BEFORE THE NEW YORK STATE SENATE
STANDING COMMITTEE ON LOCAL EDUCATION

PUBLIC HEARING

THE EVOLUTION OF STUDENT ASSESSMENTS:
WHERE WE STARTED; WHERE WE ARE; AND
WHERE WE SHOULD BE GOING

Legislative Office Building
181 State Street
Van Buren Hearing Room A - 2nd Floor
Albany, New York 12247

June 11, 2012
10:30 a.m. to 3:00 p.m.

PRESIDING:

Senator Charles J. Fuschillo, Jr.
Chair

SENATE MEMBERS PRESENT:

Senator Suzie Oppenheimer (RM)

Senator Hugh T. Farley

Senator Kenneth P. LaValle

Senator Carl Marcellino

Senator George D. Maziarz

Senator Michael H. Ranzenhofer

Senator Joseph D. Robach

SPEAKERS:	PAGE	QUESTIONS
Dr. John B. King Commissioner Valerie Gray Executive Deputy Commissioner New York State Education Department	8	30
Andrew Palotta Executive Vice President	74	85
Marie Neira Vice President NYS United Teachers/United Federation of Teachers	74	85
Jane Fox Teacher	74	85
Heidi Sabatino (ph.) Teacher Albany City School District	74	85
Hillary Luallen Southern (ph.) Teacher Schenectady City School District	74	85
Timothy G. Kremer Executive Director NYS School Boards Association	116	128
Robert Lowry Deputy Director NYS Council of School Superintendents	142	158
Dr. Lorna Lewis Superintendent East Williston Central School District	142	158
Jennifer Pyle Deputy Director Conference of Big 5 School Districts	162	167
Jim Viola Director of Government Relations School Administrators Association of NYS	168	178
Paul Gasparini Principal Jamesville-Dewitt High School	168	178

SPEAKERS:	PAGE	QUESTIONS
Dr. Kenneth Mitchell Superintendent South Orangetown Central School District	180	186
Dan Drmacich Retired School Principal Rochester City School District; and Chair of the Rochester Coalition for Justice and Education	194	198
Donald Barlow Educator (Organization not announced)	194	198
Jaye Bea Smalley Co-Chair Citywide Council on Special Ed	210	212
Lisa Edstrom A Parent Parent Voices New York	224	228

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SENATOR FLANAGAN: Can everyone hear okay?

All right.

Good morning. Welcome to the Senate Education Committee hearing on tests.

And, I want to start by thanking and introducing my colleagues who have joined us this morning. I know everyone has very busy schedules, so I appreciate everyone taking the time:

Senator Maziarz, Senator Farley, Senator Robach, Senator Marcellino, and, my friend and colleague, the ranker on the Education Committee, Senator Suzi Oppenheimer.

Couple of brief things.

First of all, thank you to everyone for being here.

I sincerely apologize, there are things that we can control and things we can't control.

The fact that it's about 97 degrees in here was not done on purpose. Water is available at $5 a bottle. We will give that to the State Education Department.

[Laughter.]

SENATOR FLANAGAN: And we have -- here's what we are trying to do: I just want to make some remarks before we go to the Commissioner, and be

very brief at the same time.

We asked for people to provide written testimony before the hearing. And I know the Commissioner is very good at this, but anyone who comes up to testify, if you are going to read your testimony, I will politely interrupt you, because everyone in the room is smart, everyone can read, and they can read independently on their own.

It would be far better to make comments, summarize, and then we can actually have more of a dialogue. I think that's far more productive.

So, just in advance, if I cut somebody off, it's only because I'm trying to be fair to everyone here, and allow our colleagues to ask as many questions as possible.

And, usually, like Senator Hannon is really good with technology stuff. So, I'm taking a stab at this.

This is a very quick set of slides on some of what we were trying to talk about. And what we did was, ask State Ed, school boards, school superintendents, and NYSUT: What do you believe are all the tests necessary to get a diploma in the state of New York?

And it's sort of like many other things in

life, everybody has a slightly different interpretation.

There is real consistency in what's there, but we just thought it might be useful to take a quick look at that.

And let me also added that there are copies of the testimony that will be available for everybody. There was very lengthy testimony submitted from the School Boards Association, with a multitude of comments.

Those comments are not available in volume right now, but everything that comes out of today will be put into a record that will be available to everyone as quickly as possible.

So, briefly, I hope, and everyone can see that, but -- okay, here we go.

Now, if we could turn the lights down there quickly, maybe we can do the air conditioning at the same time.

[Laughter.]

[Slide show begins.]

SENATOR FLANAGAN: Okay, just quick:

Areas of focus: How many exams?

And since I told everyone else not to read, I know everyone can quickly read that. Sort of broad

questions.

And then, okay, first one is:

State Education Department.

I believe their position is, is that there are 19 different exams that are required for a Regents diploma.

And, again, all of this will be available.

The School Boards lays it out slightly differently. And they do add, even though they aren't, technically, there for the Regents, that there are AP exams, PSATs, SAT, or ACT, and elective classes.

And, oh, God, I remember the TerraNova test from my own kids, so that's certainly another test that people have to be involved in.

Council on School Superintendents, they gave a broader description.

And I know it's a little hard to see, I apologize for that, but they included field tests and a variety of different tests that are available.

But, there is a consistency with the -- all four groups in terms of the general number, of, like, between nineteen and twenty, or twenty-one, in terms of getting a Regents diploma.

And then NYSUT was interesting in its own way

because, not only did they lay out the number of tests, but they gave the amount of time that was required for each of them. And clearly put in their description here, that it doesn't include time spent taking field tests.

And they line out, in terms of the number of minutes for kids who are taking tests. I think it's 4,400 minutes, or, 74 hours, of testing.

So, if we could raise those lights again, that's it on that.

And maybe it will cool off the room if it's darker.

But, Commissioner, welcome, and we appreciate you taking the time.

Before I go to you, I just want to ask Senator Oppenheimer if she wanted to make any comments.

SENATOR OPPENHEIMER: No.

My only question is: Is this in our materials, the -- what we just saw here?

SENATOR FLANAGAN: Yes.

SENATOR OPPENHEIMER: No, I'm anxious to hear what everyone has to say.

SENATOR FLANAGAN: Commissioner.

SENATOR OPPENHEIMER: I'm going to keep my

mind open.

SENATOR FLANAGAN: And, Val, thank you for being here as well.

COMMISSIONER KING: Good morning.

Thanks, Senator Flanagan.

Thanks, members of the Committee.

Let me start by introducing our executive deputy commissioner, Val Gray, who's joining me for today's testimony.

What I thought I would do, is try and walk quickly through the materials that we provided, at a high level, and give you a sense of how the Department sees the landscape.

As you will recall from my budget testimony earlier this year --

[Microphone repositioned.]

COMMISSIONER KING: As you'll recall from my budget testimony earlier this year, it's never been more critical for our high school students to graduate ready for college and careers. That's essential for the future of our state's economy, and essential for the future of our state's democracy.

Our assessment program obviously plays a critic a role in that work, and a critical role in the Regents reform agenda.

The first page of the presentation that we provided to you highlights the four core elements of the Regents strategy for trying to increase the percentage of students who graduate from high school, college- and career-ready.

We've adopted a new set of standards: the common-core standards;

We are building instructional data systems to help schools and teachers make good use of data on student performance;

We're doing a lot of work on teacher and principal preparation, and, teacher and principal effectiveness;

And, a focused effort to turn around our lowest-performing schools.

You'll note on the second page of the presentation, just an overview of where we are in terms of graduation rates. This is the week where we announce the prior year's graduation rates, final graduation-rate numbers.

You'll see that our graduation rates have risen steadily over the last five year, now reaching 74 percent statewide. And, yet, despite that improvement, we continue to see a very large achievement gaps; great disparities between and

across need-resource categories.

On the next page, we illustrate the graduation rates for the Big Five, and you can see the scope of our challenge.

The Big Five city school districts certainly have significantly lower graduation rates than our overall state graduation rate.

On the next page, we focus on -- this is page 4, we focus on college- and career-readiness.

What's the percentage of students who actually graduate high school, prepared to succeed in college, prepared to enroll in credit-bearing college courses?

And what you'll see there, is that, unfortunately, of the students who began as freshmen in 2007, in June of 2011, under 35 percent actually graduated college- and career-ready.

So, the scope of the challenge is quite great.

And the next page, page 5, emphasizes the implications of the college- and career-readiness gap for our economy.

Even, very recently, there have been a series of studies that have shown how poor the employment rate is for students who only have a high school

diploma, and aren't prepared with the skills they need.

On the next page, we try to put the assessment system in context. All right?

The assessment system is a part of a multi-pronged strategy to improve performance.

The assessment system is a key measure for how we see students doing against the New York State learning standards, it's a key measure for school accountability, and it is a component, one of multiple measures to be used evaluating teacher and principal performance.

On page 7, we describe the history of the New York State assessment system.

The assessment system dates back, actually, all the way to the beginning of the Regents exams in 1865. So, there's a long history to our assessment system. And over time, the Regents exams at the high school level were supplemented by exams at the grade 4 and 8 level, in English language arts and math.

And then, as we describe on page 8, with the advent of "No Child Left Behind," the assessment system was expanded to grades 3 through 8, English language arts and math;

A federal requirement for there to be a science exam, in grades 3 through 5, and then again in grades 6 through 9, and then again in grades 10 through 12;

And the requirement that there be at least one high school English language arts exam, and mathematics exam.

And, obviously, with NCLB, all of these assessments became even more critical tools for school accountability.

Page 9, explains the history of how that assessment system translates into operational tasks.

The 3-through-8 assessments, that system was competitively bid, initially, in the contract that was awarded to CTB/McGraw-Hill.

And then, in 2010, a second RFP process was completed, and the contract was awarded to Pearson for the 2012-to-2015 period.

The Regents exams, different from grades 3 through 8, are actually developed by the Department.

And the development process for both the 3-through-8 assessments and the Regents exams relies on the participation of teachers throughout the development process.

On page 10, we turn to the subject of testing time, and the testing schedule.

One of the issues that's gotten a lot of attention, even in slides that Senator Flanagan opened with, is the amount of time for the third-through-eighth-grade assessments.

Page 10 tries to lay out that the assessments are designed, the tests are designed to take, anywhere from 45, to a maximum of 70, minutes for students.

We did ask this year, for the first time, for this districts to schedule a 90-minute block for the assessments, even though the tests are not designed to take 90 minutes, so that students would not have the experience, which we have heard complaints about in previous years, of having the test pulled from their hands as they struggle to finish the last question.

We're not trying to assess speed. We're trying to assess student knowledge against New York State standards.

And so, for that reason, we changed to the same approach that Massachusetts, the New England Consortium, takes to test scheduling, allowing students the time that they need to finish the exam,

if it takes more than the target time.

So, again, the actual time for each session ranges from 45 to 70 minutes, although we ask schools to schedule 90 minutes in case students needed more time.

Page 11, speaks to some recent changes in the assessment system.

In the summer of 2010, after several years of very large test-score gains, the Regents reevaluated how the State was defining proficiency.

And one of the things we looked at was: How good a predicter are the third-through-eighth-grade assessments of student performance at the college level?

