5 particular subject;

6 Districts that have realized that they were  
7 giving multiple assessments that assessed,  
8 essentially, the same thing, and weren't necessarily  
9 giving them good additional information for  
10 instruction, and are scaling back.

11 So -- and we support those, and I think we  
12 can do a better job providing technical assistance  
13 to districts as they do that kind of review.

14 SENATOR TKACZYK: Does the department track  
15 how much of -- part of the budget is going to  
16 implementation of the Common Core and the testing  
17 assessment?

18 Like, can you give us a sense of how much of  
19 the education budget is being consumed by that  
20 activity?

21 COMMISSIONER JOHN KING: At the state level,  
22 you know, we have a set of assessment contracts,  
23 but, again, they're fairly modest, compared to other  
24 states, at the low end of spending.

25 For example, I think our 3-through-8 test



1 development is some \$32 million over a 4- or 5-year  
2 period, something like that.

3 So, the per-student costs of assessments at  
4 the state level is relatively low.

5 At the district --

6 SENATOR TKACZYK: What -- I'm sorry.

7 What is the cost per student?

8 COMMISSIONER JOHN KING: The per-student cost  
9 is probably somewhere on the order of \$12 per  
10 student.

11 Many states are more on the order of \$30 per  
12 student.

13 At the local level, it's hard had to identify  
14 resources spent on the Common Core separate from the  
15 core work of the school.

16 I mean, if you're gathering teachers for  
17 professional development, hopefully, that  
18 professional-development time is focused on the  
19 Common Core.

20 The State has spent hundreds of millions of  
21 dollars in textbook aid and software aid over the  
22 last few years.

23 Sensibly, that would be a set of resources  
24 that would go towards the purchase of Common Core  
25 materials.

1           So it's difficult to parse out the cost of  
2       Common Core separate from the costs of doing  
3       English-language arts and mathematics and literacy  
4       across all subjects.

5           SENATOR TKACZYK: I just, with that, because  
6       I'm a parent, and a former school-board member,  
7       I want to echo what Senator Little said about  
8       getting the assessments and getting the test results  
9       to the teachers.

10          And as a parent, I looked at what my son went  
11       through this year, and there was a test that he just  
12       totally bombed. And to me, as a parent, like, well,  
13       I want to see the test, so I can go over it with my  
14       son, and so he can understand what he didn't do well  
15       at. And that was not an option.

16          And I just think that that's -- you know,  
17       we're all in this together, to improve the education  
18       for our kids. And, if we don't understand what  
19       they're missing and not connecting with, we can't  
20       work with them on those aspects.

21          So I just find that the whole aspect of,  
22       you're taking a test, but you don't have the ability  
23       to see how you did, the child, kind of strange.

24          COMMISSIONER JOHN KING: Again, just to be  
25       clear, there's a lot of information about how

1 students did on the test items.

2 It's -- the question is: What percentage of  
3 the actual items themselves; the actual math  
4 problems, or the actual text and multiple choice, or  
5 written-response questions, are released?

6 Again, we're at about 25 percent.

7 Other states are in a range from, probably,  
8 25 percent to, anywhere, 60 percent or more.

9 Most states keep some number of items for  
10 future test banks so that they have items that can  
11 replenish over time.

12 SENATOR TKACZYK: Okay.

13 SENATOR FLANAGAN: Thank you,  
14 Senator Tkaczyk.

15 Senator Seward.

16 SENATOR SEWARD: Well, thank you,  
17 Mr. Chairman.

18 I, too, want to thank you, Senator Flanagan,  
19 for sponsoring this series of hearings around the  
20 state to assess where we are in terms of the  
21 Regents Reform Agenda, giving various stakeholders  
22 an opportunity to have their say in front of our  
23 Senate Education Committee.

24 And I, too, want to just go on record as  
25 saying, I think the objective of making sure that

1 every student that graduates from a New York State  
2 high school is, in fact, college- and career-ready.

3 That is the objective that I think we all  
4 share, and, how we get there, obviously, is a matter  
5 of discussion; and, in particular, the rollout and  
6 the implementation in terms of the Regents Reform  
7 Agenda is a subject for discussion, which is,  
8 I assume, why we're here today.

9 You know, I'd note, in terms of timing, just  
10 at the time the Regents Reform Agenda was adopted --  
11 being considered and adopted, was, at the same time,  
12 because of the recession, and what particularly hit  
13 us here in New York State, just at the time when the  
14 gap-elimination adjustment was implemented, and even  
15 though we have been, in the years since, crawling  
16 back from that.

17 And, in fact, the Senate, I'm very pleased to  
18 say, is going on record in our Senate-only budget  
19 this year, we want to eliminate the gap-elimination  
20 adjustment for all school districts in  
21 New York State, and that will help them in terms of  
22 meeting these objectives.

23 But there's been a lot happening at a time  
24 when many districts have had fewer resources.

25 I wanted to just zero in on two areas,

1 getting back to that question of flexibility.

2 One of the important concerns that I have  
3 heard from my many educators in my district is, with  
4 these New York State learning modules associated  
5 with the Common Core, that there's a very scripted  
6 approach now in the classroom.

7 Some of our best teachers are innovators, and  
8 create a very, not only an interesting, exciting  
9 atmosphere in the classroom, but, also, you know,  
10 really help those students learn in very innovative  
11 ways.

12 And the concern I'm hearing, that with the  
13 Common Core and these learning modules, that ability  
14 to be innovative in the classroom is out the door.

15 A very scripted approach is being taken,  
16 because they feel they need to take that approach in  
17 order to -- you know, we have those tests looming at  
18 the end.

19 And Senator Little mentioned business courses  
20 being canceled in some schools.

21 I've even heard of recess being canceled in  
22 some of the lower grades in the elementary schools  
23 in my district.

24 Once again, just not time to -- for recess.  
25 Toys being taken out of the kindergarten and

1 first-grade rooms, because there's just no longer  
2 time to allow some of those young students to blow  
3 off steam through recess and that physical activity  
4 that goes with that.

5 How would you -- how would you address those  
6 concerns, in terms of the ability of local districts  
7 and local teachers in the classroom, to have that  
8 flexibility and allow for that innovation even with  
9 the Common Core?

10 COMMISSIONER JOHN KING: I really appreciate  
11 the question.

12 I can't emphasize enough, the modules are  
13 there as a resource for districts to adopt, adapt,  
14 or ignore, and for teachers to adapt to the needs of  
15 their students.

16 We actually say on our website where the  
17 modules are posted, this is not -- you know, some  
18 version of "This is not a script."

19 The idea is to provide resources that people  
20 can use.

21 Now, we do, in the modules, lay out an  
22 approach to how one might teach the given text or  
23 the given math problems as a  
24 professional-development resource, but those modules  
25 are for districts to use as they see fit.

1 Curriculum is locally determined.

2 I will say, the modules emphasize  
3 application.

4 For example, the English -- many of the  
5 English-language-arts modules were developed in  
6 partnership with Expeditionary Learning, which has a  
7 long history around project-based learning.

8 Now, if people like those, they can use them.

9 If they don't like them, they can make other  
10 decisions. Again, curriculum decisions are made  
11 locally.

12 In terms of the breadth of the curriculum,  
13 one of the challenges we have is that, too often,  
14 there is a mistake made, that if we spend more time  
15 on test prep and less time on learning, students  
16 will do better.

17 And the department has given very specific  
18 guidance on this.

19 We don't think that rote test prep is the  
20 best way to help students achieve.

21 Indeed, you want students to have experiences  
22 with art, music, have time for physical education,  
23 so that they are well-rounded, so that they develop  
24 well as young people; so that they develop, not only  
25 to be college- and career-ready, but to be good

1 citizens. And, the work in art and music also  
2 supports students' success in other aspects of the  
3 curriculum.

4 So, you know, these curriculum decisions are  
5 made locally, but I take the challenge that we need  
6 to make sure that people understand the flexibility  
7 that they have around the modules, that they are not  
8 required. They are a resource for districts to use.

9 SENATOR SEWARD: One final question, which  
10 would lead to the testing; the student testing  
11 aspect of this, and the changes that have been  
12 occurred there.

13 I think one of the reasons that many  
14 educators feel they need to stick with the scripted  
15 approach that's being presented, rather than just an  
16 option or a resource, but, you know, as their  
17 so-called "bible" in the classroom, is that --  
18 because of the test at the end.

19 And, you know, the first round of testing,  
20 you know, we're still awaiting additional data  
21 regarding that.

22 The early signs, as -- if I understood your  
23 testimony correctly, is that there are lower test  
24 scores with the changes in the testing, which is  
25 causing a great deal of concern, certainly among



1 parents, educators, and school boards, and  
2 administrators...everyone.

3 What -- and the impact on the teacher  
4 evaluation, just in a -- and a reflection on the  
5 local school district.

6 What conclusions do you take from these lower  
7 test scores?

8 And what impact do you feel they should have,  
9 in terms of evaluating a teacher at this stage of  
10 the early -- early stage of the implementation of  
11 this Common Core?

12 And, in terms of reflection on the students  
13 and our quality of education in New York State?

14 COMMISSIONER JOHN KING: I think it's  
15 important to emphasize that these assessment results  
16 this spring set a new baseline match to college- and  
17 career-readiness.

18 In many ways, they tell us something we  
19 already knew at the upper grades.

20 So if you look -- I mentioned in my  
21 testimony, if you look at our statewide graduation  
22 rate, 4-year graduation rate, it's 74 percent.

23 But if you look at the percentage of students  
24 who are performing at the level where they would be  
25 able to enroll in credit-bearing coursework, that's

1 actually 35 percent.

2 If you look at our NAEP performance --

3 The "NAEP" is a national assessment that's  
4 given to samples of students in every state, and  
5 often considered the gold standard for comparing  
6 student performance across states.

7 -- if you look at the percentage of students  
8 in New York who are scoring at the college- and  
9 career-ready level, at the proficient level, on the  
10 NAEP, it's, roughly, 35 percent.

11 If you look at performance on the PSAT and  
12 SAT by New York State students as a predictor of  
13 college performance, you again get to a number  
14 somewhere between 35 and 40 percent.

15 So, in many ways, the fact that our  
16 proficiency rate on third-through-eighth-grade  
17 assessments is now in the 30s is more a reflection  
18 of the assessments giving us a more accurate picture  
19 of where students are in that trajectory to  
20 readiness.

21 And, again, this is similar to what other  
22 states will see as they transition to the  
23 Common Core standards.

24 Because it was a new baseline, we made sure  
25 in our waiver from No Child Left Behind that no new

1 schools would be identified as priority schools in  
2 the accountability status, no new districts would be  
3 identified as focus districts, based on this new  
4 baseline of results.

5 And in the teacher evaluation, it's important  
6 to say that the state tests represent 20 percent of  
7 the evaluation for, roughly, 20 percent of the  
8 teachers whose students take the test in grades 4  
9 through 8.

10 And in calculating the growth scores for the  
11 portion of the teacher evaluation, the growth scores  
12 look at how similar students did on the test that  
13 they took last year versus this year; and, so, the  
14 percentage of students scoring at the 3 or 4 level  
15 actually doesn't affect those growth scores.

16 The growth scores reflect relative  
17 performance.

18 And the percentage of teachers, for growth  
19 scores, identified as ineffective, developing,  
20 effective, or highly effective, this year were  
21 virtually identical to last year.

22 But that is clearly something that is not  
23 well understood, and it's something that we have to  
24 work to make sure we communicate fully.

25 SENATOR FLANAGAN: Thank you, Senator Seward.

1           Senator O'Mara.

2           SENATOR O'MARA: Thank you, Senator Flanagan,  
3           and thank you for hosting this hearing here in  
4           Syracuse today; coming up from Long island to be  
5           with us.

6           Thank you, Commissioner and Vice Chancellor,  
7           for sharing your time with us today.

8           I fully share the sentiments of  
9           my colleagues, and the anxiety over implementation  
10          and change.

11          It's never easy in anything we do in  
12          government, or anything in life.

13          So I understand the challenges in regards to  
14          that; and, therefore, I had some questions on that,  
15          that I don't need to reiterate, because they've been  
16          fairly well covered here already.

17          One area I wanted to follow up with you on  
18          was with regard to getting the test results back to  
19          the teachers, and you mentioned the test bank in  
20          keeping materials back.

21          Can you explain that to me?

22          I mean, I'm just visualizing a copy machine,  
23          and being able to copy these things, or scan them,  
24          and give them back to the teachers.

25          So what are you actually withholding that you

1       can't get back to the teachers?

2               COMMISSIONER JOHN KING:   And so this is an  
3       issue, again, not just for New York State, but for  
4       all the states and all large-scale assessment  
5       systems.

6               There are, essentially, four types of  
7       questions on an assessment.

8               One set of questions are the operational  
9       questions that students will take, they're scored,  
10      and that you release.

11              A second set of questions are field-test  
12      questions, embedded field-test questions; questions  
13      that don't count towards the score, but you're,  
14      essentially, trying out for future versions of the  
15      test.

16              If you think back to taking the SAT, for  
17      example, or the -- or something like that -- LSAT,  
18      there's a set of questions that are just field-test  
19      questions.

20              You don't know, as the test taker, which are  
21      field tests and which are real, but the field-test  
22      questions are for the development of future tests.

23              A third category of questions is questions  
24      that appear in multiple years so that you can have  
25      what's called "linkage" between the tests, so you

1 can figure out, Was this year's test similarly  
2 difficult to last year's test?

3 And then the fourth category are operational  
4 questions that you may not release because you're  
5 going use them again in future years.

6 And if you assume some level of cost to the  
7 development of each item, there is a judgment that  
8 every state has to make on the percentage of  
9 operational items that you release, and the  
10 percentage of operational items you keep for use in  
11 future years.

12 The tests are secure, so they're not to be  
13 photocopied or kept locally. They come back to the  
14 State or are destroyed.

15 And, so, the goal is to have a set of  
16 questions that you might use again, as a way of  
17 managing the cost of test development.

18 You also have a risk that happens when you  
19 release all items, in the history of, sort of,  
20 testing in the country.

21 When you release all items, you also have the  
22 risk that people then reduce the curriculum to the  
23 items.

24 And, so, rather than teaching fractions, they  
25 teach a version of fractions that's reflected in

1 Questions 6, 7, 19, and 24 from the prior year.

2 So, there's, both, a pedagogical reason to  
3 not release all the items, which is to not make the  
4 tests the curriculum;

5 But more relevant for most states, including  
6 New York, is the cost judgment on what portion of  
7 the items you release.

8 But, again, we have 25 percent of the items.

9 There are a lot of items that are available,  
10 and they're annotated with, again, why the answers  
11 are -- why the correct answers were correct, why the  
12 wrong answers were wrong, samples of student work.

13 And that body of resources will grow over  
14 time.

15 And again, locally, they can do a very  
16 detailed item analysis for students.

17 So they can say, this student struggled with  
18 fractions questions that involved mixed numbers, for  
19 example.

20 SENATOR O'MARA: Thank you.

21 That really did help clear it up for me,  
22 believe it or not.

23 But -- I appreciate that.

24 Now, the final question I have is, I've  
25 gotten a lot of criticism of the Common Core, the

1 tests, from constituents, and I'm assuming you're  
2 getting it at the state level as well, with regard  
3 to, not the subject matter of the curriculum, but  
4 the subject matter of the fact patterns used in the  
5 questioning on the exams that is, somehow,  
6 politically motivated or directed, or what have you,  
7 from a variety of different viewpoints that you may  
8 have.

9 And I wonder if you could address that, if  
10 you're hearing that at the state level, that I am  
11 from my constituents, and what goes into the process  
12 to avoid that type of a concern.

13 COMMISSIONER JOHN KING: So, yeah, I have  
14 heard that, maybe less in New York, actually,  
15 nationally.

16 I think two things are going on there:

17 One is, some conflation between standards and  
18 curriculum.

19 So, for example, the Common Core has an  
20 appendix that lists texts -- books, articles, so  
21 forth -- that could be used at each grade level to  
22 teach the Common Core.

23 And in some states, and including some of the  
24 web traffic in New York, the focus has been on those  
25 texts, to say, Well, if this text is taught, that's



1 offensive. Or, I wouldn't want my child to read  
2 that text. And so forth.

3 The Common Core isn't a curriculum.

4 Curriculum decisions remain local.

5 So, that text list is a resource, as are the  
6 modules that we're publishing.

7 And, so, if people don't want to teach a  
8 given text that we have included in the modules,  
9 they don't have to.

10 If people don't want to teach a given text  
11 that's included in that text list that was an  
12 appendix to the standards, they don't have to use  
13 it.

14 The second piece is on the test itself, and  
15 the passages that are selected.

16 There's a whole process in test development  
17 around sensitivity and trying to avoid any evidence  
18 of bias.

19 The challenge, as you know, is that,  
20 particularly in a heated political climate, text can  
21 easily be politicized.

22 So, there are some who would argue that an  
23 excerpt, for example, from Huckleberry Finn is  
24 perfectly appropriate because it's an important  
25 piece of American literature that reflects its time.

1           There are other communities around the  
2           country that have decided not to allow the teaching  
3           of Huck Finn.

4           So anytime you are developing a test, you  
5           have these judgments about the content that you  
6           choose.

7           We have a process with New York State  
8           educators of reviewing the items, to try and ensure  
9           that there is not bias, but we also say, both in  
10          describing the modules and the tests, that some  
11          passages will address topics that will be  
12          challenging.

13          You know, there are some states, for example,  
14          and districts, that have had policies to not allow  
15          mention of divorce, let's say, in a text.

16          You know, we feel like that's part of the  
17          reality of American life, and so it may come up, and  
18          it's -- in a particular text, the issue of divorce.

19          And that's sort of natural to the process of  
20          having a breadth of texts used for the tests, or for  
21          a given curriculum.

22                 SENATOR O'MARA: Thank you very much.

23                 SENATOR FLANAGAN: Commissioner --

24                 Thank you, Senator O'Mara.

25                 -- I'm going to try and ask questions that

1 would elicit yes and no responses, as best as  
2 possible.

3 It is fair to say that New York State, in  
4 essence, does not -- SED does not mandate  
5 curriculum?

6 COMMISSIONER JOHN KING: That is correct, we  
7 do not mandate curriculum.

8 SENATOR FLANAGAN: Okay, so in light of some  
9 of the comments that we've heard here, and in other  
10 forums, there -- there is some concern about -- it  
11 seems like there was some, almost a false  
12 expectation, and it's not a criticism, but, the  
13 state of New York, because of Race To The Top,  
14 listening to Ken Wagner and some of the folks who  
15 work with you, they were trying to help school  
16 districts, and one of the things that came up was  
17 the development of these modules.

18 I'm not sure I still totally understand it,  
19 but I know there was talk about 250 modules.

20 There's only, like, 25 of them out.

21 And one of the criticisms is, that it's  
22 well-intentioned, but not necessarily well-executed  
23 in providing that guidance.

24 It seems like school districts kind of  
25 waited, hung out a little bit, expecting that they

1 would get more from the Regents and SED, and that's  
2 been one of problems that has exacerbated some of  
3 the concerns.

4 Is that a fair assessment?

5 COMMISSIONER JOHN KING: Yeah, I mean, I'd  
6 say that the -- there are a lot of modules available  
7 now, covering many grade levels in ELA and math, but  
8 more to build, we add new modules almost every week  
9 now, as -- again, as a resource for districts.

10 It's fair to say that some districts may have  
11 waited on purchasing curriculum materials because  
12 they wanted to use the modules.

13 On the other hand, it's important that people  
14 don't see the Common Core as something that arrives,  
15 you know, in a shiny box. Like, the Common Cores  
16 arrive on your doorstep.

17 Even once you have the modules, the  
18 Common Core is really about changing instruction and  
19 changing teaching practice, and so districts didn't  
20 have to wait for the modules to do the Common Core.

21 And, obviously, as you talk with districts  
22 across these hearings, you'll hear from some  
23 districts that didn't, and started right away to  
24 implement the shifts in instruction in the  
25 Common Core, and are using the modules selectively

1 as fits their local discretion.

2 SENATOR FLANAGAN: So separate, but related,  
3 there's been a lot of talk about companies, like  
4 Pearson, inBloom, and, sort of, vendors or  
5 subcontractors of the State Education Department.

6 I have represented, when people talk to me  
7 about this stuff, that, in essences, while they are  
8 all aligned with the State Education Department,  
9 that none of these tests, none of these issues, none  
10 of these regulations, or whatever ultimately comes  
11 out to schools and to the public, while they may be  
12 a subcontractor, everything is signed off by  
13 State Ed before it goes out the door.

14 So whether there's credit or blame, it rests  
15 at, ostensibly, your doorstep?

16 COMMISSIONER JOHN KING: Yes, and I have  
17 received both.

18 [Laughter.]

19 SENATOR FLANAGAN: Fair enough.

20 Going back to the questions, and particularly  
21 what Senator O'Mara said, and I hope this is artful,  
22 but, I'd suggest this:

23 I recognize the cost limitations.

24 I recognize why you're not going to necessarily  
25 release every test.

1           However, it seems to me that if you're going  
2       pick a number, 25 or 30 percent, that what you  
3       should probably be doing, is taking the questions  
4       that are the most problematic, and you would know  
5       that, and the department would know that, better  
6       than anybody, don't take the 25 percent of the  
7       easiest questions where everyone does well; pick the  
8       25 percent where everyone's kind of screwing up.

9           And if we're going to learn from that, it  
10      would seem to me that's probably -- take that as a  
11      subset, again, if the number's going to be  
12      25 percent, and use that.

13           Do you do that now, or is that something  
14      you're contemplating?

15           COMMISSIONER JOHN KING: We tried to have a  
16      range that was reflective of the test.

17           So the test has a range of difficulty across  
18      the questions, and we tried in the sample to have a  
19      range of difficulty.

20           And over time, that bank of sample items will  
21      grow each year.

22           We had some that we put out before the test,  
23      we had some that we put out after the test, and  
24      we'll continue to grow that bank.

25           SENATOR FLANAGAN: Okay.

1           And, finally, one of the things we all  
2       endeavor to do is communicate with our constituents.

3           I believe that State Ed has done some very  
4       laudable things, but I also believe that they're not  
5       communicating as well with people in the field; and  
6       in particular, I'd say in terms of educational  
7       professionals.

8           Now, I know, based on information that's been  
9       provided by the department to the public, that you  
10      have a wealth of educators who are involved in the  
11      process.

12           I don't think that's getting out there.

13           I don't think that's getting out there so  
14      people understand.

15           And I've heard the number, there were  
16      95 educators who were part of a team.

17           People say, Yeah, they may be  
18      well-intentioned, but we don't really know who they  
19      are, we don't know how they're directed, and are  
20      they true, legitimate people who are, quote/unquote,  
21      "in the classroom."

22           You don't need to comment.

23           I'd just very strongly and respectfully  
24      suggest that, in terms of marketing, and letting  
25      people know who is part of the overall team, and

1 even the subcommittees, that it would be extremely  
2 important for parents, as much as anybody else, that  
3 that information be put out time and time and time  
4 again.

5 Mr. Vice Chancellor, thank you for your  
6 service, and your time, and your patience.

7 ANTHONY S. BOTTAR, B.A., J.D.: Thank you,  
8 Senator.

9 SENATOR FLANAGAN: And, Commissioner, really  
10 appreciate your input.

11 COMMISSIONER JOHN KING: Thank you.

12 ANTHONY S. BOTTAR, B.A., J.D.: Thank you.

13 SENATOR FLANAGAN: Next is Mr. Rick Longhurst  
14 from the PTA.

15 RICK LONGHURST: Senator Flanagan and members  
16 of the Education Committee, I want to thank you for  
17 this opportunity to speak with you.

18 We've shared our full testimony with your  
19 office, including some backup material, and probably  
20 500 pages of comments that we've received from  
21 recent surveys.

22 The conclusion that we've drawn from much of  
23 the work that we've done with our membership, is  
24 that, while many of our members support the promise  
25 of the Common Core, the extraneous issues that are



1       perceived as being linked to the Common Core  
2       actually are beginning to threaten the parents'  
3       support, and, potentially, the ultimate success of  
4       the reform.

5               Just to give you some sense as to what we  
6       see, and what we welcome, as the promises of the  
7       Common Core, let me just offer a couple of comments  
8       that seem to repeat themselves.

9               We welcome instruction that asks students to  
10      not only learn important facts, but to be able to  
11      apply them to everyday life;

12              We welcome instruction that seeks to leverage  
13      pride that Americans have in their ability to think  
14      independently and to exercise creativity;

15              We welcome shifts in instruction that help  
16      our children to better compete with their  
17      international counterparts;

18              And we welcome the increased rigor that  
19      builds essential pre-college and career skills in  
20      our children before they graduate from high school.

21              I have some notes in front of me because  
22      I think I can be more succinct using the notes than  
23      if I were just to speak off-the-cuff.

24              On the other hand, what our members perceive,  
25      the extraneous issues, and many of these are

1 test-related, are inappropriately shifting  
2 instruction away from the positive promises that  
3 benefit the education of the whole child.

4 Negative perceptions can become reality.

5 Because that reality is linked to  
6 Common Core-based reform, the result that we fear is  
7 that support of the Common Core could be replaced  
8 with opposition.

9 And what do we do about that?

10 Quite simply, we need to keep our eye on the  
11 prize, and the prize is that support and the promise  
12 from the Common Core.

13 We look at what the Education Department has  
14 done over the past years, and we commend them for  
15 the job that they have done in building technical  
16 resources that are necessary to implement a positive  
17 change; yet, successful implementation must also  
18 include a strategy that builds family and community  
19 commitment, and it's here that we see a gap.

20 For some parents, the benefit -- and I stress  
21 the word "some" -- for some parents, the benefits of  
22 the technical efforts are dismissed because they're  
23 perceived as being linked to issues that are  
24 perceived as negative.

25 For those parents, Common Core becomes

1 indistinguishable from these extraneous factors.

2 If "some" parents becomes many or most  
3 parents, we fear that the entire reform effort could  
4 be placed in jeopardy.

5 What have we done to encourage collective  
6 support?

7 Over the past several months, New York State  
8 PTAs worked closely with other members of the  
9 Educational Conference Board to propose a five-point  
10 plan that would move Common Core reform toward a  
11 positive track.

12 And we strongly support that plan, and  
13 I believe that others will speak to it.

14 New York State PTA is working with the  
15 Education Department to schedule five town hall  
16 meetings across the state to give parents an  
17 opportunity to engage department staff with  
18 essential questions and concerns about testing and  
19 about the Common Core.

20 We have partnered with the New York State  
21 United Teachers, to prepare a simple-language  
22 brochure that educates parents in some of the basic  
23 elements of the Common Core.

24 And, finally, we're educating, and we're  
25 encouraging, our members to ask questions of school

1 staff and boards of education that can only be  
2 answered through the observation of the  
3 implementation process, so that they are provided  
4 with feedback and forms, growth and understanding,  
5 for, both, the educators in the schools, and also  
6 for families.

7 In the end, we acknowledge that the process  
8 of implementing reform will be difficult, but the  
9 process really is simple.

10 We need to be in the business of developing  
11 people: educators, families, and students; not just  
12 skilled test takers.

13 Does this mean we oppose testing? Absolutely  
14 not.

15 We need tests to measure what our students  
16 learn, and as one aspect of supporting our efforts  
17 to improve learning.

18 We cannot, however, allow the perception that  
19 we are obsessed with only one part of our  
20 accountability system, to take our eye off the prize  
21 by threatening, not only good what is good, but also  
22 essential to our children's future.

23  
24  
25

1           SENATOR FLANAGAN: Thank you very much.

2           I do appreciate it, and we, obviously, have  
3 your written testimony.

4           The EngageNY website --

5           RICK LONGHURST: Yes.

6           SENATOR FLANAGAN: -- you talk about  
7 technologies, and advances in technology.

8           I think this is probably characteristic of  
9 life, generally, professionally and personally,  
10 that, you know, sometimes people need to keep  
11 hearing things or seeing them before they get a  
12 level of comfort.

13           Certainly, the communities that I represent,  
14 there seems to be more consternation, and there's  
15 more talk about things like, opting out, which  
16 I don't necessarily think is a prudent exercise.

17           RICK LONGHURST: Nor do we.

18           SENATOR FLANAGAN: So how do you deal with  
19 parents in that regard?

20           And there's been a lot of talk, you know, we  
21 need -- someone said that there are no parents  
22 testifying today.

23           I'm fairly sure that you're a parent --

24           RICK LONGHURST: I am a parent.

25           SENATOR FLANAGAN: -- and I'm fairly sure

1       that "PTA" stands for Parent-Teacher Association.

2               RICK LONGHURST:   Yes.

3               SENATOR FLANAGAN:   So, what are you doing,  
4       sort of, at the field level?

5               And I just said to Senator Valesky, those  
6       five town hall meetings, if you pull them off, those  
7       would be quite interesting in and of themselves.

8               What are you doing at the street level to,  
9       not only hear what your parents are saying, but,  
10      sort of, taking that and reporting back to people  
11      like us?

12              RICK LONGHURST:   We have a website.

13              We have a blog.

14              We're on Facebook.

15              We're on Twitter.

16              We communicate regularly with the, roughly,  
17      2,000 PTA units and councils throughout  
18      New York State, to provide them with encouragement  
19      that says that they must be partners in this whole  
20      process.

21              We're seeking to work with parents and with  
22      schools to provide a welcoming environment for  
23      parents, to share the responsibility with schools  
24      for the development of their children, but I think,  
25      in the end, recognizing that reform is not just a

1 technical or content-based effort.

2 It represents a change in the way that we  
3 instruct our children, and that change needs to be  
4 understood by our parents, by our schools, by our  
5 communities.

6 SENATOR FLANAGAN: And one other question:  
7 If you had the opportunity to, in essence, say to  
8 the State Education Department, We have a lot of  
9 concerns, here are our issues; but, if you were able  
10 to tell them one thing to do in relation to these  
11 issues, what would you suggest that they do?

12 RICK LONGHURST: Okay, and I've already said  
13 this to a number of people in the department.

14 As I listened to the comments here this  
15 morning, I hear a great deal about testing.

16 What I don't hear as much about is the  
17 question: How do we know that schools are actually  
18 implementing Common Core instruction?

19 And what I would say, is that the best way to  
20 determine if Common Core instruction is actually  
21 being implemented, is that our administrators and  
22 our principals need to be in the classrooms and  
23 observing what teachers are doing, and assuring that  
24 the transition that is offering all this promise is  
25 actually being implemented in the classroom.

1           And the results from that, we see as being a  
2           necessary precursor to measuring results in terms of  
3           student performance.

4           SENATOR FLANAGAN: So, very quickly, on a  
5           scale of 1 to 10, 10 being the most effective, if  
6           you were to pick a number, your assessment, by your  
7           organization, of where State Ed is in terms of what  
8           you were just describing, what number would you  
9           give?

10          RICK LONGHURST: Probably somewhere in the  
11          middle.

12          Not -- we would give them high marks for the  
13          technical work that they have done.

14          We would give them less high marks for their  
15          success in communicating with parents, with  
16          communities, with school districts, in spite of huge  
17          investments that have been made in seeking to  
18          promote those efforts.

19          It's a very big lift.

20          We can't underscore that enough.

21          SENATOR FLANAGAN: So is that a "5" or a "6"?

22          RICK LONGHURST: We'll say a "6."

23          SENATOR FLANAGAN: Okay.

24          Senator Tkaczyk.

25          SENATOR TKACZYK: Just a quick question: You



1       mentioned the five town hall meetings?

2               RICK LONGHURST:   Yes.

3               SENATOR TKACZYK:   I'd love to know if you  
4       have one in my area, or --

5               RICK LONGHURST:   We do.

6               SENATOR TKACZYK:   -- if you could just share  
7       with us, where they are and when you have them  
8       planned.

9               RICK LONGHURST:   I don't have that right in  
10      front of me.

11              In your area, at the Shenendehowa High School  
12      West on October 16th, which is a Wednesday.

13              SENATOR TKACZYK:   Great, thank you.

14              RICK LONGHURST:   There is a meeting -- a  
15      town-hall meeting the day before that on  
16      Long Island.

17              The first town-hall meeting is in the  
18      Spackenkill High School on October 10th.

19              Then there's also one in New Hartford, and  
20      one in the Buffalo area in Williamsville.

21              SENATOR TKACZYK:   Thank you.

22              SENATOR FLANAGAN:   Mr. Longhurst -- oh,  
23      I'm sorry.

24              Senator DeFrancisco.

25              SENATOR DeFRANCISCO:  I just want to make a

1 comment.