What can we learn about student performance in college courses?

Who's assigned to remediation?

And, then, how might we use that information to inform where we set the proficiency bar in the third-through-eighth-grade assessments?

And so what we found, unfortunately, was that we were labeling as "proficient," an eighth-grader with a less than one-third chance of ultimately performing the level necessary to enroll in credit-bearing college courses.

So, we raised the bar for proficiency, and that had the result of changing the performance levels across districts across the state. But, we thought it was important to make sure that we were defining proficiency at the level necessary for college and career success.

We also introduced, at that time, a number of changes to the assessment system:

We added audit questions, to compare New York performance against performance nationally;

And, we began the process of embedding field-test questions; that is, putting into the test, as most large-scale assessments do, tasks that were testing out for potential use in future years.

And I'll come back to that topic in a moment.

It's also worth noting, that over the last few years, the Department and State have been engaged in an effort to phase out the local diploma, and to raise the bar for high school graduation.

You'll notice in the chart on page 11, then beginning in 2005, the Regents required, that in order to get a local diploma, a student needed to take five Regents exams. They could have three scores above 55, and two above 65.

Over the last four years, that has inched

upwards.

So it moved:

In 2006, to three exams at 65;

For the 2007 cohort, four exams at 65;

And, for the cohort that will graduate this June, five exams at 65.

There's been a lot of discussion about the phaseout of the local diplomas.

Some key points to clarify: The local diploma remains available, even after this year, for students with disabilities, and, for a subset of general-education students.

The change between the cohort that graduated last June and this June, is that, in order to earn a diploma, those students will need to earn a 65 on one more exam than last year.

So, it's a 10-point change. They were able to take that exam at a 55 the previous year. This year, it is 65.

The next page, page 12, talks about field tests, and we're in the midst of the field-test period.

"Field tests" are, essentially, the testing out of test questions for use in future years.

Most large-scale assessment systems,

virtually all, embed their field-test questions; that is, you want to see that students are trying their hardest. So, you put a small number of test items that are being tested out for future years, inside of the operational test.

Unfortunately, in New York, as far as we know, the only state that prints and ships their own tests.

As a result, we only print four forms of each exam; four versions of the exam.

So we can only sprinkle a very small number of field-test items into the operational tests.

For that reason, unlike other similar large states, we have to do standalone multiple-choice field tests; that is, tests that are entirely composed of trial questions.

That's what's happening now.

It's a 40-minute period, where students are asked to do trial questions for future years. To read passages, do math problems, that could then be used for future years' assessments.

But it's important to note that we certainly would prefer to embed the field-test questions, but given that we print our own tests, which was a decision made many years ago, given that we print

our own tests, we only have those four forms. And that requires us to do the standalone field testing of multiple-choice items.

Now, open-response items, extended response, where students are writing essays or responding to open-ended questions, all states use standalone field tests as a general matter -- virtually all states, for those open-ended questions.

But, multiple choice, New York is quite unique in having to do those standalone field tests at the scale that we do, and as a result of our printing our own exams.

In order to take a different approach, we would either need to spend a lot more on printing and shipping, or, move -- what we think is the better option, is to move as quickly as possible, as a state, to computer-based testing, so we eliminate the printing and shipping component of the work and administer the assessments by computer.

On page 13, we speak to the issue of costs.

New York State spends, as you know, well over $50 billion on education.

And we spend just below $35 million -- $34.5 million -- on assessments.

So, the assessment costs, the State

investment in assessment is certainly very small relative to the overall spending on education.

You see on the -- on page 13, how the assessment costs break out, grades 3 through 8, the Regents exam.

And then there are other assessments that are required by federal law, related to students with severe disabilities, English-language learners, et cetera. And that rounds out the cost calculations there.

On page 14, we speak to an issue familiar to all of you, that we have faced at the Department, a structural deficit with respect to our assessment system over the last few years, as a result of a decrease in State General Fund appropriations to the Department, as well as a decrease in some federal funds, as well as the exhaustion of our federal carryover funds.

Last year, we sought $15 million in -- to cover the structural deficit. We received $7 million.

As a result, we had to take a number of cost-cutting measures, including, at one point, the potential elimination of the January exams, although, that was prevented by a philanthropic

[unintelligible], that allowed us to continue the January Regents exams.

This year, in the budget, we were fortunate, and we appreciate getting $8.5 million, which allows us to maintain the Regents program in its current form, including the January Regents exams.

Page 15, there's certainly been a fair amount of media attention to some issues on the exam, as developed by Pearson, the 3-8 exams.

I just want to take a moment to walk through what those issues were, and the actions that we are taking.

First, there was a passage on the eighth-grade English language arts exam that we concluded was inconsistent with the rigor level required for the New York State learning standards.

It was a passage that Pearson developed years ago. It's been used in six states and three large districts, multiple times, over a 10-year period.

Nonetheless, we concluded, upon review of that passage, that it did not meet the standards for rigor for the New York State exam system, and we removed that passage.

We are in the final stage of completing an amendment to our Pearson contract, to put in place

additional layers of review around passage quality.

I'll also speak in a few moments to the work we're doing to convert the exams to the new common-core standards, which I'll describe in more detail. And that will require more rigorous passages, even more than we've seen in past years.

And, so, we are making those changes in response to that issue.

A second issue: There were a small number, 4 out of 1,116 items, in which there were typographical errors.

Any error is a problem, and we should do everything possible to minimize them.

So, we are requiring, as part of our -- an amendment to the contract with Pearson, additional layers of review, and the introduction of an electronic system for tracking edits and revisions, to minimize, going forward, the potential for any typos, although, obviously, human beings are always going to be fallible; and, so, there's always the possibility of an error. But, we are putting in place additional procedures to minimize those.

Third: There were a number of errors in the translations.

We translate our 3-through-8 exams into

five languages, as well as braille.

It requires, this year, for example, well over 4,000 items, in terms of the translated items.

There were twenty of them in which there were translation errors.

Pearson has a subcontractor that does the work on translations.

We are requiring, as part of their contract, that they put in place additional procedures, additional levels of review, again, to try to minimize any errors as a result of translation.

I should say that, in any time -- not only this year, but, historically, any time an error is identified, it is not held against students or the teacher or schools.

Pearson is also putting in place, we've required as part of this contract amendment, an independent review of the exam-development process, not only for 2012, but for 2013. We want to make sure that the work is of the utmost quality.

And, finally, I should say that the contract amendments will also provide for financial penalties if there are unacceptable items or translation errors.

So, those are steps that we are taking to

address the Pearson issues.

Pearson has expressed their commitment to providing the highest-quality product to New York, and we will hold them to that.

On page 16, we begin to talk about the future of the assessment system.

Obviously, the assessment system, as I've said, plays a crucial role in our work to improve college- and career-readiness.

We are doing work to continue to build the assessment system.

First: We are aligning the assessments to the common core, which I'll describe in more detail.

We are one of 45 states to adopt new common-core standard, mapped backwards from college and career success.

We are participating in a consortium of states funded by a federal Race to the Top assessment grant, to build next generation assessments that would be delivered by computer.

And, so, we're working with 24 states on that project.

We also put in place this year a new test security unit, based on concerns in previous years about test improprieties.

A test security unit, headed by a former federal prosecutor who's assembled a talented -- is assembling a talented team of folks, to ensure the integrity and security of our test system.

And then, certainly, we are moving forward, as we describe on page 17, on the work, using the assessments as one of multiple measures within the evaluation system.

And that's an important point, obviously understood by members of the Committee, but worth emphasizing for the public.

The evaluation system that was first passed into law in 2010, the law was -- improvements were made to the law, as you know, this session.

That law makes assessments a part of a multiple-measures evaluation system. That includes, observations of the teacher by the principal, or observations of the principal by a superintendent or other administrators. Includes locally selected measures.

But one of the measures, 20 percent of the score for those teachers and tested subjects, will come from the state -- from growth on the State assessments.

And that's also an important point to

emphasize.

It's not absolute performance, but the growth that students have made under that teacher's care and guidance.

On page 18, we talk about these new common-core standards, which I've referenced.

Again, a State-led effort, involving 45 states, three territories, creating common standards, developed by talking to higher-ed faculty, talking to higher-ed administrators, talking to business leaders, about what skills are needed for students at the entry level, and then mapping backwards from there, to tenth grade, to seventh grade, all the way back to kindergarten.

We believe those standards are more rigorous than the standards we have had in place, and will help us meet the aspiration of college- and career-readiness for all students. And, will also allow better collaboration across states, on the work of ensuring that we've the highest-quality instruction for our students.

Page 19, describes some of the changes in instruction required by those new common-core standards.

Just to illustrate one example: One of the

things that the common-core standards' authors heard from higher-ed faculty and business leaders, was that students, upon entry, after graduating from high school, are often asked to read non-fiction texts, whether it's a research article in a science course, a history textbook, a technical manual, in a new career.

And we need to make sure that students are prepared to do that.

Too often, in K-12, we are not pointing students toward those non-fiction texts.

And, so, those are the kinds of changes in instruction that the common core brings. And we are using "Race to the Top" resources to support the creation of tools to help teachers with implementing the common core, from professional-development videos, to curriculum modules, to examples -- videotape examples, of great teaching aligned to the common core.

On page 20, we speak to the NCLB waiver that New York just secured.

For both Race to the Top and the NCLB waiver, states were required to implement the common core, which we're doing, and to implement the teacher and principal evaluation system that incorporates

student growth, which we are doing.

In exchange, the waiver allows us some key areas of flexibility.

We, like most states, were on a path to having a tsunami of identified schools by 2014, under the targets set in the original NCLB.

And, at times, schools were identified, in the accountability status, as underperforming, that, actually, were making very significant gains, but were just missing the absolute target.

And one of the changes that the waiver allows is for us to look at growth as part of our accountability system. That will allow schools that are making very significant progress for their students, to avoid accountability status simply because they've missed an arbitrary target.

The other thing that the waiver provides, is greater flexibility in the use of federal funds at the district level. And, certainly, that will be of value, particularly to our highest-need districts.

We also describe in the waiver application, a series of supports that we will continue to put in place for those districts that have our most struggling schools.

On page 21, we summarize some key issues

around the future of the assessment system.

We will see greater rigor with alignment to the common core. The tests will be more challenging, and will better reflect college- and career-readiness.

That will begin with changes to the third-through-eighth-grade assessments for next school year, and then continue with changes to the Regents exams in the years that follow.

We want to get to a place of greater coherence between K-12 and higher education. We don't want the students to graduate from high school thinking that they are ready for college courses, only to discover that they're required to attend remediation.

And we all know the stark remediation statistics: Over 40 percent in SUNY's two-year institutions. Over 75 percent in CUNY's two-year institutions.

The assessment systems have to inform instruction, and they have to drive instruction in the right direction. And that's part of the reason to align them to the common core.

And, we've got to take advantage of new technologies, like computer-based testing. We've

got to get there as quickly as we can.

And, we've to have an evaluation system that uses student growth as a part of the picture around educator performance, and then informs high-quality professional development.

So, thank you for your attention.

I look forward to your questions.

SENATOR FLANAGAN: Thank you, Commissioner.

I'm going to start off with a couple of questions. And I know my colleagues have some, and I will probably come back.

But, when I think about these things, there's two things that come into mind right away.

Number one: Even though my youngest is now graduating high school, I think of this in the context of being a parent;

And, number two: I try to think, as elected officials, how do we go back to our constituents and explain this so the people can actually understand it?

When you talk about embedding and rubrics, and all these different types of things, I get it, because I'm immersed it in.

But, I'm trying to figure out: How does this go out to the parent who's in the district working

closely with the teacher?

And, it seems to me that we title this, you know: Where we were, where we are, where we're going.

I would like you to comment on several different things.

It seems to me that, when Senator Robach and I were in high school, a few years ago, we were going through the Regents, and everybody seemed to refer to that as "the gold standard." That we took a lot of tests, but we didn't take a crazy amount of tests.

This predates the NCLB, and the ELA in fourth and eighth grade, and then all the additional tests.

So, it seems like, in past, we were, essentially, geared towards a Regents standard.

Now, we seem to be evolving from NCLB, and have added a great deal of tests along the way.

And, then, where we're going seems to be more aligned with common core and moving away from NCLB.

Is that too simplistic a description?

COMMISSIONER KING: No, I think that's fair. I think that's a fair characterization.

I wouldn't say -- I think over the last decade, there's been an increased interest in having

a good sense of where students are on the path to that -- to the Regents exams, to the -- to the destination. And that that's been a driver alongside the NCLB requirements.

SENATOR FLANAGAN: Okay.

But, then, from an educator standpoint, listening to teachers and administrators, superintendents, and I've heard this term now many times, "the cohort," now you have to have five exams with 65 or more.

It also seems to me, that if a kid starts in kindergarten, because now we're talking about back-mapping, your term, all the way back to kindergarten, why can't we basically make a blueprint that says: For a kid who's enrolling in kindergarten in September, for that child's education, through the end of high school, it's going to stay the same, it's not going to change, so everybody knows what the rules?

Is that too far a reach?

COMMISSIONER KING: Well, I think the common core aspires to that.

One of the challenges is, that there is so much change in our state's economy, and what's demanded.

I think if you looked at even what the fastest-growing jobs are today, versus a decade ago, when the students who are in high school today began their education, they look very different.

And, so, I think there's a balance to be struck between clarity, when students enroll in kindergarten, and having a system that is responsive to changes in the state's economy, and the country's economy.

SENATOR FLANAGAN: All right, three other quick things.

You talked about, and I'm going right through your testimony -- well, let me start with this: In terms of test preparation, there's been a lot of discussions about Pearson, and a lot of the factors like that. And it was McGraw-Hill before them. And I think the old contract was even more expensive than the one we're presently operating under.

But, ultimately, just as we, as the legislative entity, are responsible, Pearson, everything gets cleared through SED.

So when those tests come out, ultimately, it's the responsibility, the credit or the blame, for SED and the Regents, because there's been a whole host of eyes looking at that.

Is that accurate?

COMMISSIONER KING: Depends on the portion of the assessment.

So, for example: Around translations, we don't have, at SED, a staff that speaks -- staff members who are experts in each of the translated languages. So we rely on Pearson, through the contract, to ensure that the translations are right.

When the final typesetting is done for an exam, for example, the questions, issues of format, potential typographical errors, could be introduced at that final stage when they go to final printing.

So there are places where there's not that final review, but there is a process by which we have panels of educators look at questions and passages.

The questions obviously go through the field-testing process.

So there is, certainly, a lot of oversight, but there are pieces that are ultimately the responsibility of the contractor.

But, look, it's our contract, and in the end -- at the end of the day, it's our task to make sure that our vendor does the things that are required of them.

SENATOR FLANAGAN: All right, let me put translation to the side for a second.

Just, you're assuming the test is given in English.

Ultimately, the test that goes out the door, I'm assuming that, the Department, then I understand the Regents fellows play a role in this as well --

There is -- who's the last person to approve what actually goes out the door?

COMMISSIONER KING: There's not a simple answer to that, unfortunately.

The last version that goes to the printer is coming from the person that's responsible for typesetting.

So that's why I say there's the possibility for the introduction of errors at the typographical level.

In terms of passages and questions, those go through multiple layers of review, both with Pearson and with the Department.

The Department signs off on the passages.

Although, it's worth noting, that the passage that attracted all of the criticism this year, was a norm-referenced Pearson passage that was used in multiple states.

As part of the terms of the contract, we included the use of those norm-referenced items to make comparisons nationally.

So that passage itself was reviewed by a panel of New York State educators, was field-tested in New York, was ultimately included through all the usual protocols, but it was a passage that was constructed by, and the questions were constructed by, Pearson.

SENATOR FLANAGAN: Okay, before I go to Senator Marcellino, I just want to read part of -- this is one of the values of getting the testimony beforehand.

In NYSUT's testimony, it says: Contrary to some reports, teachers have no approval role in the State's selection of standardized tests.

How would you respond to that?

COMMISSIONER KING: So teachers participate in a panel of educators that reviews the items, and provides feedback to the Department and Pearson on the items.

I think the question of approval, as I described, there's multiple stages of review and recommendations, and approval, that the panel of educators is giving feedback.

So, if the distinction is between feedback and approval, it's a fair one.

SENATOR FLANAGAN: Okay. I have a number of other questions, but Senator Robach wanted to jump in here on that follow-up point, so...

SENATOR ROBACH: I guess, Commissioner, thank you.

And I wanted to thank Senator Flanagan for having this hearing.

I remember, even when he moved to the testing, I found those hearings were very impactful on me, especially hearing from a lot of African-American women who were educators, who said, without the testing, they were always encouraged, as soon as they didn't do well in a grade, to go into cosmetology, or something else, which I found fascinating. I heard that all over the state.

But, following up on John Flanagan, I heard you -- you know, we talked about the vendor, we heard SED even mentioned business leaders. And this is obviously a work in progress. And, I mean, "high stakes," is the right word for everybody involved, most importantly, the students.

And we always hear from parents, from teachers, from other people: What is their ability

to impact the whole process, from the core goals to the testing?

Is there really a blueprint for that to get the final product out the door?

What is their mechanism, Commissioner, if somebody calls us, how do they get in, besides a hearing like this?

How would they get to SED?

COMMISSIONER KING: It's a great question.

So, in the development of a common-core standards, there was a very extensive process of gathering feedback from educators, not only in New York, but in each of the states that were participating.

Over -- you know, over many, many months, there were several drafts issued, feedback was gathered from educators, from educator associations, from all across the country, and so forth. And, we took extensive comments from educators and from the public on the standards prior to adoption, and we made some adjustments.

States were allowed to make some adjustments to standards, to add up to 15 percent to the standards.

And, we made some additions based on that

feedback.

In terms of the assessments, one thing that we're doing later this week, we will publish our sample items, that reflect how the assessments will change as we align to the common core. And we're publishing them intentionally as drafts, so that we can get feedback from educators and parents, and others, on those items.

And then, obviously, the field testing itself is a way for us to sort of learn from student-performance information that informs the development of the assessments.

But whenever we make changes to the -- to, for example, graduation requirements, we always go through a process of public comment, and so forth.

SENATOR ROBACH: Do you think, and, you know, this is more, maybe, and I want to apologize, my political hat, I hear from parents, and I represent pretty diverse school districts -- the city of Rochester; Brighton, which gets cited as one of the best; some more rural districts -- but all across that, a lot of parents were very involved with their kids, they're doing what they're supposed to, comment on the length.

Not the stress to their kid, but the length.

Do you feel the current set of testing is too lengthy right now and should be adjusted, or do you think it's good where it is?

COMMISSIONER KING: Well, we're reviewing a set of survey results that we took after this last test administration.

You know, the challenge is, the complaint that we heard prior to this year, was around:

Students not being able to finish the exam;

Or, students were furiously rushing through the last few questions, you know, as the time ticks away, and the teacher's coming over to take the paper from the student's hands.

And so the choice was, between that model, and the model that's in use in Massachusetts and the New England Consortium, and other places, of allowing much a longer period of time for those students who need it, so that students have plenty of time to finish. And if they needed some extra time to continue working, to allow them that time.

We opted for that latter model, but we took survey results, to try to get a sense of how educators felt it went. And, we also did some observations in schools, talking with folks, to hear how it went.

So, we're looking at that, particularly around the third and fourth grade.

But, I actually think a lot of them, reaction to the amount of time on testing, is driven by a reaction to the amount of time that's spent, instructionally, on test prep.

And I think one of our challenges, as a, sort of education community, is to help teachers and principals understand that test prep, as a strategy, is likely to be significantly less effective at driving improved student performance, than really rich instruction.

It's one of the reasons we're going to use Race to Top money on curriculum materials, to help provide curriculum materials that illustrate what rich instruction would look like, that would ensure students are prepared for the test without having, you know, day after day of instruction.

Look, you know, just like the -- sort of a photocopied version of test-prep materials.

SENATOR ROBACH: Okay. Thank you.

SENATOR FLANAGAN: Senator Marcellino.

SENATOR MARCELLINO: Thank you very much.

Thank you very much, Commissioner. It's a pleasure to see you.

I was just reminded, when John Flanagan talked about his days in high school as being only a few years ago, I remember my own. And it wasn't easy in those days, carrying those stone tablets --

[Laugher.]

SENATOR MARCELLINO: -- back and forth to school. It was heavy work.

The Governor has, on many occasions, pointed out that New York State spends huge amounts of money, the most in the nation, on education, yet we rank, as a state, 37th, I believe was the number that he uses, nationwide, for education.

Why is that?

COMMISSIONER KING: So, I think that the challenge of those two numbers, is that there's a lot of nuance on the ground when you look across the 700 districts.

So, on the one hand, you have districts that are very high spending and get outstanding results;

You have districts that are fairly high spending and have mediocre results;

And, you have districts that are low spending, and really struggling;

And, districts that are low spending and getting very impressive results despite that.

So, there's a lot of nuance.

Certainly, when the Governor talks about graduation rates, he's right to worry about our overall performance.

You know, when you think about the life chances of those students who don't graduate from high school -- we've got a quarter of our students who are not graduating at all from high school -- and what jobs are available for those students, there's a lot of reason to worry about a 74 percent graduation rate.

On the other hand, there are particular communities where you've got a 99 percent graduation rate, and 100 percent of kids going on to competitive colleges.

So, the challenge is getting at the nuance.

There's a lot of work we need to do to make sure that every school is providing students with a real path to college- and career-readiness. Part of that is about the core instruction. Right?

That's why we adopted the common core.

Part of it is about making sure that every adult in the building feels accountable for a student performance, teachers and principals, and has the support they need. And that's what we're

driving at with the evaluation system.

Part of it is about making sure that students can see a connection between their experience in high school and what's afterwards.

It's one of the reasons that the Department has asked the Board of Regents to consider increasing the role of career and technical education in graduation requirements, to create another pathway for students, so that students can see why the day-to-day work in class and high school matters, and what possibilities there are for them afterwards.

So the answer to your question is complex.

And, again, one of the challenges of how much we spend, and what results we get, is getting to the level of nuance on what the variety look likes across the state.