2 I really want to thank you for helping the  
3 communication process, because, I was on a school  
4 board for 4 years, president for 1 year, about  
5 35 years ago, and, the communication with parents is  
6 extremely essential.

7 And it's -- your organization can either help  
8 make or break this process, because once parents  
9 feel comfortable in the process, it's going to move  
10 in a positive direction.

11 So, thank you.

12 RICK LONGHURST: Thank you.

13 SENATOR FLANAGAN: Thank you very much.

14 Next we have, addressing data privacy, we  
15 have Aimee Rogstad Guidera, executive director of  
16 Data Quality Campaign, and, I believe, Reg -- as  
17 opposed to Reginal -- Reg Leichty from the  
18 EducationCounsel.

19 Thank you very much for being here.

20 AIMEE ROGSTAD GUIDERA: Thank you so much,  
21 Chairman Flanagan and other distinguished Senators.

22 I'm Aimee Guidera. I'm the executive  
23 director of the Data Quality Campaign, and I run an  
24 organization this is a non-profit advocacy  
25 organization that is trying to change the culture

1 and the conversation about using data in education.

2 I am a passionate proponent of using data to  
3 improve student achievement in New York, and in  
4 every state in this country, and for that reason,  
5 I am so pleased and honored to be here today.

6 So, thank you for having this hearing.

7 In my short seven minutes I have with you,  
8 I'd like to really hone in on three key points.

9 The first is, that New York cannot afford not  
10 to use information more effectively if you want to  
11 reach the goal that the Commissioner just talked  
12 about, and which all of you have mentioned and  
13 endorsed, which is, ensuring that every single  
14 New York child graduates from high school ready for  
15 the knowledge economy.

16 We won't get there, we won't be able to make  
17 the decisions about how do we invest scarce  
18 resources and what works, we won't be able to  
19 personalize learning and to tailor instruction to  
20 every New York child, unless we change how we use  
21 information.

22 Second of all, citizens of this state, and  
23 across the nation, and especially parents, as we  
24 just heard, are raising legitimate concerns about  
25 how this data is being used, how it's being

1 collected, how it's being safeguarded.

2 We must do everything possible to build their  
3 trust and their understanding in how this data is  
4 being used to help their own kids.

5 This hearing is an important part of this  
6 process at building an openness and a transparency  
7 about this information, and more must be done.

8 And that leads to my third point:

9 As legislators and the state policymakers,  
10 you are in the driver's seat of ensuring, not only  
11 that the right data gets to the right people in the  
12 right time, especially to parents and teachers, but  
13 you're also in the driver's seat of ensuring that  
14 this information is kept private, secure, and  
15 confidential.

16 New York, like the rest of the nation, has  
17 made unprecedented progress in building its  
18 capacity, to not just collect information, but --  
19 and to use it.

20 This progress, which is documented in many of  
21 the materials that I included in your packets,  
22 really documents this change in culture that's  
23 happening across the country, of changing using data  
24 only for compliance purposes and bureaucratic  
25 box-checking, to really this change of thinking

1 about using data for the really important process of  
2 continuous improvement of making informed decisions.

3 And the true power of data comes, not when  
4 it's collected and it's sitting in some fancy state  
5 data warehouse, which is really important, but the  
6 real power of data comes when we turn it into  
7 actionable information, and we get it into the hands  
8 of end-users; most importantly, students themselves,  
9 parents, families, educators, school-board members,  
10 and, yes, legislators, so each of those users can  
11 make informed decisions.

12 Because, the dirty little secret in education  
13 is, we've made decisions in education for a long  
14 time, and we've made it on anecdote, we've made it  
15 on hunch, and we've made it on what we did when we  
16 were kids, or what feels right.

17 The bottom line is, now, and today, we don't  
18 have to make those decisions without great  
19 information, because we have that data, but we have  
20 to have a culture change that allows people to trust  
21 that this information's useful, that it's valuable,  
22 and it's going to be protected.

23 With the education -- with the launch of the  
24 education data portal here in New York, your state  
25 will be on the cusp of ensuring that every single

1 student, educator, and parent in this state has  
2 timely access to this information.

3 This is noteworthy, and New York is on the  
4 cusp of being a leader in the country.

5 Only five states at this point have that  
6 ability to communicate that information to every  
7 student, parent, and teacher.

8 If we really want to get to the point of  
9 every child, every student, every family, and every  
10 parent having equal access to information, the State  
11 role is critical in doing that.

12 Without is the State role, only those  
13 districts are high -- that have high capacity or are  
14 better resourced have the ability of communicating  
15 that information with their families.

16 If our goal is to have every single child  
17 prepared for the knowledge economy, then we have to  
18 ensure that every educator and every family has  
19 access to that information.

20 With this greater focus on education's vital  
21 use in education, there is an increasing -- and a  
22 need to also personalize learning, there's been an  
23 increased attention on, How do we protect this data?

24 This is a legitimate and important  
25 conversation that needs to be prioritized.

1 Building the trust of all citizens, but  
2 especially that trust of parents, is critical to  
3 ensure the effective use of data.

4 People won't use data that they don't find  
5 valuable, and that they don't trust won't be used to  
6 hurt them or hurt their kids.

7 What we need to do is, to make sure that the  
8 public in general, and parents in particular,  
9 understand what data is collected, for what purpose,  
10 how it's being used, who has access to it, and how  
11 it is being protected.

12 Hearings like this one provide a critical  
13 step in this process of openness and transparency,  
14 but much more needs to be done.

15 We need to continue to seek input, get  
16 clarifications on facts, but the State has a  
17 critical role in ensuring that this information's  
18 protected.

19 As legislators, you are in a unique position  
20 to lead this conversation about how we not only  
21 ensure that data is used effectively, and that the  
22 systems are in place to do that, but equally  
23 important, that this data is protected.

24 For too long, the general sense was that  
25 FERPA, the federal education privacy law, was enough

1 to protect data.

2 I'm telling you today, it is not enough.

3 FERPA is a floor to ensuring that data is  
4 protected.

5 New York citizens, New York parents in  
6 particular, must know that New York policymakers,  
7 New York practitioners, are doing everything  
8 possible to protect the data of New York students.

9 That's your role; you need to do that, and  
10 build on the floor that FERPA provides.

11 There's now a growing list of exemplary state  
12 laws across the country that are showing how  
13 legislative leadership can really lead the  
14 conversations on safeguarding data across the  
15 country.

16 Rather than putting together a laundry list  
17 of prohibitions that really don't solve anything,  
18 but merely create implementation problems, and  
19 oftentimes get in the way, we're seeing in states,  
20 like Maryland and Oklahoma, examples of them playing  
21 a constructive, productive role in laying out and  
22 clarifying for the public, what data's collected,  
23 how it's being protected, and building governance  
24 structures that ensure that this data is part of a  
25 conversation that is very transparent and open, and



1       that people understand who's in charge; who's making  
2       the decisions about what vendors of access to this,  
3       what are the privacy assurances that we have.

4               I've put links to both of those laws in the  
5       materials that I sent you.

6               And I also want to draw your attention to a  
7       piece that the Data Quality Campaign put out a  
8       couple years ago, a policymaker roadmap for  
9       protecting privacy, security, and confidentially  
10      while supporting the use of data.

11              And in that, we really -- we hone in on the  
12      best practices from other sectors, such as the  
13      Generally Accepted Fair Information Practices, and  
14      we've tried to then create a road map for  
15      policymakers, like yourselves, of how we can apply  
16      that to education, so that in the education sector,  
17      we apply the best practices that are being used in  
18      every sector across the world, to ensure that we  
19      build trust and understanding about how data is  
20      corrected -- uhm, collected and protected.

21              We each have a moral and legal responsibility  
22      to respect the privacy and confidentiality of  
23      students' personally identifiable information.

24              To do this, we must mitigate the risks of not  
25      just the intentional, but also the unintentional

1 risks of misuse of data.

2 And, we also need to ensure the clarity of  
3 roles and responsibilities around data collection,  
4 access, sharing, and protections.

5 You as legislative leaders here in New York  
6 are critical to making these steps a reality.

7 This is not an either/or proposition.

8 We must support the use of data, as we just  
9 heard this morning, but we also must ensure that  
10 we're protecting this data.

11 Before I turn the microphone over to Reg, who  
12 can talk a lot more about the privacy pieces as a  
13 lawyer, I want to leave you with one critical piece  
14 as you think about the role of data in education.

15 Our tag line at DQC is, "How do we change the  
16 culture from thinking about data as a hammer to  
17 using it as a flashlight?"

18 And when you think about the conversation  
19 that these hearings are really focusing on is about,  
20 "How do we make sure, if our goal here in New York  
21 is to get every New York kid ready for the knowledge  
22 economy?" we need to have clear standards that are  
23 based on the realities of today's economy and  
24 tomorrow's economy.

25 We need to make sure everyone understands

1       those high standards.

2               Second of all, we need to provide progress  
3       reports in a timely way to parents, to educators, to  
4       taxpayers, to citizens, to lawmakers, on how well  
5       individual kids and groups of kids are doing against  
6       those standards.

7               And, lastly, and I would argue, as equally  
8       important, is how do we make sure that we then are  
9       guiding our decisions based on what the data tells  
10      us; not just out of those test scores, but also out  
11      of all the other data points that New York is able  
12      to connect to a child?

13              I would argue that we will not meet our goal  
14      of making sure that every child in New York  
15      graduates from high school college- and career-ready  
16      if we only pay attention to one or two of those legs  
17      of the stool.

18              If we need to be -- if we're going to be  
19      successful in our goal, we can't just pay attention  
20      to the first two.

21              You can't just have great standards and great  
22      tests if you don't use the information that comes  
23      out of those tests to then change what you do and  
24      guide your decision-making, whether it be as a  
25      parent, whether it be as a teacher, whether it be as

1 a student, whether it be as a lawmaker.

2 We have to make a commitment to using that  
3 data, and that is what is so important now.

4 We have to help change the conversation so  
5 that data isn't the end of the conversation, but  
6 it's the beginning of the conversation.

7 Yes, we need to keep working hard to protect  
8 the privacy, security, and confidentiality of this data,  
9 but what we really need to do, is to do that in this  
10 larger context of ensuring that parents, students,  
11 teachers, and policymakers in this state have the  
12 information that they need to help ensure that every  
13 child is on track for success.

14 We can't afford not to.

15 Thank you very much, and I'm happy to turn it  
16 over to Reg, and then answer any questions.

17 SENATOR FLANAGAN: Thank you.

18 And, Reg, if you can be brief, it would be  
19 very helpful, your testimony is.

20 And I've never heard, "hammer and a  
21 flashlight."

22 I've heard "shield and sword," and a lot of  
23 other things, but "hammer and a flashlight," is a  
24 new one.

25 So, Reg, please go ahead.

1 REGINAL J. LEICHTY, ESQ.: No, thank you.

2 Again, my name is Reg Leichty. I'm with  
3 EducationCounsel.

4 We are a law-and-policy team that works  
5 closely with not-for-profits like, Aimee's team at  
6 the DQC, to promote education reform, and help  
7 people understand how to protect student data.

8 And, quickly, just to echo Aimee's comments,  
9 my testimony is going to focus primarily on the  
10 federal law that primarily focuses on ensuring that  
11 student data is protected.

12 It's called the "Family Educational Rights  
13 and Privacy Act"; or, "FERPA."

14 You know, with the right state practices and  
15 policies in place, innovative data use, like those  
16 instances that Aimee talked about, can be really  
17 effectively balanced with strong protections for  
18 students.

19 And we think that the first step in ensuring  
20 that you have great state policies in place to  
21 protect student data is really having a firm  
22 understanding of what FERPA does at the federal  
23 level, so that you can effectively implement it and  
24 build on it, as Aimee said, to ensure that your  
25 students' data is protected to the best of your

1 ability.

2 So I just want to run through a few elements  
3 of the law at the federal level, for your, kind of,  
4 future consideration.

5 First, the purpose of FERPA is to limit the  
6 disclosure of personally identifiable student data  
7 by educational agencies and institutions in the  
8 state.

9 It also provides parents a right to inspect  
10 and challenge student records.

11 So, it's a two-part process, but the primary  
12 focus of the law is really ensuring that there's a  
13 floor in place to ensure that privacy protections  
14 are being implemented by states and districts.

15 First off, the primary requirement that all  
16 educational agencies in your state, including your  
17 institutions of higher education that receive  
18 federal dollars from the U.S. Department of  
19 Education, is to not share any personally  
20 identifiable information, except for a few limited  
21 exceptions that I'm going to run through.

22 Non-personally identifiable information, this  
23 aggregated data -- or, aggregated data, data that's  
24 been anonymized, that's been de-identified, can be  
25 shared without limit, that's okay.

1           But when it comes to personally identifiable  
2 data, you want to have a strong strategy in place to  
3 ensure that it's only being used in appropriate  
4 purposes.

5           There are a few educational and public-safety  
6 and health exceptions that allow personally  
7 identifiable data to be shared.

8           For example:

9           Data can be shared to evaluate federal,  
10 state, and local educational programs;

11           Personally identifiable data can be shared to  
12 support studies that are designed to improve  
13 instruction;

14           Data can be shared to deliver educational  
15 services by a district or school;

16           And it can also be shared in situations --  
17 emergency situations where it's important to  
18 protecting the health and safety of a student or  
19 other students in a school.

20           The Departments of Education's regulations,  
21 though, very carefully balanced those sharing  
22 exceptions with a number of privacy protections that  
23 are focused on ensuring that, whenever sharing  
24 occurs, it's only used for an authorized purpose.

25           They have to put procedures and processes in

1 place to ensure that the data is not further  
2 disclosed for an unauthorized purpose.

3 And, when the data's no longer used, it has  
4 to be destroyed.

5 Lastly, there are some penalties in place to  
6 ensure that these rules are followed, and two key  
7 ones are, first of all, the educational agency in  
8 the state or state institution of higher education  
9 could lose access to the U.S. Department of  
10 Education funding if the department finds that it  
11 has violated FERPA;

12 And outside entities that have access to  
13 personally identifiable information under one of  
14 those allowable exceptions can be debarred from  
15 having future access to data for no less than  
16 five years.

17 So, the penalties are very strict.

18 And, lastly, in conclusion, before we turn to  
19 questions, I just want to make a few, sort of,  
20 recommendations for you to think about as you're  
21 considering state policies to build on FERPA.

22 First, ensuring that you are strategically  
23 and coherently developing a plan for implementing  
24 the federal requirements around privacy and  
25 confidently.



1           And that includes establishing appropriate  
2       roles for data stewardship, and defining and clearly  
3       communicating, which has been a big theme today, to  
4       stakeholder groups, including educators and  
5       school leaders and parents and the public about the  
6       need to protect student data, but also the processes  
7       that are in place to do that.

8           Second, ensuring that you've got  
9       comprehensive policy documentation and public  
10      transparency, and strong enforcement of the rules  
11      you have.

12          And, third, and I think most importantly,  
13      ensuring that there's strong organizational capacity  
14      at the state, district, and school level to  
15      implement these privacy protections.

16          Having great laws is important, having great  
17      policies in place are important, but, you have to  
18      communicate them to the stakeholders at each of  
19      those levels of government that are responsible for  
20      delivering them, and you have to empower them to be  
21      successful in executing on them. And that includes  
22      investing in the technology needed to protect the  
23      data, on the security side.

24          So, lastly, I just would respectfully, you  
25      know, urge the State to ensure that all of the

1 individuals and officials responsible for  
2 implementing your privacy laws have those resources  
3 at their disposal;

4 That they've taken the time to develop  
5 comprehensive policies to implement FERPA and your  
6 state requirements;

7 And then ensuring that they're communicating  
8 effectively with people on the ground, in the  
9 classroom, in the school, at the district level,  
10 about these rules, and how to, actually, effectively  
11 implement them.

12 Thank you.

13 SENATOR FLANAGAN: Thank you very much.

14 Senator Tkaczyk.

15 SENATOR TKACZYK: Just a quick question: Do  
16 you think we have, in the state, the laws in place  
17 to protect privacy for students?

18 REGINAL J. LEICHTY, ESQ.: Yeah, so, I'm not  
19 an expert in New York law.

20 FERPA has been in place for decades, and so  
21 there is institutional policy and practice in place  
22 in virtually every school district in the country,  
23 that's designed to ensure that student-data privacy  
24 and confidently are protected.

25 I think one important consideration that you

1       should evaluate, is ensuring that you're not  
2       overreaching.

3               As Aimee said, ensuring that data is  
4       available to stakeholders, to really make a  
5       difference from kids, is hugely important.

6               And, too often, we overreach with privacy  
7       protections.

8               So I think you need to harmonize and create a  
9       balance between these two important public goals.

10              So, I'd urge you to really think about, What  
11       are our policies in New York, and are they crafting  
12       the right balance between appropriate sharing, and  
13       ensuring that students and their families are  
14       adequately?

15              AIMEE ROGSTAD GUIDERA: If I may add to that,  
16       one of the pieces are, I think, technically,  
17       probably, sure, you know, in compliance with FERPA.

18              We heard the Commissioner talk about that  
19       today, that everything's in compliance with state  
20       law and federal law.

21              But what we're finding in states, like  
22       Oklahoma and Maryland and other states that are  
23       taking up legislation, it's to create the  
24       data-governance structure.

25              So the Oklahoma law -- which, again, I put

1       into the materials I sent you -- you can, literally,  
2       see that they spell out and they test -- they  
3       task -- the legislature and the law task the  
4       State Board of Education with very specific things  
5       to do:

6               That there's an annual announcement of every  
7       data point that is collected on Oklahoma students;

8               That there is a governance policy that --  
9       that the stated -- all points, every year, needs to  
10      review its privacy -- all privacy policies and  
11      security policies, and post them publicly;

12              That every parent can go to -- that anyone  
13      can to go a website and, literally, find the privacy  
14      and security protocols on the Department of  
15      Education website.

16              So there are very specific pieces.

17              And I think what has been the tenor of the  
18      conversation thus far this morning, has been this  
19      need to, you can have laws, you can have policies,  
20      you can have standards, you can have tests, but if  
21      nobody knows about them, and people have questions,  
22      then you have a whole lot of problems.

23              And I think that that's the piece with the  
24      privacy and security and confidently.

25              Our number one piece we say in here is, start

1 with communicating to people with why we're  
2 collecting this data, and then help them understand  
3 why it's critical; the "What's in it for me?"

4 And then to go to next piece, which is then,  
5 And this is how it's being safeguarded and  
6 shepherded so that it can be useful.

7 So I think there's always more you can do.

8 Protecting data, and, especially, as the  
9 technology continues to change, our privacy policies  
10 need to continue to keep up to speed with that.

11 And so this is -- we're never going to be  
12 done protecting data.

13 It's not something we can legislate this year  
14 and say, We're now done about it.

15 We need a process and a governance structure  
16 in place that will keep up and continually find ways  
17 to safeguard data, and always.

18 SENATOR TKACZYK: I have your testimony, but  
19 I don't have your backup material, so if you  
20 could --

21 AIMEE ROGSTAD GUIDERA: I will get packets to  
22 you.

23 And, also, in all the -- in the testimony,  
24 the links are all live, so all the material's on the  
25 website as well.

1           But, I'll get you hard copies.

2           SENATOR FLANAGAN: I have a couple of quick  
3 ones, and I look at this through the prism of a  
4 parent.

5           You know, my kids are out of elementary and  
6 secondary education, but, it strikes me that there  
7 are a couple of basic things.

8           One, the people who are critical of the  
9 dissemination, or potential dissemination, of  
10 student data, they seem to be focusing a lot more on  
11 perspective, that now there's a lot more data being  
12 collected, it's going through a central warehouse,  
13 if you will, that warehouse being the State of  
14 New York.

15           And I would -- if you have it, in it terms of  
16 submitting it to us, it would be very helpful -- I'm  
17 not aware of a series of egregious violations to  
18 date.

19           It seems that there's much more concern about  
20 where we go prospectively.

21           And I don't know if you've seen this stuff,  
22 but there's a lot of stuff coming from parents now  
23 saying: Why the heck do you need by kid's  
24 disciplinary records? What does that have to do  
25 with their education?

1           Is that record going to be now available to a  
2 college or an employer who, because my kid was a  
3 truant in third grade, now they're going to be  
4 summarily dismissed from potential future  
5 employment?

6           Do you -- is that something you focus on?

7           AIMEE ROGSTAD GUIDERA: Yes.

8           So in this document, like I -- your -- we --  
9 the Data Quality Campaign, every year, does an  
10 annual survey.

11           We've done it now for nine years, and we do  
12 an annual report every year, on every state.

13           So, literally, you can go to the  
14 DataQualityCampaign.org website and find exactly  
15 where New York is.

16           And I'll send you a state profile on that.

17           And it says exactly what data is being  
18 collected and warehoused at the state agency.

19           The question about discipline records, and  
20 things, again, in the Oklahoma legislation, the law,  
21 right now, it spells out exactly how that  
22 information will be dealt with, and what's part of a  
23 permanent record versus what's not.

24           And, again, these are decisions that you as  
25 legislators can lead in the conversation, and also

1 have the authority to task the Regents and the  
2 Board of Regents to create those guidelines that can  
3 assure the public at large with what is happening  
4 with this data. What is -- rather than the miss  
5 and -- misperceptions that are so now a part of  
6 social media and conversations that we're hearing  
7 about, is be very clear about what the current  
8 status is.

9 And if people don't think that that's the  
10 right process, "What's the process for changing  
11 that?" and having a conversation about it.

12 SENATOR FLANAGAN: On that point, if we have  
13 legislation, I understand that, but, in your  
14 opinion, right now, is the availability and the  
15 access to the present state of data in New York, do  
16 you believe that it is transparent, or not?

17 AIMEE ROGSTAD GUIDERA: I think it will be  
18 much -- much better when the portal is live.

19 From my limited understanding of knowing  
20 what's happening, as I said, this is the part that  
21 every single state is struggling with.

22 It's the provision of, one, "What data -- how  
23 do we share with parents and the public at large  
24 what data is being collected?" and states are  
25 struggling with that.



1           And this focus right now is very much getting  
2       states to put that information up and be much more  
3       transparent.

4           New York needs to do more on that.

5           The second piece, in terms of ensuring that  
6       parents, teachers, educators, have data on specific  
7       kids that they need to help make decisions on,  
8       New York will be a leading state if this education  
9       portal goes live and is implemented as planned.

10          As I said, this is this hardest piece.

11          It's not just collect -- it's not building  
12       the data systems that collect the data; it's how do  
13       you create the tools, the resources, the portals, to  
14       get it into the hands of people when it's actionable  
15       information.

16          And that part of it, that second part,  
17       New York will be a leading state if this goes as  
18       planned the next four months.

19                SENATOR FLANAGAN:   Reg, one last quick  
20       question:

21                On the -- in your testimony, you speak to, if  
22       there's a violation that -- through the federal  
23       office, that you -- basically, you go to the guilty  
24       party and give them a chance to correct.

25                And I may be oversimplifying, but it strikes

1 me that parents would be, like, Wait a second.

2 And as a legislator, I want to -- you know,  
3 if you violate the law, you should be smacked.

4 It shouldn't be, like, Oh, I'm sorry, you  
5 know, I disseminated all these social security  
6 numbers.

7 Do you believe that sanctions at the federal  
8 level are strong enough?

9 REGINAL J. LEICHTY, ESQ.: Yes.

10 So, let me answer the first question first,  
11 because it's a good one.

12 So FERPA has, for many years, had these two  
13 remedies:

14 The first is, withholding federal funds that  
15 are provided through the Department of Education;

16 And the second is, debarring agencies, that  
17 are not school districts or schools or institutions  
18 of higher education, from having access to student  
19 data for five years.

20 The law says, that before those penalties can  
21 be levied on a violator, the Department of Education  
22 has to give them a chance to voluntarily remediate.

23 And the purpose of that approach, is to  
24 balance the important values of ensuring student  
25 privacy with ensuring that there are federal

1 resources that are primarily dedicated to at-risk  
2 kids in poor communities are still flowing.

3 So rather than smack them down in one fell  
4 swoop with removal of greatly needed resources, the  
5 department says, We're going to give a chance to  
6 remediate.

7 There have not been, to my knowledge, major  
8 problems with educational institutions and  
9 educational agencies honoring their requirements  
10 under FERPA, so that tells me that the requirements  
11 are probably stiff enough.

12 SENATOR FLANAGAN: Thank you very much.

13 Appreciate the time.

14 AIMEE ROGSTAD GUIDERA: Thank you.

15 Next we have the New York State  
16 United Teachers.

17 We have Steve Allinger back, for the second  
18 time, having come to Long Island;

19 And we're joined by Kevin Ahern, who is the  
20 president of the Syracuse Teachers Association.

21 KEVIN AHERN: Good afternoon, Senators.

22 Senator Flanagan, I wanted to thank you for  
23 providing us with this opportunity to be heard.

24 I have been fascinated by much of the  
25 testimony coming out of Long Island, and what I've

1 heard so far today.

2 I do want to talk a little bit about -- today  
3 I'll talk a little -- provide you with some context  
4 about how the Reform Agenda is playing out in our  
5 neck of the woods up here in Syracuse, and  
6 specifically in the Syracuse City School District,  
7 but I do -- I will also talk about the larger  
8 context, and in talking with my colleagues  
9 throughout the county and throughout the state, and  
10 some of their impressions with what's going on.

11 I'm president of the Syracuse Teachers  
12 Association.

13 We represent, here in Syracuse, 2500 people  
14 who work with the students of Syracuse every day.

15 Over 1400 of them are actual classroom  
16 teachers working with kids in classrooms every day.

17 In Syracuse, also, we are fortunate to have  
18 an organization called "Say Yes" working here --

19 We are partnered with them, the district is  
20 partnered with them.

21 -- who has managed to bring together a  
22 tremendous community-wide effort to really help our  
23 kids in poverty.

24 We believe it's a strategy that needs to  
25 continue and be supported throughout.

1           Say Yes has managed to create unprecedented  
2       collaborations between the city government, the  
3       county government, the universities, community-based  
4       organizations, throughout Central New York.  
5       Certainly, the school district and the teachers  
6       association are involved.

7           And I will talk a little bit more about them  
8       later, but we are -- we really believe that that is  
9       a reform strategy here in Syracuse that is worth  
10      hearing about.

11          Unfortunately, the efforts -- the things that  
12      are happening now that we see with the Reform Agenda  
13      threatens these efforts, and I will talk a little  
14      bit more about that.

15          I was interested to see -- to read the  
16      Long Island testimony.

17          And I think, you know, it was very consistent  
18      throughout, and you had, again, a broad swath of  
19      stakeholders who testified, and their thoughts  
20      really echo pretty much what we hear up here, too.

21          I think the message is very clear coming out  
22      of that, that the Regents Reform Agenda, as  
23      currently implemented by State Education Department,  
24      is not working, and, in fact, may be doing more harm  
25      than good.

1           This agenda has really -- and I'm not going  
2           to go through all the comparisons or similarities  
3           that we're having here with folks down there.

4           Suffice it to say, we are struggling with  
5           this agenda in many, many ways.

6           We're struggling with the implementation of  
7           the Common Core, the lack of resources to support  
8           that, the overreliance on testing, lack of adequate  
9           resources again, demoralization and  
10          de-professionalization of our members, our teachers.

11          It's all happening right here, right now.

12          The impact of this agenda has been  
13          devastating here in Syracuse because we have an  
14          already-struggling school district.

15          And this -- the mandate -- unfunded mandate  
16          on top of unfunded mandate on top of unfunded  
17          mandate, when you have a district that is already  
18          struggling, it can send it into crisis, and we are  
19          beginning to feel a sense of that now.

20          I want to talk about the demographics of this  
21          school district, because they're important when we  
22          talk about, What are we doing for kids, and how are  
23          we helping kids be successful?

24          80 percent of our students in this school  
25          district are eligible for free and reduced lunch.

1           50 percent of the children who live in  
2       Syracuse, "50 percent," live below the federal  
3       poverty line.

4           The implications of that are vast.

5           So when we talk about a school system, and  
6       the success of a school system, we must look at the  
7       children in context in that school system.

8           Since 2009, education funding cuts in this  
9       district have caused us to reduce 25 percent of our  
10      employees.

11          Hundreds of them are teaching assistants and  
12      teachers working directly with kids every day.

13          With the student population of nearly 20,000  
14      that has remained consistent over that time, the  
15      amount of adults available to work with those kids  
16      has dramatically increased.

17          So it's this context, a high-needs student  
18      population and a chronic lack of funding to support  
19      them, where the negative impacts of this  
20      Reform Agenda are felt most acutely.

21          The flawed tests administered without  
22      necessary curricular support, the Common Core test  
23      last year, when you give those to kids who already  
24      struggle with standardized tests, many of whom  
25      struggle to get to school every day, that is not, as

1       somebody once said, ripping off the Band-Aid.

2               That is actually pouring salt on the wound.

3               It is demoralizing to those children.

4               It's demoralizing to those of us who work  
5 with them every day.

6               Add to that, the challenge of developing and  
7 implementing SLOs, or alternative measures of  
8 growth, on a scale in a district where we have  
9 1400 classroom teachers, a couple hundred  
10 administrators, and 20,000 kids, the stress placed  
11 on our internal systems here in the district is  
12 tremendous.

13              It is at the breaking point, where, as all  
14 the goodwill and all the good intentions of this  
15 Reform Agenda can undermine -- can be undermined,  
16 and our collective desire to help these kids and  
17 improve outcomes for kids can be undermined, because  
18 of the stress on the system that has been  
19 unaccounted for financially.

20              In addition to this, there are punitive  
21 measures that come with the Reform Agenda via the  
22 Race To The Top.

23              Schools that don't perform well on tests get  
24 punished in this environment.

25              We have an entire district that does not



1 perform particularly well on tests.

2 19 our schools in this district have been  
3 identified -- 19 out of 32 have been identified as  
4 what they call "focus schools."

5 That is another word for failing schools.

6 Those schools are required to go through  
7 four turnaround models, and I won't list them all  
8 for you, but I can tell you this, two of them are  
9 simply not feasible in a district like this.

10 Another one, we have used up our allotment,  
11 per Race To The Top.

12 We are now forced to use a model that  
13 requires 50 percent of staff and the principal be  
14 removed from that school, and then reconstituted  
15 from there.

16 When the Commissioner talked about the  
17 I-zone, the I-zone is something we worked on, with  
18 the superintendent, to try to do some innovative  
19 things within the context of these schools being  
20 forced into a turnaround strategy that says you have  
21 to remove 50 percent of the staff.

22 There is no science behind the "50 percent"  
23 number.

24 This is an arbitrary number, completely made  
25 up by people who don't work in education, or who

1       oversee education but are not educators.

2               There's no science behind 50 percent.

3               Why not 25 percent?

4               Why not 30 percent?

5               There's no science behind it.

6               It is the idea that a lot of activity will  
7       somehow create achievement.

8               The communities that these schools exist in,  
9       we have to do five of them -- we are doing five of  
10      them -- we did five of them over the course of last  
11      summer, and into the fall.

12              We moved hundreds of teachers throughout the  
13      district in order to accommodate this.

14              We pulled teachers who had been in schools,  
15      some of them for well over 20 years, had taught  
16      generations of families, had relationships with many  
17      of the children and parents in these neighborhoods.

18              Because of this, they were moved out of those  
19      schools.

20              It's disruptive to a neighborhood.

21              It is disruptive to children, to parents.

22              It's certainly disruptive to the  
23      professionals who work in those schools.

24              And I would also say this: It destabilizes,  
25      to a certain extent, that community.

1           It is a very, very unfortunate set of  
2       circumstances, when we are -- when we have  
3       state-mandated disruption and destabilization.

4           I would also suggest this: When you look at  
5       the demographics of these neighborhoods, and that we  
6       have state-mandated disruption and unscientific  
7       methods being forced upon us to, quote/unquote,  
8       "reform that school," if that were happening in some  
9       of the suburbs surrounding this area where the  
10      demographics are significantly different, and the  
11      people who live in those suburbs are middle-class or  
12      upper middle-class, there is not a parent or a  
13      legislator in this state representing those people  
14      who would stand for this.

15           It happens in poor neighborhoods.

16           The focus schools throughout the state have  
17      one thing in common: The kids are poor. They don't  
18      have the resources.

19           So when I refer to Say Yes as a reform model,  
20      Say Yes actually looks at the things that matter  
21      most to the kids in the circumstances we find them  
22      in here in Syracuse. They look at, you know,  
23      providing the kinds of supports kids need.