SENATOR MARCELLINO: Well, I can understand, when you say that there are, different districts perform differently; different reasons, different circumstances, and so forth.

Given the fact that money is dear, and probably, in the long term, will continue to be dear: the common core.

I get a lot of complaints from districts that

I represent, which, in many cases, are high-performing.

From Long Island, my districts are high-performing districts, for the most part. They do well. They're graduating high percentages. The Regents-exam passage is a high percentages.

You heard Senator Robach talking about Rochester, one of the school districts he recommended with high percent.

Why are we mandating a common core on everybody?

Why don't we cherry-pick?

Why aren't we letting those districts that are doing well, leave them alone?

Let them continue to do what they have to do, what they're doing.

If they're doing well, leave them. Don't throw that kind of money at them, don't force them to change.

Why are we making everybody do the same?

Why not concentrate on those districts that are not performing, where they need your help, where they may need, I don't know, maybe extra money, maybe extra expertise, specialty, people going into the districts that State Ed can provide -- whatever

help you can give?

But, if we have districts that are performing, and doing well, by all standards that we ask of them, why don't we leave them alone?

Why do we mandate the common core?

COMMISSIONER KING: Well, certainly, the responsibility of the Department is to set a clear set of academic standards for all schools. And we want those academic standards to align with college and career success.

But, if you look at page 19, and the shifts in instruction that are described for English and math, I would argue that those districts that are high-performing, these are the very things that they do.

Senator Flanagan will recall, he and I had the experience of being at Commack High School. And we were sitting with students in the international baccalaureate program, and they were very impressive.

And their -- the work that they're doing, the research that they're doing, the papers they're writing, very impressive.

So I said to them, you know: If your school district wanted more students, at the high-school

level, to be ready to get an international baccalaureate diploma; wanted more students, at the high-school level, to be able to do the kinds of coursework that you're doing, do the kinds of research that you're doing, what should the schools -- what should schools do differently at the elementary- and middle-school level?

And they literally described all of the things on page 19.

They talked about the need for students to be writing more, to be writing more with evidence, to be writing to make arguments, because that's the kind of writing that they're asked to do in the IB program, that they'll be asked to do in college.

They talked about, students having the opportunity to read non-fiction, to gain information, and to use that to support their writings.

So, in many ways, the common-core standards are an effort by the entire country -- and we're talking about 45 states -- by the entire country, to look at the places that are excelling, both within the United States and internationally, asked: What is it that they're doing that is working so well, and how can we make sure that all schools are doing

it?

So, you know, when people talk about the transition to the common core, many of the districts that are highest-performing will be able to see, as they dive into the standards, and prepare for next year, that many of the things that the common core is asking. Are the things that they're already doing well, it's reason their students are succeeding, are in the IB programs, AP courses, are prepared for college.

Other districts will discover that they've allowed, for example, history and science to lose their place in the elementary-school curriculum, and as a result, don't have the background knowledge to grapple with difficult tasks. And they will need to make a shift in which books they use at the elementary level.

So I -- it's very variable for districts, how much of a transition the common core will require, but it is absolutely built on the best practices, nationally, and internationally.

SENATOR MARCELLINO: I hear what you're saying, but what, in fact, is being required, if these districts are now going back, and having to readjust, realign, and change curriculums that

they're doing now, to meet the core standards?

And, again, if the district is performing, if the district is doing well, by graduation standards, by Regents-test standard, by the standards the State is requiring, why are we requiring changes in methodology, changes in technique, which is what you're talking about?

Requiring them to go through hours of training, and retraining, and readjustment, when they're already meeting the goals, leave them alone, and go to those districts that need the help, and supply the assistance and care and organization.

You have limited resources.

You said this when you opened your remarks: You have limited resources.

So why spread them too thin?

Go to those districts that need the assistance, and give them whatever you can, by expertise, by help -- by whatever -- so that they can perform, and let the other districts -- I'm not saying forever. You got to go back and test to make sure they maintain a standard.

That's understandable.

But, why require them to redo everything?

COMMISSIONER KING: Well, again, they only

have to redo everything if they see a large gap between what they're doing and the common core.

So if the district believes that their students are prepared for what's required in the common core; that is, that they have the exposure to non-fiction, that they're prepared to write with evidence from sources, that they have the ability to apply math, not just at a set of procedures, but as a toolkit, almost to solve challenging problems, if they're developing those skills, then they should have to make very modest adjustments.

Now, one challenge, though, I will acknowledge, is that, there are school districts that, I think, when you look inside the results, even though they are doing well against our current metrics, if you look at how their students do afterwards, when they get to college, we see gaps.

We know, as a country, this is a challenge we face; that, when our students get to higher education, they are less competitive than some of our international competitors, when it comes to math and science, for example.

And the common core was developed, in part, to address that concern.

So even for districts that are doing well,

some of them know, and I think, as they look at the common core, they'll see this, that there are gaps in what they're doing to ensure that their students, not only go on to college, but, are able to succeed in that biochemistry major that they want because they have the right set of skills.

SENATOR MARCELLINO: See, I can understand you saying that, you want to follow the kid into the college and see what they're doing, and how well they perform in the college.

That, we can do.

That, you can do statistically right now. You know where they came from. You know the school districts from which these kids come from.

So, if Student A, B, C, and D is coming from a School District Y, and, another group of students and they're performing poorly on a -- in the college curriculum, you can go back to the college after a while, after a couple of years, and say: Hey, look, in checking the records, we find out that these kids aren't doing so well. You get them out there, you get them into the college, but they're not performing when they get there. Let's take a look at what you're doing. What's the reason for that?

There could be a whole host of reasons for

that, both socially and educationally.

But, let's take a look at it after the fact.

But what you're saying now, is, the districts have to go back and come into line.

Where my suggestion is, and a lot of the districts are saying the same thing: We're already there.

You know?

If we're wrong, if we're failing, fine.

But, we're not, and you're making us change.

Even that minor adjustment, according to the superintendents I deal with -- and you know why we've invited you to come down. I'd like to see you come down and speak to my superintendents, and explain the situation to them, in small groups, not thousands. But, you know, I represent 14 districts. I'd like to get you with -- in with a group of 14 superintendents, and some, you know, board members, and the like, and let them talk to you, and you can go through the explanation, and hear from them directly, it would make some sense.

We're looking forward to that meeting.

But, I still believe you could focus your money where it can be best applied, and where you can use it the most, and get the most bang for the

buck, because the buck is limited.

I appreciate your time.

Thank you, Mr. Chairman.

SENATOR FLANAGAN: Senator Oppenheimer.

SENATOR OPPENHEIMER: Oh, Lordy be, I have too many questions.

Of course, the point that was made by my colleague, is one that I've made to you so many times, because we do have, within my Senate district, some of the top districts of the United States.

And I have appealed on different occasions, on different -- in different arenas. And you have been most gracious to come down and talk to my superintendents, who were sort of up in arms. And you've been very calming, and, even though they don't think you necessarily subscribe to what they think.

But, we certainly have tried to overcome that.

But, in teaching to the common core, I've had a lot of parents come in, and say: Why -- why, in the middle of my kindergarten-child's year, did they suddenly get a big box from, I guess it was Pearson, and now you have to teach to that box?

And they say, before that, the children were having a grand time, with very creative opportunities, in kindergarten, which is a good time to explore.

But this, apparently, big box came, and they were told they had to only teach to that box; what was in that box.

Now, I'm not sure what this is about.

Nor do you.

We'll have to explore this further --

COMMISSIONER KING: Right.

SENATOR OPPENHEIMER: -- because it was a highly specific thing, and they were very, very unhappy.

But it does leave me to question: What has happened to history? What has happened to geography? What has happened to civics responsibility? -- the important things, I think, for our society.

COMMISSIONER KING: I couldn't agree more. And I think that's exactly what the common core is trying to get at.

You know, if you look at page 18, you know, one of the things that's important about the common core, is it's not just the common core in

English language arts and mathematics. It's actually the common core in English language arts, and literacy in history, social studies, science, and the technical subjects.

And, so, the common core is actually calling on schools to do precisely what you're describing: engage students with history texts, with science texts.

One of my favorite common-core exemplars that we have on our website is on the "Gettysburg Address," and it's significance as a historical document, and also as a piece of writing, and an argument that Lincoln was making.

The common core, also, I would say, attends to the issue of creativity.

We -- so, you know, there are choices that districts are making about curricular materials. Those are theirs to make.

All right?

We don't mandate a curriculum in New York State. We don't have text-book approval in New York State, unlike other states.

You know, we set the standards. The assessments will reflect those standards.

If districts feel like their kids are well

prepared for the complexity of readings that are on the common-core assessments, if they feel like their kids can do the multi-step math problems that the common core will require, then they probably don't have to change very much.

On the other hand, if districts need to make adjustments, either to sequencing or to content, to get kids to the common core, that's exactly right, and what the Regents envisioned in adopting the common core.

The final point I'd make, just on the curricular materials, is -- and it goes back to the point I made to Senator Robach, on time and testing: One of our biggest challenges is a set of pedagogical judgments, teaching judgments, that are made, that would suggest, well, if we know that the test is going require students to read a short passage and answer some multiple-choice questions, what we'll do is, we'll make every day look like that.

When, in fact, if every day looks like that, you will get lower performance, not better performance.

Right?

We want students to do the play, to do -- to

read the exciting novel, to have all of those experiences, precisely because, those experiences will prepare them for success in college and careers, and that will be reflected in their assessment results.

So there is a gap, I think, between what people take away that they should do, and what the assessments actually intend.

And what the assessments intend is, a measure, you know, a useful measure among multiple measures of readiness for college and careers.

But, the test isn't supposed to be the curriculum. The curriculum is supposed to be a rich set of learning experiences.

And that's one of the reasons, again, why we're putting Race to Top resources into building curriculum materials, and making those available for free. They won't be mandated. They won't be part of any regulation, but, just as a resource for districts.

SENATOR OPPENHEIMER: God bless, I wish you well, because, I see in my own district, places like Scarsdale, say: We're never going to teach to the test. What we're doing is fine, and our children are going to do fine on the tests.

And then I see another community, where my daughter is a reading specialist, and they've done nothing but teach to the test.

And, they've had her proctoring some of these things, and she's not even permitted to talk.

So that, I said: Well, there's an opportunity. Maybe you can help some students.

"Oh, no, no, no. I'm not permitted to do that."

There's just such a discrepancy in what I see.

And I -- I mean, I hope what you're saying will occur, but I'm somewhat concerned, in our areas that are more challenged, that, you know, this might not happen.

Okay, couple of more fast questions.

We have seen in the past week, in my Senate district -- seems to be a district that is riled up on things -- that they have said they -- the field tests that are being taken by Pearson are not -- many of their students did not show up at school.

They were told by the superintendent of schools that if you stay out of school the day that the Pearson test -- field tests are happening, that it will not be held against you.

So, in at least two of my districts, they stayed out of school.

Now, how does Pearson going to evaluate this?

I mean, maybe one-third of the class took the test.

And maybe those that were most competent said: Oh, we don't need to help, Pearson. Why should we help Pearson? We're being tested to death. Why should we do field tests?

COMMISSIONER KING: Well, it's important to note, first, the field tests are not for Pearson.

All right?

The field tests are for the items that will be used in future New York State tests.

That said, you know, the field tests are designed to be a sample. Based on everything that we've heard so far, we'll have more than adequate sample to be able to assess the validity of the items.

So, I understand some parents made the choice to hold students back.

Our sense is, it's a relatively small number compared to the absolute whole of the sample.

And, actually, it's not unusual.

You know, that there's a certain climate

around testing that can be acrimonious at times. And as you look across the country, whether it's this year, or five years ago, or ten years ago, there's always been some degree of acrimony around tests, and some who've chosen to opt out.

And, you know, that's to be expected.

SENATOR OPPENHEIMER: How quickly can we get, which I just heard today, from the four printed forms on your testing, to something on the Internet?

I mean, that sounds foolish.

COMMISSIONER KING: So, it's a great question.

We have got to get to computer-based testing.

All right?

It's clear that that's the right future.

The challenge is, you know, we have some districts that are very well positioned to do that.

They have lots of devices, whether it's desktop, laptop computers, or iPads.

We have other districts that have challenges in terms of the hardware that they need.

We have some districts that have very robust technical support. So, if a computer goes down, someone's there from the district right away to fix.

Other districts, some of our smaller

districts that are reliant on a BOCES that may be some distance away for technical support, if their computers go down, they have a much more difficult time getting them back up.

We also have bandwidth challenges. Sometimes by community, sometimes by buildings. Some of the older buildings that don't have reliable high-speed Internet access.

So, one of the things that we're doing, along with all of the other states participating in the Park Consortium that we're a part of, is a survey tool that's being done this spring and summer, to gather feedback from districts on what their capacity is for computer-based testing, so that we can move there as quickly as possible.

We also asked in our budget request for a small amount of funds to pilot one of the Regents exams as a computer-based test.

That's something we would still like to do. I think we'll come back with that budget request again next year, because we think, unless you sort of start, it's the kind of thing that it's slow for folks to build capacity around, because it seems like something off in a distant future.

But, if we were to take one of the Regents

exams and start to make it available, by computer, I think you'd see a shift.

And this is what you see across assessment systems. I mean, most of the large-scale assessment systems are shifting to computer-based tests.

SENATOR OPPENHEIMER: And --

Which is just a statement at the end, and then I'm finished.

-- which, makes me underscore what Senator Marcellino said.

If we had districts where they are sending 95 to 98 percent of their students to college, why are we not putting our efforts, all of our efforts, into those districts where they need computers and hardware?

Thank you very much.

SENATOR FLANAGAN: Thank you, Senator Oppenheimer.

Senator Farley.

SENATOR FARLEY: Yes, thank you.

Incidentally, this is a very nice presentation that you made here.

But, on page 2, the very first part, about graduation rates, I see that you lump urban and suburban together, which is a strange marriage,

because they end up putting (unintelligible).

I would imagine, unless -- because, in my district, it's certainly different between the urban and the suburbans school.

What would be the breakdown between the two of those?

I would imagine, the suburban are rather high and the urban's rather low.

Is that right?

COMMISSIONER KING: Yeah, well, this is broken down by need-resource categories, so this is particularly those suburban communities that are closest to the urban communities in terms of their level of need.

So, many of the traditional -- the districts we think of as traditionally suburban, which fall into the other two categories: low need and average need.

But we can get you a specific breakdown of which districts are in each category.

SENATOR FARLEY: Because, first, as to my district, we have suburban districts that are -- abut the urban area, and the differentiation is startling --

COMMISSIONER KING: Exactly.

SENATOR OPPENHEIMER: -- to say the least.

COMMISSIONER KING: Exactly. Exactly.

So, we'll get you the breakdown.

And our actual -- on the web today, as we released these, which we always do, we'll have, I think it's some 200 sites that breaks down the information from different perspectives.

But, we'll be sure to get you a breakdown of these need-resource categories.

SENATOR FARLEY: That's it.

SENATOR FLANAGAN: Commissioner, I have several other questions, and you're at a slight disadvantage because I'm going to ask everyone who comes up here the same thing: On a scale of 1 to 10, if you were to grade New York's testing system, what would you give that grade, and why?

COMMISSIONER KING: Well, I think until we implement the common core, we -- it would be somewhat in the middle. Probably "6," or "7," given the gap between what we ask and what is required for college- and career-readiness.

When you look at the remediation rates at SUNY and CUNY, and you know that many of those are students who we said, as a system, were performing fine all along the way, until they arrived at higher

education, that points to a real challenge.

So, there's work to do.

The other piece, is that we should get to computer-based testing as quickly as possible, because it's more efficient, because we can have better items, because scoring can be managed better, because we can embed field-test items.

So, in the absence of computer-based testing in the common core, which is exactly what we're focused on trying to create, I think we have a distance to travel.

SENATOR FLANAGAN: How long before we get to a "9," if we follow what you've outlined?

COMMISSIONER KING: The goal for the Park Consortium is to have those assessments online in 2014-15, but a lot will depend on how quickly we can build the capacity to do computer-based testing.

I do think we'll move probably to an "8" with alignment to the common core.

And that we will see phased in, beginning next year, with the 3-through-8 assessments, and then in the following year with the Regents exams.

SENATOR FLANAGAN: Okay, you have in your testimony, you talked about, on page 12, the title is "Importance of Field Tests."

And it says: It allows SED to build valid operational exams and accurate measure of college- and career-readiness.

And then you have below that: Embedding field-test questions in an operational exam is the best practice that generates higher-quality test data and standalone field tests.

No disrespect, it just seems inconsistent.

And I know, going back to part of what Senator Oppenheimer was asking about, Why are we doing field tests anymore, to begin with?

And I'll have this as a sub-question: If you're going to embed tests, and we have certain limitations because of printing, if we're going out and doing field tests now, aren't we spending a lot of money on field tests independent of the, quote/unquote, real exams?

COMMISSIONER KING: So, yes, I mean, it would be better, again, if we didn't have to do standalone field tests.

Let me take a moment to describe the mechanics.

So, if you have for a given test, four forms; so, you have Version A, Version B, Version C, and Version D, and you sprinkle a small number of

field-test items into each of those operational tests, let's say you had ten, in each of the four forms, as an example, that will only give you 40 field-tested questions at the end of the operational tests.

But in order to build the test, you need a lot more questions than that. And, you know that when you're field testing, some of the questions will not perform well and you'll need to not use them.

So, you not only need enough questions to populate the actual test, but you need more, so that you can take out questions that don't perform well.

So, that's why, in many large states, you're talking about 15, 20, 25, 30 forms, so that they can have a small number of field-test questions in each of those forms.

We would much rather be able to embed all of the field-test items. It would be more efficient, it would save us the time on field testing, it would save us the cost of printing and shipping field tests, so forth.

But, we are constrained by the process we use to print and ship exams; which is, we have a printing machine, we have a printing staff. And

that was a decision made many year ago at the Department.

To take a different approach would require contracting that work out, which would be an expensive potential undertaking. And, I would argue, a potential distraction from getting to computer-based testing which would solve the problem, and, have the benefit of eliminating printing and shipping as a part of the process, because, with computer-based testing, then you can have as many forms as you want without all of the constraints that come with printing and shipping.

SENATOR FLANAGAN: How much do we spend on field tests?

COMMISSIONER KING: It's embedded in our overall contract.

I don't know that we have a breakdown of field-testing costs alone.

VALERIE GRAY: I think --

Is this on?

-- as we've looked at it over the last several years, on average from --

SENATOR FLANAGAN: Try that again, Val. I'm sorry.

VALERIE GRAY: I think, that as we've looked

at prior contracts and prior experience, it ranges, on average, between four and five million.

SENATOR FLANAGAN: Okay, so if we were -- I want to make sure that I'm understanding the distinction.

If we were to get rid of those separate field tests, and we were just going to fully embedded, quote/unquote, regular tests, we're constrained by the process that we use, because of the printing and everything else.

Right?

So if you -- if we were to go to an outside vendor, so that the State were not doing it, but it was not yet computer-based, are we talking about 4.5 million, or are we talking about 40 million, or --

VALERIE GRAY: Yeah, I think it's difficult to say.

And I also want to clarify the average figures for sample field tests, that was not just printing, shipping, and administration. That also included the item development and the scoring and some of the other technical aspects.

I think it's difficult to estimate how much it would cost if you outsourced that. You would

probably need do some sort of RFI, or, a request from a number of bidders.

In general, you know, we spend about 6 million for printing and shipping for all of the exams throughout the year, so that gives you a little bit of a flavor of the overall printing-and-shipping costs.

SENATOR FLANAGAN: So if we go to a computer-based model, are we saving money?

COMMISSIONER KING: Yes, on the annual operating costs, but, that requires that you have the capacity in districts to execute on that.

But, yes, you'd be eliminating the whole printing and shipping, so, that six million, for starters.

But, also, scoring would be that much easier to do, right, because each teacher who's participating in scoring could be sitting at their -- at a computer at their school, rather than having to go to a central location, and all of the costs of transporting exams through a central location for regional scoring. All of that would be saved as well.

Computer-based testing would be less expensive, year over year, operationally, but, we've

got to build the capacity to get there. And that will require an up-front investment in hardware, tech support, and bandwidth.

SENATOR FLANAGAN: I get that.

But, why are we waiting to find that out?

I mean, if you are -- if you're going to put in budgetary requests, that the number's 4.5 million, or 6 million, and you're talking about districts in Senator Oppenheimer and Senator Marcellino's area that are, technically, at capacity, I think we should be figuring out what it would cost to do it in those areas where there are more challenges.

Is there anything going on like that?

COMMISSIONER KING: Exactly right. So that's the survey tool that we're doing, along with the other states that are participating in Park, the technology-survey tool that we are asking districts about.

You know: How many computers should they have? Where are they situated? What is their bandwidth speed?

All those kinds of questions, so that we can do exactly the assessment you are describing, and come back then, with a budget request, potentially,

both, at the state level, around district capacity, and, potentially, even at the federal level, around some of the bandwidth issues, and the investment in high-speed Internet access that's required.

And in some buildings, it's even an electricity issue, and whether they have the electricity capacity.

One of the questions that we are also working through with the consortia is: What kind of device can be used?

So many school districts, I think, are rightly, for instructional reasons, going towards tablets. So, iPads, or other tablets.

We want to make sure that the assessments can be delivered through those tablets. And, so, our assessment consortium, just federally funded, and a second consortium of other states that is also federally funded, have been meeting with major tablet-makers, to make sure that those tablets are able to be used for delivery of the assessments.

So, we're trying to answer exactly these questions.

I do think a pilot would be the most effective way to expedite the process.

One of the reasons we've included that in our

budget request, because, until you actually start doing it operationally, you don't always know all the questions that may come up, all the challenges that you may discover.

SENATOR FLANAGAN: What are the five languages?

COMMISSIONER KING: I believe it is Chinese, Korean, Russian, Spanish, and Haitian Creole.

SENATOR FLANAGAN: Okay.

And last question, I appreciate your indulgence: Within reasonable constraints, if you could change one thing right away, in testing, what would it be?