24           Social, emotional supports; after-school  
25      activities, more learning in the summer; those are

1 the kinds of things Say Yes and our school district  
2 has been interested in since we first began that  
3 journey with Say Yes, because we recognize, as urban  
4 educators working in a poverty-stricken district,  
5 the things that our kids need.

6 I grew up in these schools. I graduated from  
7 Nottingham High School in 1976, and I'm a very proud  
8 graduate of that school.

9 But I will tell you right now, the  
10 demographics of this city, and the student  
11 population, is significantly different than it was  
12 in 1976.

13 "Significantly different."

14 So the outcomes for kids have changed  
15 dramatically as a result.

16 None of the Reform Agenda really addresses  
17 any of this. It doesn't address any of these kinds  
18 of needs.

19 We talk about a need to go to the  
20 Common Core, and, you know, I'm fine with the  
21 Common Core.

22 I think most teachers are relatively  
23 supportive of it. Some are very supportive; some  
24 are less.

25 They're willing to do the work to do that.

1           That's instructional; it's important that we  
2       provide the best instruction.

3           Teachers need support in that.

4           And we'll talk a little bit more about that.

5           But, there is no support, it seems, or nobody  
6       seems to be really be listening, when we talk about,  
7       there's this broad statement out there that our  
8       schools are failing, that has been out there for a  
9       long time.

10          And the Commissioner points out, you know,  
11       the ready-for-college rate, and all of those kinds  
12       of numbers.

13          All our schools aren't failing.

14          Kids in the suburbs, generally, are doing  
15       fine. They're graduating over 90 percent of their  
16       kids. They're doing well on state tests, and  
17       they're going to the college of their choice, or the  
18       college that their parents can afford.

19          The schools, if you did an overlay of  
20       education achievement, by whatever standard the  
21       state has, take that map and lay it over, the  
22       pockets where kids aren't doing well are in ZIP  
23       codes where poverty exists.

24          None of this Reform Agenda addresses that in  
25       any meaningful way.

1           As we talk about the State's rolling this  
2 out, and their support, it's not just our district  
3 where we haven't felt terribly supported.

4           Virtually, all my colleagues I talk to about  
5 the implementation of all this feels that State Ed  
6 has missed the opportunity to do this the right way.

7           And it could be a tragic misfire, because it  
8 will create, and has created, a problem of  
9 credibility for state -- New York State education.

10          Under-resourcing, and over-mandating, and not  
11 giving the appropriate amount of time, has led to a  
12 lot of doubters.

13          Teachers feel that this evaluation system is  
14 really only about putting them in one of four  
15 categories, and sorting them out.

16          Parents are feeling that the testing is  
17 obsessive and it's bad for kids.

18          So when that's happening, the credibility of  
19 the entire system is brought into question.

20          And, again, good intentions, we understand  
21 that.

22          You'll never hear a teacher stand up and say,  
23 I don't want to be evaluated.

24          You'll never hear a teacher, not this teacher  
25 or teacher leader, ever stand up and say, The system

1 as it existed before was something that we should  
2 hold up as exemplary.

3 It wasn't.

4 There are -- there's a framework in -- that  
5 we can work within in the new evaluation system that  
6 has some real promise, that can actually do the  
7 things for teachers to improve their practice that  
8 it should.

9 We're not dismissing it.

10 The same is true for the need for testing.

11 Teachers test all the time. They use  
12 assessments all the time.

13 But the obsession with testing, connecting it  
14 with kids and teachers in a high-stakes way, and  
15 school districts in a high-stakes way, has gone too  
16 far, and too fast.

17 SENATOR FLANAGAN: Kevin, can I ask you to  
18 kind of wrap up --

19 KEVIN AHERN: Yes.

20 SENATOR FLANAGAN: -- because I know my  
21 colleagues have questions.

22 KEVIN AHERN: Yes, absolutely.

23 SENATOR FLANAGAN: Thank you.

24 KEVIN AHERN: And, again, I don't mean to  
25 prattle on.

1           I do -- I do want to, you know, get to the  
2 ask here, so, if you'll let me do that.

3           I would urge you to join teachers and parents  
4 and call for best practices in measuring student  
5 achievement.

6           That means ensuring our youngest students are  
7 not forced to take tests that are developmentally  
8 inappropriate.

9           That means requiring transparency and the  
10 State's use of standardized test.

11          I ask you for the time, for students and  
12 teachers need to gradually implement the new  
13 learning standards in order to get it right.

14          That should include postponing the  
15 implementation of the Common Core Regents' exams as  
16 a graduation requirement.

17          It should include a three-year moratorium on  
18 the high-stakes aspect of the consequences for  
19 students and teacher who are doing everything  
20 possible to keep up with this work, despite great  
21 odds working against them.

22          I urge you to provide the full resources  
23 districts need to ensure all students have an equal  
24 opportunity to master the state's new learning  
25 standards. Our students' challenges are only



1 worsened by the State's hyper-focus on testing  
2 instead of the supports and services they need.

3 Finally, students living in poverty need  
4 State-sponsored support, not State-sponsored  
5 disruption. They need safety nets, not sanctions.

6 The Reform Agenda should be supporting the  
7 development of state-of-the-art community schools  
8 and efforts by organizations, like Say Yes, that not  
9 only provide scholarships, but also create  
10 unprecedented collaborations between stakeholders,  
11 to bring the resources to our kids, and their  
12 families.

13 If New York is really interested in providing  
14 every student with a first-class public education,  
15 and the fundamental issue of poverty, access,  
16 equity, and opportunity must be seriously addressed.

17 Thank you for listening.

18 SENATOR FLANAGAN: Kevin, thank you very  
19 much.

20 I know that's consistent with what we had  
21 heard from Nadia, your colleague on Long Island,  
22 from Middle Country.

23 But, I believe Senator DeFrancisco has a  
24 question.

25 SENATOR DeFRANCISCO: Yes, the -- I was

1 listening to your asks just now, and I reread them.

2 None of the asks was to get rid of the  
3 concept of the Core curriculum, get rid of the  
4 reforms. It's, basically, postponing the  
5 effectiveness.

6 Is that fair to say?

7 KEVIN AHERN: Yes.

8 I think, we're not asking to get rid of the  
9 Common Core.

10 We're asking for a sensible, timely rollout  
11 with the appropriate resources.

12 SENATOR DeFRANCISCO: Okay.

13 Now, with the appropriate resources, you  
14 mentioned that there was less and less State aid,  
15 especially for students in schools that have a high  
16 level of poverty; is that correct?

17 How much is enough? What's enough?

18 How much per pupil should the state be  
19 providing that will solve this problem?

20 Because, the resources seem to be the main  
21 issue, and they've been since I was on the school  
22 board 36 years ago.

23 KEVIN AHERN: Well, there was a --

24 SENATOR DeFRANCISCO: Tell me, how much is  
25 enough?

1           STEPHEN ALLINGER: Senator, there was a  
2 process to develop estimation of what was required  
3 for every child to have a sound basic education  
4 provided in every school.

5           It was a costing-out study that was part of  
6 the resolution of the Campaign for Fiscal Equity  
7 lawsuit, and that was embedded in the foundation  
8 formula that was overwhelmingly adopted by the  
9 Legislature.

10           In the first two years, 2008, 2009, it was  
11 implemented, generally, according to the plan, and  
12 it resulted in real dollar investments in high-needs  
13 schools, that made a difference for kids, and there  
14 was an improvement in scores, and a closing of the  
15 achievement gap.

16           But as the Great Recession took hold, that  
17 was, first, frozen, and the gap elimination applied.

18           So I -- we would submit that you go back to a  
19 full implementation of the foundation formula, based  
20 on the best estimates that the State could get from  
21 experts, and what is the foundation amount needed to  
22 educate every child to high standards.

23           SENATOR DeFRANCISCO: My question is, what is  
24 the amount?

25           I mean, do you remember from that decision?

1           STEPHEN ALLINGER: In those dollars, in 2007  
2 dollars, that was about 7 billion.

3           There was a plan to reestimate, because  
4 technology change, standards change, every several  
5 years.

6           That plan was shelved, the promise not kept.

7           I can't give you an instant Cream-of-Wheat  
8 answer, but I would be glad to have -- with some  
9 time, get back to you with information on how to  
10 estimate the sound and basic education full funding.

11          SENATOR DeFRANCISCO: Do you have an estimate  
12 as to whatever that "billion dollar" number --

13          STEPHEN ALLINGER: We're several  
14 billion dollars short of the plan.

15          SENATOR DeFRANCISCO: Excuse me, I could  
16 finish the question?

17          STEPHEN ALLINGER: Sorry.

18          SENATOR DeFRANCISCO: That -- whatever the  
19 number of billion dollars, and how much we're short,  
20 do you have an estimate as to the dollars per child  
21 in the school district that's high poverty?

22          STEPHEN ALLINGER: It's a few thousand short,  
23 but we will -- rather than just doing it off the top  
24 of my head, I will get that information to you.

25          SENATOR DeFRANCISCO: Well, I asked for this

1       number, because I don't remember the number, but --  
2       and there has been a very difficult financial time.

3               But just so that people here know, as far as  
4       the Syracuse School District is concerned, the State  
5       aid; not federal aid, State aid alone, for  
6       2011-2012, was \$12,264 per child.

7               The following term, following year, 12,986.

8               And this past year, 13,293.

9               Now, I know that the numbers were going up  
10       during the implementation of that increase in  
11       foundation aid, but not that dramatically.

12               So, I don't think -- what I'm getting at,  
13       I don't think money is the only issue here.

14               And, Kevin, you had mentioned many other  
15       issues, poverty level, and the like.

16               And one of the things I'd like to hear from  
17       the teachers, because this is a concern of mine,  
18       that, in some districts, and I've heard many parents  
19       in the Syracuse School District -- there was just a  
20       report in today's paper, I think -- that there's  
21       disruptions in the classroom that makes it very  
22       difficult for teachers to teach.

23               And, apparently, what's occurred recently, is  
24       the report today said that it's too racially biased,  
25       or whatever it may be.

1 Well, whoever's doing it, is there a solution  
2 to make the job of teachers better, so that students  
3 who want to learn can learn?

4 You know, what's the solution, if you can't  
5 suspend someone and get the disrupters out of the  
6 classroom?

7 What do the teachers want with respect to  
8 that issue?

9 KEVIN AHERN: Teachers want to be able to  
10 teach.

11 Right?

12 So, I think there's a couple of issues here.

13 One, as I noted earlier in my testimony, we  
14 have eliminated 25 percent of the staff of this  
15 school district. Those are adults who supervise  
16 kids all day.

17 So as a consequence, you know, and I don't  
18 have any scientific research on this, but common  
19 sense would tell us all, there are less adults  
20 supervising the same amount of kids in the same  
21 buildings, so, that can lead to lots of issues.

22 Right?

23 So I think that's one significant factor.

24 Another -- I do think this is an important  
25 issue, and it's certainly not for a huge discussion

1 here, but I think it's a community-wide issue, and  
2 I think it needs to be -- I think we need to find  
3 solutions within the community.

4 And by "the community," I mean parents,  
5 teachers, lawmakers...I think everybody needs to  
6 address this issue of safety in the schools.

7 And I think last night's discussion of  
8 suspension rates is an interesting topic, and an  
9 alarming number, but I think the solution will be  
10 much more complicated than simply looking at those.

11 And to your earlier point, Senator, about the  
12 finances, and all of that, I don't have chapter and  
13 verse on those numbers, but, as you know, budget  
14 season approaches.

15 We will bring a delegation in, and I can  
16 guarantee you -- I know that Suzanne Slack, CFO for  
17 the school district, can give you chapter and verse  
18 on the impact of the lack of CFE funding.

19 SENATOR DeFRANCISCO: One last issue, because  
20 I don't want to monopolize it, but one last issue --

21 And I'd like to get together with you on the  
22 disruptions in the classroom.

23 KEVIN AHERN: Absolutely.

24 SENATOR DeFRANCISCO: -- because I don't see  
25 how any teacher -- my wife was a teacher -- how you

1       can possibly teach in a classroom without getting  
2       rid of the kids who don't want to learn, somehow.

3               Whether it's putting them in a separate  
4       classroom and teaching them with less teachers, or  
5       whatever.

6               But -- because you can't prevent those who  
7       want to learn, learn; and teachers who want to  
8       teach, teach, in an atmosphere they can teach.

9               Lastly, Say Yes, and I was involved at the  
10      beginning of that, I learned something that just  
11      totally shocked me, and I want to get your opinion  
12      on this; and that is -- because I was going into  
13      this remediation issue, and the hundreds of millions  
14      of dollars that are spent by kids using their  
15      money -- their tuition money for remediation, for  
16      colleges paying dollars upon -- millions of dollars  
17      on remediation, because kids aren't ready for  
18      college.

19              Now, it's a wonderful concept, in my  
20      judgment, that if a kid in poverty has the incentive  
21      of a pre-college education --

22              And by the way, the suburban districts don't  
23      get this. It's only the city of Syracuse, so there  
24      are things that go to the poverty districts.

25              -- but, I was shocked to learn that all a



1 student needed to get a free college education under  
2 the Say Yes program, was to get a city  
3 school-district diploma.

4 They don't have to be ready for college.

5 KEVIN AHERN: Well --

6 SENATOR DeFRANCISCO: Now, let me just, last  
7 point.

8 KEVIN AHERN: Go ahead.

9 Sure.

10 SENATOR DeFRANCISCO: It seems to me, whether  
11 you're in poverty or not, and if a parent knows that  
12 their kid has got to be college-ready to get that  
13 education, there ought to be some parental support  
14 to make sure the kid is ready; not just getting a  
15 piece of paper pushed on to learn how to read more  
16 proficiently in college.

17 You know, what -- is there something, a  
18 disconnect there, or am I wrong?

19 KEVIN AHERN: Well, I -- I would say this:

20 There certainly are students who graduate,  
21 and certainly will struggle as freshmen in college.

22 That is another one of the areas that Say Yes  
23 actually does focus on.

24 They have a tremendous program, in  
25 conjunction with the local community college, that

1 really brings kids up in the summer, prior to their  
2 freshman year, to help them get ready for the work  
3 they will do in their first semester.

4 And, all of this, Senator, focused on  
5 retaining those kids once they're in college, and  
6 getting them through to graduation, which is another  
7 challenge.

8 So we -- you know, we've the challenge of  
9 getting kids ready to graduate high school, and  
10 actually graduating.

11 Then when they do, there's another challenge,  
12 getting them to graduate.

13 When you have kids -- you mentioned, you  
14 know, we do have kids who don't have strong parental  
15 support at home.

16 So, Say Yes recognizes that, and is working  
17 on that.

18 So, I think it's something useful that you  
19 pointed out, but I do think Say Yes is working on  
20 it.

21 But, you know, Say Yes needs -- school  
22 districts like ours need Say Yeses, and they don't  
23 all have them.

24 And the State needs to look at that model and  
25 find ways to support that kind of interaction

1       between all the players.

2               You know, Senators, as well as anybody,  
3       getting state and city governments to work together,  
4       and to get things done for kids, and to eliminate  
5       red tape, and various constituency issues, is a  
6       really enormous challenge.

7               And Say Yes has managed to make that happen  
8       here in Syracuse in a way that I think is  
9       unprecedented throughout the state.

10              We're hoping to see similar cooperation in  
11       Buffalo as Say Yes moves in there.

12              SENATOR FLANAGAN:   Senator Valesky.

13              SENATOR VALESKY:    Just a follow-up.

14              And, first, Kevin, thank you for your  
15       testimony.

16              KEVIN AHERN:   My pleasure.

17              SENATOR VALESKY:    I appreciate that very  
18       much.

19              Steve, just a follow-up, I think one of the  
20       points that you had made, and, particularly, since  
21       I had raised the issue with the Commissioner and the  
22       Vice Chancellor in regard to resources, you had  
23       referred to the Campaign For Fiscal Equity court  
24       case.

25              I just wanted to -- and I think it was

1 Senator Seward had mentioned earlier in this  
2 hearing, I just wanted to again restate for the  
3 record, that it was, in fact, the Senate Majority  
4 Coalition, actually, not once, but twice this  
5 session, both in the Senate, one-House budget, and  
6 I think a standalone legislation at the end of the  
7 regular session, as a reflection of the input from  
8 school boards and superintendents and others in the  
9 educational community, that an elimination of the  
10 gap-elimination adjustment, from the legislative  
11 perspective, was one of the most important and  
12 effective things, this is what I have been told  
13 repeatedly, that we could do as representatives of,  
14 in my case, the city of Syracuse, and many other  
15 districts, but all of us who are sitting here.

16 So, I guess, Steve, as we're, you know, very  
17 soon preparing for the next budget cycle, and not to  
18 speak for the Chairman or the leadership of the  
19 Senate, but I would certainly anticipate that, from  
20 a Senate perspective, we will continue to push that  
21 issue.

22 And I guess my question, Steve, to you, is,  
23 is I hope that you will be equally as aggressive  
24 about the need to do that.

25 STEPHEN ALLINGER: I'll try to live up to

1       that expectation.

2               We are thankful that the Senate and the  
3       Assembly exceeded the Governor's school-aid cap.

4               We believe the school-aid cap is sized  
5       mechanically below what schools need to meet higher  
6       standards; for teachers to teach to higher standards  
7       and students to learn to them.

8               And, we believe that you'll need to do that  
9       again, particularly in light of the fact that the  
10      tax-cap calculation is coming down well below  
11      2 percent, well below the current services-costs  
12      increases due to inflation in that sector.

13              And, that if we're to be serious about  
14      reaching these unprecedented high standards, which,  
15      by the way, our -- NYSUT, NEA, AFT, have supported  
16      the implementation of Common Core, but not the  
17      obsession and premature testing.

18              But, we'll have to increase the amount of  
19      resources.

20              We're working with the Education Conference  
21      Board.

22              You know, we just came out with the joint  
23      statement, with all the stakeholders, to have  
24      meaningful investment, so we've the proper training,  
25      sequencing, time, resources, technology.

1           And the reason we've called for pausing  
2           high-stakes consequences, is we didn't get this --  
3           we don't have an appropriate baseline.

4           You don't have an appropriate baseline, we  
5           have the cart before the horse.

6           When you have testing based on curriculum  
7           that was not properly implemented, where entire  
8           grade levels were not -- were absent, and there was  
9           a promise to districts that these supports would be  
10          in place, 45 other states are taking more measured  
11          time to implement it.

12          Only one other state hurried it.

13          And, I want to support what President Ahern  
14          said, you don't want to create a backlash around the  
15          higher standards through poor implementations, and  
16          that's why we want to get it right.

17          SENATOR FLANAGAN: Before I go to  
18          Senator Tkaczyk, I would just -- Steve, I would add  
19          that -- well, I don't need to be a cheerleader for  
20          the Executive -- we were -- we certainly built  
21          considerably on what the Governor proposed, but in  
22          fairness, in his proposed executive budget, he  
23          pierced the cap, as a good starting point.

24          STEPHEN ALLINGER: He did.

25          SENATOR FLANAGAN: So we were -- we were in a

1 better position, and we got to a much better  
2 position in the end product.

3 So, Senator Tkaczyk.

4 SENATOR TKACZYK: I just have a quick  
5 question for Steve.

6 It's my understanding, that we're funding  
7 schools at the 2008/2009 funding level.

8 KEVIN AHERN: That's correct, or a little  
9 below.

10 SENATOR TKACZYK: Thank you.

11 SENATOR FLANAGAN: Senator Little.

12 SENATOR LITTLE: Thank you.

13 I am on the Mandate Relief Council, and you  
14 mentioned mandates.

15 Could you just briefly tell me what you  
16 believe, for the teachers -- we've heard from school  
17 superintendents and school boards -- what would be  
18 your top two mandates that you believe are not  
19 effective, or schools could do without?

20 KEVIN AHERN: Well, the mandate for  
21 high stakes attached to these tests would be,  
22 I think, the highest priority.

23 That they're -- and, you know, again, we're  
24 asking for a moratorium on that.

25 I do want to make something clear, though, so

1       that all the Senators understand, and from our  
2       perspective, at any rate.

3               When the State talks about, you know, only  
4       20 percent of this is state tests, and all of that,  
5       and that's fine, you know, that's true.

6               There's another 20 percent called, you know,  
7       the "local measures of student achievement."

8               So, that's another 20 percent of the  
9       100 percent, that is -- those are tests, also.  
10      Those are assessments, also.

11              So when they talk about, you know, only  
12      20 percent of this, it's not quite true.

13              It's 40 percent of a teacher's evaluation is  
14      based on one form or assessment of another.

15              So when we get to this test obsession that we  
16      talk about, from our perspective, those are tests  
17      that have to be implemented also.

18              So we have the state tests, and SLOs for  
19      teachers who do not teach subjects that have state  
20      tests, as part -- as the 20 percent of that.

21              And then we have other measures of student  
22      achievement that are more than likely going to be  
23      some other form of assessment, or maybe another kind  
24      of SLO, with a slightly different name.

25              So -- so in order to evaluate teachers, we



1 are testing kids at an unprecedented rate.

2 And the tests, some are for kids, so we can  
3 see where the kids are at, but, they serve two  
4 purposes:

5 One, is so we can see where the kid's at, and  
6 another, allegedly, tells us where the teacher's at.

7 So we have 40 percent of our evaluation  
8 system is testing to figure out where, supposedly,  
9 teachers are at.

10 So, those are the high stakes we're talking  
11 about for teachers and kids and school districts  
12 that is a metric that's looked at.

13 SENATOR LITTLE: Just to address the first  
14 one, but I believe that, in the very beginning,  
15 40 percent of the tests were going to be -- of the  
16 evaluation was going to come from the state test,  
17 and it was through participation with NYSUT and  
18 everyone else.

19 KEVIN AHERN: Absolutely.

20 SENATOR LITTLE: And I also heard the  
21 Commissioner say today that there is flexibility in  
22 that 20 percent testing.

23 And I think that maybe some of our schools  
24 haven't really hooked into that; that they should be  
25 asking for some flexibility, or doing something

1 differently.

2 But, do you have a second one as well?

3 And I'd really -- you know, if you don't have  
4 it right now, I would love to get one from you  
5 afterwards.

6 KEVIN AHERN: Well -- and, you know, I mean,  
7 the thought of testing 5-year-olds I think is  
8 another real issue.

9 SENATOR LITTLE: So the real primary-grade  
10 testing, you believe, is too much?

11 KEVIN AHERN: Yeah.

12 STEPHEN ALLINGER: And it's developmentally  
13 inappropriate.

14 Most national and international organizations  
15 condemn that kind of testing --

16 SENATOR LITTLE: Well, I, too --

17 STEPHEN ALLINGER: -- for early grades.

18 SENATOR LITTLE: -- I am hearing from  
19 families on that.

20 And I also believe the testing on the  
21 specialized students is really difficult, and in  
22 many cases, it's only telling them what they can't  
23 do, which is -- well, but it's an area we're looking  
24 at.

25 Let me know, all right --

1 KEVIN AHERN: Yes, absolutely.

2 SENATOR LITTLE: -- if there's ever a time.

3 Because, we really don't hear from teachers  
4 as to what some of the mandates are that we could do  
5 without.

6 KEVIN AHERN: Yes.

7 Thank you.

8 SENATOR FLANAGAN: Senator DeFrancisco.

9 SENATOR DeFRANCISCO: That second point,  
10 I agree with you 100 percent, about young people,  
11 and people with certain disabilities.

12 But, you've been decrying this whole process  
13 of teacher evaluations.

14 Wasn't that part of -- weren't you involved  
15 in the negotiations, the teachers?

16 And wasn't the ultimate result based upon the  
17 discussions with the unions, as well as this  
18 administration?

19 Didn't you participate?

20 KEVIN AHERN: Well, certainly, Senator,  
21 NYSUT, on behalf of teachers, worked very closely  
22 with the State to negotiate that document,  
23 absolutely.

24 SENATOR DeFRANCISCO: Thank you.

25 STEPHEN ALLINGER: That doesn't -- if I could

1 add, Senator, this gets to the heart of, and that's  
2 not in that statute, the implementation of the  
3 Common Core.

4 We certainly can implement it in a deliberate  
5 fashion, where the necessary supports and training  
6 and planning and sequencing is put in place.

7 And that's one of the heart of the matter  
8 that we're concerned about.

9 SENATOR DeFRANCISCO: Are you saying that  
10 you're comfortable with the evaluation system as  
11 long as it's --

12 STEPHEN ALLINGER: Not as it's been  
13 implemented.

14 I think that there's a tremendous concern  
15 about the implementation.

16 SENATOR DeFRANCISCO: In other words, it's  
17 implemented too quickly?

18 STEPHEN ALLINGER: The rollout was -- it was  
19 hurried. It was not sequenced properly.

20 And, we believe that some of the  
21 interpretations of the law have increased the focus  
22 on high-stakes testing, rather than multiple  
23 measures, which was your first --

24 SENATOR DeFRANCISCO: But that was part of  
25 what you agreed to, the evaluation process, isn't

1       it?

2               STEPHEN ALLINGER: We agreed to having a  
3       focus on multiple measures, and having it in place,  
4       but not an obsession with standardized bubble tests.

5               SENATOR FLANAGAN: Steve, can I go back to  
6       something that you just mentioned, and since you  
7       were at Long Island, you heard me say this:

8               For all the people that came to testify,  
9       I had given everyone a homework assignment; and, in  
10      a nutshell, it was to, basically, ask everyone what  
11      their interpretation or their impression was of all  
12      the kids -- or, excuse me, all the tests that a  
13      child has to take.

14              If you take a snapshot in time, assuming  
15      everything stays the same, K through 12 -- a kid  
16      comes into kindergarten today, works his or her way  
17      through twelfth grade -- what are all the tests that  
18      a child has to take?

19              Now, in the past, NYSUT has provided more  
20      detailed information than most.

21              But, I'm not aware --

22              And, certainly, I make mistakes every day,  
23      but -- and could stand to be corrected.

24              -- you're talking about testing of  
25      5-year-olds.

1 I'm not aware of any state mandate that says  
2 a 5-year-old has to be tested.

3 So if there -- can you explain to me what you  
4 mean by that?

5 Because if that's the case, I -- to me, it  
6 seems like that's a decision at the local level, by  
7 the district, as opposed to State Ed.

8 STEPHEN ALLINGER: I believe that the focus  
9 and overemphasis on high-stakes consequences for  
10 districts, for kids, for teachers, has led to local  
11 districts, and we don't agree with it, but feeling  
12 under tremendous pressure to move down into younger  
13 ages, acclimating young children to test-taking,  
14 which often is very stressful and counterproductive,  
15 and isn't very informative either.

16 That, if we had the right balance, in terms  
17 of testing and other valid multiple measures,  
18 informative assessments, in classroom work, that it  
19 would lessen the pressure that districts sometimes  
20 feel to do this kind of inappropriate early-grade  
21 testing.

22 Moreover, we would like legislation passed,  
23 that would not allow for that kind of  
24 inappropriate -- developmentally inappropriate  
25 testing before ages younger than grade 3.

1           SENATOR FLANAGAN: Right, and we have clearly  
2 talked about this, but I'm not aware of any dictate  
3 that comes from the Regents, or, in this case,  
4 State Ed.

5           Certainly, there's testing legislation, that  
6 there's a strict prohibition on K through 2.

7           And that's easy to understand, conceptually.

8           But, I'm just trying to wrap my head around  
9 the idea, where does this come from?

10          If it's a decision at the local level --

11          And we're going to have a couple of  
12 superintendents who are coming up here, including  
13 the superintendent of Syracuse.

14          -- I accept that, and I understand that.

15          But I'm just not aware of anything where the  
16 State of New York is coming in and saying, You have  
17 to do this testing in kindergarten or first grade.

18          Is that --

19          STEPHEN ALLINGER: There's not an explicit  
20 command in statute or reg to do that, but I think  
21 that the emphasis -- overemphasis on high-stakes  
22 consequences has led to that practice.

23          I think it should be corrected in statute,  
24 and I think we should have a more balanced  
25 implementation on multiple measures.

1           SENATOR FLANAGAN: Kevin, I'm just going to  
2           differentiate with one of the things you said  
3           before. And this is -- I'm being very clear, this  
4           is my own opinion.

5           KEVIN AHERN: Sure.

6           SENATOR FLANAGAN: I believe, in the state of  
7           New York, that we drive money to high-needs  
8           districts right now.

9           There will be a debate today, tomorrow, there  
10          were dates in the past, about how much, but on a  
11          percentage basis, in this year's budget,  
12          approximately 70 to 71 percent of all the new money  
13          went to, quote/unquote, "high-needs districts,"  
14          including Syracuse.

15          I don't agree with your characterization,  
16          that if there were some similar problem in the  
17          suburban district, that legislators would not stand  
18          for that.

19          I believe Senator DeFrancisco and  
20          Senator Valesky, who happen to represent suburban  
21          and urban districts, keep that in mind, as do all of  
22          my colleagues, and we grapple with, just as you do,  
23          How do you strike that appropriate balance?

24          So, I'm confident, as one legislator, that  
25          I take a very hard look at the distribution of aid



1 and its equitability.

2 And there will always be some debate on that,  
3 but I think we are striving to move in the right  
4 direction.

5 And the more we can partner together, the  
6 better off it is for everybody, including the kids  
7 that we're talking about.

8 So, appreciate your time, Steve.

9 Appreciate you being here as well.

10 KEVIN AHERN: I appreciate it.

11 STEPHEN ALLINGER: Thank you.

12 SENATOR FLANAGAN: And next we have -- well,  
13 funny I should have mentioned it, we have some  
14 superintendents who are going to testify.

15 Corliss Kaiser from Fayetteville-Manlius, a  
16 district that's been mentioned prominently at least  
17 a couple of times today;

18 And, Diana Bowers, from the Hamilton Central  
19 School District.

20 DIANA BOWERS: Hi, I'm Diana Bowers, the  
21 superintendent of the Hamilton School District.

22 And, I'm actually going to probably say less  
23 than I originally planned to, because a lot of what  
24 has already been said, I was going to include in my  
25 talk.

1           But, today I want to talk about three points.

2           The first would be, the -- two things the  
3       Commissioner King spoke of: one is the change  
4       process, and the other is flexibility.

5           Am I not speaking loudly enough?

6           SENATOR FLANAGAN: I just want to make sure  
7       we have our...

8           I think you're fine.

9           DIANA BOWERS: Okay, thank you.

10          I can tell you that change is hard, and  
11       I agree with everything that has been said here  
12       today.

13          It is -- it's a very difficult process, and  
14       the change process is going to be between now and  
15       many years to come.

16          But if you look at change theorists, they  
17       really talk about four different stages of change:  
18       form, storm, norm, and reform.

19          And I can tell you that we are in -- we are  
20       leaving the "form" stage, and we're about to head  
21       into the "storm."

22          And, the change theorists also discuss ways  
23       of modifying the level of the "storm," and I think  
24       that's what we need to discuss today.

25          There's a lot of things that are happening

1 right now that people don't agree with, but if you  
2 listen to the work of Heifetz and Linsky from  
3 Harvard, if you can moderate the change and you can  
4 moderate the speed of change, it can happen and it  
5 can become systematic.

6 So that's the first thing.

7 The second is flexibility.

8 The flexibility that I'd like to discuss is  
9 really with the modules.

10 We are given the opportunity to either decide  
11 not to do the modules, or, to modify them to a  
12 certain extent.

13 In Hamilton, we are modifying them.

14 But I can tell you that, in many cases, our  
15 teachers feel the need to actually conduct the  
16 entire module, because of fear, and they're not sure  
17 where to go besides that.

18 So that's a second point.

19 The third, and the most important, are the  
20 kids.

21 We are educating right now the class of 2026,  
22 and if you think about the students that we have in  
23 our charge, these are kids that are going to  
24 experience a world like none other.

25 We can't even imagine what we're preparing

1       them for.

2               But one of the concerns that we do have, is  
3       that we are preparing them in a way that may not  
4       meet the needs of the twenty-first-century learner.

5               All of the needs, all of the things that we  
6       need to prepare our students, are in the  
7       Common Core, but they are getting lost by  
8       assessment.

9               And, we need to think about the innovator,  
10       the entrepreneur, the mover and the shaker, of the  
11       twenty-first century, and prepare what we need to do  
12       for them.

13               So those are my three points, and I'll give  
14       it to Corliss.

15               CORLISS KAISER: Thank you.

16               And I'd like to say thank you for this  
17       opportunity.

18               Good afternoon, Senator Flanagan and  
19       Committee members.

20               We've had the pleasure of having both  
21       Senator DeFrancisco and Senator Valesky visit our  
22       school district.