COMMISSIONER KING: The alignment of our [unintelligible] assessments and Regents exams with the common core and with college- and career-readiness.

It troubles me deeply that there are students who have their five 65s, think that they're ready for college-level work, show up on a college campus, and are told that they have to take a remedial course that they themselves and their families have to pay for.

And, so, we have an incoherence between our -- what higher ed and employers demand, and what

we are using as our targets within the K-through-12 system.

So that alignment, so that we know, that when students leave us, they are ready for college and career success, I think that, around assessments, that is the thing that I would be most eager to change.

SENATOR FLANAGAN: Now, I'm fairly certain if I had to asked Val the same question, she would just ask for a pile of money.

COMMISSIONER KING: That's her job.

SENATOR FLANAGAN: That's right.

Thank you very much, Commissioner.

COMMISSIONER KING: Thank you.

SENATOR FARLEY: Thank you. Good job.

SENATOR FLANAGAN: Next is, New York State United Teachers: Mr. Palotta, Ms. Person, and Ms. Neira.

Good morning.

ANDREW PALOTTA: Good morning, Senator Flanagan and members of the Education Committee.

You have copies of our testimonies, and I know that you've read it, because you quoted it already. So, that's a good thing.

I am Andy Palotta, executive vice president of NYSUT.

Joining me today are:

NYSUT vice president, Marie Neira;

And, three current practitioners from the Albany City School District, sixth-grade teachers Jane Fox [ph.] and Heidi Sabatino [ph.];

And, from the Schenectady City School District, Hillary Luallen Southern [ph.].

Maria and I also have many decades of teaching experience, so we have a lot of good knowledge here.

On behalf of NYSUT, I want to thank you for holding these hearings, and providing us with this opportunity to speak to you about our thoughts, and on how we can improve teaching in New York State.

A few points:

New York has a long history of teaching, and testing, which we should be proud of.

Our Regents exams are known as the gold standard around the country. Teachers have been involved in designing these tests since 1906.

In addition to the Regents exams, we have traditionally tested students, once during elementary school, and once during middle school, in

ELA and math.

With the passage of No Child Left Behind by Congress, the federal test mandate expanded for grades 3 to 8, for math and ELA, and also required science tests in elementary and middle school.

The requirements for high school exams in ELA, math, and science had no effect on New York because of the Regents exam requirements.

And these federal requirements have had a major impact on what we do each and every day in the classrooms.

Our vice president, Marie Neira, will now speak about the impact of testing.

MARIE NEIRA: Thank you, Andy.

I will briefly highlight four major points:

The time on testing, the narrowing of the curriculum, issues with the current tests, and NYSUT's recommendations.

As we've heard, no country tests its children more than the United States does.

And, as you saw, we do estimate, and that's a real rough estimation, that we test about 74 hours if a student is in school from kindergarten to twelfth. And that doesn't include the additional assessments that are sometimes administered and laid

on at the district level.

What I do want to emphasize in this particular piece, is not just the time spent on testing, but as the Commissioner mentioned, it is the time that is spent on test prep.

And that time, we can estimate, and this is a very rough estimation, between four to six weeks, depending where you are in the state, which is really at the core of the fixation on testing.

Research has told us, over and over, that the excess on test prep distorts the purpose of testing.

And that is a piece that I want to highlight.

As much as we spend time on testing, we know that it's not just about getting higher test scores. And usually that's what the test prep will emphasize.

We have -- the overemphasis on testing, and the use of results, to determine graduation, and promotion, has increased the stress, not only of students, but of parents.

And we've heard that. We've seen how parents have exercised to show their anger about these issues.

In NYSUT, we commissioned a whole of parents, where we have 63 percent of parents who said too

much emphasis is being placed on standardized tests, as we will have demonstrated through the numbers that you have seen.

Also, you will know that most test developers will tell you that assessments are not designed for high-stakes purposes.

In most cases, a test and assessment is a point in time, and it is really about the -- a small point in time.

In short: We really believe that the overreliance on testing comes with the cost to our students, and the time that they are put through the paces.

On the curriculum, the focus on testing and test prep has led to a serious narrowing of the curriculum.

And we have heard it today already, where we have the emphasis -- in some districts, not all districts, where the emphasis is on ELA and math.

And, you have entire discipline areas that are not part of the entire educational process -- the arts, music, social studies, science -- our educators will tell you.

It -- also, research tell us that high-stakes standardized tests are poor measures of high-quality

curriculum, because, remember, an assessment is only measuring a certain amount of questions, and will not capture the entire curriculum for that year in any one area.

Narrowing the curriculum fails to engage our students, and we see that constantly. And, it does not, currently, as the Commissioner said, prepare our students for college- and career-ready, and I would say, because we are not giving our students that entire round of education.

While we can say that adopting the core-curriculum standards is the right -- in the right move, it also provides the opportunity for New York State to pause, and to take a better look at how it is aligning.

It's not only the standards and the assessments, but notice the big gap in the communications, which is the curriculum.

There is no curriculum right now guiding our process.

So, we have standards that are being rolled in, we have a set of assessments that are already being adjusted, but there's this big hole in the middle, which is curriculum, which is something that we really must pay attention to.

On the problems with this year's tests, in addition to the concerns, with time that we have been extremely concerned about, and the quality, we are, definitely, very concerned about the purpose, and the amount of errors in this year's tests. And, cannot overestimate what -- the complexities of educational testing cannot be ignored.

We're glossing over some of the very big complexities.

And we believe, and our members believe, that students should not bear the consequences of a flawed assessment process.

So during our convention, we heard very disturbing stories from our members. And you have those stories in our testimony.

The negative impact of the tests on our students?

When students do not understand test items, because they are unnecessarily confusing, they cannot effectively demonstrate what they know.

And one of the big questions and -- that -- one of the comments that were repeated throughout our surveys from our members, was the fact that the test questions were, in many instances, very complex. In some instances were not clear, and very

confusing, especially on the math assessment.

Which, remember, math is supposed to be the international language. It doesn't matter what language you speak. But, if it becomes more of a reading-comprehension test, then you are going to be distracted from the mathematical skills that you have to provide.

We have three practitioners today who administered the tests, so, if during the questions, you have specific questions about administration, we have our three members who will be more than happy to follow up with those questions.

Very quickly: In our recommendations, as NYSUT, we have voiced concern over our current testing system, especially with test prep, and the misuse of data.

And I want to emphasize, when we talk about the misuse of data, data -- there's one test. And, that single test, right now, is serving all masters, and, it's trying to create data that is not necessarily designed to give us.

So, in that instance, sometimes we have to make sure that we are understanding what that assessment is really telling us.

Educators are not opposed to student

performance or being held accountable. We just want to make sure that these assessments are fair. We want to make sure that they are -- we get it right this time, because we have the opportunity to do that.

Our members recently considered a resolution to our leadership.

The resolution demands that SED take a look at, and end, the demands of the current system of testing in the way that it is currently being implemented, because it harms our students, and hinders real learning, and affirms our support for multiple measures.

We have to make sure that we don't have one assessment that is making all the decisions for our students' future. And through the assessments we can assure that we have an accurate, fair, and appropriate process.

We are calling for a balanced system; a system that prioritizes instruction, and not testing.

And that is what the members of NYSUT continue to ensure, that we are talking about, balance, and instruction.

It is also clear that, simply, getting

Pearson and SED to fix the flaws within the existing system is not the solution to the testing dilemma.

In my -- as an educator for 18 years in the classroom, I can tell you that a computer -- taking the test on the computer is not going to deal with the issue of it being high stakes.

If it is a high-stakes assessment, it will continue to be test prep. The test prep will be done on the computer, and, we will have test prep computer programs to do the test prep.

So, in wrapping up, I would want to leave you with, that the real question we believe needs to be at the center of this debate, is: What do our students need? And, do we have the will to get it right this time?

I believe that we have the opportunity, with the changes in the current system, with the roll in of common core, with a new generation of assessments.

I will turn it over to Andy for a wrap-up.

ANDREW PALOTTA: Thank you.

As you consider what we've talked about so far today, and the concerns you've heard, we would like you to act now, to protect teachers from the media abuses, that the data from these tests are

linked to teacher performance, and made public.

Divulging that information through the media will corrupt the intent of the new-teacher evaluation system, especially when that data is coming through, that is defective and imprecise.

We ask you to approve legislation that would clearly prohibit the media and general public from having access to teacher-principal evaluations, and other personnel information.

You know that this information has caused a disaster in New York City, with the 12,000 names published. And, it was inaccurate and unfair.

We thank you again for holding these hearings.

We believe that -- in short, the answer to Senator Marcellino's question on the standing of New York State schools, the number that is usually given by the governor, is incorrect.

And, the number we go by is the number from "Education Week," which has us as Number 3 in the nation.

And the short answer to the question that was posed on, Do the teachers have the final say in drafting these tests? -- the answer is no.

So, thank you for your time.

SENATOR FLANAGAN: And if I could, and please forgive me for not having listened properly, could you just give the teacher names again?

JANE FOX (ph.): Oh, I'm Jane Fox.

SENATOR FLANAGAN: Jane. Okay.

HILLARY LUALLEN SOUTHERN (ph.): I'm Hillary Luallen Southern.

SENATOR FLANAGAN: Hillary.

HEIDI SABATINO (ph.): Heidi Sabatino.

SENATOR FLANAGAN: Okay.

I have -- I'm sure my colleagues have questions, and I'll just start off with a couple.

In reading the various pieces of testimony, some you haven't heard yet, it seems to me like one of problems, is that you don't really know what the test is, and that you're not allowed to see, and you're sort of, I guess, shooting blind, almost, in terms of figuring out, how do you properly prepare? -- whether it's through the curriculum and getting to the test, or just actually doing test prep.

So, as a backdrop on that, and I don't know if this would be helpful to hear from the classroom teachers: Is it ridiculous to suggest, that, in the beginning of the school year, whatever the grade may

be, if we're going to do an assessment, just do a test right in the beginning of the year?

No test prep. Just, find out, as a gauge of where kids are. And then the, quote/unquote, real test at the end of the year; the one that can gauge what has happened over the course of that academic year.

Is that helpful? hurtful?

HILLARY LUALLEN SOUTHERN (ph.): In our district, we are working towards that.

The difficulty is, that the test really has to be the same one, in the fall and the spring, or whenever you choose to do it, or the same family of tests. Otherwise, you're measuring apples and oranges.

So, the State assessment obviously won't work, unless the initial assessment is designed by the same company.

And I'm not sure how you feel, but I have huge issues with the test, beyond the publicized errors that have been discussed, and made much of in the media.

SENATOR FLANAGAN: Okay.

JANE FOX (ph.): We currently do a test at the beginning of the year, and we do a test in

the -- January, and we do another test at the end of the year. That is a district policy that we do.

For the State test, I think the skills that we know that are on the test are embedded in our teaching throughout the year, which is what the test is grading us on.

However, some of the issues that I find with the test, students that have special needs, throughout the year, you're able to assist them. It's part of their plan.

However, when it comes to the day of the test, you're telling them: Here it is. You're on your own.

And they've had this assistance because, it is part of what we decided is best for the student, to get them from Point A to Point B.