23               Before I begin my comments, I would like to  
24       note that we just heard from a very different  
25       context in a school district, and the context within

1       which we work.

2               I had the pleasure of working in the  
3       Syracuse City School Districts for four years.

4               I understand the needs of the district, and  
5       I want to applaud the teachers in that district, the  
6       parents and the students, for what it is they have  
7       to accomplish.

8               I have five points that I would like to go  
9       over.

10              The first, talking about rigor;

11              The second, talking about assessments;

12              The third, on our evaluation system;

13              The fourth, on the support that our teachers  
14       and administrators need;

15              And the fifth, I didn't have here, but I'm  
16       adding it, it's on data. That was such a compelling  
17       discussion that was held.

18              As far as the rigor goes, the change around  
19       Fayetteville-Manlius, we started to talk years ago  
20       about the fact that, the United States, including  
21       New York State, and all the states, isn't  
22       necessarily keeping up with our competitors, our top  
23       performers in the world.

24              And, so, we wanted to take a look at the  
25       practices; so, what was happening in those

1 countries.

2 So along came the Common Core, and we said,  
3 This is going to provide the rigor that we need.

4 Our teachers agreed with that.

5 And, three years ago, we began to develop  
6 curriculum.

7 It's true, you've heard today, we're not  
8 guide -- we're guided by the Common Core, but we  
9 write our own curriculum, and, we spent quite a bit  
10 of time doing what is called "curriculum mapping."

11 It is taking a look at those standards,  
12 knowing the type of curriculum that we need, to make  
13 sure that the students are successful.

14 The key to this, is the teachers are doing  
15 that work, and they did an extraordinary job of  
16 looking at that Common Core.

17 And, over time, they were both writing and  
18 teaching.

19 It was a daunting task.

20 I dare say that we've a lot of very tired  
21 teachers, but they did a fabulous job at that.

22 And, so, I would stress the fact that our  
23 teachers need to be schooled in the ways to map that  
24 curriculum, to make sure that our students are  
25 getting the real benefit of the Core.

1           In addition to that, the Commissioner  
2           mentioned, we have an initiative called "FM Rights."

3           We've decided that all classrooms,  
4           "all classrooms," arts, music, physical education,  
5           will have students involved in the writing process.

6           And we have done everything we can to develop  
7           our teachers, to understand the writing process, and  
8           to judge that process on a regular basis in our  
9           classrooms.

10          So, we dove into the Common Core, we agree  
11          with it.

12          It's a good start. We need to keep going  
13          with the Common Core.

14          As far as assessments go, this past spring,  
15          we had the first tests out that aligned to the  
16          Common Core.

17          Our test scores did go down.

18          We told people they would.

19          But, it's something that we've to take a look  
20          at as a long-range situation.

21          One of the things, again, looking at the  
22          top-performing countries, something that I think  
23          that we all need to do, they are not giving these  
24          high-stakes tests to their students.

25          Instead, what they are doing, is using what

1 we call "formative assessment."

2 This is regular -- and I'm going to take the  
3 word "testing" out of this -- it's regular  
4 assessment, in a brief way, of where a student is  
5 within the subject matter that they're working, so  
6 that teachers have the information to be able to  
7 work, step by step, with all children, so that they  
8 can make those necessary adjustments; monitor and  
9 adjust.

10 There have been a lot of questions about  
11 this. You know, What do we do with these, the test  
12 scores? What do we do with the questions from the  
13 tests? Et cetera, et cetera.

14 It's got to be a little closer to home; it's  
15 got to be closer to what the student is learning.

16 And, again, the top-performing countries are  
17 taking a look at formative assessments, and they're  
18 testing, perhaps, every three years;

19 Or, they're testing in a cluster approach;  
20 meaning, at the end of K-4, the end of 5-8, and at  
21 different benchmark times during the high school  
22 years.

23 And they're also then taking a look at some  
24 of the international assessments, such as PISA, or,  
25 the program for international assessment, which kids



1 all over the world take, so that they can benchmark,  
2 but not in as perhaps a frenzied way as we are doing  
3 at this point.

4 So, I would suggest that, in a collaborative  
5 way with the State Education Department, that we  
6 take a look at --

7 And don't throw the baby out with the bath  
8 water. We've done a lot of work, and these tests  
9 are here, we understand that.

10 -- but are there different ways in which we  
11 can do this to cut down on the stress and the  
12 frustration that we have?

13 Moving into the teacher evaluation -- teacher  
14 and principal evaluation, that all happened at the  
15 same time the Common Core is happening, the  
16 high-stakes tests are happening.

17 And, unfortunately, I believe that it got put  
18 into a context that was somewhat punitive, and tried  
19 to bring out the incompetencies of our teachers.

20 I think Kevin stated, very accurately, our  
21 teachers are doing a great job.

22 So when we put them in this context, they're  
23 looking at their points. They're not looking at the  
24 instruction that they need to be looking at.

25 And so I would only ask, that with the

1 evaluation system, that we allow for a positive  
2 context, that we tell our public, that our teachers  
3 are doing a great job, but there's a lot of  
4 improvement needed.

5           Given the Common Core, given the testing  
6 that's happening, put it in the right context, so  
7 our teachers can breathe a little easier about this.

8           And that brings me to the  
9 professional-development piece, and I'm going to go  
10 back to the top-performing countries.

11           They spend a tremendous amount of time at the  
12 higher-ed level, five, six years, making sure that  
13 teachers come out and they are ready to hit the  
14 classroom with all the experience that they need.

15           I think that we need to take a look at higher  
16 education, and how our teacher are prepared, and  
17 providing them with the amount of experience that  
18 they need to hit the ground running in the  
19 classroom.

20           Our kids need that; they need that.

21           They also provide for ongoing professional  
22 development. Like, we don't -- we don't do enough  
23 of it here.

24           And, I think we need to take a look at that.

25           We need to have time in our school schedules

1       for teachers to collaborate; to talk about what is  
2       best for kids, and to share those practices.

3               And we don't in our schedules now really have  
4       that kind of time.

5               But that's how their teachers are judged, on  
6       how well they come together for the students that  
7       they teach.

8               And I think we need to look at that system,  
9       too.

10              Again, positive context.

11              And I'll end by talking about the data piece.

12              I think data is very, very important to what  
13       we're doing.

14              The good thing we get from the standardized  
15       tests are a lot of great data about our students,  
16       and we're using it.

17              We're training each other to get that data.

18              The -- though, looking at that system, on the  
19       whole, I think may be problematic.

20              We in Central New York, and I believe that  
21       there are other BOCES and regional information  
22       centers, who present presently have data dashboards,  
23       who have all of the information that we need, to  
24       analyze student progress.

25              To go to a much larger system, in my personal

1 view, is not necessary, and costly.

2 I would ask you to take a look at what we're  
3 doing in our regional information centers, and  
4 perhaps use that model throughout the state.

5 And, I hope that we can all continue to  
6 collaborate, to move forward with the Common Core,  
7 with assessment, with evaluation, and training of  
8 our teachers.

9 DIANA BOWERS: And I would just like to add,  
10 one of the things that I hope we don't do, and it  
11 concerned me when I heard it today, and it's  
12 concerned me when I've heard it back in my district,  
13 it appears that, at times, we correlate the  
14 Common Core with assessments.

15 And it is not assessments.

16 Assessments measure what the students have  
17 learned by using the Common Core.

18 But, it has a wealth of information. It can  
19 create wonderful experiences for our students to  
20 learn in the classroom, and it can develop the  
21 twenty-first-century skills they need to be  
22 successful in life in the future.

23 We want to prepare our students for whatever  
24 is coming at them.

25 And we are going to have to modify our plans,

1 year in and year out, because the change is  
2 happening that quickly.

3 But, that's our responsibility.

4 It has to also be part of the Common Core.

5 We've to have the ability of modifying the  
6 practices, on a regular basis, to meet the needs of  
7 the kids from where they are.

8 And if you imagine what our graduates are  
9 going to be like in the year 2026, or what they're  
10 going to experience, it's going to be far different  
11 than what they experience today.

12 So part of the Common Core legacy will be the  
13 graduates, and we have to make sure that the  
14 graduates have whatever they need in order to be  
15 successful in college and career.

16 SENATOR FLANAGAN: Thank you very much.

17 Senator Valesky.

18 SENATOR VALESKY: Thank you both very much  
19 for your testimony, and thank you for the job that  
20 you do in both your districts.

21 Dr. Bowers, just one question for you, and  
22 I ask the question, with the full realization that  
23 this hearing is not about school governance. School  
24 governance is not the point of this hearing.

25 However, that having been said, I think it's

1 important to note that, your district and a  
2 neighboring district are in a merger process, as we  
3 speak.

4 In fact, I think both boards of education  
5 have advanced the notion to a straw vote, I think,  
6 coming up in several weeks or so.

7 DIANA BOWERS: Correct.

8 SENATOR VALESKY: So, I've been -- as I've  
9 listened to your testimony, I've wondering, so I'm  
10 going ask you the question: To what degree has the  
11 Regents Reform Agenda, which is the subject of this  
12 hearing, been a factor, if at all, in the merger  
13 study, and the decision to move forward, in the  
14 first place, and that has led to the -- even the  
15 straw vote?

16 DIANA BOWERS: Well, I can tell you that the  
17 Regents Reform Agenda was something that we welcomed  
18 with open arms, and we believe that there are a lot  
19 of positive things that can come out of the work  
20 that we're doing right now in our district and in  
21 State Ed.

22 I can tell you it's going to add a complexity  
23 to the potential merger that wouldn't exist before  
24 it, because we're gonna -- not only will we have to  
25 measure and level out contracts, but we're also

1 going to have to measure and level out pedagogy.

2 Right now, we are -- we are adapting, and not  
3 adopting, the modules. And, I'm -- our counterparts  
4 are approaching that somewhat differently.

5 The staff development that's required to make  
6 sure that we're ready to produce the kind of  
7 learners, and teachers, for that matter, that will  
8 educate the kids in the potential new district, that  
9 will be something that is probably one of the first  
10 priorities if the new district is to form.

11 SENATOR VALESKY: Thank you.

12 SENATOR FLANAGAN: Senator Seward.

13 SENATOR SEWARD: Thank you, Mr. Chairman.

14 Very briefly, I was struck, I think  
15 Dr. Bowers mentioned the fact that the -- that  
16 these learning modules are not required to be the  
17 guide in the classroom, in terms of covering the  
18 material in the Common Core, but, out of fear,  
19 you're finding that that's what a lot of teachers  
20 are doing.

21 And then, your point is -- it was well-taken  
22 in terms of, the Common Core and assessments should  
23 be discussed separately.

24 There is not that connection, if I got your  
25 point correctly.

1 DIANA BOWERS: Correct.

2 SENATOR SEWARD: But let's face it, as a  
3 practical matter, the fact that, with the first  
4 round of testing utilizing the new tests connected  
5 to Common Core, our test scores went down, and  
6 there's a lot of apprehension from among both  
7 educators, parents, and school districts regarding  
8 that.

9 So, my concern is, is that there is a  
10 connection, or at least the perception of the  
11 connection.

12 We've talked today, and I directed the  
13 question to the Commissioner and the Vice Chancellor  
14 earlier, and I'll do the same to you:

15 In terms of the flexibility, you both have  
16 struck on that theme, that you -- the Common Core;  
17 but, yet, you develop your own curriculum locally.  
18 You feel you have the flexibility to do that.

19 But, is it possible to move away from these  
20 learning modules and go that flexible route, to  
21 allow teachers to teach the innovative in the  
22 classroom, and still have the students succeed on  
23 the assessment test?

24 DIANA BOWERS: Well, we, too, began --

25 SENATOR SEWARD: The first round has not been



1       successful.

2               DIANA BOWERS: Right. We, too, began our  
3 curriculum mapping a year ago, in the summertime;  
4 and, so, we have aligned the work that we do in our  
5 classrooms with the Common Core standards.

6               At this point, we are looking at making  
7 modifications to the curriculum maps, so the  
8 terminology that is found within the modules, the  
9 exit outcomes that are found within the modules,  
10 and, in some cases, the literature that is found  
11 within the modules, is understood by our students.

12              The way that the test questions are written,  
13 very often, they will use the terminology, and also  
14 refer to certain texts or books that the kids have  
15 either have or have not read, depending on whether  
16 they are actually using the modules.

17              That's the part that's making our teachers  
18 fearful, because they -- they're concerned that the  
19 terminology that is used within our classrooms must  
20 match the modules of the Common Core in order for  
21 the students to be successful on the assessments.

22              CORLISS KAISER: I don't know that I would  
23 agree that the first round hasn't been successful.

24              I know the test scores went down, but, as  
25 Diana stated, change is messy.

1           There's no way that students were going to  
2           score at the same level, with the type of testing,  
3           with the complexity of the text.

4           By way of example, I took part of the  
5           eighth-grade ELA, and as I read through the text,  
6           and then I would look at the answers, nothing --  
7           really, you cannot find the right answer in the text  
8           anymore.

9           You must infer.

10          This is a new skill, and this is a skill  
11          brought about by the Common Core.

12          It's a skill that our students must have.

13          They must have higher-order thinking skills,  
14          and perhaps the schools haven't done everything that  
15          they can do.

16          So, what we will do, from now, our baseline,  
17          which, certainly, all of us know that we need work  
18          to do, we will begin working more and more with  
19          those strategies and skills that the students need.

20          I guess what, you know, I thought about this  
21          whole thing was, I was glad when it was finally  
22          over. All of the anxiety and frustration, we were  
23          working in fear of unknown.

24          And now we know; and now we know what we have  
25          to do.

1           And within our own individual capacities, we  
2       will work with our teachers and our students, and  
3       our administrators, to better understand those  
4       skills that our students need.

5           And I'd really like to look at it in that  
6       way: What do we do from today, on? How do we move  
7       forward with this?

8           And we all have some work to do, and some  
9       moving forward to do.

10          And I think that's why we basically say, we  
11       agree with the Common Core. This is something we  
12       want our students to be able to master.

13          DIANA BOWERS: And as Corliss said, the --  
14       I'm not sure that we weren't successful as well.  
15       And I think that there's a chicken-and-the-egg kind  
16       of situation here; that, the outcomes of the test  
17       matched the NAEP results, and they matched the  
18       college- and career-ready results.

19          And I think that there was a purposeful  
20       movement to realign the test scores with those  
21       measurements so we could then align, and move  
22       forward.

23          So, I think that there was -- we knew  
24       three months in advance that they anticipated that  
25       the scores would drop 30 points. This was before a

1 child ever sat to take a test; and, so, there was a  
2 realization that there needed to be a realignment.

3 I'd also like to remind you that this  
4 realignment happened two year after another  
5 realignment occurred.

6 So we have gone through multiple changes  
7 within cut scores, and the -- and they were  
8 purposeful, and they were determined by the  
9 State Education Department.

10 So, I'm not sure that our students did much  
11 differently than they did the year before. I'm  
12 hoping they actually did better.

13 But, the assessments didn't measure that.

14 SENATOR TKACZYK: I have a quick question.

15 Do you feel you have the resources you need,  
16 moving forward, to implement the Common Core  
17 standards at your schools?

18 DIANA BOWERS: Well, I --

19 SENATOR TKACZYK: What would you identify as  
20 the, you know, things that you need to make that  
21 successful transition?

22 DIANA BOWERS: In Hamilton, I can tell you  
23 that the resources we have, we've looked in other  
24 places other than the traditional sources to get  
25 them.

1           And, it doesn't just come from State aid.

2           We are a district that is the home of  
3 Colgate University. We have support from our  
4 counterparts there.

5           Grant writing, other things that are out  
6 there, we need to go to sustain what we presently  
7 have.

8           So, in the traditional funding methodologies,  
9 the answer is no.

10          By thinking out of the box, the answer is  
11 yes.

12          CORLISS KAISER: And I think what I would say  
13 of Fayetteville-Manlius, is that we presently have  
14 the resources. We've used them wisely.

15          Remember what the Commissioner said about,  
16 Are we using those resources wisely?

17          We have decided that professional development  
18 for teachers and administrators is key, and there  
19 are many ways in which we're doing that.

20          Sometimes they cost; sometimes they don't.

21          But we are making sure that we leverage every  
22 minute of the day for our teachers, administrators,  
23 and students, to make sure that it is efficiently  
24 and effectively used.

25          Could we do with less? No.

1           I think that we have been able to leverage  
2       every dollar that we have in the best way, moving  
3       forward.

4           SENATOR FLANAGAN: I have a couple quick  
5       things, and I want to thank Diana.

6           I told you before, I got the phrase  
7       "hammer and flashlight."

8           Now I have "form, storm, norm, and reform."

9           [Laughter.]

10          SENATOR FLANAGAN: Learning all kinds of good  
11       stuff here.

12          Obviously, both of your districts are  
13       extremely well-served by your leadership.

14          So, appreciate you being here.

15          I want go back to, Kevin Ahern is still here,  
16       and we talked about this in kind of a broad sense:

17          If there's no direct mandate, is there some  
18       sort of tacit understanding, or, subliminal  
19       pressure, if you will, to start doing testing at  
20       such an early age?

21          And in your respective districts, are you --  
22       you know, a kid comes in kindergarten, are you  
23       saying, All right, is this kid going into science,  
24       or math? Or are they going to have an aptitude for  
25       the arts?

1           What are you doing at the local level to  
2       address that?

3           And do you feel that the State is, you know,  
4       like the sword of Damocles hanging over your head?

5           How's that for a loaded question?

6                       [Laughter.]

7           CORLISS KAISER: It is.

8           And I'm going to say, every district is  
9       different.

10          SENATOR FLANAGAN: Yes, certainly.

11          CORLISS KAISER: Every district has its own  
12       approach.

13               Every district's students have individual  
14       needs; and, so, they work within those needs.

15               At Fayetteville-Manlius, we work very hard  
16       with the students to get the basics in kindergarten,  
17       to make sure that they are meeting the Common Core  
18       standards.

19               I wouldn't say that testing is something that  
20       is central to that.

21               Again, I mentioned formative assessments.

22               Are we benchmarking along the way to see if  
23       they're doing okay? Yes, we are.

24               And we use that term "benchmarking" quite a  
25       bit.

1           For example, literacy is a big part of  
2           kindergarten, and, the students are benchmarked,  
3           but, they wouldn't know that they are getting a  
4           high-stakes test.

5           All right?

6           It would be a prompt, and something would be  
7           recorded.

8           So there are different ways in which you can  
9           assess students' ability to handle what they're  
10          given.

11          And, again, something that I really would  
12          like to see the State look at is, maybe more  
13          emphasis on this formative assessment.

14          It takes it away from the high stakes, and  
15          gives the teacher and the student and parent room to  
16          breathe, and learn.

17          DIANA BOWERS: And I agree.

18          We, too, use formative assessments, right  
19          from -- actually, we start in pre-K.

20          We have pre-literacy strategies that we look  
21          for, and the creation of those, and we begin to  
22          benchmark as soon as our kids get into kindergarten,  
23          until they ultimately benchmark out. And, at that  
24          point, we feel that they have the literacy skills  
25          necessary to move ahead into middle school and



1 high school.

2 SENATOR FLANAGAN: Yeah, I sit as one of the  
3 25 member on the Governor's Education Reform  
4 Commission. There's been a lot of good work done  
5 there.

6 And there was a reference made to -- Kevin  
7 spoke to this -- Kevin Ahern spoke to this, about  
8 Say Yes.

9 They've done a phenomenal job, and working  
10 with those folks has been phenomenal.

11 But let me go back to, it's sort of an  
12 educational-leadership question.

13 And I recognize it, very clearly, that each  
14 district is different and unique.

15 And, certainly, there are differences between  
16 your two districts.

17 But, how would you respond, particularly from  
18 Fayetteville:

19 The Commissioner spoke about how you jumped  
20 in. How your district was like, All right, it's  
21 2009, we're getting ahead of the curve. We'll see  
22 how it goes, but we're gonna -- we're going all in.

23 Correct me where you disagree.

24 A generalization saying, What the heck, if  
25 you can do it; you went in, and you did all of these

1 things and you got ahead of the curve, and you dealt  
2 with the bumps along the way, why can't everyone  
3 else do it?

4 CORLISS KAISER: It's a cultural thing,  
5 again, in districts.

6 Can it be done? Yeah, it was done.

7 Were we totally successful in getting every  
8 child to be proficient? No.

9 But we were willing to, as I put in my  
10 testimony, step up to the pump.

11 It was our feeling that the rigor coming down  
12 with the adoption of the Common Core was what we  
13 wanted for our students.

14 We discussed this with our parents, too.

15 And in some cases, our parents were, "Oh,  
16 that's a bit much," but, we did some hand-holding  
17 along the way.

18 We have what are called "curriculum nights,"  
19 so we're always putting this out to parents. We're  
20 explaining why we're doing it.

21 And, again, it was tough this year, when some  
22 kids who are generally proficient, weren't  
23 proficient; but, again, we're reaching out to our  
24 parents, we're asking them for their support.

25 So I think everybody has to take to heart

1        what it is that's in their culture, and how they  
2        want to move forward with this.

3                And I believe that if everybody digs in, they  
4        will make progress in this, probably at different  
5        rates, but they will make progress, and they will  
6        move forward.

7                DIANA BOWERS: And I'm sure the particulars  
8        with FM is somewhat different than Hamilton, but  
9        I can tell you that we actually started the staff  
10       development that led to the success that we're  
11       having with the Common Core, six to seven years  
12       before it actually happened.

13               The terminology didn't even exist, but, we  
14       knew what kind of instructional strategies we needed  
15       to use for our kids so they could learn well.

16               Luckily, they do correlate with the  
17       instructional strategies that are outlined in the  
18       Common Core.

19               I do feel that some of our colleagues around  
20       the state have not been afforded that, and may be  
21       having difficulty figuring out what to do with the  
22       instructional practices.

23               I would like to see that added into the plan  
24       in the future, for the Common Core, that people  
25       receive the type of staff development that's

1 directly aligned with what they're asking us to do.

2 SENATOR FLANAGAN: Okay, and if I may, one  
3 last question:

4 Relative to the State Education Department,  
5 and this is -- it's putting you on the spot, but,  
6 I would say the single largest criticism that I've  
7 heard, and I've done a lot of traveling, is not a  
8 wholesale objection to Common Core; but, rather, to  
9 the timing and the implementation, more than  
10 anything else.

11 Correspondingly, there's a very strong  
12 feeling in the field, if you will, at all levels --  
13 teachers, parents, administrators -- that State Ed  
14 is just not -- not even contemplating, modifying  
15 some of their steps, if you will, including the  
16 Regents.

17 On a scale of 1-10, 10 being a really good  
18 listener, what would each of you give State Ed for  
19 their performance to date?

20 DIANA BOWERS: Well, I'll take the jump  
21 first.

22 SENATOR FLANAGAN: Okay.

23 DIANA BOWERS: I would give them a "3."

24 And I feel that the need to understand the  
25 stressors that are out in the field right now is

1 mandatory for success.

2 It's not that they're -- they do listen, but  
3 to a degree that matches what they're hoping to  
4 accomplish.

5 I think that if they listened a little  
6 harder, and understood the difficulties within the  
7 school districts that are implementing the  
8 Common Core, it would benefit everybody.

9 CORLISS KAISER: I would have to say that, in  
10 the beginning of the process, I would agree with  
11 Diana's "3."

12 I have able to sit with the Commissioner,  
13 with NYSCSS, the executive committee.

14 So over the last couple of years, I have been  
15 able to watch how the collaboration went from,  
16 pretty much, "This is the way we're going to do it,"  
17 into one that is now more respectful of what we  
18 bring to the table.

19 So, I'm going to inch that up to a "6," at  
20 this point, to say that things are -- we are seeing  
21 things change, and the collaboration is increasing.

22 And the rhetoric from the State Education  
23 Department -- we just had a fall conference --  
24 I think is more in line with, What is it that we  
25 have to do to help you change instruction, change

1 the things that need to be changed?

2 We need to keep going in this direction.

3 I think we need be listened to.

4 I brought up, you know, different ways of  
5 testing.

6 And I would like to see, over time, that  
7 we're listened to, and we can work collaboratively,  
8 in order to get there, because I think there's just  
9 a lot of avenues we can follow, and much more  
10 opportunity for us.

11 SENATOR FLANAGAN: I see the superintendent  
12 of Syracuse is sitting --

13 [Technical difficulties.]

14 [A recess was taken.]

15 [The hearing proceeded, as follows:]

16 SENATOR FLANAGAN: -- a little more than  
17 five minutes.

18 I apologize.

19 Our next panelist is, David Syracuse, who is  
20 a science --

21 Oh, Superintendent, you are -- David, first,  
22 then you're next.

23 I apologize.

24 I think.

25 Yes.

1           SENATOR LITTLE: His name is Syracuse, that's  
2       what's confusing.

3           SENATOR FLANAGAN: It's the excitement, you  
4       want to get up here. Right?

5           DAVID SYRACUSE: It is an exciting place, it  
6       looks like.

7           Are the other Senators going to be joining  
8       us?

9           I'd rather not testify to half a panel, if  
10      that's possible.

11          SENATOR FLANAGAN: David, if you would like  
12      to testify, you'll testify now.

13          DAVID SYRACUSE: That makes sense to me,  
14      I guess.

15          Fair enough.

16          Well, thank you to --

17          SENATOR TKACZYK: The light behind you,  
18      that's shining right in my face, and I can't see  
19      you.

20          So, adjust that light in the back.

21          DAVID SYRACUSE: I'm not that much to look  
22      at.

23          UNKNOWN MALE SPEAKER: I concur.

24                 [Laughter.]

25          DAVID SYRACUSE: Accuracy is appreciated by

1 scientists.

2 Well, at any rate, I am Dave Syracuse.

3 And thank you very much to Senator Seward who  
4 got me into this meeting.

5 He's not here, unfortunately, at the moment,  
6 but, hopefully, he'll be joining us shortly.

7 The novelty of a teacher testifying at an  
8 education hearing hits me right here.

9 Are there any other teachers here, by any  
10 chance?

11 Couple.

12 Excellent.

13 This is good.

14 Hopefully, I can provide a much-needed  
15 perspective on this.

16 I've been listening to a few things, and kind  
17 of been resisting the urge to call out, so a couple  
18 of things that I'd like to point out before I get to  
19 what I had to say.

20 These modules are suggestions, and they're  
21 only suggestions, and teachers should think for  
22 themselves.

23 You know what the Common Core says.

24 I know what all the shifts are. I'm a  
25 science teacher, if you couldn't have guessed.



1           And, I know what the English-language-arts  
2       Common Core says, I know what the math Common Core  
3       says, because I'm going to be responsible for lots of  
4       it. There's lots of technical writing, and there's  
5       lots of good stuff that science teachers can do in  
6       all of these Common Core curricula.

7           So I know about it.

8           If there's modules that are suggestions and  
9       you would like to use them, that's fine, but  
10      teachers who are afraid of using modules, or they're  
11      afraid of what they're going to -- would happen if  
12      they don't use modules, it's no different than the  
13      curriculum before.

14          You know what you have to teach.

15          If the module is the best way to do it, go  
16      for it.

17          If it's not the best way to do it, be a  
18      teacher.

19          I've got a master's degree, I can decide what  
20      the best way is to teach my students.

21          So, the module thing was bugging me a bit.

22          In terms of testing and time, that is a  
23      legitimate concern.

24          If we're going to expect more of our students  
25      with the Common Core, which we absolutely should,

1 our students need to be pushed further;  
2 all students.

3 And, clearly, there are lots of problems in  
4 this respect.

5 Students with special needs, poverty, all  
6 that kind of thing is important to take into  
7 account, but the Common Core is, in general, a good  
8 idea, but we can't expect more work to happen in  
9 less time.

10 Last year, I had to take a week and a half  
11 out for this SLO testing at the beginning of the  
12 year, and then, all sorts of Regents exam testing  
13 and other testing at the end of the year.

14 I was trying to squeeze in a lot more to a  
15 lot less time, and that was just not helpful.

16 So, I don't know if extending the school year  
17 is a possibility, I don't know if reducing the  
18 amount of testing is a possibility, but, certainly,  
19 you can't expect more achievement crammed into less  
20 time.

21 And in terms of teaching, someone made the  
22 comment that, Gosh, we have that distractions in the  
23 classroom.

24 We can't remove students who are distracting,  
25 because we have to educate all students.

1           We in public education have that charge.

2           We have "all" the students that we have to  
3 educate.

4           And I don't want kids going out there who  
5 don't know.

6           I'm the last science teacher they might ever  
7 have.

8           I teach eleventh- and twelfth-grade science,  
9 and that keeps me up at night.

10          It really does.

11          I don't want them going out there not knowing  
12 about the science behind lots of scientific  
13 concepts: genetic engineering, abortion, cloning.

14          I don't want them going into that voting  
15 booth to vote for people like you, not having the  
16 hard science to understand what exactly they're  
17 voting on.

18          So, that's scary to me, that -- that we can't  
19 have kids removed.

20          We've got to work with parents, we've got to  
21 work with support staff, with principals.

22          We've got to lessen the load on principals  
23 and vice principals, so they can actually do the  
24 discipline we need, instead of doing the mountains  
25 of paperwork required by the APPR.

1           It's going to take some work, but we can't  
2           push kids to the sidelines.

3           So, that's really, really important.

4           In terms of listening, State Ed is doing more  
5           than listening.

6           I'm on a listserv of teachers that share  
7           ideas throughout the state, and it's really  
8           productive.

9           If I need a particular worksheet, or, I say,  
10          Hey, I'm teaching evolution, and I need something to  
11          get at this particular aspect, I can put it out  
12          there and, you know, 100 people will send me, Here's  
13          what I do it. Here's --

14          It's a great forum for discussion.

15          State Ed, their education department, has  
16          people watching that listserv, just so we don't  
17          misstep, just so we don't, I don't know what.

18          So I don't want to call it spying, because  
19          that seems disingenuous, but, they are monitoring  
20          the listserv, and that seems a little odd.

21          I know about this, because they sent me a  
22          cease-and-desist letter as a result of something  
23          I posted on that listserv.

24                       [Laughter.]

25          DAVID SYRACUSE:   Funny story I can tell you

1 later, if you'd like.

2 But, at any rate, down to what I'm here to  
3 talk about, I'm really concerned about the private  
4 meddling in public education.

5 Pearson's been mentioned a number of times.

6 They've got a  
7 32-point-something-million-dollar contract over  
8 5 years with the State of New York.

9 And what the Commissioner perhaps didn't say  
10 before is, the company doesn't want to release more  
11 test questions because they want to make a profit.

12 They want to make a profit. They're keeping  
13 the test questions, so they don't have to work and  
14 pay more people to develop more of them.

15 He gave a really nice explanation of all --  
16 and that's a fantastic idea of how to make a test,  
17 and all the different types of questions on tests,  
18 that's true.

19 But I have it -- I can't believe that Pearson  
20 is just saying, Oh, we need to keep these for  
21 pedagogical reasons.

22 They're a company. They're responsible to  
23 their shareholders, and they need to turn a profit.

24 And, so, I think that's why they're keeping a  
25 lot of their questions hidden.

1           Now, I have absolutely no way to prove that,  
2           and I don't mean to be libelous or slanderous, but,  
3           that just is a very interesting and rather cozy  
4           situation that I thought that I'd bring up.

5           And, I'll go all the way back to the  
6           Jeffersonian model of education that a lot of the  
7           educators in this room are probably familiar with:  
8           That, if you have an educated population, you've got  
9           to have good schools to educate them.

10          So schools should be free, and you should  
11          make sure that everyone has a chance, a shot, at a  
12          good education.

13          Once you get that good education, you go and  
14          you vote for people to take the country in the right  
15          direction.

16          So, we voted for you, because we think you're  
17          going to take the country, our state, our, you know,  
18          whatever, in the right direction.

19          If any part of that breaks down, our country  
20          ends up going the wrong way.

21          Or, if any part of it is driven towards  
22          something that is not the will of the people, like  
23          Pearson, or like another testing company, or  
24          something like that, then our country is going in a  
25          very different direction.

1           So, if we have people like Pearson, if we  
2       have other test companies like that, designing  
3       tests, and then teachers are trying to get their  
4       students to do well on those tests, because the  
5       teachers are going to be judged on the results of  
6       those tests, well, is it really the people that  
7       voted that are determining which direction education  
8       goes?

9           I don't know if it is.

10          And that concerns me.

11          I'm a proponent of public education.

12          Mr. Webb [ph.], Mr. George Webb, he was  
13       my high school biology teacher in ninth grade.

14          And ever since I had him, I said, You know  
15       what? Wow, he is having an awful lot of fun doing  
16       that. I mean, he's up there, and he's doing all  
17       these cool labs, and he's got these cool  
18       demonstrations, and there are animals all over the  
19       room. I want to do that.

20          And I think I'm very unusual in the fact --  
21       probably unusual for many ways -- but I'm unusual in  
22       the fact that, from ninth grade, I really knew  
23       I wanted to be a teacher, and I wanted to teach  
24       science, because I enjoy it, and I think it's  
25       useful. And it's certainly necessary.

1           But when we've people who are not me, who are  
2       not educators, who are not elected officials, who  
3       are not teachers going to write Regents exams,  
4       making policy, or making decisions, whether it be  
5       de facto or de jure, or whatever, for our state,  
6       that worries me, because, are we privatizing  
7       education?

8           If we are, let's call it that, and let's have  
9       an open discussion about it.

10          But, it really does worry me in that respect.  
11          So private meddling in public education  
12       really does worry me.

13          It also worries me that a lot of the Regents  
14       who are elected by the Senate of New York don't have  
15       a lot of education experience.

16          And I know that the Regents supervise a lot  
17       of things.

18          They supervise, you know, museums, and  
19       informal education, and all sorts of things like  
20       that, but a lot of them don't seem to have much  
21       experience in terms of education.

22          A lot of them might be hospital  
23       administrators, they might be -- certainly,  
24       leadership abilities is there in abundance, but,  
25       I don't know if those are the people that I want



1 approving education curriculum.

2 Maybe it's just more of a rubber stamp if  
3 they don't actually have the experience in  
4 education.

5 And the final point that I would like to  
6 make, and then give you some time for questions, is  
7 evaluation.

8 I'm a "79." That means that my evaluation  
9 score from my SLO was a 79 percent.

10 That puts me in the "effective" range.

11 I don't know if that means that 21 percent of  
12 what I say is complete rot and you shouldn't pay  
13 attention to it, but, I'm a "79."

14 That's what I am.

15 I don't care who knows that, because the  
16 evaluation system that I went through, and I know  
17 this is separate from the Common Core so I'm not  
18 going to conflate the two, but did not improve my  
19 teaching at all.

20 It did not enable me to implement the  
21 Common Core in any meaningful way.

22 It didn't help me reach a child in anything  
23 else.

24 If anything else, through any calculations,  
25 I spent at least 24 hours of my life in staff

1 meetings and whatnot last year, completing SLO  
2 paperwork, and all sorts of things like that --

3 SENATOR DeFRANCISCO: Did you say 20 percent?

4 DAVID SYRACUSE: 24 hours.

5 SENATOR DeFRANCISCO: Oh, all right.

6 DAVID SYRACUSE: My apologies.

7 -- which was time I certainly could have  
8 spent collaborating, or doing anything else, other  
9 than this silly paperwork.

10 So the question remains then: Don't complain  
11 unless you have a solution.

12 Well, it seems that this high-stakes testing  
13 that we've been talking about, and the  
14 implementation of the Common Core, and all that kind  
15 of thing, is driving us toward analyzing teachers,  
16 and we should.

17 We should definitely evaluate teachers.

18 But, students are not products.

19 For the love of Darwin, they are not  
20 products.

21 You can't send them down the assembly line.

22 If I am making televisions, and I am the best  
23 antenna installer possible, every television that  
24 goes down my line, the antenna is going to stay on  
25 there, and it's gonna be stuck on there for the rest

1 of that television's life.

2 I have students who are selectively mute.

3 They don't talk or write because they are so  
4 anxious about it.

5 I have two students this year who are  
6 pregnant.

7 I have students who are in abject poverty.

8 One is homeless.

9 So I tried to call home, and I couldn't,  
10 because there was no home to call to.

11 So evaluating me on how those students do,  
12 doesn't exactly seem fair.

13 I am more than willing to be evaluated,  
14 because you should know what kind of education your  
15 students are getting; your children, whatever it  
16 happens to be.

17 But basing it on these high-stakes tests, it  
18 seems, just does not to make a lot of sense.

19 My suggestion is, since I've been  
20 complaining, here's my suggestion: Have teachers  
21 evaluate teachers.

22 Have a bunch of master teachers that you know  
23 are what the State of New York thinks should be  
24 great teachers, and have them go around and look at  
25 other teachers.

1           Now, I am not certainly -- you know, it's  
2       above my pay grade to figure out how to implement  
3       this kind of thing.

4           There's my idea, though.

5           Principals have so much to do.

6           Vice principals have all this paperwork that  
7       they're doing with the APPR and SLO and all these  
8       Common Core things.

9           Why don't we have teachers who we know and  
10       trust to be good at their jobs, evaluate how other  
11       teachers are doing?

12          That seems to be like a good idea to me.

13          That's all I've got.

14          I really want to thank you for the  
15       opportunity, and I'll certainly entertain any  
16       questions you might have.

17                SENATOR FLANAGAN: Senator Seward.

18                SENATOR SEWARD: Thank you, David, for coming  
19       up today, and I'm delighted you're here.

20                My question is this:

21                In terms of, we're here to, you know, assess,  
22       you know, where we are in terms of the  
23       Regents Reform Agenda.

24                DAVID SYRACUSE: Uh-huh.

25                SENATOR SEWARD: And my question is: You

1 know, in terms of what you do in the classroom, as a  
2 teacher --

3 And as I say, I think you have carried on the  
4 legacy of your biology teacher very, very well.

5 DAVID SYRACUSE: I hope so.

6 SENATOR SEWARD: I'm sure you're doing a lot  
7 of cool things in front of the classroom, and I'm  
8 sure there are a lot of animals around in the  
9 classroom.

10 -- but, how has that changed with this --  
11 with the Regents Reform, and, in terms of what  
12 you -- how you conduct yourselves -- yourself, in  
13 terms of teaching?

14 And, also, do you see any measurable benefit  
15 in terms of your students?

16 DAVID SYRACUSE: I'm sure there will be  
17 measurable benefit down the line.

18 Right now, I see students who are focused,  
19 who are really pushed into the ELA and math, because  
20 that's what we've got in terms of the Common Core so  
21 far, and then a lot of their other instruction is  
22 lacking.

23 So I have students who don't understand basic  
24 concepts, like density.

25 I have a student who reads at a third-grade

1 level, which is really tricky if we're trying to do  
2 a science experiment that requires them to read the  
3 directions.

4 So, I've seen a lot of changes.

5 And I've only been teaching for eight years,  
6 I have to add that caveat, so I don't have a huge  
7 sample size.

8 Let's be, you know, transparent here.

9 But it seems, over the years, that because of  
10 the push toward ELA and math, that a lot of other  
11 concepts have really been diminished, in terms of  
12 what I've been getting when they get to eleventh and  
13 twelfth grade.

14 SENATOR SEWARD: So in terms of what you do  
15 in the classroom, though, how has your life changed?

16 DAVID SYRACUSE: I've had to back up and  
17 teach a few things that might not have been taught,  
18 either, because teachers think they need to use  
19 modules and they're excluding certain things, not  
20 specifically in science;

21 Or, because they're focusing -- the lower  
22 grades and the primary grade, they're focusing so  
23 much on ELA and math that they're missing out on a  
24 lot of the basic science concepts.

25 I would expect anyone to know that density

1 equals mass over volume.

2 It's easy to figure out, but, when they  
3 really haven't been, you know, pushed in that  
4 direction, because they've been pushed in so many  
5 other directions, it really does cause a problem.

6 And I think, if I had to pick a theme for the  
7 couple of moments that I have, it would be,  
8 unintended consequences.

9 Because, it's great to push kids to achieve  
10 more, and we really, really should.

11 We really need to do that, but there are  
12 unintended consequences of doing that.

13 And one of those might be, if we push them  
14 toward ELA and math right now, well, science and  
15 social studies might be heading down the drain.

16 The Regents are talking, tossing around a  
17 proposal of making, you know, a CTE credit (career  
18 and technical education) perhaps count for a  
19 global-studies credit.

20 I don't know if that's such a good idea.

21 Should we make sure that people who are going  
22 to become cosmetologists and culinary artists, and  
23 things like that, do they -- does that really  
24 replace the idea of, like, learning about all these  
25 old civilizations and the history of the world?

1 I don't know.

2 So, whereas, yes, this Reform Agenda is a  
3 good idea, because we need to have multiple paths to  
4 graduation, because there are so many different  
5 types of students and so many different types of  
6 home lives.

7 Isn't there a common canon of knowledge that  
8 we would want everyone walking around with in their  
9 head?

10 I want people to know what happened in  
11 history so they don't repeat it.

12 I want people to know a certain bit about  
13 science, so that if their kid gets a fever, they  
14 say, Oh, the kid's really hot. I'll dunk him in  
15 cold water.

16 And I've had students tell me that before.

17 I've had students ask me, during what phase  
18 of the moon they can't get pregnant.

19 I mean, this is the year 2013.

20 SENATOR FLANAGAN: Senator DeFrancisco.

21 SENATOR DeFRANCISCO: What phase of the moon?

22 I mean, I could try.

23 [Laughter.]

24 DAVID SYRACUSE: Whoa!

25 SENATOR DeFRANCISCO: I'd like to attend your



1 class. You must be an extremely good teacher.

2 DAVID SYRACUSE: You all have a standing  
3 invitation.

4 Come on Fridays. We do something cool on  
5 Fridays.

6 SENATOR DeFRANCISCO: Okay.

7 The question is, where you do teach?

8 DAVID SYRACUSE: I teach TST BOCES.  
9 Tompkins-Seneca-Tioga BOCES, in their career- and  
10 technical-education center.

11 SENATOR DeFRANCISCO: And that's located in  
12 what --

13 DAVID SYRACUSE: In Ithaca, New York.

14 SENATOR DeFRANCISCO: Ithaca. Okay.

15 Secondly, you had mentioned about Pearson,  
16 and the privatizing.

17 I've got a feeling that some of the people  
18 against the Pearson doing that, think that they may  
19 have some private agenda with the testing, and so  
20 forth.

21 Have you -- do you feel that's the case,  
22 other than simply the concept that private companies  
23 shouldn't be doing this, the public should, is there  
24 some kind of bias in how they conduct the test, in  
25 your opinion?

1           DAVID SYRACUSE: No, I don't think they have  
2           a bias. I don't think they're Republican or  
3           Democrat, or they're trying to push students to say,  
4           Oh, well, little Johnnie likes red. Oh, he's a  
5           Republican now.

6           Not that kind of thing.

7           Nothing like that, but I do think they're a  
8           for-profit -- well, they are a for-profit company,  
9           and with that comes a certain, I don't know if I can  
10          call it a set of ethics, but a set of ideas, in  
11          that, their job is to make money.

12          Their job is not to educate students.

13          And I question, when a company like that is  
14          in charge of evaluating our students, and our  
15          teachers, because I had to take tests to become a  
16          teacher, test administered and developed by Pearson,  
17          uh, that seems like a lot of control for one company  
18          to have over public education.

19          SENATOR DeFRANCISCO: Lastly, you had  
20          mentioned a system, your thought would be, that  
21          master teachers evaluating others.

22          DAVID SYRACUSE: Uh-huh.

23          SENATOR DeFRANCISCO: What's the remedy if a  
24          master teacher -- what would your remedy be, if a  
25          master teacher finds that this teacher is just not

1       doing his or her job?

2               What's the remedy if that's the finding?

3               DAVID SYRACUSE: Well, there's two things  
4       I can say, and both will get me a lot of flack no  
5       matter what I say, so I'm just going to say them  
6       both.

7               If a teacher's not going their job, they  
8       shouldn't be teaching.

9               I think that we can all think back into our  
10      past, and think of someone, not a teacher, but a  
11      person serving us coffee; a person driving a bus; a  
12      person doing something, that was not doing their  
13      job. And consistently didn't do their job.

14              And I've had a bad day. Trust me, I've had  
15      bad days with my students.

16              When there's a pep rally and it was Halloween  
17      and they're all sugared-up, you know, I can be the  
18      best teacher in the world, but, they're not going to  
19      listen to me.

20              If a teacher demonstrates that they're  
21      consistently not --

22              And this is coming from a teacher, mind you.  
23      This is why I'm going to get flack for this later.

24              If a teacher demonstrates that they are  
25      consistently not helping students, and that they've

1 demonstrated that they've tried to improve what  
2 they're doing, maybe they shouldn't be teaching.

3 If a bus driver continues to wreck the bus,  
4 and doesn't take a driving course, maybe that bus  
5 driver shouldn't be driving a bus.

6 SENATOR DeFRANCISCO: So not a very novel  
7 thought that you're coming up with here, you  
8 realize.

9 Thank you.

10 I enjoyed your presentation.

11 Thank you.

12 DAVID SYRACUSE: I enjoyed giving it.

13 SENATOR FLANAGAN: Senator Little.

14 SENATOR LITTLE: Thank you.

15 As a teacher, I have to say I admired your  
16 passion.

17 And I just want to tell, you had the  
18 attention of every single person in this room for  
19 the entire talk.

20 So, your students are very fortunate to have  
21 you.

22 DAVID SYRACUSE: Very kind to say.

23 SENATOR LITTLE: As a teacher, would it be  
24 helpful to you, to have, to see, the test results of  
25 the students in your class who took the test?

1           DAVID SYRACUSE: Absolutely.

2           I teach eleventh- and twelfth-graders, so if  
3 we're talking the 3-through-8 tests, I mean, that  
4 information might not directly have an impact on how  
5 I would conduct myself in the course.

6           But, certainly, it would be beneficial to see  
7 the entire test, and to say, Well, these kids didn't  
8 really quite get this, maybe I need to focus on  
9 this.

10          That would make sense.

11          I always give all of my tests and quizzes  
12 back, because I make up new ones every year, because  
13 if I do the same thing year after year, I would go  
14 crazier than I already am.

15          And -- so I don't see why we can't do that.

16          We do with that with the Regents exam now.

17          They're all posted online just a couple of  
18 weeks after they're given, every single last  
19 question.

20          SENATOR LITTLE: And we spend years taking  
21 Regents exams as practice for the others.

22          But, you know, I think you hit on something,  
23 because the Commissioner did say it would cost more  
24 to get all the tests back, which doesn't make any  
25 sense.

1           Hand them back.

2           Send them back.

3           But, thank you, and you did a great job.

4           DAVID SYRACUSE: Well, thank you very much.

5           We could, certainly -- I mean, all of our  
6 exams, the bubble sheets, and things, are scored and  
7 scanned at local schools.

8           It wouldn't seem that they would need to be  
9 sent back, except for things I don't understand.

10          SENATOR LITTLE: No.

11          Right.

12          Thank you.

13          SENATOR TKACZYK: Do you have any suggestions  
14 for what would be good ways to get kids college- and  
15 career-ready, other than -- from your perspective?

16          DAVID SYRACUSE: In terms of curriculum? Or  
17 in terms of -- I mean --

18          SENATOR TKACZYK: As a teacher, what is the  
19 most important thing for you to do to get kids  
20 college- and career-ready?

21          DAVID SYRACUSE: To not disengage them from  
22 education.

23          We've got a cycle of just disengaged  
24 students, because, perhaps their parents went  
25 through an education system that really didn't help

1       them, or was not beneficial to them, and then their  
2       parents say, Oh, well, you know what? I've got a  
3       \$15-an-hour job, I'm doing fine. You can just do  
4       the same thing.

5               Well, you know, news flash, \$15 an hour isn't  
6       going to be that much with the class of 2026 coming  
7       up.

8               So, we need to find ways not to disengage  
9       students.

10              Over-testing them is certainly one of those  
11       ways that can disengage them.

12              I know so many of my students get anxiety  
13       over tests, simply because they don't know what the  
14       result is going to mean.

15              Am I going to have to be a postal worker for  
16       the rest of my life, just because that's what I got  
17       on this particular thing?

18              Nothing against postal workers, working  
19       outside seem fine.

20              But, they get so stressed out about testing.

21              So if we can find other ways not to disengage  
22       them. If we can make sure that school isn't so high  
23       pressure, and school is couched in a language that,  
24       Hey, you don't know everything, and you know what?  
25       That's okay, that's why you're here, and that's why

1 I have a job.

2 Let's learn a few things together, instead  
3 of, I've got this stuff to get through, and if we  
4 don't get through it, I'm going get a worse than a  
5 79 on my evaluation.

6 That's not helpful to education.

7 It's taking the flavor out of education.

8 There's another catch phrase for you: "It's  
9 taking the flavor of it."

10 SENATOR LITTLE: Thank you.

11 SENATOR FLANAGAN: Senator Valesky.

12 SENATOR VALESKY: Just one comment.

13 David, thank you for your presentation.

14 I appreciate you being here.

15 I don't think, by the way, that your response  
16 to Senator DeFrancisco's question, I don't think  
17 you're going to get if trouble for your response.

18 I actually think most teachers would agree  
19 with you, that they don't want to be teaching with  
20 bad teachers.

21 I happen to be married to a public-school  
22 teacher. I am a son of two retired public-school  
23 teachers.

24 So, all the teachers that I've ever been  
25 associated with or know, have no interest in



1 teaching with bad teachers in the classroom.

2 So, I'll just share that.

3 DAVID SYRACUSE: Well, thank you.

4 I appreciate that.

5 SENATOR FLANAGAN: I do have a question.

6 We have a wide variety of people here,  
7 testifying.

8 DAVID SYRACUSE: Yes, sir.

9 SENATOR FLANAGAN: In terms of teacher  
10 evaluations, is it your contention that,  
11 essentially, only teachers should be evaluating  
12 teachers?

13 DAVID SYRACUSE: Uh-huh.

14 SENATOR FLANAGAN: Okay.

15 So, by extension, because one of the groups  
16 that's gonna come up, and I'm sure they'll comment  
17 on this, are the school administrators.

18 In your opinion, they're not competent to be  
19 doing that review?

20 DAVID SYRACUSE: No, that's not what I mean  
21 to imply.

22 And if I did, I apologize.

23 So, let the record show that that is not the  
24 case.

25 I think they are more than able to evaluate,

1       because most of them, if not all were them, were  
2       teachers themselves. They know what aspects of good  
3       teaching is.

4               They are overwhelmed with the amount of stuff  
5       that they have to do.

6               My administrator had two tiny little  
7       observations, and that's what he had to base this,  
8       27-, 32-page Danielson rubric on.

9               And, I don't think that was beneficial to me.

10              I don't think that was beneficial to my  
11       administrator.

12              I don't think it helped the kids.

13              So, if we could have teachers, retired  
14       teachers -- again, it's above my pay grade to try  
15       and figure out how this would work -- but my idea  
16       is, teachers know what good teaching is.

17              Why not have them evaluate teachers?

18              Just as, if you're going to have someone take  
19       a driving test, you want a good driver in there  
20       certifying that the person is a good driver.

21              You don't -- and that just seems to make  
22       sense to me.

23              Certainly, principals are able to do that.

24              Certainly, superintendents are able to do  
25       that, whatever the -- it happens to be in the

1 particular district.

2 But, they're overwhelmed with the amount of  
3 discipline, and the amount of paperwork that they  
4 have to fill out for all these other things that  
5 we're trying to do.

6 And it might actually improve the system, to  
7 have teachers looking at teaching.

8 SENATOR FLANAGAN: Last thing is just a  
9 comment, and I keep going back to this, because  
10 I hear it in so many different locations.

11 Whether it's Pearson or, frankly, any other  
12 company, McGraw-Hill, whomever it may be,  
13 ultimately, it's the State Education Department that  
14 is responsible.

15 They certainly are a for-profit entity, as  
16 are many groups that deal with the State Education  
17 Department.

18 But, in terms of policy, and what goes out  
19 the door, it is, ultimately, the responsibility of  
20 the Commissioner, and the department, and the  
21 Board of Regents.

22 So, but thank you for your time.

23 DAVID SYRACUSE: My pleasure.

24 Thank you.

25 SENATOR DeFRANCISCO: Can I make a last

1 observation?

2 There's still some superintendents in the  
3 room.

4 You may get a job offer before you leave here  
5 today.

6 [Laughter.]

7 DAVID SYRACUSE: Thank you very much for your  
8 time. I appreciate the time.

9 SENATOR FLANAGAN: Superintendent Contreras,  
10 you're patience is appreciated, particularly in  
11 light of the fact that we are in your home turf.

12 Good afternoon, and welcome.

13 SHARON CONTRERAS: Thank you.

14 JENNIFER PYLE: Good afternoon.

15 SHARON CONTRERAS: Good afternoon.

16 SENATOR FLANAGAN: And, Jennifer, welcome to  
17 you as well.

18 JENNIFER PYLE: Thank you.

19 And I'm going to leave my time to the  
20 Superintendent today.

21 I've submitted some brief comments, that  
22 I know you'll be hearing from other superintendents  
23 in other cities.

24 So, thank you, though, for the opportunity.

25 SHARON CONTRERAS: Good afternoon,

1 Senator Flanagan; to the great supporters of the  
2 Syracuse City School District, Senator Valesky and  
3 Senator DeFrancisco; to the Education Committee.

4 I appreciate the opportunity to testify today  
5 on this, the first day of Breast Cancer Awareness  
6 Month.

7 So, today, I honor those we've lost, those  
8 who are survivors, and those who are still fighting.

9 I am so proud to be the superintendent of the  
10 Syracuse City School District where we have  
11 21,000 bright, talented, and gifted students.

12 I'm also so pleased to be here to discuss the  
13 New York State Regents Reform Agenda.

14 As you know, the Syracuse City School  
15 District has just implemented, or is in the second  
16 year of implementation, of our five-year strategic  
17 plan, which is directly aligned to the  
18 Regents Reform Agenda.

19 Our ultimate goal in the strategic plan is an  
20 educational community that graduates every student  
21 as a responsible active citizen prepared for  
22 college, careers, and the global economy.

23 And I just want to point out that areas of  
24 specific alignment, include:

25 Making sure we fully implement the

1 Common Core;

2 Including instructional data systems to  
3 inform teachers' and principal practice;

4 Making sure we're recruiting, developing,  
5 retaining, and rewarding effective teachers;

6 And, turning around the lowest-achieving  
7 schools.

8 And we deeply believe in these four  
9 components.

10 Most districts, including Syracuse, saw a  
11 tremendous drop in our assessment results this past  
12 summer.

13 And it was very, very difficult to receive  
14 these assessment results.

15 However, for us, it was a reminder and a  
16 reason to continue the Regents Reform Agenda.

17 As stated in an op-ed that I co-authored with  
18 Superintendent Corliss Kaiser, "Change can be  
19 difficult, but movement to embrace the Common Core  
20 learning standards is vital and necessary to the  
21 success of our students."

22 I truly believe in the highest standards  
23 within the Common Core, and that they will benefit  
24 all of our students.

25 And I feel this, we have right now, a

1 baseline, that will help us move forward, and know  
2 exactly how to support our students.

3 I also commend Commissioner King for his  
4 unyielding commitment to and focus on equity for  
5 every single child in the state of New York; and,  
6 also, his uncompromising belief, it's a shared  
7 belief, that New York State can make certain that  
8 every single student will be prepared for college  
9 and careers, that ensure at least a middle-class  
10 existence.

11 So I want to talk a bit about the steps we've  
12 taken to do this work in reform.

13 In Syracuse, we've engaged in implementing  
14 the rigorous Common Core. We've trained teachers.  
15 We offered 35,000 hours of summer professional  
16 development.

17 And the teachers attended.

18 There was a 33 percent increase in the time  
19 that teachers spent in professional development this  
20 summer, indicating their ongoing commitment to their  
21 professional practice and to the children in the  
22 city of Syracuse.

23 We offered more than 100 courses, covering  
24 Common Core to learning standards, and we spent  
25 hundreds of hours developing curriculum aligned to

1 the Common Core, in English-language arts,  
2 social studies, and math.

3 We've implemented new-talent recruitment,  
4 support, and retention; systems including mutual  
5 consent, because we know that when teachers choose  
6 to work in a school and they know they're selected  
7 by the principal, and there's mutual consent,  
8 teachers are more satisfied, and, ultimately, they  
9 will be more effective.

10 The State can help us, however, by holding  
11 teacher-preparation programs accountable for the  
12 quality of the candidates that are enrolled, and  
13 accountable for the quality of their program.

14 We've also developed a teaching and learning  
15 framework that defines what effectiveness is in  
16 teaching and leadership. And that was done through  
17 a community-wide task force.

18 So, even though we had to come up with the --  
19 a system that was approved by the State, we did  
20 include the community in that process.

21 We piloted, the new evaluation system was in  
22 2011-12. We fully implemented, last school year,  
23 for the first time.

24 And, now, because we have some data, we are  
25 now able to offer targeted supports in the schools.



1           We've also launched the innovation zone made  
2       up of seven schools; seven of the lowest-performing  
3       schools in the district.

4           We have new principals.

5           We've staffed those buildings through mutual  
6       consent. Only two teachers were actually placed in  
7       the innovation zone.

8           Teachers receive extra professional  
9       development every single day, about five hours per  
10      week.

11          And, we've increased instructional time for  
12      our students by 20 percent. They receive an extra  
13      hour of instruction every single day.

14          However, the Regents Reform Agenda is being  
15      undermined because reform is expensive to implement,  
16      and the State funding is not equitable.

17          In some cases, SED has provided additional  
18      funding.

19          In the example of the I-zone, we received  
20      \$31.5 million to implement that initiative.

21          We receive funding through the strategic  
22      teaching -- Strengthening Teacher and Leadership  
23      Effectiveness Grant, helping us to include peer  
24      evaluators.

25          Interesting that you just mentioned how

1 teachers can help other teachers.

2 So, in our evaluation model, we have content  
3 specialists who are teachers, who do at least one of  
4 the evaluations or observations for teachers.

5 But, that is funded through a grant, and  
6 there is no sustainable way to fund that without the  
7 grant.

8 We also just received a \$2.8 million grant to  
9 expand career/technical education.

10 And we have a groundbreaking partnership with  
11 MACNY, with Onondaga Community College, to provide  
12 50 students a year with training in advanced  
13 manufacturing, manufacturing technology,  
14 electrical-engineering technology.

15 They will graduate with an associate's  
16 degree, and then one of our MACNY corporations will  
17 provide them with a job in the  
18 40,000-to-60,000-dollar range when they complete  
19 high school.

20 So, we are receiving some support.

21 However, the cost is huge of implementation  
22 of APPR, and of the Common Core, and we're using our  
23 already-diminishing scarce resources.

24 As Kevin Ahern mentioned, we've lost  
25 25 percent of our staff.

1           And I just want to give you some numbers  
2           about how much this costs.

3           In 2011, it cost the district 1.2 million to  
4           roll out the Common Core, and another 2 million in  
5           the design and implementation of APPR.

6           Last year, we spent \$9 million on Common Core  
7           and 6 million on APPR implementation.

8           That's \$15 million in one year alone.

9           These figures include costs related to  
10          development of materials aligned to the Common Core,  
11          purchase of materials aligned to the Common Core,  
12          development and purchase of new assessments to  
13          measure student growth, APPR data systems, and  
14          professional-development requirements for our  
15          teachers.

16          We believe eliminating the gap-elimination  
17          adjustment would yield about \$8 million per year for  
18          Syracuse.

19          And that is a specific example of a way you  
20          can help us, so that we can continue to implement  
21          the Reform Agenda without laying off additional  
22          staff.

23          I also want to stress that we have to ensure  
24          there's not an overreliance on the standardized  
25          testing.

1           Even as standardized assessments give us  
2           vital information to measure gaps in student  
3           learning, we have to ensure there's not this  
4           overreliance.

5           Yes, achievement data and growth data based  
6           on state assessments are important indicators of  
7           performance, but they are not meaningful when  
8           considered -- they are most meaningful when  
9           considered alongside other measures.

10          And I speak specifically about the impact on  
11          our English-language learners, special-education  
12          students.

13          We have 1600 English-language learners,  
14          2100 refugee students, many who come to the  
15          United States, and Syracuse, with little or no  
16          formal schooling.

17          Elements of the state accountability systems  
18          that rely on proficiency, at one point in time,  
19          without considering the trajectory, can penalize  
20          school districts and individual schools that serve  
21          large groups of refugee students.

22          And this is problematic for us.

23          And we continue to have an influx of these  
24          students. Since July 1st, I have enrolled  
25          400 refugee students into the district.

1           As you know, the State funding formula is  
2       frozen, and I'm not receiving State aid for  
3       additional students in the Syracuse City School  
4       District.

5           I think we also must provide financial and  
6       legislative support for initiatives that provide  
7       health and social-emotional supports for students  
8       living in poverty.

9           This includes funding for the Say Yes model.  
10       We are the first Say Yes district in the  
11       nation.

12       We have mental-health clinics in twenty-one  
13       of our schools.

14       We've school-based health centers.

15       We have social workers and counselors, but,  
16       we've had to cut some of those social workers and  
17       some of those counselors when our students need them  
18       desperately.

19       You heard Senator DeFrancisco speak to the  
20       discipline -- high-discipline, out-of-school  
21       suspension rates in the district.

22       They are unacceptable out-of-school  
23       suspension rates, but we could do more to support  
24       these students if they had support services.

25       Say Yes provides Last Dollar tuition

1 scholarships to all of our students, but we have to  
2 get them to the point where they will graduate and  
3 be successful in college.

4 Without support systems, like Say Yes to  
5 Education, it makes our job in Syracuse even more  
6 difficult, so I ask that you support that.

7 The Say Yes initiative, our strategic plan,  
8 and the Regents Reform Agenda represent a long-term  
9 collective investment in their students, and their  
10 future.

11 And I have no doubt that we can succeed with  
12 the Reform Agenda, if given -- if we have the will,  
13 the focus on instruction, and a fair funding system.

14 Thank you.

15 SENATOR FLANAGAN: Thank you, Superintendent.

16 Senator Valesky.

17 SENATOR VALESKY: Thank you,  
18 Superintendent Contreras.

19 I just have one question, and you sort of  
20 addressed it near the end of your remarks, but  
21 I wanted to revisit it for a moment.

22 Before I do that, though, I just -- you know,  
23 particularly in light of the assessment grades, and  
24 in this school district, and the attention to those  
25 scores, I think it is important to remember, and to

1 highlight, as I know you do all the time, the  
2 success stories from your school district.

3 And I, along with you, had the opportunity to  
4 welcome the President of the United States to one of  
5 your high schools, Henninger High School, about a  
6 month ago, or so.

7 And, the young man, his name was  
8 Emilio Ortiz [ph.], I think --

9 SHARON CONTRERAS: Yes.

10 SENATOR VALESKY: -- who attends  
11 Corcoran High School, was just incredibly impressive  
12 in his introduction of the President.

13 And I think that we all need to celebrate  
14 those success stories more than we do, and more  
15 often than we do.

16 So I want you to know how impressed I was  
17 with his presentation.

18 SHARON CONTRERAS: Thank you.

19 SENATOR VALESKY: And, yours, in getting that  
20 high school ready, and under that challenge that the  
21 secret service I know presented.

22 My question has to do with Say Yes, and  
23 I know the Say Yes program predates you in your term  
24 here, and it also predates the Regents Reform  
25 Agenda.

1           So, to what degree has having the Say Yes  
2           program in effect here, uhm, helped ease the  
3           transition through adoption of the Common Core and  
4           the entire Reform Agenda?

5           And, to whatever degree that might be, is  
6           that a model that -- understanding that's not a  
7           government model -- but, is that a model that can be  
8           replicated in other areas, that would be helpful?

9           SHARON CONTRERAS: I think so.

10          There are four elements of the Say Yes model.

11          There are the health supports;  
12          social-emotional supports; financial supports, which  
13          is the tuition scholarship; and academic supports.

14          I think what is posing a problem is, while  
15          Say Yes to Education is very well aligned to the  
16          Regents Reform Agenda, you end up making decisions  
17          that you shouldn't have to make about what to  
18          support.

19          So, we have eliminated some of the  
20          social workers and counselors, when that's an  
21          element we need to actually implement the  
22          Regents Reform Agenda, in terms of providing  
23          adequate academic supports, because, without those  
24          wrap-around kinds of supports, it's difficult for  
25          teachers to really deal with the academic needs of



1       our students.

2               So, I think that Say Yes to Education is a  
3       great model for reform, and I think it aligns well  
4       with the Regents Reform Agenda.

5               SENATOR VALESKY:   Thank you.

6               SENATOR FLANAGAN:   Senator Seward.

7               SENATOR SEWARD:   Yes, very briefly,  
8       Madam Superintendent.

9               I had -- I was struck by your comment that --  
10       in the -- I think in some of the failing schools  
11       that you may have here, or -- I assume that was  
12       based on test scores?   These high-stakes tests?