And, I don't think the test gauges that, when they don't have, whether it be reading the test to them, because, in the past, they've had somebody who's read the test to them, or read the answers to them, because they might have difficulty at that grade level.

That's my concern with the tests.

HEIDI SABATINO (ph.): As far as just testing them, and getting their abilities, the State test

does not give us any feedback on their abilities.

We get a score, and that's it.

We don't see where their strength and where their weaknesses are. We just get the score.

SENATOR FLANAGAN: But if you could come up with something that would accurately measure that, do you see that as a problem doing the thing in the beginning of the year, and then at the end, as long as there was consistency in the test?

HEIDI SABATINO (ph.): Right, that would be great. That's more of a diagnostic test, where we see where they need work on, and where they're fine at.

That -- you take it at the beginning of the year, you work on those skills, and then you test again at the end of the year, that would be wonderful.

MARIE NEIRA: So, I'm old enough to say, that, it has been done in New York State.

[Laugher.]

MARIE NEIRA: After 35 years, when I started teaching, you had a pre-test and a post-test.

And that's exactly what you did.

You knew what the skills would be at the beginning of the school year. You embedded that

throughout your curriculum.

And, I dare say I'm old enough also to know that New York State used to give you the curriculum that would allow you to meet those skills, and then you would be tested at the end.

Now, things have changed over the 35 years, and especially this year's testing.

This year's testing is a transitional year, where we're testing on standards from 2004. But, there were -- also, embedded common-cause standards were embedded, plus, you had the field-test questions.

So just imagine the kind of assessment that was put in front of our students this time around.

And, every year, that I can remember, especially with the coming in of No Child Left Behind, every year, the assessment has changed.

So, we, as classroom teachers, have a moving target every single year.

SENATOR OPPENHEIMER: That's crazy.

SENATOR FLANAGAN: I'll go back to the question that I asked the Commissioner, which I said I was going to ask everybody.

This might be very interesting to hear from our classroom teachers.

If you were grading, on a scale of 1 to 10, how would you grade the State of New York, and why?

HILLARY LUALLEN SOUTHERN (ph.): I hate going first.

All right. I would have to say that I think that the score the Commissioner gave is high, and optimistic.

And I would aim it right in the middle. I'll say "5."

There's not enough time, you know, for all of us to talk about our experiences doing this, but, one of the issues that I was listening to this morning was the movement towards computerized testing.

And I thought, "Wow."

Because one of the problems that I see as an ELA teacher, is the discrepancy between asking our kids to find details, and defend their thinking.

With a standardized-test question, it only has one right answer, which is what you get with multiple choice.

So, I looked at -- I can't discuss the test with you.

That's another issue, because it's embargoed, it's secret; we can't discuss any of the questions

or the answers.

But, there were many multiple-choice questions in the reading passages, which I could not answer definitively. And I have a master's degree in reading, and I graduated summa cum laude from college.

So, if I cannot decide, definitively, that one answer is correct, how can my eighth-graders do that?

And, how can we talk, in good conscience, about going to a completely computer model?

That's crazy.

And I'm also thinking about the computers in my classroom that are missing keys, that they won't fix.

So, you know, there's a huge -- I can't -- I -- I -- there's too much to talk about.

But, I don't think that we're doing a "6."

And I think the notion that we'll get to a "9" by 2014 is not possible.

SENATOR FLANAGAN: Jane, how about you?

JANE FOX (ph.): I would agree. Probably more like a "4."

The problems with the tests, and I'll talk about technology first, in a building with 625-plus

students, if you have -- if the State sets the time that they do this, here's the week that you give testing, and here are the two days that you get to make up tests, you have to have 625 computers that are working, for the kids to sit down for that time period of 90 minute, or 60 minutes, or, if they adjust it because it's computerized, I don't foresee a district being able to take on that expense, or the State is going to want to say, I'm going to supply this many.

And that's one school in the entire district of twelve other schools for 3 through 8.

And as far as the test itself, my co-teacher Ms. Sabatino, she also teaches ELA. And, we took the test separately, and then we compared our answers.

On this test, there were probably six, that even when we went back -- the distracters in the past were kind of close, but you could definitively go back and find: You know what? Yeah, this one was correct, not that one.

There were six questions that we, literally, said, "Oh, my God."

And having just chatted with students, "What did you think of the test?" they picked out

two of the same questions that we had, and said, "I went back and forth between these two answers."

And I don't find that to be fair.

What are you testing them?

Do you narrow it down to two, and then just say: Okay, I'm going to guess this one?

So, I don't -- I don't see it getting to where it needs to be, based on the Commissioner, in 2014. And, I don't know if the test is really gauging what the students know, because sometimes the students say: I don't care. It doesn't matter.

But then they're put into a class because they don't perform well.

And the growth that they may have, if they scored, we'll say, a 640, or a 611, and then they went to 640, they're still failing according to the State, because they score one. But, there has been growth, so they've made some progress, but it's not shown in the test.

And I don't get to see the results of: Well, what did they get, and what didn't they get?

What was the skill that they understood or they had progress in, and what are they deficient in?

I just get that number.

SENATOR FLANAGAN: So, the Commissioner started at "6."

And you went to "5," and you went to "4."

And, Heidi, if you're going to "3," we have a problem.

HEIDI SABATINO (ph.): Can I just say low?

SENATOR FLANAGAN: Okay.

HEIDI SABATINO (ph.): Very low.

[Laughter.]

HEIDI SABATINO (ph.): Everything that they said, and it's such a small snapshot of a child. I mean, we have students that are from impoverished areas. We have kids, the night before, that have gone into shelters, that are very emotionally distraught. We just spend the 90 minutes just getting -- encouraging them to get through the test.

So, it's just such a high-stake test for these kids. And even the kids that are able to perform proficience, they have such testing anxiety, a lot of time is spent just coaxing them to go through: It's okay. You'll be fine.

So, in many ways, quite low, my score would be.

MARIE NEIRA: I would say --

SENATOR FLANAGAN: Senator Oppenheimer --

MARIE NEIRA: -- I would just add -- just to add just to what our practitioners have said: It is extremely important that we do not gloss over the complexities of test design, because what you're hearing here is how complex a test is to design.

Two points that I need to bring to your attention also:

With test design, and moving into using technology, we need to move into the world of the technology. We must take into account the issue of equity. Equity will be a big concern, should be a big concern, for you, and especially with constituencies that you represent.

And, most importantly, our rural school districts that do not, to date, have the capacity of even getting Internet or broadband into their districts.

So, just to put that as background information.

SENATOR FLANAGAN: Okay, thank you.

Senator Oppenheimer.

SENATOR OPPENHEIMER: Well, thank you all for being here. And, you've been such a wonderful resource through the years, and I want to thank you before I leave the Senate, to each of you,

particularly Andy, who has always been there to answer my questions.

Well, you heard what we were saying earlier about broadband, and about the fact that --

Oh, I'm not on.

I'm on? I'm not.

I'm on.

SENATOR MARCELLINO: Speak into it.

SENATOR OPPENHEIMER: Okay, speak into it.

You know, we were saying earlier, is that, we find, Senator Marcellino and myself, that in many, many different districts within our schools, they don't need, though they'll probably contest that, but there's not a great need for the resources.

The resources have to be placed where the need is. And, if we don't have computers in some of our schools, and there's no broadband, there's no way to get any access, we have to focus in on that.

And, I think, as far as, you know, technology in the classrooms, which one of you two mentioned, Hillary or Jane, that can be -- the technology concerning the students taking tests, there's no need to have 650 computers in one school.

All you need is to say, grade X will take it on one day. Three days later, grade -- another

grade will take. -- so that there will never be a need to have the entire school taking tests at the same time.

I had a couple of questions for --

Hillary?

HILLARY LUALLEN SOUTHERN (ph.): Hillary, yes.

SENATOR OPPENHEIMER: -- because, earlier, you had said, that their were many things that were -- you found distressing in the testing, quite beyond, you know, typo mistakes. I mean, that seems pretty superficial, even though they shouldn't be there.

But, I'd like to hear some of your major issues that you have with the testing. And I think that you did mention a couple of them, but I would like to hear what --

HILLARY LUALLEN SOUTHERN (ph.): Well, I heard someone allude to it earlier, but there's a great deal of language in the test itself, which is confusing to many -- most of my students.

So, for example, and this is going to sound silly to you, but, we have a high ESL population.

And words like, "beneficial," "advantageous" -- and I'm not -- I'm calling these

out of long-term memory, not recent ones from the test -- those are testing-type words.

And, we are not allowed to answer the child when he or she raises his hand and says: What does "beneficial" mean?

If I were to say it out loud, often the kids would know what it meant. But, I'm not allowed to read it to them either.

I don't believe that the -- test, when the child's result hinges on something as small as understanding a directional word, I don't believe that the test can accurately measure what my children can do. I think it very effectively measures what they can't do.

And that's a terrible focus.

The -- we talked a bit about the timing, too, earlier, the 90 minutes.

It's a horrible amount of time to sit down and be quiet, and be focused, and work on something that may, to many of my students, feel as though they have failed already.

You want to add to that?

JANE FOX (ph.): No, I completely agree with you, 90 minutes is a long time.

Just imagine sitting here for 90 minutes, and

saying nothing, moving, don't touch anything, don't write anything, other than that test sitting in front of you -- for 90 minutes.

And you are talking about sixth-graders. They need to move.

SENATOR OPPENHEIMER: So you're saying it's impossible for those that are finished earlier to be excused from the room?

HILLARY LUALLEN SOUTHERN (ph.): There's nowhere to send them because everyone in the building is testing.

SENATOR OPPENHEIMER: Well, that's a problem.

HILLARY LUALLEN SOUTHERN (ph.): And that's just the design of the test.

You know, we have five days in which to administer the test, administer makeups, and send the tests back on its way.

And that's -- it's impossible to do it any other way, than to have all of the kids testing at once.

So that is a problem.

But, one test follows on the heels of another.

No sooner have we finished ELA testing, then we dive into math.

No sooner have we finished math testing, then the science testing begins, which has four parts.

We are still testing in my school. We just finished the math field testing, I believe, on Thursday last week.

And there's more science testing to come.

We've been testing since --

UNKNOWN SPEAKER: The beginning of April.

HILLARY LUALLEN SOUTHERN (ph.): Thank you.

-- the beginning of April.

UNKNOWN SPEAKER: Right after April break.

HILLARY LUALLEN SOUTHERN (ph.): Every week.

SENATOR OPPENHEIMER: We believe, or at least we're putting money behind it, the longitudinal data system, which is going to cost multiples of millions, and will take some time. Part of -- half of that money is coming from the feds.

But, will that not zero in on the individual child, and show where the specifics of that child's distress, the areas that they are not succeeding in?

What's your opinion?

Or your opinion, Andy?

Or your opinion, Marie?

MARIE NEIRA: Well, we know that the data system that's being created is, basically, to gather

statewide data.

Reports that will be generated, we're told, will have some specific individual information about each student.

The question is going to be, is: When do we get it?

If we get the returns in August, or September, the current classroom teachers do not have that data to help them try to correct or make any interventions for the students at that time.

So, many of us, we say: Okay, we know now what students don't know. And, hopefully, when they go in next grade, that teacher will have an opportunity to see what they don't know, and try to fill in the blanks.