13              SHARON CONTRERAS:   The priority schools,  
14       and -- priority schools yes.

15              SENATOR SEWARD:   "Priority," that's what you  
16       call them, yes.

17              I shouldn't call them "failing schools."

18              But, in any event, you said one of the steps  
19       that were taken, was to find an extra hour of  
20       instruction time per day.

21              And -- which seems ambitious to me, because  
22       one of the -- I know one of the things I hear about,  
23       particularly with the Common Core, that there's so  
24       much to cover in a short time -- period of time,  
25       that it's really jammed in the day -- the school

1 day.

2 How did you fine an extra hour of instruction  
3 time?

4 Did something else have to give --

5 SHARON CONTRERAS: The teachers --

6 SENATOR SEWARD: -- in order for you to  
7 accomplish that?

8 SHARON CONTRERAS: You're asking me how do we  
9 use that time? Or how are --

10 SENATOR SEWARD: How did you find an extra  
11 hour?

12 SHARON CONTRERAS: Oh, how did we find the  
13 extra hour?

14 SENATOR SEWARD: Did anything else have to go  
15 in order to accomplish that?

16 SHARON CONTRERAS: Well, it was -- no.

17 It was actually mandated, as part of the  
18 turnaround-school model.

19 And we negotiated, and sat down with STA, and  
20 we figured out where that extra hour would be placed  
21 during the day.

22 However, the schools have a governance model,  
23 where they can choose to extend the school year.

24 They have 20 percent additional time. Or,  
25 additional time, and that amounts to about

1       20 percent over what they currently have.

2               And those schools are allowed to determine  
3       how they use that time, and when they use it.

4               So, next year, there may be schools that say,  
5       We want the same school day that we had last year,  
6       but we want to extend the school year and offer  
7       year-round schooling.

8               They are able to do that in this model.

9               But, the additional time is being utilized to  
10       provide differentiated supports for students.

11              And we're also able now to really focus on  
12       science and social studies, which was being left out  
13       previously because of a short school day.

14              We realize that, eventually, most of the  
15       schools will have a longer school day, because every  
16       single school in the Syracuse City School District  
17       is a priority or focus school.

18              And we're working with the National Center on  
19       Time and Learning, to provide technical assistance  
20       to every school in how they will find that time and  
21       use that time.

22              In addition to that hour, every teacher has  
23       an additional half hour per day of common planning  
24       time, giving them a full hour of common planning  
25       time.

1           SENATOR FLANAGAN:   Senator DeFrancisco.

2           SENATOR DeFRANCISCO:   Is that -- actually,  
3           there's more hours in a day that are in the school  
4           day at those schools right now?

5           SHARON CONTRERAS:   Yes.

6           SENATOR DeFRANCISCO:   And is there a -- is  
7           there are corresponding change in salaries as a  
8           result of that?

9           SHARON CONTRERAS:   The teachers receive a  
10          \$6,000 stipend that is funded through that  
11          \$31 1/2 million grant.

12          SENATOR DeFRANCISCO:   Okay, so the State is  
13          providing the funds for this additional mandate?

14          SHARON CONTRERAS:   Yes, they have.

15          SENATOR DeFRANCISCO:   Okay.

16          Lastly, I just want to clear up about the  
17          Say Yes program.

18          I support it; have supported it from the  
19          beginning.

20          My point simply is this:

21          There are many people in every one of our  
22          districts, including mine, and Syracuse is part of  
23          my district, that parents say to me, What am I;  
24          something wrong with me?

25          I'm not very rich, and I'd like my college

1       tuition paid for, too.

2               So it seems, at the very minimum, these  
3       students should be college-proficient -- that have a  
4       condition should be, for a free college education,  
5       that they be prepared for college and not have to  
6       have remediation.

7               That's my only point.

8               And -- because the program -- it's a good  
9       concept.

10              I understand Buffalo is consider -- they're  
11       considering doing it in Buffalo.

12              That's great.

13              But, for that enormous, enormous benefit,  
14       there should be a corresponding responsibility, so  
15       it's fair to other districts that don't have it.

16              That's all I wanted to point out.

17              SENATOR FLANAGAN:   Senator Tkaczyk.

18              SENATOR TKACZYK:   Thank you.

19              I wanted to ask you about the funding.

20              You mentioned, in 2011, you spent  
21       1.2 million, and 2 million, on Common Core, and  
22       APPR.

23              And, today, it's to the tune of 9 million,  
24       and 6 million.

25              Are -- is that amount of money going to be --

1 continue to grow?

2 Is this -- are you -- is that the level  
3 you're going to be expected to cover every year?

4 Kind of, what -- could you explain, is this a  
5 growing thing?

6 And what -- did you get any money from the  
7 750 million that the State got from the Race To The  
8 Top grant to cover that?

9 SHARON CONTRERAS: We did receive Race To The  
10 Top funds.

11 We used the entitlement.

12 We used the general fund.

13 I don't expect it will cost this much every  
14 year, but teachers are going to need professional  
15 development for some time.

16 The cost of developing assessments is  
17 astronomical.

18 The cost of purchasing assessments is  
19 astronomical.

20 So, we have to find better ways to do this.

21 Because, even when we develop the assessments  
22 on our own, you still have to pay the teachers for  
23 their time.

24 There's printing costs.

25 I think we had over 200 assessments for SLOs.

1           And I do want to just clarify one thing:

2           The local piece of APPR, you don't have to  
3           use all of those assessments.

4           We chose to do that, because we didn't have  
5           enough time to develop something that was more  
6           progressive, and that teachers would have felt was  
7           more meaningful.

8           So, you can develop performance tasks, you  
9           can use portfolios. We simply ran out of time,  
10          based on the State's deadline.

11          So, I just wanted to be clear, you don't have  
12          to use that many assessments.

13          We're doing that, because it was the quickest  
14          way to comply with the State requirement.

15          SENATOR TKACZYK: And just going forward,  
16          what do you -- what is the most pressing thing,  
17          resource?

18          Or, could you identify things that you need  
19          to make this a successful process?

20          Is it time? Is it money?

21          Is it -- what is it going to -- from your  
22          perspective, gonna make it -- continue to improve,  
23          and get to where we're getting more kids ready for  
24          college and careers?

25          SHARON CONTRERAS: I think that, obviously,

1 we do need funding to make certain that we can  
2 continue this, but time to do this in a way that  
3 teachers -- so that teachers and administrators  
4 believe this is a credible system.

5 It's not just time in the development.

6 It's time to communicate to our families,  
7 who, all of a sudden, their students are taking a  
8 lot more assessments. They don't necessarily  
9 understand all the components.

10 Many people get confused with Common Core and  
11 APPR. When I'm talking to them, they're not quite  
12 sure what their issue is, but they know they have an  
13 issue.

14 So I think if we had a little more time, we  
15 could have rolled this out more effectively.

16 However, I have to say, that I understand the  
17 sense of urgency when you look at the number of  
18 students who are going to college, not prepared; or  
19 when you sit at a business roundtable, and your  
20 local businesses and corporations tell you how  
21 underprepared students are for the workforce.

22 So -- but there still has to be a balance so  
23 that we can do this well and have a credible system.

24 SENATOR FLANAGAN: Superintendent, you knew  
25 I was going to ask you one question:



1           So on that scale of 1 to 10, no pressure,  
2           there's a drum roll in the background, but there's  
3           no pressure?

4           SHARON CONTRERAS: The communication with  
5           State Education Department?

6           Is that the question?

7           Okay.

8           I always have access, because of the  
9           Big Five, NYSCSS, with the Commissioner, and the  
10          deputy commissioners, assistant commissioners.

11          But SED is a vast, vast organization, and the  
12          level of communication is not consistent throughout  
13          the organization.

14          So, if I have to, I can reach the  
15          Commissioner and they always listen to our concerns.  
16          They don't always agree with what we're saying.

17          But I do feel I can, at any time, get them to  
18          the table, because of the Big Five, NYSCSS, and just  
19          because they have a relationship with us, and they  
20          sit and try to resolve issues.

21          But that is not consistent throughout the  
22          State Education Department.

23          SENATOR FLANAGAN: That was good.

24                 [Laughter.]

25          SENATOR FLANAGAN: However, 1 (indicating)

1 10.

2 SHARON CONTRERAS: I don't know how to answer  
3 that. I'm sorry.

4 But I feel like I have very good  
5 communicationing [sic] and great access to the  
6 leadership at SED.

7 SENATOR FLANAGAN: Yeah, but, frankly, part  
8 of the reason I'm asking is, by virtue of the fact  
9 that I Chair the Committee, I mean, I have excellent  
10 access to the department, the Department -- and so  
11 do my colleagues, just as being elected officials,  
12 but, I'm trying to, you know, glean from the people  
13 who are here, and a lot of stuff we get in terms of  
14 e-mails, what that level of communication is.

15 I certainly have great respect for what you  
16 do, and I'm not trying to put you on the spot, but  
17 I will also underscore that, we're the only ones  
18 having hearings.

19 SED's not having hearings. The Regents are  
20 not having hearings. The Governor's not having  
21 hearings. The Assembly's not having hearings.

22 We're doing this so people can lay out what  
23 their wishes are, what their desires are, and what  
24 their concerns are.

25 But, Say Yes, Mary Ann is excellent.

1 I really like working with her. I felt I learned  
2 quite a bit from her.

3 I do have one other quick question.

4 SHARON CONTRERAS: Yes.

5 SENATOR FLANAGAN: As a superintendent, the  
6 upcoming Regents, I believe that this is where, kind  
7 of, the rubber meets the road.

8 The ELA exams, and everything, 3 through 8,  
9 it's not that they are insignificant, because they  
10 are; however, now we're talking about graduation,  
11 and now we're talking about college.

12 My concern is, that the Regents having full  
13 implementation of Common Core for this upcoming  
14 year, or, this year that we're in, that has a  
15 potential to be highly problematic.

16 Because, if there's a 30 percent drop in the  
17 scores now, what's going to happen when a kid, who  
18 probably would have gotten, like, an 85, or an 86,  
19 gets a 71, or a 69?

20 Do you -- are you --

21 SHARON CONTRERAS: They will still graduate  
22 with a 71.

23 And, to my knowledge, the universities do not  
24 use the Regents in any way, and I think that's  
25 something that Commissioner King is working on.

1           I think you would see better results on the  
2 Regents if they were actually used by higher  
3 education in a meaningful way.

4           And they are not.

5           Instead of students having to take placement  
6 tests, they should be using these Regents scores in  
7 higher education, to indicate which courses students  
8 should be taking.

9           So, certainly, there may be a drop, I expect  
10 a drop, but I prefer that we have good information  
11 about where students really are.

12           The parents deserve that, and the students  
13 deserve that.

14           But I think we need to work more diligently  
15 to ensure that those Regents are used by higher  
16 education.

17           SENATOR FLANAGAN: Thank you very much.

18           Appreciate it.

19           SHARON CONTRERAS: Thank you.

20           SENATOR FLANAGAN: Next we have,  
21 Michael Cohen, president of Achieve.

22           And I want to reiterate for everyone who has  
23 had the patience to stay with us and continue to  
24 listen, that all the written testimony is online.  
25 Everything we get will go up online.

1           And, this is being live-streamed, so, for  
2           those who are sticking it out, there are people who  
3           are here listening to you directly, and indirectly,  
4           and we appreciate your patience.

5           Mr. Cohen.

6           MICHAEL COHEN: Senator, thank you very much  
7           for the opportunity to testify before you this  
8           afternoon.

9           Let me tell you a little bit about myself,  
10          and about Achieve, before I jump into the substance  
11          of my remarks.

12          First of all, you should know, I am a product  
13          of the New York City public schools, and the SUNY  
14          system here in New York State.

15          I grew up in Brooklyn.

16          Went to SUNY Binghamton; met my wife from  
17          Glens Falls there.

18          And, I have family elsewhere in the state.

19          I took -- when I was in high school, which  
20          was a long, long time ago, I took Regents exams,  
21          I earned a Regents diploma, and I got a Regents  
22          scholarship.

23          Throughout that time, neither I nor anyone in  
24          my family knew what a "Regents" was, except, the  
25          name of the tests that we took and the diploma that

1 we got.

2 It wasn't until much later in my professional  
3 career that I understood there's actually a  
4 governing body with that name.

5 Keep that in mind when you raise concerns  
6 about the ability of State Ed Department to  
7 communicate.

8 Right?

9 It is a challenge. It's not a brand new one.

10 I graduated in 1968, so it was a while ago  
11 that we participated in all of this without fully  
12 understanding what the State was up to.

13 I'll come back to that point more  
14 substantively in a few moments.

15 Achieve is a bipartisan non-profit  
16 organization, independent.

17 We are governed by governors and business  
18 leaders.

19 And, we were founded in 1996, basically, to  
20 help states with standards-based reform.

21 Even before the Common Core were developed,  
22 we had worked with more than half of the states to  
23 improve their math and literacy standards so that  
24 they reflected college- and career-readiness.

25 We actually did research, that came out in

1       2004, that identified the skills that were needed in  
2       order to succeed in post-secondary education,  
3       including career training programs.

4               And we also determined, by the way, that  
5       almost no state required students to demonstrate  
6       those skills, or even to take courses that had a  
7       chance of teaching those skills, in order to earn a  
8       high school diploma.

9               So we've been working for a decade with  
10       states to close this expectations' gap between what  
11       students needs to know in order to succeed, and what  
12       they need to demonstrate in order to earn a  
13       high school.

14              We've got to bring that [indicates], the  
15       expectations and the requirements closer together  
16       than they have -- than they are now, and have been  
17       for a long time.

18              We worked with the National Governors  
19       Association and the Council of Chief State School  
20       Officers to help states develop the Common Core  
21       state standards, so we've been in the middle of the  
22       development.

23              We have been working with states to support  
24       their implementation, including a network of about  
25       20 states that are using a tool that New York State

1       helped develop, to evaluate the alignment and  
2       quality of instructional materials.

3               We've been helping 20 states use that same  
4       rubric in order to look at their own instructional  
5       materials.

6               It suggests the power of collaboration in  
7       common, that states can use the same tool to look at  
8       quality, even though they developed their own  
9       curriculum and instructional materials.

10              And New York's been a key player in that.

11              We are also helping a slightly different  
12       group of 20 states develop the PARCC assessments  
13       that Commissioner King referred to in his testimony.

14              These are next-generation tests based on the  
15       Common Core in math and ELA, right, that I will talk  
16       about a bit, because they help address some of the  
17       issues that you've been debating here with regard to  
18       the role of assessments.

19              So I want to spend a couple of minutes  
20       telling you about that.

21              But, overall, what I bring to this hearing is  
22       a national perspective on Common Core  
23       implementation, and I want to just put the comments  
24       and discussion that you've been having here in a  
25       national context.



1 First thing to keep in mind, as people have  
2 pointed out, 45 states have adopted the Common Core.

3 50 states are working to develop college- and  
4 career-ready policies, right, that, basically,  
5 overhaul the mission of the K-to-12 system, so that  
6 its purpose, right, it's reason for existence, is to  
7 prepare all of the students for post-secondary  
8 success.

9 When I went to high school, right, the  
10 mission of the K-to-12 system was to prepare about a  
11 quarter of us for post-secondary success, and the  
12 rest could find their way in the workplace, on their  
13 own, without much difficulty.

14 Now we're in an economy where, virtually, all  
15 of the jobs that pay well and have advancement  
16 potential require some kind of post-secondary  
17 education.

18 It could be a 4-year college, it could be  
19 2-year college, could be technical-training program  
20 that leads to an industry-recognized credential, but  
21 our research has showed, that to succeed in any of  
22 those programs is, literally, a common core of  
23 quantitative and literacy skills that are necessary  
24 for all students to acquire when they leave  
25 high school.

1           And that's the premise of Common Core state  
2 standards, is that there really are common  
3 expectations for success in college and career, at  
4 least in those core subject areas.

5           All of the states that are pursuing this  
6 agenda, whether with Common Core or without, are  
7 experiencing some of the same tensions that you've  
8 heard surfaced here in this hearing:

9           The tension between the urgency to improve  
10 achievement;

11           The costs, there are such high remediation  
12 rates;

13           There are some of these signals from  
14 employers, that students are graduating from  
15 high school poorly prepared, academically, for  
16 what's needed in the workplace;

17           Signals from college faculty, that even  
18 students who are in credit-bearing courses lack --  
19 that many of them lack the skills they need do real  
20 college-level work.

21           So the environment is providing all kinds of  
22 signals that we need to improve the preparation of  
23 young people as they come out of college, many of  
24 them, to much higher levels than they are now.

25           Real sense of urgency behind that.

1           And at the same time, this is really  
2           complicated work to do.

3           The standards, as you've heard other people  
4           describe, call for fundamental shifts in  
5           instructional practices for many teachers.

6           Some have been teaching this way for a long  
7           time, but for many, this really requires pretty  
8           fundamental changes in what they teach, and how they  
9           teach, and in particular, how they teach the most  
10          disadvantaged students.

11          Those changes don't occur overnight.

12          So I've heard a debate here about, just how  
13          fast should implementation proceed here? how fast  
14          should assessment proceed?

15          You're not the only state that is wrestling  
16          with it, and I'm not going to tell you exactly what  
17          the answer ought to be.

18          I think you've got to find that here in the  
19          state, but I'm telling you, you're not alone in  
20          wrestling with this, and the struggles that you're  
21          facing are being faced elsewhere as well.

22          With regard to the implementation of the  
23          Common Core themselves and the State's role, a  
24          couple of things, from a national perspective, and  
25          I'll be brief in this:

1           First, it's worth keeping in mind, as you've  
2       heard from a lot of people, implementation of the  
3       Common Core is both a state responsibility and a  
4       locally responsibility.

5           Local districts, local leadership, matters a  
6       lot in the pace and effectiveness of implementation.

7           Compared to other states, the effort that  
8       New York State is making is probably the most  
9       robust -- robust and aggressive of any state in the  
10      country.

11          All over the country people are looking at  
12      the EngageNY website, to look at the curriculum  
13      materials, the instructional tools, the assessment  
14      tools, the professional-development tools, the basic  
15      communications tools for talking about the  
16      Common Core.

17          Right?

18          Bar none, New York State is ahead of the rest  
19      of the states on that.

20          That doesn't mean it leads to even,  
21      consistent, rapid implementation at the local level,  
22      but in terms of what states typically do, the effort  
23      here in New York far surpasses what states have done  
24      before, right, and it surpasses what almost any  
25      state is doing now.

1           That's particularly with regard to, if you  
2           will, the technical work or the substantive work.  
3           You know, instructional modules,  
4           professional-development materials, and the like.

5           That's different from the communications and  
6           coalition building that has to go along with  
7           implementation.

8           It's different from the cultural change that  
9           needs to occur, that has to go along with  
10          implementation.

11          And here's a place, where, as I listened to  
12          the testimony you've been hearing, something  
13          occurred to me that I had not thought about before  
14          I got here.

15          We are working with many states around the  
16          country, and with foundations that are supporting  
17          these efforts, to support third -- independent  
18          third-party coalitions, typically involving the  
19          business community, the education community,  
20          higher education, and parents.

21          Right?

22          Those partners have to play a critical role  
23          in building support for implementation, in  
24          sustaining the efforts, and providing a trusted  
25          place where the tensions that you're working through

1 here around pace and timing and money, and the like,  
2 can be worked out.

3 Right?

4 Foundations are looking to support that work  
5 in states around the country, and there are some  
6 really outstanding examples of those kinds of  
7 coalitions.

8 TN-SCORE, is one example.

9 AdvancED Illinois, is another.

10 I could go on.

11 The point I want to make is, they're having a  
12 very hard time finding, right, that kind of  
13 third-party coalition right here in New York.

14 You are missing that.

15 You don't have a place -- as best as I can  
16 tell, or anyone else looking from outside the state,  
17 you don't have a place that brings people together,  
18 to work on these tough issues from across sectors  
19 with the shared commitment to a successful  
20 implementation.

21 Instead what I'm seeing is, disparate  
22 efforts, right, lots of pockets of advocacy of one  
23 kind or another.

24 That's not a recipe for sustained reform.

25 The states historically that have undertaken

1 ambitious reforms.

2 I'm thinking now back to the '80s, right,  
3 in the wake of "A Nation At Risk."

4 South Carolina had one of the most ambitious  
5 reforms.

6 Right?

7 Then-Governor, subsequently, Secretary of  
8 Education, Dick Riley created a business-education  
9 partnership that brought all those parties together,  
10 had some oversight responsibilities for reform, not  
11 in a formal governance way, but in the matter of,  
12 kind of, paying attention to how implementation was  
13 going, and trying to keep the effort sustained for a  
14 decade. And they succeeded at that, despite changes  
15 in the governor's office, despite changes in party  
16 control of the governor's office and the  
17 legislature.

18 Other states have done the same thing.

19 I don't see that kind of infrastructure here  
20 in the state, so I'd suggest that's something that  
21 you might want to give some thought to.

22 Another topic I want to talk about, quickly:  
23 assessment.

24 You heard the Commissioner talk about the new  
25 Common Core assessments, you've heard lots of people

1 talk about that, and the results that you've gotten.

2 Those are not surprising, by the way, that  
3 the proficiency levels went down very much, and it  
4 is largely a sign of the increased rigor of the  
5 standards that they're measuring and the tests  
6 themselves.

7 I want to just take a minute to tell you  
8 about the PARCC assessments.

9 Those are coming from a network of 20 states,  
10 including New York State.

11 The states are in charge of the assessments,  
12 Achieve facilitates the process.

13 Right?

14 There are some things about those assessments  
15 that represent advances of what's going on now, that  
16 I want to bring to your attention.

17 First of all, a high level of transparency,  
18 right, in the design of the test, in the  
19 specifications for the test.

20 You've had a discussion about this.

21 There will be a significant number of items  
22 that are released every year so people can see  
23 exactly what the test looks like.

24 I haven't determine quite the number of items  
25 yet, but it will be a substantial portion, so that



1 will be readily apparent.

2 Comparability; right?

3 These tests are designed so that the  
4 20 states that participate, if they continue to,  
5 will be giving the same test.

6 We'll able to compare results across states.

7 You could tell New York State making more  
8 rapid gains, larger gains, than other states; or are  
9 you slower than everyone else?

10 You have no way of knowing that now.

11 You would as part of a consortium of states  
12 developing the same test.

13 These tests were developed -- many people are  
14 concerned that testing programs in states now drive  
15 instruction: what's tested, what gets taught -- is  
16 what gets taught.

17 And that creates a fair amount of pressure,  
18 and can distort the instructional program.

19 The PARCC tests were deliberately created,  
20 are being deliberately created, so that we started  
21 with the standards.

22 We started with -- you heard people talk  
23 about the instructional shifts, the kinds of  
24 instruction that are needed.

25 And the question for the test developers and

1 the states that are working on this, is: What does  
2 the test need to look like so that it will support  
3 those changes rather than drive a different kind of  
4 instruction?

5 So as just one example:

6 On the PARCC tests, there will be some time  
7 set aside for reading the kind of complex  
8 informational text that are called for by the  
9 standards, by perhaps reading two for three pieces  
10 on the same topic, and writing several essays around  
11 them, just as you would do in a good instructional  
12 unit.

13 Right?

14 The tests are designed to mirror what good  
15 instruction would be, rather than supplant good  
16 instruction with teaching to the test.

17 That, it's a big change in how testing would  
18 be done.

19 One other thing I want to mention, these  
20 tests are about college- and career-readiness.

21 A previous witness talked about how nice it  
22 would be if post-secondary institutions actually  
23 paid attention to the results on the Regents exams  
24 and used those to indicate whether students are  
25 ready for credit-bearing work or not.

1           That's exactly what the PARCC assessments are  
2           designed to do.

3           And, the post-secondary systems in every one  
4           of the participating states is at the table, helping  
5           determine the content of the tests; reviewing the  
6           tests design and test items; will be involved in  
7           setting the cut scores, the standards on the test,  
8           so that they can be confident, that if a student  
9           reaches that level, they can tell them that they  
10          will -- they can tell that student that they won't  
11          have to take another placement test when they get to  
12          college. They will be ready to do credit-bearing  
13          work.

14          Alternatively, for students who don't do  
15          well, they can be told, that, You're only in the  
16          11th grade now. You've got another year of  
17          high school. Here's what you need to do to fill in  
18          the skill gaps.

19          So, that's just an overview, right, of new  
20          work that's underway on assessments that New York  
21          can take advantage of in the next several years.

22          And I know there's a discussion with the  
23          Commissioner and the State Board about whether  
24          that's an opportunity to take advantage of.

25          I want to close with one other suggestion,

1 based on what I've heard: a lot of concern about  
2 over-testing in the state.

3 One thing that we are -- that we have  
4 historically done in education, and we're seeing in  
5 other states, is new tests get layered on old -- on  
6 top of existing tests.

7 Some of the tests may be replaced, but most  
8 districts have benchmark tests, diagnostic tests,  
9 quarterly tests.

10 It would be worth thinking about what an  
11 audit of testing in the state would look like.

12 What are all the tests that kids need to take  
13 every grade?

14 Who uses them for, what purpose?

15 Like, can any of them be replaced or merely  
16 eliminated?

17 My guess is, you'd find a way to alleviate  
18 some of the concerns about testing, simply by  
19 finding out what's going on, and what can be changed  
20 in that space.

21 So on that note, I will stop, and I will take  
22 your questions for as long as you want to ask them.

23 Thank you.  
24  
25

1           SENATOR FLANAGAN: Michael, I checked with my  
2 colleagues, and nobody has any questions.

3           Senator DeFrancisco does have to leave.

4           But I just wanted to ask you --

5           SENATOR DeFRANCISCO: The lack of questions  
6 has nothing to do with the quality of the  
7 presentation.

8           It has to do with the hour of the day.

9           MICHAEL COHEN: I'll accept that.

10          SENATOR DeFRANCISCO: And I have to leave,  
11 because I made another commitment at this time.

12          I have the testimony of everyone else, and  
13 I will read them if you haven't testified yet.

14          That's all I wanted to mention.

15          Thank you.

16          MICHAEL COHEN: Thank you for that comment.

17          SENATOR FLANAGAN: So, one question.

18          MICHAEL COHEN: Yes.

19          SENATOR FLANAGAN: One question, because  
20 I would say, and I'm by no means unique, we have  
21 groups of people, in different parts of the state,  
22 say that: Common Core is horrific. This is the  
23 wrong way to go. People should be opting out. This  
24 is a perversion of our whole system of education  
25 across the country. That this is a federalization

1 of education.

2 Part of my response is, whether you like  
3 Common Core is different from the question as to  
4 whether or not it's a mandate.

5 It is not -- do you agree with me that it is  
6 not a federal mandate?

7 MICHAEL COHEN: I am absolutely certain it is  
8 not a federal mandate.

9 It was developed by states.

10 The only role the federal government played  
11 was, after the tests were -- I mean, after the  
12 standards were developed, they provided incentives  
13 through Race To The Top for states to adopt them.

14 I will tell you that's not the only time the  
15 federal government, right, has given states money  
16 around standards or assessments.

17 In fact, if you go back to 1990,  
18 then-Secretary Lamar Alexander and the  
19 Bush Administration gave states funds -- every state  
20 funds to develop their own standards.

21 Since then, the Title I program has required  
22 states to have standards, required states to have  
23 tests.

24 From 1994 through 2001, when No Child Left  
25 Behind was passed, and it was extended, the federal

1 government has provided money to every state to  
2 develop standards and tests since 1990.

3 The Common Core standards are the only state  
4 standards, since 1990, that have been developed  
5 without federal funds.

6 It is precisely the opposite of a federal  
7 mandate or a federal takeover, despite what others  
8 might tell you.

9 SENATOR FLANAGAN: I have also heard, as  
10 somewhat of a parallel to that, that, Well, because  
11 the Race To The Top money was tied to this, it is a  
12 federal mandate.

13 It is my understanding that the Race To The  
14 Top speaks to the adoption of standards.

15 It doesn't speak to, it has to be Column A or  
16 Column B; but, rather, to the sort of generic  
17 approach, that you have to have a set of standards  
18 that would be approved by your education department.

19 MICHAEL COHEN: So, uhm, it's a little bit  
20 more than that.

21 Right?

22 The Race To The Top grant program gave states  
23 that applied some extra points -- maybe a dozen out  
24 of 400 possible points in the review of  
25 applications -- if they adopted standards, I forget

1 exactly how they word it, but the gist of it is was,  
2 if you adopted college- and career-ready standards  
3 that a lot of other states have adopted as well.

4 SENATOR FLANAGAN: Okay.

5 MICHAEL COHEN: That really spoke to  
6 Common Core.

7 But it's significant, I think, that maybe a  
8 dozen states that have gotten Common Core grants.

9 There are 45 states that adopted the  
10 standards. They would have adopted it with or  
11 without Race To The Top.

12 They might not have adopted as quickly as  
13 they did, because they had to get grant applications  
14 in, but this was a state-led effort. And, states --  
15 you know, states, with or without Race To The Top  
16 money, have adopted the standards.

17 SENATOR FLANAGAN: Yeah, and I -- I'll close  
18 by just saying, thank you, and I appreciate your  
19 testimony.

20 And this is one of the values of having the  
21 written testimony submitted, because I think we  
22 will -- your written comments and your spoken  
23 comments will engender probably other comments and  
24 e-mails that everyone will get a chance to see.

25 So thank you for your time.



1           MICHAEL COHEN:  You're welcome.

2           Thank you for the opportunity to speak.

3           If any of the questions that my testimony  
4 engenders are actually relevant, that you'd like my  
5 answers to, I would be happy to respond.

6           SENATOR FLANAGAN:  Trust me, if we don't  
7 know, we'll call you.

8           MICHAEL COHEN:  Good.  Thank you.

9           SENATOR FLANAGAN:  Thank you.

10          Okay, now we have:  Jim Viola, and our  
11 administrators, Paul Gasparini, Timothy Heller,  
12 Russell Kissinger, and Maureen Patterson.

13          Do you all feel like you've been waiting  
14 outside the principal's office all day?

15          MAUREEN PATTERSON:  Yes, but it's okay.

16          JAMES VIOLA:  Good afternoon,  
17 Senator Flanagan, and honorable members of the  
18 Senate Education Committee.

19          Thank you for holding this hearing today, for  
20 your stamina, and in answering questions, and  
21 staying engaged the entire time.

22          It's our pleasure to present some testimony  
23 to you, and we want to thank you for inviting us to  
24 present testimony on the behalf of the  
25 School Administrators Association of New York.

1           I brought with me four school administrators  
2       from four different school districts, so you would  
3       have the opportunity to ask on-the-ground, more  
4       granular kinds of questions about, How is this  
5       playing out?

6           That's why I have Russ Kissinger from  
7       Mount Markham High School; I have Paul Gasparini  
8       from Jamesville-Dewitt High School; I have  
9       Maureen Patterson from Liverpool School District;  
10      and I also have Timothy Heller from the  
11      Groten Elementary School.

12           Now, down to the brass tacks:

13           In terms of costs and revenues, it's  
14      important to remember that school districts were  
15      asked to sign on to the Race To The Top program  
16      without ever having seen the application, without  
17      knowing what their allocation was going to be,  
18      without knowing what the costs were going to be, for  
19      implementation.

20           Each one of the reforms in Race To The Top  
21      includes significant additional costs for school  
22      districts, costs that school districts could not  
23      have planned for.

24           These things were put in place at the same  
25      time that there were fiduciary controls put in place

1 at the state level; things like property-tax cuts,  
2 debt-elimination adjustments, and the flat funding  
3 of the foundation-aid formula.

4 These kinds of things greatly affect school  
5 districts' ability to comply and effectively phase  
6 in these educational reforms that we're talking  
7 about here today.

8 They're acutely felt by small rural school  
9 districts throughout the state.

10 They also -- what they do is, they entrench  
11 and they somewhat exacerbate the gap in educational  
12 opportunities from school district to school  
13 district.

14 Right now, there are school districts, some  
15 school districts in New York State, saying, How do  
16 we identify and plan for every student that needs  
17 academic intervention services, to get those  
18 services?

19 There are other school districts on the other  
20 side of the continuum that are saying, We don't have  
21 the resources to provide AIS to every kid we're  
22 mandated to provide these services to.

23 Some school districts are planning right now  
24 to provide bifurcated high school programs for  
25 English and mathematics, so students will be

1 prepared to take two types of Regents examinations  
2 at the end of the 13-14 school year.

3 Some school districts are saying, We have  
4 resources for one roof. That's what we're going to  
5 be doing.

6 In terms of college- and career-readiness,  
7 that is actually the basis and the goal of the  
8 education reforms that we're talking about.

9 We first started hearing about this in 2010.

10 And it's interesting that, as of today, I've  
11 never really seen an operational definition of what  
12 "college- and career-readiness" is.

13 It's loosely understood by many people, and  
14 we would submit, it's a concept that needs some  
15 reworking.

16 It is counterintuitive to us, that there  
17 would be one threshold for students to successfully  
18 transition from high school to a college program,  
19 regardless of the college program they're interested  
20 in.

21 It's counterintuitive to us, that there is  
22 one threshold for students to successfully  
23 transition from high school to career.

24 And the idea that 35 percent of students are  
25 graduating from high school college- and

1 career-ready does not match up to our reality.

2 We think that the basis upon which that was  
3 calculated is erroneous and should be reexamined.

4 Going one step further, to tell you the  
5 truth, we empathize with the concerns that you  
6 raised earlier.

7 As we go through this transition for  
8 high school students, we are concerned that, as we  
9 go through the transition, that, nevermind  
10 successful transition to college; that the high  
11 school graduation rate will go down, that the  
12 high school dropout rate will go up.

13 And we're also concerned, as we go through  
14 the transition time, how will New York State's  
15 high school graduates compete against graduates from  
16 other states that have not so quickly phased in  
17 their Common Core assessments at the high school  
18 level when they're competing for acceptance in the  
19 highly competitive colleges?

20 We support the transition to the higher, the  
21 more rigorous Common Core standards, but you've got  
22 to keep in mind that this is a multi-faceted  
23 process.

24 Beyond the adoption of standards, there's the  
25 development or the adoption of curriculum.

1           Then there's the purchase or adoption of  
2       instructional materials.

3           Then there's the transition to Common Core  
4       pedagogy.

5           And then there's extensive professional  
6       development and local monitoring systems that have  
7       to be put in place to make sure that it's done with  
8       fidelity.

9           This has been done in a very uneven way  
10       during the 2012-13 school year, and for good reason:  
11       certain parts of the state were hit with  
12       catastrophic weather events.

13           School districts across the state had very  
14       different personnel and financial resources to  
15       implement these reforms.

16           And the State Education Department, as late  
17       as August of 2012, was then rolling out curriculum  
18       materials and instructional materials, with the  
19       intent that they would be implemented during that  
20       school year, when it's too late.

21           It's too late to do that in many of those  
22       school districts.

23           Going on from there, APPR, I'll tell you, I'm  
24       very proud of school administrators around the  
25       state, because they have done a yeoman's job of

1 doing all of these education reforms, the APPR,  
2 et cetera, that's been put on their plates.

3 75 percent of school administrators that  
4 responded to a survey said they did not receive  
5 timely, helpful information from the State Education  
6 Department needed to phase in those reforms.

7 77 percent of the school administrators  
8 reported that, not only did they not get any help  
9 from the school districts, not only did they not get  
10 any refinement or adjustment of their work  
11 responsibilities in their school districts; in fact,  
12 on the other side of the continuum, in many cases,  
13 assistant principals, deans, supervisors, were  
14 exceeded, because of the financial challenges that  
15 they were facing.

16 Nonetheless, the State Education Department  
17 fully expects that the APPR will have employment  
18 ramifications, despite the fact that it was phased  
19 in in a faulty sort of way.

20 For example, their chief architect of the  
21 state of the APPR, or, the State Assessment System,  
22 Kristen Hull [ph.], on March 11th did a detailed  
23 presentation to the Board of Regents and SED  
24 leadership, explaining in great detail, how the  
25 2012 and 2013 3-to-8 results are not comparable.

1           Nonetheless, they were compared.

2           And then the State Education Department said,  
3       That's okay, because we're going to put in an  
4       additional layer of comparison, and that will make  
5       the invalid, unreliable data, valid and reliable.

6           Some people call that "voodoo mathematics."

7           To your point about the testing, and I know  
8       that you raised it in Long Island, because I was  
9       there as well, and here's the answer to your  
10      question:

11          Virtually every school district is doing more  
12      testing today than they were four years ago.

13          But the other part of the answer is, what is  
14      being done in one school district is different than  
15      what's being done in another school district, and  
16      many times within the same school district, what's  
17      being done for two different students at the same  
18      grade level may be different as well.

19          So there is no clean answer to that.

20          The other part of the equation is this: For  
21      the state assessments themselves, the end game is  
22      college- and career-readiness.

23          That's what it's all about.

24          Not Common Core alignment, because that's  
25      just part of college- and career-readiness.



1           So the answer -- the question is, When have  
2           we arrived?

3           Because, in 2010, the cut points were  
4           adjusted.

5           Why? So that there would be alignment with  
6           college- and career-readiness.

7           In 2010, the ELA scores, the proficiency rate  
8           dropped 24 points.

9           The mathematics proficiency rate dropped  
10          25 points.

11          That lasted three years, because we all know  
12          now, in 2013, we had new tests that were aligned.

13          Why? For Common Core alignment, and,  
14          college- and career-readiness.

15          Again, for ELA, the proficiency rate dropped  
16          another 24 points. That's 48 points altogether.

17          The mathematics proficiency rate dropped  
18          34 points. That's 59 points altogether.

19          So the question is, Have we arrived?

20          And the answer is, I don't know.

21          Because here's where I'm coming from: What's  
22          going to happen in 2014-15, when the  
23          PARCC assessments that you just heard about are  
24          going to be administered?

25          We get different answers from the

1 State Education Department as to whether those tests  
2 must be done on computer-based, or whether there  
3 would be some breakout in terms of doing it  
4 paper-and-pencil and computer-based.

5 But what we're saying is this: Is that going  
6 to be, flip over the Etch-A-Sketch, here we have a  
7 new baseline again?

8 Should we be expecting that student  
9 performance is going to be declining again?

10 We don't know.

11 But here's the bigger question: What's going  
12 to be happening for high school students in 14-15?

13 Because the reality is, we've done two  
14 recalibrations of the 3-to-8 tests already, haven't  
15 we?

16 We've never done a recalibration of the  
17 Regents exams.

18 Never.

19 And I've heard stories about students, just  
20 2013, middle-school students who successfully  
21 completed the Regents examination in mathematics,  
22 but didn't pass the Common Core test in mathematics,  
23 for eighth grade.

24 What's going to happen when these tests are  
25 done for students, in terms of graduation rates, in

1 terms of post-secondary-education opportunities,  
2 et cetera?

3 I want to share one thing with you: There is  
4 an alternative.

5 There's an alternative model, and you know  
6 who's doing it? The State Education Department.

7 Because, during the current school year, in  
8 January 2014, there will be a new test administered.  
9 The test was actually developed by CTB/McGraw-Hill  
10 for the high school equivalency program.

11 The test is called the "Test Assessing  
12 Secondary Completion."

13 There's a three-year contract with  
14 CTB/McGraw-Hill, so that during, over a three-year  
15 period, those tests will evolve to become  
16 Common Core-aligned, because there is no capacity  
17 right now to administrator all those tests based on  
18 computers.

19 The full expectation is 100 percent of those  
20 tests will start off being administered,  
21 pencil-and-paper, and will evolve as capacity  
22 evolves, so that they will become computer-based.

23 In closing, I'd just like to say:

24 We all are interested in doing what's right  
25 for kids.

1           We want to do everything that we can to  
2       ensure their success in post-secondary-education  
3       opportunities that are commensurate with their  
4       interests and commensurate with their abilities.

5           But as opposed to the State Education  
6       Department motto of, "Gee, we're kind of building  
7       this plane as we're flying it," I would propose we  
8       think about the Hippocratic oath.

9           "First, do no harm."

10          Thank you.

11          SENATOR FLANAGAN: Jim, it may just be me,  
12       but I think you and David McMahon should probably  
13       stop drink Jolt Cola in the afternoon.

14          [Laughter.]

15          SENATOR FLANAGAN: Your passion is obvious,  
16       and it's real and sincere.

17          So, Senator Seward.

18          SENATOR SEWARD: Yeah, Jim, the next time,  
19       would you please tell us how you really -- how  
20       you're really thinking here.

21          But, I appreciate all of your associates  
22       coming; and, particularly, Tim Heller from Groten,  
23       and Russ Kissinger from Mount Markham.

24          They come from a certain Senate District at  
25       those schools.

1           We're delighted to see you.

2           It's pretty obvious we're talking about here,  
3       in terms of the testimony that Jim provided, a real  
4       disconnect between the principals who are really  
5       key, you know, in the buildings throughout the  
6       school districts, and the State Education  
7       Department.

8           Some of the communication that our Chairman  
9       asked other witnesses today, I think we got the  
10      answer, your answer, in terms of a real disconnect  
11      between SED and the building principals around, at  
12      least in the districts represented here today.

13           Is that --

14           PAUL GASPARINI:   That's correct.

15           SENATOR SEWARD:   -- fair to say?

16           PAUL GASPARINI:   That's correct.

17           Senator Seward, Paul Gasparini, from  
18       Jamesville-Dewitt High School, which is a suburb  
19       east of Syracuse here.

20           I wanted to just let the Senate know, and  
21       then respond to something you asked to an earlier  
22       witness before the Committee.

23           There have been -- our math department chair  
24       has been at Jamesville-Dewitt High School since  
25       1997.

1           In that time, she has overseen four different  
2           curricular changes.

3           She started with the math; course one, course  
4           two, course three, curriculum for math, and moved to  
5           Math AB; then it moved to the integrated algebra,  
6           integrated geometry, and Algebra II Trigonometry  
7           that we now have; and now it's Common Core.

8           So in 15 years, we've had four different  
9           curriculum changes.

10          It's very difficult to assess how effective  
11          any of them have been, when somebody who started in  
12          kindergarten, a kid has been going through school,  
13          there's been four curriculum changes for that  
14          student.

15          That's a real concern.

16          I really appreciated your question earlier  
17          about the modules, and the concern about modules.

18          I think everybody who testified earlier today  
19          did a very nice job, but I do take issue with some  
20          of the answers about that.

21          The problem -- you know, people say fear, or  
22          fear of change, et cetera.

23          That's not it at all.

24          I think, Senator Flanagan, you said in an  
25          earlier testimony, you talked about how important,

1       how high stakes, the Regents exams are.

2               Our algebra teachers today, "today," have no  
3       idea, "no idea," what the test their students are  
4       compelled to take in June of next year looks like.

5               They have no idea what it looks like.

6               And the only reason they're hewing as closely  
7       to the modules as they are, is because that's the  
8       only road path that they have, the only guidepost  
9       that they have, to that end.

10              Nowhere else, "nowhere else," in education.

11              And if I did that as a principal, said, Okay,  
12       we'll just drib and drab the curriculum out, and  
13       I won't so show you the test till the end, our board  
14       of education would have me fired.

15              That would never happen.

16              And I think that that's the biggest problem  
17       now, is that our teachers are told they have to go  
18       down this path, but they're given no direction on  
19       where the path leads.

20              And that's, for me, the biggest concern we  
21       have with the algebra and the modules right now.

22              SENATOR SEWARD: Just a quick follow-up.

23              In terms of, what's the answer here?

24              Is it a -- more of a phased-in approach?

25              Is that what you're suggesting is the answer?

1           Is it --

2           PAUL GASPARINI: Yes, I would say that --

3           SENATOR SEWARD: -- we've gone too far, too  
4 fast?

5           PAUL GASPARINI: -- the building of the  
6 airplane in the air, I would say it in a different  
7 way: That we're building a skyscraper, and we're  
8 starting on the tenth floor.

9           I mean, if you really want to have a  
10 successfully integrated curriculum all the way up,  
11 you start with kindergarten, and you work your way  
12 through.

13           I do not know why that that is not happening.

14           I honest to God don't.

15           And then you will have a very articulated,  
16 well-scaffolded, strong infrastructure for  
17 education.

18           Building an education infrastructure takes  
19 time.

20           You can't just say, Here it is, and it's all  
21 built in a year.

22           SENATOR SEWARD: What would you say to the --  
23 and I'm not disagreeing with you at all, because  
24 I think, you know, I have concerns about too far,  
25 too fast, myself.



1           But, what would you say -- I assume that if  
2           the department is still here, they would counter and  
3           say, Well, what about those students, first through  
4           twelfth grade, that are going to miss out on this  
5           more rigorous program that would better prepare them  
6           for both college and career?

7           PAUL GASPARINI: As I say, it's changed  
8           4 times over 15 years.

9           TIMOTHY HELLER: They've already missed out.  
10          So, in this past year's administration of ELA  
11          and math, starting in third grade, the State is  
12          assuming that the children have had the past  
13          three years of background information.

14          You can't backfill that in a year, so,  
15          they've already missed the boat.

16          So now we have to play catch-up, and the  
17          further the children are along that path, my last  
18          grade is fifth grade, so I have fifth-graders who  
19          have missed those first four or five years of  
20          foundational skills.

21          You can't make that up, so they're always  
22          going to be behind.

23          And the teachers are struggling with, Okay,  
24          which dart do I throw on the dart board to get  
25          closest to where I need to be?

1           SENATOR SEWARD: I know the hour is getting  
2 late, but, Mr. Chairman, one more comment or  
3 question here.

4           When you say "they've missed out," I hope you  
5 don't mean -- they may have missed out on that  
6 particular set of goals, but not missed out on a  
7 good education in New York State.

8           TIMOTHY HELLER: No, no, you're right.  
9 I'm talking about --

10          SENATOR SEWARD: You know, we don't want this  
11 a condemning the great work that our public schools  
12 do.

13          TIMOTHY HELLER: No, no.

14          SENATOR SEWARD: At least the ones I'm  
15 familiar with in my area.

16          MAUREEN PATTERSON: But there are districts,  
17 like Liverpool, which is really somewhere between  
18 Fayetteville-Manlius, in terms of a wealth ratio,  
19 and Syracuse schools, in terms of their poverty  
20 ratio, that have jumped in.

21          We jumped in even before the Common Core were  
22 adopted. When they were in draft version, we  
23 created all kinds of data-point assessments so we  
24 could monitor where our students were, K through 12,  
25 so that we weren't doing anything with our students

1       that they wouldn't miss out on an education as we  
2       went along.

3               We've had data systems all along, we've been  
4       teaching our teachers.

5               And I'll tell you, frankly, it's been between  
6       the administrators and the teachers who have created  
7       a very collegial relationship, and worked together  
8       on the evaluation system, worked together on the  
9       data systems, worked together to make it happen,  
10      because the kids are always the ones that sit in the  
11      center of the table for us; for not just our school  
12      district, but for all of our school districts.

13              So, they're not missing out on anything, but  
14      do we believe they will be penalized down the road?

15              Very concerned about the algebra assessment  
16      that's coming out.

17              If those scores drop by that much next June  
18      for our math students, that will be that many more  
19      students that will need remedial work in summer  
20      school, another year of math, and it's also one of  
21      the first gauntlets that they have to face heading  
22      off to graduation.

23              And I'm concerned that that four-year cohort  
24      is not going to be able to graduate in a timely  
25      manner because their assessments changed.

1           Their instruction has been changing all long  
2           as we have beefed up the rigor over all of the  
3           years.

4           But as the assessments have changed, and we  
5           have been forced to use those now for students, but  
6           this past year, for our teachers, to identify  
7           teachers' strengths and weaknesses.

8           We do that in our evaluations. We do that  
9           every single day when we work with our teachers.

10          So, the system does need to slow down, and it  
11          needs to become more focused, and to be listening,  
12          not only to principals and assistant  
13          superintendents, but also to our students.

14          RUSSELL KISSINGER: I think one of the pieces  
15          in my school, as you know, 58.7 percent of my kids  
16          in the high school alone are on free and reduced  
17          lunch.

18          In the 10 years I've been there, we've moved  
19          up, finally, past the 90 percent graduation rate  
20          last year. We've moved up about 20 points, despite  
21          it being a more rigorous criteria to get a high  
22          school diploma.

23          We've just introduced six advanced-placement  
24          classes this year.

25          We had honors classes over the last couple of

1 years, building confidence in the students and the  
2 staff, of academics.

3 If we roll out a Common Core algebra test and  
4 the kids don't do well on it, the confidence in  
5 those kids right now is very, very fragile, they may  
6 not move on to geometry, trigonometry, and calculus.

7 They may say, I'm clearly no good at math.

8 And we're going to slide backwards, and  
9 that's my biggest fear.

10 I put that test in front of my kids, they're  
11 gonna say, "I can't do it."

12 TIMOTHY HELLER: I also have parents  
13 reporting that their children, who have always loved  
14 school, and have always loved math in particular,  
15 don't want to come to school anymore.

16 It's that aggressive for them to be  
17 successful.

18 SENATOR SEWARD: Thank you for your input.

19 SENATOR FLANAGAN: Senator Tkaczyk.

20 SENATOR TKACZYK: I just have to follow up on  
21 what you just said, and what Jim said earlier, about  
22 "do no harm."

23 When we did our public forum in Albany, we  
24 had a student, a 12-year-old, who talked about what  
25 it was like to take these tests.

1           And he said: What I learned in Boy Scouts  
2           is, the thing with first day, do no harm.

3           He said: I think that's what's going on  
4           here. Please do no harm. It's very stressful and  
5           discouraging, and we're so frustrated, and we don't  
6           understand why we're taking all these tests, because  
7           we want to learn.

8           I think it was just really -- I'm really  
9           struck by, you know, the student said the same thing  
10          you just described.

11          And I know the hour is late, but I -- and  
12          I have to leave after you're all gone, but I think  
13          we have to respect that you're all leaders in the  
14          educational system.

15          And I think what -- what I don't see  
16          happening is, you're goal-oriented; you need to know  
17          what the goal is.

18          And to me the goal is, getting kids college-  
19          and career-ready, and are you able to do that?

20          It might mean different things on how you get  
21          there in the different schools, because of what  
22          you're dealing with.

23          So I just wanted to you comment on, what  
24          would you do to get your kids more college- and  
25          career-ready, and do you have the resources to move

1 in that direction?

2 Or, are we spending so much focus on the  
3 testing and resources on the assessments, that we're  
4 not really able -- are you able to focus on the  
5 college- and career-ready goal that is really behind  
6 all of this?

7 MAUREEN PATTERSON: I think our high schools  
8 are focusing on that.

9 And I know Paul can speak to that as our  
10 high school principal, too.

11 But our high school has talked for years  
12 about restructuring, and really looking at those  
13 smaller learning communities, so that we can focus  
14 our children's strengths and their needs, and adjust  
15 academically.

16 But, we heard Sharon Contreras talk about the  
17 mental-health issues that are out there.

18 We need to address those also, before we let  
19 them leave the world, when they walk across the  
20 stage.

21 And then we have to give them all kinds of  
22 internships and partnerships.

23 And, right now, no, we don't have a lot of  
24 that time, to be able to find the other resources to  
25 do that.

1           One of the resources I think that is truly  
2           missing, is the sharing between school districts.

3           Many of us in the area do that together on  
4           all of these initiatives, moving forward, but we  
5           need to do that in particular, looking at the  
6           college- and career-readiness for our students.

7           How are they doing in it one school district?

8           How can we do that?

9           And it shouldn't just start in ninth grade.

10          We should be talking about kindergartners,  
11          and what are those soft skills that they need,  
12          moving through school, to cooperate, and learn how  
13          to speak to each other, and then they're ready to  
14          make some of those choices when they get to be in  
15          high school.

16          PAUL GASPARINI: Yeah, one of the things we  
17          did at -- we have a very high percentage of our  
18          students go on to college.

19          We're very blessed in that regard.

20          Over the course of the past 10 years, we've  
21          gone from, I think the number is about 88 students  
22          taking 150 AP exams, to, we have nearly 256 students  
23          now taking 435 AP exams.

24          So we've been pushing rigor long before the  
25          rigor thing became the bell-ringer at SED.



1           The issue that I have, as a former  
2           social-studies teacher, is my concern that, you  
3           know, we've had public schools in the United States  
4           for nearly 220 years. Right?

5           And one of the things that's been constant  
6           about our country over those 220 years, demographics  
7           have changed, our whole -- the way our country looks  
8           have changed, our economy's changed; but what hasn't  
9           changed, is that we're a democracy.

10          And I very much am extraordinarily concerned  
11          that we are losing focus in schools, and teaching  
12          students to be good citizens, to being good role  
13          models, to grow up to be leaders, and involved with  
14          their community.

15          And sometimes this drive, whether anybody --  
16          people don't like to say it, but it's a drive  
17          towards testing, sometimes I think takes away from  
18          the big picture about what is important for us as a  
19          nation.

20          And that's our concern at times.

21          SENATOR FLANAGAN: Pretty hard to follow with  
22          that answer.

23          I have a couple of things.

24          I certainly appreciate, again, your patience,  
25          and the time that you've spent listening to your

1 colleagues in education.

2 I'm asking this somewhat rhetorically, but  
3 I would appreciate your response, and you have to be  
4 careful. You can't throw anything up here.

5 One of the things that I have heard, kind of  
6 tangentially, is a lot of consternation about the  
7 time that's involved in doing observations and  
8 evaluations.

9 And I have had some people, parents,  
10 basically say to me, like, What were they doing  
11 before?

12 Wasn't that part of your responsibility?

13 Weren't you supposed to be observing and  
14 evaluating before?

15 I mean, I think I know the answer, but,  
16 frankly, hearing your response to that.

17 You know, in the past, was it 10 percent of  
18 your work, and now it's, like, 37 percent?

19 Or was it just -- is it something now that's  
20 far more aggravating because of paperwork?

21 RUSSELL KISSINGER: I'll tell you one of the  
22 big differences for me, is exactly what Paul just  
23 said.

24 I build a lot of rapport with my students and  
25 I got to know them really well, in the hallways and

1 the cafeteria, outdoor in the playing fields to  
2 watch them play sports.

3 That's cut back so much now, because I'm in  
4 my office doing that paperwork. And the kids don't  
5 know me like they used to.

6 And I think that's going to have some really  
7 negative ramifications down the road.

8 TIMOTHY HELLER: It's about six to ten hours  
9 per teacher, per observation.

10 And for non-tenured teachers, I have  
11 two observations and two walk-throughs to do.

12 Okay?

13 I'm it, in the building.

14 I have an associate principal who also  
15 doubles as the CSE Chair.

16 That -- we spend a lot of our time doing  
17 minutia.

18 I have teachers who will tell me, I would  
19 much rather you come in my room more frequently, and  
20 just come in, than have to go the dog-and-pony show.

21 And that's what they feel like it is.

22 MAUREEN PATTERSON: It was also learning a  
23 new system, because we now show -- chose have the  
24 rubrics to do, and we had to fill those out in a  
25 different way, and think about evaluating someone in

1 a different way.

2 So for the last couple of years, we've  
3 learned that new system. And then we put it up with  
4 technology, and we've had to learn that system, for  
5 us first, and then to teach all the principals and  
6 the teachers how to participate in that.

7 One of the things, at the end of the year, is  
8 that every teacher had what we call the "reflective  
9 rubric conference" with their principal.

10 And the principals ended up having to  
11 schedule about an hour and a half with every  
12 teacher.

13 It ended up to be wonderful time spent, and  
14 great conversations, but it was also time that both  
15 sides spent preparing for that.

16 And they might have been able to do some of  
17 that in a different way, and had those conversations  
18 in smaller spurts over the course of the year; or,  
19 perhaps, done their observations in a different way,  
20 so that they really did save the time for the good  
21 conversations, that could happen one-to-one, that  
22 doesn't say, Here's what your number is, but here's  
23 what your strengths are.

24 SENATOR FLANAGAN: One last question, a  
25 two-part.

1           You heard me ask this before, so, on the  
2           scale of 1 to 10, where would you put State Ed's  
3           effectiveness in terms of communicating in the  
4           field?

5           And, correspondingly, if you could -- within  
6           reason, of course, if you could each say, Here's one  
7           thing I would like to see changed coming out of  
8           State Ed, what would it be?

9           TIMOTHY HELLER: I would give them a "4."

10          And one thing that I would ask, is that they  
11          come and see people in the trenches, and see what  
12          the day is really like. That we're not sitting  
13          around eating bonbons.

14          MAUREEN PATTERSON: I would give them a "4,"  
15          only because we have spent a lot of time going there  
16          instead, and getting right in front of them, being  
17          part of trainings, or going to the meetings that Jim  
18          holds with them, and being able to bring that back.

19          So that's the only reason I think they've  
20          been even that responsive to us.

21          And I have to agree with you, they need to  
22          come out.

23          We invited State Ed to come out last year,  
24          and it took about six months before anybody even  
25          showed up in our school district, to really walk in

1 to see what our students were doing and what our  
2 teachers were doing.

3 RUSSELL KISSINGER: I'd say probably a "3."  
4 I think their communication is a complex topic.

5 They talk to us, they talk at us.

6 I don't think they're listening to us.

7 And I think it's a big part of communication.

8 And I'd have to agree, I'd like for them to  
9 come out, and we've asked them many times, to see  
10 what it is that we're doing, and to see what our  
11 teachers are doing.

12 You know, our teachers are crying; literally,  
13 crying. They have no idea what to do next.

14 In my district, we've lost so much.

15 It is me.

16 There's a superintendent, there's me.

17 And there's principals in the middle school  
18 and elementary school.

19 We build the APPR plan, we build the  
20 Common Core, we do all the training.

21 We do all of it, and we do it as best as we  
22 possibly can, given the direction from SED.

23 I don't know if they realize that.

24 I'd like them to understand what we do.

25 I'd like for them to come in and see what

1 we're doing.

2 PAUL GASPARINI: I give SED a "3" for the  
3 reasons that I explained earlier, about the rolling  
4 out of the modules, and kind of going blind forward  
5 on this, the algebra; moving toward the algebra  
6 Regents.

7 No one has any idea of what that assessment  
8 looks like.

9 I think that's a big problem.

10 That being said, I think your average  
11 person -- and I -- you know, I have kids, too, and  
12 I have kids who are in school, not in the school  
13 district in which I work.

14 When I look to hear things from the school,  
15 I look for the school district.

16 I don't look for SED.

17 I don't consider SED the school district.

18 I want to hear from -- and we operate on that  
19 philosophy, too.

20 If people -- if the parents of the students  
21 in my school want to know anything, they're calling  
22 us. They're calling the counselors, they're calling  
23 the assistant superintendent.

24 Mostly, they're calling the building  
25 principals and assistant principals.

1           So I think our school districts are doing  
2       well, and really are aware of communicating with the  
3       public.

4           The one thing I would change, to answer that  
5       question, is I think that the New York State data  
6       dashboard is an enormous boondoggle and waste of  
7       money.

8           I think you're rolling out \$60 million for  
9       this, which is a redundant system.

10          All of our school districts have systems that  
11       communicate with parents, all -- in which  
12       students -- parents can get their kids' grades via  
13       an online system, whether it's SIS Grade Book, or  
14       whatever.

15          We have all of the data about student  
16       testing.

17          We have all of the students' records.

18          It is all available, and there.

19          And the New York State data dashboard making  
20       districts buy into another system, in which they  
21       already have that information, is a redundancy.

22          Race To The Top is supposedly paying it  
23       for -- for the first year. I hear it's about  
24       \$60 million.

25          After that, my understanding is, that's



1 another cost on school districts, and we're paying  
2 for the same thing twice.

3 I think that's had an enormous waste of  
4 money.

5 And if I had a recommendation, I'd say to  
6 move away from that.

7 SENATOR FLANAGAN: We've had extensive  
8 conversations with Ken Wagner, and the folks who do  
9 that work, on that very issue.

10 But, two things -- well, three.

11 One, thank you.

12 Two, I don't need to be his spokesperson, but  
13 I do have to say Commissioner King travels a  
14 tremendous amount.

15 He has been around -- I know he's been out in  
16 my area. I think I've taken him on at least  
17 3 visits, and I'm one of 63 members.

18 So, I know he's out there traveling.

19 The disconnect may be in terms of what  
20 happens as a result of this.

21 But on a slightly humorous note, hopefully,  
22 when I'm asking on the scale of 1 to 10, I think  
23 back to being in school, and I believe everyone can  
24 appreciate this:

25 My parents were never as much concerned about

1 the grade I got, as they were about the number that  
2 went with it.

3 If you got an A-3 as opposed to a B-1, "1"  
4 being the better effort, I remember being chided  
5 periodically by my father and my mother for, you  
6 know, not having the best effort put forward.

7 So, maybe next time I ask that question, I'll  
8 do it with a letter and a number, so...

9 [Laughter.]

10 SENATOR FLANAGAN: Thank you very much for  
11 your time.

12 MAUREEN PATTERSON: Thank you.

13 SENATOR FLANAGAN: David Little, New York  
14 School Boards.

15 DAVID LITTLE: Senator, I can cut to the  
16 chase.

17 "10" for listening, "1" for their response to  
18 what they've heard, for a composite score of "5."

19 [Laughter.]

20 SENATOR FLANAGAN: Okay.

21 DAVID LITTLE: Okay?

22 [Laughter.]

23 DAVID LITTLE: They've -- the testimony that  
24 I provided laid out a construct of an economic and  
25 an educational, as well as a social and kind of

1 moral construct, and I don't want to get into the  
2 specifics of that because, obviously, you know, you  
3 can get to that.

4 I'll give you two short anecdotes that,  
5 hopefully, will kind of focus us in on what's at  
6 stake here.

7 When I -- the last thing I remember learning  
8 in law school was at our law school graduation, when  
9 Dean Josiah Blackmore, best name ever for a  
10 law-school dean, said to us, "You will never know  
11 more law than you do right now."

12 Over time, the breadth of that knowledge  
13 drops off from recollection, the circumstances that  
14 you apply it to change so that it's no longer  
15 relevant, until what you're left with is a core  
16 essence of the ability to find the knowledge, assess  
17 it, put it in a rational context, extrapolate out  
18 what you need, and communicate that in an effective  
19 way to people.

20 That's the Common Core learning standards.

21 Okay?

22 What happened 30 years ago in law school, and  
23 has served me well, is what's now being attempted in  
24 the Common Core learning standards, where they've  
25 recognized that in -- at an amazingly rapidly

1       changing environment, where business for 40 years  
2       has always told us, "You're not producing employees  
3       that are usable to us," well, of course not, because  
4       business is a jet ski, while public education is a  
5       cruise ship.

6               It takes us 17 years, hopefully, to get the  
7       kid through the entire process, when, as they've  
8       said, we have curriculum changes, we have business  
9       changes.

10              Who would have ever thought that TWA wouldn't  
11       exist today has a company?

12              Who'd think that the auto companies would  
13       need to be bailed out?

14              Business changes too rapidly today for us to  
15       plan for 17 years from now, what a student's going  
16       to need in terms of content knowledge.

17              What they need to be able to do, is to be  
18       able to access the information, figure out what  
19       they're going to do with it, put it into a context,  
20       and give it a usable form and be able to communicate  
21       that.

22              So, I think, using my own son is probably the  
23       best example that I can use here.

24              My younger son graduated from RIT.

25              When he applied to RIT, it was not his first

1 choice. And he was told by several colleges, You're  
2 okay, but your school's not.

3 And I took offense, because I've been  
4 president of that school. And when I left being  
5 president of the school board at that school, we  
6 were ranked the highest school district in  
7 northeastern New York.

8 They were right.

9 Okay?

10 When he got to RIT, it took everything he had  
11 for four years, not doing extracurriculars, not  
12 doing the kind of undergraduate experience that you  
13 would expect somebody to have, it took his entire  
14 focus, and one trip to the hospital, just to get  
15 through the program, because he wasn't prepared to  
16 be there, even though he was an excellent student in  
17 high school.

18 They're telling the truth when they say that  
19 our kids aren't college- and career-ready.

20 Now, whether colleges and careers ought to  
21 recalibrate according to what we can provide, that's  
22 a whole other issue.

23 But this all started for him, and the reason  
24 he's such a poignant example, is because he was in  
25 the first class of fourth-graders that took the NCLB

1 test; the fourth-grade assessments.

2 Okay?

3 And the first thing that happened, was, I was  
4 so excited when he was put into Mrs. Craney's [ph.]  
5 class in the fourth grade, because, for years, she  
6 had been known for being the teacher that really  
7 immersed the kids in things; that really had  
8 interactive experiences.

9 For Thanksgiving, they're the ones that did  
10 the Native American and Pilgrim village in the whole  
11 classroom.

12 In Danny's year, all that went out the  
13 window, because they had to get ready for the  
14 fourth-grade assessments.

15 And when he came back, learning what he had  
16 gotten on those fourth-grade assessments, it stuck  
17 with me for, what, probably 15 years now, he said,  
18 "Daddy, I'm a '4.'"

19 Not, I got a "4."

20 Okay?

21 "I'm a '4'; meaning that he'd been  
22 successful.

23 And to me, that's central to what we're  
24 dealing with here, is that, to me, if kids are  
25 nauseous over taking exams; if kids are coming home

1 identifying their own personality, identifying  
2 themselves based on their performance on a test,  
3 that's on adults.

4 We've transmitted our concerns into a child  
5 that should never have those concerns.

6 If there are fourth- and third-grade  
7 assessments going on, and we consider them to be  
8 high stakes, all a third-grader should know is, it's  
9 time for music, it's time for recess, it's time for  
10 math, it's time for the test, and then we have  
11 lunch.

12 Because there is no -- I defy anybody to tell  
13 me what the high stakes are for a third-grader in  
14 that high-stakes exam.

15 Okay?

16 That third-grader shouldn't know whether or  
17 not there are high stakes to that test at all.

18 Okay?

19 So we have issues, and, certainly, the  
20 state of New York spends an inordinate amount of  
21 money on public education.

22 We spend \$59 billion.

23 The entire United States of America spends  
24 590.

25 So we're one of 50 states, but we're spending

1       10 percent of the money here.

2               Okay?

3               An amazing amount of money.

4               More than GE makes worldwide, more than many  
5 countries in the world have as a gross domestic  
6 product.

7               Okay?

8               An incredible amount of money; and, yet, we  
9 have historically intractable pockets of  
10 underperformance; a lack of academic performance  
11 that's absolutely unconscionable.

12              To me, my colleagues in the ECB, all of whom  
13 were sitting here over the course of today, just  
14 yesterday, we put out a five-point plan for how to  
15 support the Common Core.

16              I feel like the Dos Equis guy: We don't  
17 always agree, but when we do, it's on the value of  
18 the Common Core learning standards.

19              You know, and -- that, and the need for  
20 funding, and to change the inequable nature in which  
21 we fund, that, quite honestly, has doomed kids from  
22 birth because of their ZIP code, to an inadequate  
23 education; and, therefore, an inadequate future.

24              So, from my perspective, the things that we  
25 need to do, and we don't have to enumerate them



1 here, but there are five points in that ECB program  
2 for how we support the Common Core.

3 I think that SED needs to recalibrate  
4 according to reality.

5 I understand why they don't want to look  
6 behind them. This is a Satchel Paige moment.

7 They don't want to know what's gaining on  
8 them.

9 They never planned to do this in the midst of  
10 the worst economic recession that we've faced in our  
11 lifetimes.

12 But the fact is, that trying to do this when  
13 we're doing the 2008-2009 funding levels is an  
14 astronomical undertaking.

15 And there are things that -- this is too  
16 important to do badly.

17 Okay?

18 And I don't care whether it takes more time,  
19 but, certainly, lost time is lost future for kids.

20 I know that it will take more money to do it  
21 right, but the fact of the matter is, I asked my  
22 colleagues in the ECB at a meeting this summer,  
23 specifically, very directly and very poignantly,  
24 because people were expressing all the kinds of  
25 concerns that have been expressed here today, so

1 I said:

2 "What's Plan B?

3 "If we're not going to do this, from my  
4 perspective, this is our generation's attempt, and  
5 if we're not going to do this, what are we going to  
6 do?

7 "What's Plan B?"

8 Nobody's got Plan B, other than to simply go  
9 back and have each individual classroom do the best  
10 job that they can, and have some kids succeed, and  
11 have some kids, depending upon which teacher they  
12 get, doomed for a generation again.

13 It can't happen.

14 Our state simply doesn't have the luxury,  
15 because of our political instability, because of our  
16 economic instability, right now.

17 And until we find the next best thing, we've  
18 always had one thing in particular that's attracted  
19 people to us, whether it's been the Port or the  
20 Canal or the Industrial Revolution or Wall Street,  
21 until we get to the next thing, whether that's  
22 nanoscience, or whatever it is, the thing that we've  
23 got is our people.

24 And right now, we're systematically  
25 preventing large portions of our population from any

1 chance whatsoever of success in life.

2 And the high debt level that we have, the  
3 high tax level that we have, is forcing our  
4 college-educated kids out of here.

5 They're being replaced by an immigrant  
6 population that is not as immediately able to  
7 contribute to the economy.

8 It's a downward spiral, that unless we figure  
9 this thing out, and unless we figure out a way to  
10 equitably get the resources to those pockets within  
11 our state that can't do it for themselves, and  
12 unless we do it in an effective means, and if it's  
13 not the Regents Reform Agenda, then we'd better  
14 figure out what it is, because we don't have the  
15 luxury of time.

16 New York State doesn't have it.

17 I just don't mean the sustainability of our  
18 educational system; our public educational system.

19 I'm talking about the sustainability of our  
20 state, and our state's economy.

21 We don't have the luxury of time to do this,  
22 unless we figure out, if the Regents Reform Agenda  
23 is not working, to me the Common Core does work, and  
24 let's figure out how to recalibrate and go forward  
25 quickly.

1           SENATOR FLANAGAN: David, same question  
2       I just asked all the administrators, if you could,  
3       obviously, within reason, "State Ed, change this,"  
4       what would the one thing be?

5           DAVID LITTLE: I think the one thing -- they  
6       do a phenomenal job of listening, you're absolutely  
7       right.

8           I've been with the Commissioner three times  
9       in the last week and a half at three different  
10      forums.

11           You know, he listens phenomenally.

12           The department listens.

13           They don't do a good job of communicating  
14      out, the absolute necessity of trying to do  
15      something, of trying to improve the level.

16           You know, I think that, because of the  
17      intractability -- the historical intractability of  
18      the issues, I think they're daunted by what happens  
19      in places like Buffalo, and others, obviously.

20           And I think that, until they get out into the  
21      community, and take what they've learned and turn it  
22      around and tell people why it's so important that  
23      they're doing this, then I think people are focused  
24      on the annoying aspects of this, rather than the  
25      absolutely vital need to turn this cruise ship

1       around so that we actually start serving those  
2       pockets.

3               Because, if we haven't gotten to the point,  
4       in the next few years, of being able to raise the  
5       achievement levels in those particular schools,  
6       because, you're right, we have the best education  
7       system in the world in this state.

8               We also have one of the worst, because of  
9       this historic inequity that we have in our funding  
10      system that makes it largely dependent upon the  
11      resources of each individual community.

12              So I would say, get them out and let them  
13      tell people why this is so important.

14              SENATOR VALESKY:  Thanks, David.

15              SENATOR FLANAGAN:  Thank you very much.

16              Thank you for your patience.

17              Mr. Phillips.

18              Hang on one second.

19                      [Pause in the proceeding.]

20                      [The hearing resumed, as follows:]

21              SENATOR FLANAGAN:  Mr. Phillips, you have  
22      been so patient, and here so long, you have now  
23      grown a beard.

24                      [Laughter.]

25              SENATOR FLANAGAN:  But you look great.

1 BILL PHILLIPS: You know, as I was driving  
2 here, I was trying to figure out exactly how you  
3 were going to pick on my beard.

4 And, you finally found it.

5 Anyway, thank you for having me.

6 And, actually, thank you for hanging in  
7 there.

8 SENATOR FLANAGAN: Our pleasure.

9 BILL PHILLIPS: I'm going to talk about two  
10 things.

11 I'm going to talk about a very narrow  
12 charter-schools issue, and then I'm going to talk --  
13 offer some general observations about the  
14 implementation of the Reform Agenda.

15 So the narrow issue I want to talk about is  
16 actually school closures, high-stake consequences.

17 I think it's important to talk about that  
18 because, I am fairly certain, in all your hearings,  
19 you're going to hear people be against high-stakes  
20 consequences.

21 And I want to be clear, for chartering, it's  
22 fundamental to chartering.

23 And that's why, as an organization, we've  
24 actually supported the closing of, actually, our  
25 member schools over a decade that didn't actually

1 meet the terms of their charter.

2 I'm going to talk about this a little bit  
3 from the standpoint of the Regents, less so than  
4 SUNY.

5 In New York, you have two major agencies for  
6 chartering: SUNY and the Regents.

7 I'm going to talk about the Regents on this  
8 issue.

9 Let me just briefly talk about just charter  
10 basics.

11 So chartering is, the schools get more  
12 autonomy, freedom and flexibility, for -- as a trade  
13 for charter-based -- closure-based accountability,  
14 and with these decisions, that should be made in a  
15 timely fashion.

16 The charter is supposed to be five years.

17 Until last year, the Regents had never closed  
18 a charter school for academic performance.

19 It had been mostly for compliance issues -- a  
20 legal problem, financial problem -- but never for,  
21 You said you'd do X with these children  
22 academically, and you didn't make it. Sorry, we're  
23 closing your school.

24 In the meantime, they've actually put more  
25 rigorous metrics in place, but -- which is better,

1 but there's still issues that remain.

2 The problem that has now come up -- and,  
3 actually, we support that the metrics are more  
4 rigorous, but the problem that's come up, is they  
5 now have seventy-six of them.

6 As in a charter -- the framework for  
7 chartering is now measured on 76 items, and the  
8 department has not been clear about what will  
9 actually get you closed.

10 They're not going to hold the school -- it's  
11 not a case of, if you don't get all seventy-six,  
12 you're getting closed, but the problem is, the  
13 department won't tell us whether or not, is it  
14 forty? is it fifty?

15 Are academic metrics more important than the  
16 other metrics?

17 How so?

18 We've asked them to be clearer on that, and  
19 we just cannot get any clarity.

20 And so what we have now, is we have schools  
21 that are coming up for renewal, and they don't  
22 actually know what will cause them to be closed.

23 You know, there's a couple -- you know,  
24 there's a couple of issues.

25 Where this typically pops up, as you can



1        imagine, is in the gray area; a school that's right  
2        on the border.

3                The way that's historically been solved, is  
4        you'll get what's known as a "short-term renewal."

5                You have a five-year charter. Nobody's  
6        really clear as to whether or not you should get  
7        more, so you get two years.

8                And what happens over time is, it goes, two,  
9        two, two, they don't make a decision.

10               And that violates that third piece I talked  
11        to you about, which was the timeliness.

12               What's frustrating about this right now, is  
13        that there are other states that have, actually,  
14        already solved this problem.

15               Other states are using what's known as "a  
16        default-closure" approach, and here's the basic  
17        trade:

18               The authorizer is very clear about what will  
19        get you closed:

20               You have to meet this many metrics.

21               If you don't meet this many metrics, you're  
22        not even allowed to apply.

23               I mean, literally, the school is closed.

24               It's actually fairer for both.

25               It's fair for the school, because the school

1 actually knows what matters; and it's better on the  
2 authorizer, believe it or not, because the way it  
3 works right now, the authorizer has to vote to close  
4 the school.

5 A lot of our schools are in some pretty tough  
6 places, where you're -- you are legitimately worried  
7 that you're sending the kids to a worse place.

8 If you set the default closure up in advance,  
9 essentially what happens is, the action takes place,  
10 the school could still have an appeal, but now the  
11 closure has been set.

12 And if there's an extra reason for an  
13 exemption, then you make it.

14 But the point is, that the default is  
15 towards, You didn't do what you said you would,  
16 you're closed.

17 And that's fair to both.

18 To date, we've talked to the Regents and the  
19 department about this, and they're just not open to  
20 it.

21 Frankly, and I mentioned to you, because,  
22 actually, SUNY has already done this once with the  
23 UFT Charter School.

24 Our preference would be to fix this through  
25 regulation.

1 I just think it's a more flexible approach.

2 But I'm telling you now, if we cannot get  
3 some flexibility on this shortly, we're going to  
4 come to you and ask for a legislative fix.

5 The reason I think this is important, is we  
6 are talking about consequences.

7 And even though the charter sector is a  
8 little bit different than the traditional-district  
9 sector, in that, we say this: Closures are  
10 fundamental.

11 You have some schools that are, obviously,  
12 you have to deal with this.

13 And we have over 90,000 kids in charter  
14 schools now, so there is, obviously, something that  
15 can be learned from what we're doing.

16 I would like to talk, just briefly, about  
17 some of the general observations.

18 So I think the best way I would put it, as it  
19 relates to the Regents Reform Agenda, is I'm  
20 actually surprised that anybody is surprised by all  
21 this consternation.

22 I mean, let's just think of what we're doing  
23 here.

24 We have five major leverage points going on  
25 at the same time.

1           You have the Common Core standards;  
2           You have the new testing;  
3           You have the evals;  
4           You have all the consequences hitting at the  
5 same time in a context where you just had a  
6 recession. You don't have money.

7           Frankly, my colleague who just spoke, David,  
8 his explanation and his testimony, you know, I won't  
9 repeat it, but if you want to get a better  
10 explanation of everything I just said on those  
11 five standards, he went through them beautifully.

12           I think the problem that we are having, is  
13 that, either, you know, we've struggled to find --  
14 we've got these pressure points, but we've struggled  
15 to find a pressure-relief valve.

16           Let me go through those -- a couple of  
17 those -- well, and, actually, the reason it concerns  
18 me is, I'm deeply concerned that the implementation  
19 of the Common Core, the standards themselves, will  
20 be conflated with and derailed by associated  
21 implementation problems.

22           And I think this is where the Regents think  
23 they have to have sense of priority, getting the  
24 standards implemented and getting everybody used to  
25 them, is far and away their most important task.

1           The other stuff is important, but we have to  
2           start showing some flexibility.

3           Now, let me -- I want to take out a couple of  
4           the pieces here so that we can just talk about what  
5           I think is important.

6           First of all, I want to go at the money  
7           first.

8           There is a chart -- the Regents had a  
9           hearing -- I don't know if it was a hearing or a  
10          presentation, two years ago, where they talked about  
11          the financial pressures on public education.

12          And I think, in their report, there is a  
13          chart that shows that, you know, the expenses bar  
14          going one way, and the revenue bar staying flat.

15          That chart has terrified me for two years.

16          There's just a staggering gap between our  
17          revenues and our expenses.

18          We agree, wholeheartedly, with the need for  
19          equity.

20          I suspect we might debate with some of my  
21          colleagues what "equity" actually means, but we  
22          agree that there's got to be equity.

23          And I -- quite frankly, it's clear, the  
24          current model, the current way we're educating kids,  
25          is broken.

1           And, you know, I think we have to accept, in  
2           the education community, that there's a lot of  
3           pressure on the Legislature already. There's only  
4           going to be so much you can do on finances.

5           I thought Tom Rogers said it well, when he  
6           said, "We're going to have to do a better job with  
7           what we have."

8           I know you're gonna try to get us more and  
9           more every year, but, at some level, we're going to  
10          have to do something different with what we have.

11          To be clear: I agree that the reasons were  
12          right to move to the higher standards, as I've  
13          already said.

14          And, I think I'm like a lot of my colleagues,  
15          I actually think they did the right thing in doing  
16          the testing early.

17          Now, there's a couple of reasons why I think  
18          that makes sense.

19          The reason I think the testing early made  
20          sense, it was a measure of how far along we were  
21          with the implementation, with the curriculum that's  
22          aligned to the standards, and the teaching practices  
23          that we needed to align to the standards.

24          I think it is just human nature: you're not  
25          as far as you think you are until you've actually

1 measured.

2 And, look, let's be clear, most of the  
3 charters, you know, got hit just as hard as the  
4 district schools, so this isn't us saying, Look, the  
5 charter schools did great. What are you're all  
6 worried about?

7 We struggled, too.

8 But I just think, until we publicly measured,  
9 that sense of urgency just really, truly, wasn't  
10 going to kick in.

11 The other thing that I think is also  
12 important, is I think the Regents have gone out of  
13 their way to say that this was a baseline year, and  
14 that there shouldn't be consequences against schools  
15 and teachers for this work.

16 Now, as you noted, Mr. Chairman, I've  
17 actually listened to a lot of testimony today, so  
18 there's clearly a disconnect in what the Regents and  
19 Commissioner were saying, and what some of the  
20 schools are saying.

21 I think that's a perfect place for the  
22 Legislature to chime in.

23 I think the Regents are right to say this  
24 year should be a baseline and there should be no  
25 consequences, and I think the Legislature should

1       make sure that's actually what happens.

2               I think that's only fair.

3               Just to be clear, as it relates to charters,  
4       we have some charters that up for renewal this year,  
5       and in particular, I'm thinking of three schools  
6       that were given one-year short-term renewals.

7               I don't actually know how we would use the  
8       data from this test to make a decision.

9               And, quite frankly, I think any renewal that  
10      comes up, any renewal that comes up where this  
11      year's test data would be the determinative issue,  
12      I don't know how you would vote to not renew it.

13              Want it to be very clear on one piece there,  
14      I'm focused on the data there.

15              If a charter school has a financial problem,  
16      or it has a legal irregularity, or it has, you know,  
17      governance problems, that's a totally separate  
18      issue, but if the data is the determining point, you  
19      shouldn't be closing it this year, at least based on  
20      this year's data.

21              Okay, just one final point about consequences  
22      and time.

23              I mean, that's what I talk about when  
24      I'm mentioning the baseline. I'm talking about  
25      you've got time. That's probably one of the few



1       tools you have to move things.

2               In Long Island, I thought Senator Marcellino  
3       and the Regent Tilles had a really thoughtful  
4       conversation about some districts that were  
5       struggling, as to what do you do with -- I mean,  
6       I think talked -- they called them  
7       "failing districts."

8               What I appreciated about the conversation,  
9       was that there was an appreciation that we in the  
10      education community, the Legislature, we can all do  
11      everything, but there's just going to be some  
12      districts and some schools that just simply do not  
13      get better, or do not get better quick enough, and  
14      there is a point where you have to do something more  
15      dramatic.

16              I remember the Regent's response was about  
17      changing of leadership, but then he noted one other  
18      thing that I thought was interesting, which he said,  
19      Well, you know, maybe the other thing you do is, you  
20      let these kids go to magnet schools.

21              I would like to humbly suggest that they  
22      could go to charter schools, and that we could,  
23      actually, maybe start regional charter schools.

24              I'll tell you why I think this is actually  
25      important.

1           There's been a lot of conversations about  
2           consequences, and I think the reality is, that the  
3           public can actually only take so much in terms of  
4           consequences. They have to actually see some hope.

5           And so, really, the only two levers I can  
6           think of, is that you actually either buy some time  
7           to have some successes, or, you actually give them  
8           better choices that they can go to.

9           That's my testimony.

10          SENATOR VALESKY: Just a couple of quick  
11          points, actually.

12          BILL PHILLIPS: Sure.

13          SENATOR VALESKY: One question that I had,  
14          you answered.

15          This issue of the default closure?

16          BILL PHILLIPS: Yes.

17          SENATOR VALESKY: So you are the working with  
18          the Board of Regents and that the department, but if  
19          that's not successful, you think a legislative  
20          remedy might be necessary?

21          BILL PHILLIPS: Yes, I do.

22          SENATOR VALESKY: And that you would come to  
23          us at that point?

24          BILL PHILLIPS: Correct.

25          We've had some closures that have come up,

1       that we gave suggestions as to how we thought we  
2       could handle them.

3               The problem for the Regents, is they were  
4       changing their standards in midstream, and so you  
5       had schools that had started under one set, and  
6       ended up under another.

7               And I thought the fairest thing would have  
8       been to actually just buy them some time, and  
9       actually just make really clear standards, and say  
10      You're automatically closed if you didn't hit them.

11              And that was not accepted, and the Regents  
12      got sued.

13              And I think they'll get through that, but  
14      I just think it's the canary in the coal mine, quite  
15      frankly.

16              And if -- and, so far, the suggestions  
17      haven't really gone anywhere.

18              We will, obviously, try again.

19              Failing that, I will be visiting.

20              SENATOR VALESKY: Bill, the other thing I was  
21      gonna raise, in terms of your comments in regard to  
22      the baseline year as opposed to these assessments.

23              I'm not sure how the Legislature -- I think  
24      you implied that the Legislature could have a role  
25      in ensuring that that's the case?

1 I'm not sure how --

2 BILL PHILLIPS: Well, essentially, people are  
3 having a problem with -- they're having a --

4 Excuse me, I didn't mean to interrupt you.

5 SENATOR VALESKY: No, go ahead.

6 BILL PHILLIPS: They're having -- what people  
7 are having trouble with is consequences.

8 They're -- it's actually -- I don't think  
9 people really have trouble with the data.

10 I think they have problems with that people  
11 are being held accountable in ways that I think --  
12 you can make conceivable arguments that they're  
13 being held accountable, employment-wise or school  
14 existence-wise, based on a scenario that's not been  
15 fair to them.

16 I think -- I mean, I heard the Commissioner  
17 talk about how 80 percent of it was under the  
18 control of the local school district.

19 I do actually think what you could do, is you  
20 just -- I think it would be very easy to add  
21 something in a piece of legislation that said, that  
22 there will be no -- you know, there will be no  
23 consequences.

24 List out the consequences based on this set  
25 of data.

1 I would really hope you don't have to go that  
2 far.

3 I feel the same way about the closure piece  
4 as I do about that.

5 But at the end of the day, look, you all are  
6 providing the pressure-relief valve.

7 You're asking the questions in your hearing,  
8 and, clearly, you be wouldn't be having these  
9 hearings if you weren't hearing a lot from the  
10 public.

11 Right?

12 And so that's a -- you know, that's a very  
13 blunt tool, but sometimes it's a necessary tool.

14 SENATOR VALESKY: Thank you.

15 SENATOR FLANAGAN: And, listen, I would come  
16 to Syracuse if Senator Valesky invited me anyway.

17 DAVID SYRACUSE: Dinosaur Barbecue, and all  
18 that, I understand.

19 SENATOR FLANAGAN: Paul knows, he's a  
20 graduate, a proud graduate of [unintelligible]  
21 Syracuse [unintelligible].

22 Thank you for your patience, and your  
23 comments.

24 BILL PHILLIPS: Sure.

25 I'm not leaving until you ask for the number.

1           SENATOR FLANAGAN: [Unintelligible].

2           BILL PHILLIPS: "7."

3           The reason I have them as a "7," is  
4           I actually -- I deeply admire their vigor in  
5           implementing the standards, and I thought it took a  
6           lot of courage to do the testing piece, for which  
7           they're, you know, taking a bunch of grief.

8           If you asked me one thing I would change,  
9           their sense of urgency, it lacks humility.

10          And what I mean by that is, they have an  
11          uncanny ability to pick -- they pick every fight.

12          And what I mean by that is -- so, for  
13          instance, I'll give you a district example, and then  
14          I'll give a charter example.

15          I recall a year ago, they were in a fight  
16          with the Buffalo teachers, because the teachers  
17          didn't want to be held accountable for performance  
18          of kids that weren't in their -- that never showed  
19          up.

20          I don't know how many kids we were talking  
21          about or how many teachers, but I just -- that  
22          seemed like a pretty reasonable concern.

23          And I couldn't understand why we couldn't  
24          just sort through that, and we fought about that for  
25          six months.

1           On the charter-school side, I don't know if  
2       you realize this, but the -- well, they're asking  
3       for data from schools as to how we evaluate our  
4       teachers.

5           That is -- it's not contained in our charter,  
6       so they're asking us to, essentially, manufacture  
7       data so they can fill out a data component.

8           We have been very clear, that if a  
9       charter school takes Race To The Top money, that you  
10      have to play by their rules.

11          The charter schools actually had a choice,  
12      and the ones that didn't choose, I -- it's offensive  
13      to be asked to provide data that doesn't exist in  
14      our charters just so that they can have a complete  
15      data set.

16          It's offensive, and I think just bad policy.

17          We've been arguing about that for a year.

18          It just seems to me that we're -- you know,  
19      as much as we have 90,000 kids, and maybe half of  
20      the schools now are not doing the Race To The Top  
21      piece, that's still -- seems to me it's a big old  
22      fight for not a lot of kids, and there's got to be  
23      better things to do.

24                 SENATOR FLANAGAN: Very good comments.

25                 Thank you.

1 BILL PHILLIPS: My pleasure.

2 SENATOR FLANAGAN: All right, last, but by  
3 certainly no means least, we are joined by one of  
4 our colleagues in the Assembly,  
5 Assemblyman Anthony Brindisi, who has come to the  
6 realization, based on today, that he will never run  
7 for the Senate.

8 ANTHONY BRINDISI: This will be the shortest  
9 testimony you've ever heard, Senator.

10 And I brought you an apple doughnut, because  
11 I know it's a long day. We stole it from  
12 Mayor Miner's office, so feel free to help yourself  
13 to an apple doughnut from the local farmers market.

14 Again, Senator Flanagan, Senator Valesky,  
15 thank you so much for being here in Syracuse today,  
16 and allowing me to testify at the hearing.

17 Very briefly, I just want to shift focus a  
18 little bit away from Common Core and the  
19 Regents Reform Agenda, and talk a little bit about  
20 the future of education policy in New York State.

21 And specifically what I would like to address  
22 is, what I see as the need to create alternative  
23 pathways to a high school graduation; and,  
24 specifically, a career-and-technical-education  
25 pathway, or, a CTE diploma.



1           I think we've all heard from manufacturers  
2       across the state, they have this problem where they  
3       have job openings, but they cannot find enough  
4       skilled workers to find their job demands.

5           And in a state that's making big pushes into  
6       nanotechnology, biosciences, advanced manufacturing,  
7       as well as a state that still has a proud and long  
8       history of traditional manufacturing, I think that's  
9       a big problem.

10          For the last three years, since the  
11       "Pathways To Prosperity" report from Harvard came  
12       out, talking about the importance of CTE programs in  
13       high schools, the Board of Regents has been studying  
14       this issue.

15          We've gone through committees, blue-ribbon  
16       panels.

17          Now there's talk of doing a symposium in the  
18       fall, to look at how we can expand CTE offerings to  
19       high school students.

20          But to me, other states are already acting.

21          You look at places like Massachusetts that  
22       have vocational high schools.

23          You look at California which has 500 career  
24       academies.

25          You look at Florida that has CTE pathways

1       that require students to get industry-recognized  
2       certifications for graduation.

3               We're not moving fast enough here, and we see  
4       a real middle-skills job gap opening up in  
5       New York State.

6               So what I have done is, I've proposed  
7       legislation. It's not introduced yet.

8               It already has 12 co-sponsors in the  
9       Assembly, and we're looking for Senate sponsors as  
10      well, to create a CTE pathway to a high school  
11      graduation, or, a CTE diploma, which really  
12      substitutes either electives or Core classes with  
13      approved CTE-approved coursework.

14              You could graduate high school with an FAA  
15      certification, or a Cisco-certified entry  
16      networking-technician certification, which would  
17      open the pathway up for eight different career  
18      paths, whether it's computer-networking specialist  
19      or computer web design.

20              The goal really is to increase the number of  
21      students going into apprenticeships, and to help  
22      students get into two-year community colleges to  
23      advance their certification.

24              I think this is going to do wonders to help  
25      reduce dropout rates in the state, and really help

1 boost our graduation rates, which we've been talking  
2 a lot about today.

3 You know, for me, the time is now to act.

4 We've been studying this issue for a long  
5 time. The Board of Regents has looked at this for a  
6 long time.

7 I know it's not the usual way of doing  
8 business in New York State.

9 Usually we get recommendations from SED and  
10 the Board of Regents, and then we put it into  
11 legislation, but, in this case, I think it's  
12 incumbent upon us, as a Legislature, to step and up  
13 act, and give a timeline to the Board of Regents and  
14 SED to create a true CTE pathway.

15 Not another committee, not another  
16 commission; let's get moving and create a pathway so  
17 students can start graduating with a CTE diploma in  
18 2015.

19 So, that's where we are right now.

20 That's the basis of my testimony.

21 SENATOR FLANAGAN: Is your point that we  
22 should set up a timeline?

23 Or, we -- are you advancing the notion that  
24 you want to say exactly what that CTE should do?

25 ANTHONY BRINDISI: I don't want to say

1 exactly.

2 I think there are experts in SED, I think  
3 there are people out there smarter than I am, who  
4 can develop the pathways.

5 I think, you know, we -- they're very close,  
6 about a year ago, to implementing a CTE pathway, the  
7 Board of Regents.

8 And what they were talking about doing, is  
9 removing the "global studies in geography" Regents  
10 and then implementing a CTE substitution.

11 They got a lot of pushback from the  
12 global-studies lobby.

13 I didn't know we had a global-studies teacher  
14 lobby, but we do, and they abandoned that, and they  
15 put it back to their commission, and they've been  
16 studying the issue ever since.

17 So, I don't want to develop the exact  
18 curriculum.

19 I think we can look at what other states are  
20 doing, and look to the "Pathways To Prosperity"  
21 report that Harvard did, for some models that we can  
22 implement here in New York State, but I think we  
23 really need to give a timeline to Board of Regents  
24 and SED to move forward on this, because, like  
25 I said, with nanotechnology moving west of the

1 Capitol District, with biosciences in the  
2 Hudson Valley and Long Island, and with advanced  
3 manufacturing making a big push back into the state,  
4 we can't wait.

5 We really need to implement a  
6 career-and-technical-education pathway for our  
7 students so they can graduate, and then advance  
8 their certifications on to two-year community  
9 colleges.

10 The Syracuse Superintendent talked about the  
11 50 students who shall be partnering with MACNY, the  
12 Manufacturers Association, to get two-year degrees  
13 before the students graduate -- when students  
14 graduate high school.

15 Why not open that up to all students?

16 There's some students that, frankly, you  
17 know, the Regents diploma is not meant for them.

18 It's, really, you know, they're more hands-on  
19 learners, and we should give them a pathway to  
20 receive a high school graduation.

21 Not sacrificing rigor. I understand we don't  
22 want to dumb-down the curriculum, but we really need  
23 to give a pathway for students who are going into  
24 these advanced manufacturing jobs, which New York is  
25 very big into right now.

1           We need to give them a pathway to graduate.

2           I brought an article from the

3           "Albany Business Review."

4           Last week, there was an insert in the

5           "Businesses Review," talking about growth and

6           change, and it's talking about the resurgence of

7           manufacturing in New York State.

8           And they profile a woman who had dropped out

9           of high school. She had bounced around different

10          jobs for about ten years.

11          And, then, finally, she took her GED, and she

12          got into Hudson Valley Community College, in the

13          manufacturing technical-assistance program, where

14          they have a 98 percent -- 98 percent of the students

15          graduating from this program are employed before

16          they graduate.

17          And they talk about the need for more skilled

18          workers in the state, but we just don't seem to be

19          moving fast enough to implement programs to do this

20          in our high schools.

21          SENATOR FLANAGAN: It certainly would require

22          a discussion with the Governor's Education Reform

23          Commission as well.

24          Assemblyman, we thank you.

25          And it's -- frankly, it's unusual to have one

1 of our Assembly colleagues at this fine hearing, but  
2 I can tell you that the overarching reason that  
3 you're here, is because Senator Griffo gave you the  
4 green light.

5 ANTHONY BRINDISI: I heard.

6 And you have a wonderful evening to spend  
7 with him, too, tonight.

8 SENATOR FLANAGAN: Yes.

9 ANTHONY BRINDISI: You can do it all again  
10 tonight.

11 SENATOR FLANAGAN: That's it.

12 For those who are still listening, and those  
13 who are still in attendance, this concludes our  
14 hearing for today.

15 We did start a little late, for which  
16 I apologize again.

17 This is a 5 1/2 hour hearing.

18 All the testimony that will go up, I think it  
19 will probably be up tomorrow, live, for anyone who  
20 wants to watch a recorded version of this.

21 And we intend to continue to put the written  
22 comments that we receive as part of record.

23 The next hearing is going to be in Buffalo on  
24 October 16th.

25 We look forward to seeing people there.

1                   And --

2                   SENATOR VALESKY:   And before you bang the  
3                   final gavel, can I have one final minute?

4                   SENATOR FLANAGAN:   Well, I -- yes.

5                   But I want to thank Senator Valesky for his  
6                   patience, and for all the good help.

7                   SENATOR VALESKY:   Thank you.

8                   I just wanted to take the liberty as the host  
9                   Senator, to giving you, Senator Flanagan, a grade of  
10                  "10" for your conduct of this hearing, and of your  
11                  commitment to this issue.

12                  SENATOR FLANAGAN:   Thank you.

13                  [Applause.]

14                  SENATOR VALESKY:   Thanks, everybody.

15                  (Whereupon, at approximately 4:26 p.m.,  
16                  the public hearing held before the New York State  
17                  Senate Standing Committee on Education concluded,  
18                  and adjourned.)

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