But, the current data that will be returned to teachers will have very little benefit for the students who are currently in front of them.

SENATOR OPPENHEIMER: Okay, not good.

Now, the last question I have, is, I've been getting some -- many complaints, actually, from teachers' colleges, colleges that teach the teachers, and, universities.

And they say that the State Ed has not developed a teacher-certificate process.

They have said that they are going to do it. And they have said, on many occasions, it's going to be done soon.

And, apparently, this has not happened.

Is that your experience?

MARIE NEIRA: New York State has changed the certification process that -- the assessments for the certification process.

SENATOR OPPENHEIMER: Right.

MARIE NEIRA: And they have just reintroduced the teacher-performance assessment, and that is just in the process of being rolled out.

It is true that faculty and schools of education have had very little communications about how this will be impacting their programs, their curriculum, their syllabus.

So, yes, there is a lot of -- a lack of communications. And, again, this is more about the artificial timeline of Race to the Top, which says, we were going to have a different certification process.

So, it's being just timelined, and not looking at the efficiency and the ability to implement these at college level.

SENATOR OPPENHEIMER: You know, the concerns

were, from the colleges, that they couldn't plan curriculum. They've have to put it out in the summertime, so that --

MARIE NEIRA: Absolutely.

SENATOR OPPENHEIMER: Well, once again, thank you so much for all that you've done through the years.

ANDREW PALOTTA: Thank you, Senator.

SENATOR FLANAGAN: Senator Robach.

SENATOR ROBACH: Yes. I will try to -- I got a lot of questions.

But, you know, I think there really is, and I hope not naively so, a collective will between everybody involved, even SED, educators, the Legislature, and I think the public, I won't just say parents, you know, wants that.

You know, Carl Marcellino talked about, that we do prioritize education. We use a lot of resources.

And, so, I think there's a way, but I'm unsure, you know, it sounds to me like you like the direction, or at least, Marie, in your statement, of, you know, moving towards these core items.

Is that accurate?

MARIE NEIRA: Yes, we -- NYSUT supports the

common-core standards. We believe it does focus. It takes the standards and narrows it down to what it is students should know.

Our concern is about implementation.

And in New York State, being the state that we are, that is where the issues become implementation.

So, we have common-core standards. Teachers were involved. I have to say, yes, the teachers were involved in giving input into the additional standards for New York State.

But, the point that we're at now, is that, next year, 2012-2013, the assessment will be based on common-core standards.

If you take a survey of New York State, they're -- we're just in the process of starting to do the professional development that will support teaching to the shifts, and changing your instruction.

It took Finland 30 years to get to the best, and we're trying to do this in less than two years.

SENATOR ROBACH: You had also used the term, you said, you'd like to see multiple measures.

And I know -- I see my friend Dan Drmacich up there, who's a principal in school in Rochester, a

School Without Walls, that did other things, but had very good outcomes.

Do those have to be loose, or could they be more defined in terms of what those alternatives or multiple standards would be?

Because, you know, that's what I hear all the time. People, they see a failing graduation rate, and they see how much money they spend. And it's a normal thing to get excited about that, both, on the emotional level, and even from a resource level, because we want kids to do good. And then you -- you know, if you kind of -- you know, if you pay for a Cadillac, you want a nicer car.

And I almost think that people who don't have kids in school get very caught up in that.

So, I don't know what those alternatives are, I can tell them, because I sort of thought, going back to what my colleagues said, some of the common-core things were just going to be an expansion of teaching what's already working in those school districts, you know, like Brighton, or some of the ones across the state, where they are having, you know, 99 percent graduation rates.

But, I'm not exactly sure.

And I don't mean to put you on the spot, but,

if you could maybe fill in some of those things for me, I would like to be more versed on what those are.

MARIE NEIRA: So -- great question.

Authentic assessments allows for the common cores to be carried out through students actually demonstrating what they can do, unlike the traditional standardized tests.

The standardized test is, bubble in, multiple questions.

What you -- in the Schools Without Walls, what you have is, students actually demonstrating their skills and their knowledge, and they're able to do this through video presentation, a debate. And they -- and there is a way of, quote/unquote -- and I'm using "standardize" -- to standardize that, because there is a protocol that is criteria-driven, so that it can be comparable throughout schools.

So, yes, that is the kind of balance that we're talking about.

We're always going to need to have some kind of standardized testing, just so that you have a sampling.

It's like polling.

When you take a poll, that's what

standardized testing means to me.

But the authentic assessments, the assessments that allow us, as classroom teachers, to demonstrate what students can actually do, is what we are striving for as we try to ensure that students are, not only career- and college-ready, but they are ready for a democratic society.

And, I'll let me colleagues talk to that.

HEIDI SABATINO (ph.): As she was saying, one of the shifts in the core curriculum is -- in the common core, is student-centered learning. So, the students takes over and is able to drive their own learning.

It's also based on cooperative groups. And, then, working in groups, to solve problems, which is a very important skill today.

And, these -- the little snapshot of these testing does not test that. We need other measures, as she said, to test those types of skills.

SENATOR ROBACH: Can I just ask -- and I'm sorry, [unintelligible] time -- you know, kind of going in a different direction, there's a lot of expertise up here.

While we want to push everybody to their fullest potential, what do you feel about the

Regents -- or, a different, a local diploma, or other tracks, for people, do you think that would deter from people reaching their full potential?

Or, do you think that could be implemented, and their should be other tracks, you know, to push some kids to, maybe more career, rather than necessarily, first, higher ed?

JANE FOX (ph.): Well, you know, as a parent myself --

SENATOR FLANAGAN: Jane, pull that closer.

JANE FOX (ph.): -- as a parent myself of three, I can see the difference, and -- with my own three children, and, in my classroom, the same thing; that, not every child is going to go to college, but, there is something that they can do.

And, getting your Regents diploma, and getting into a college, to say, I have to graduate to do something, there are kids that are graduating that aren't getting a job in the field that they really excel at, because the jobs are just not there.

But, to say that every kid needs to be college-ready, there are certain positions that you are on-the-job trained. It is an internship. Or, it is, you are working with somebody, and getting

your education through a field that's not, necessarily, requires the Regents.

Yes, you need to be able to read, and do math, but, it doesn't require you having a Regents diploma.

SENATOR ROBACH: Right.

I guess, more specifically to what the SED has dictated, are those -- you know, I don't know what you want to call them -- core competencies.

They say, if you pass five of the Regents era, now, that you can get a local diploma. And I think it capped out at that.

Do you hear from teachers, is that working? not working? Or should that be fine-tuned?

I say that, because there's a lot of legislation being proposed, to try and address that.

And in your comments, I think you're right, let's seize this opportunity to try and do it right.

MARIE NEIRA: I think that there is a real need for there to be pathways, as we all know, as we deal with students. And the Regents are starting to talk about the different pathways.

CTE as a pathway. The STEMs as a pathway.

We support that process because, as we know, boxing all students into having five Regents, most

of us in this room probably took Regents.

I can tell you, I got a -- barely a 65 in algebra.

And, it does limit.

And the question that we have posed to the Regents, over and over, for the last -- since 2000 -- in 2000, when they changed the graduation standards, is: Can we put all students in one track?

And, now, they're relooking and revisiting.

We do believe that when you look at these pathways, you are going to need to look at the graduation requirements. Not all the pathways will require five Regents exams, is our position, as we're taking a look at the information that they're sharing with us at this time.

SENATOR ROBACH: Thank you.

MARIE NEIRA: I would also just want to emphasize that, as educators, the one thing we are sure of, is that we do not want the pathways to track students.

In many instances in the past, tracking has become a way of making sure certain students go down a -- tracks that have -- that lead to nowhere.

So, we have to make sure that these

alternatives are really viable.

That's why we're saying, that when the Regents are discussing pathways, they need to look at it in a comprehensive manner. And it's just not about just taking one Regents out and putting in another.

SENATOR ROBACH: Thank you.

SENATOR FLANAGAN: Senator Marcellino.

SENATOR MARCELLINO: Thank you very much.

Andy, you mentioned, when I raised the issue with the Commissioner about the Governor's comment about, we spend the most, yet we're 37th statewide, overall, you mentioned the different test where we came out -- we in New York State came out as Number 3 nationwide.

What's the difference between those two standards?

ANDREW PALOTTA: Well, the number that I'm quoting was in "Education Week." It was a few months ago that they came out with this. It was based on a broad spectrum of different standards.

So, I believe that that is the number where we can say "Education Week" is non-biased.

So, that's something that we have followed.

MARIE NEIRA: And we also know that the

number that the Governor used is also cohort.

This was a cohort coming out of census, about 10 to 12 years ago.

So, it is a number that might be valid for that group of individuals, when you're looking at that cohort.

The information that we are looking at has been for the last five years. And we have seen, it's not only -- we have the most intel students who qualify in New York State. Our high schools are tenth. We have nineteen out of the best high schools in the country, in New York State.

And those are the good news that we don't hear about.

SENATOR MARCELLINO: I also raised the issue of the "one size fits all," which, frankly, as a teacher myself, bothers me.

And I think I made that clear in my questions to the Commissioner.

If you have districts that are performing, and performing well, high graduation rates, high test scores, on whatever standard you want to measure, why not leave them alone?

Why make them change their methodology to, some call it a "common core," some call it, whatever

you want, some new system, when they're doing well?

Why not spend the limited resources that we have, which are limited, and are not necessarily, in the near future, going to get that much more?

Why not spend those resources on those districts that need the extra help, that need the extra expertise, that may need some specialists to come in, that may need some equipment?

You're right, many rural districts may not be able to get broadband or Wi-Fi at all. Just by virtue of the physical, it's not there.

So, why not help them?

Why spend money where you don't have to spend it, and in my mind, waste it, when you could spend it where you might get a better bang for your buck?

What's your thought?

MARIE NEIRA: We have always talked about the issue of equity. And that is a policy question that the Regents have to answer.

It does come down -- and I'm not the finance expert, it does come down to financing.

I do believe that all districts need a certain amount of support in dollars.

So -- but I do agree with you, that those districts that are doing well, should be given the

flexibility to continue doing what they're doing.

And the key word for us has always been "flexibility," so that we're not all put into "one size fits all."

So, yes, flexibility is key for when you are looking at the major shift changes that are being discussed in New York State.

SENATOR MARCELLINO: Thank you. I appreciate you coming.

SENATOR FLANAGAN: Very quickly, just in the interest of time, Hillary, I'm going to pick you out.

I asked the Commissioner this question before: If you could, within reasonable constraints, change something, quickly, you got the magic legislative want in your hand right now, what would you do?

HILLARY LUALLEN SOUTHERN (ph.): I wish I had a single choice.

I think we need to stop focusing on building more tests. I think there ought to be a limit on how many. I think we ought to consider reducing.

I'm thinking about my students when I say this: It feels like punishment to them.

And, it would feel that way to me too, or any

one of us.

So, I think I'm -- I feel weak in this answer, but I think that I'd reduce the amount of time and the number of tests that we give to students.

SENATOR FLANAGAN: You shouldn't feel weak in your answer. It's a real answer, and you're practicing in the field every day. So, it's helpful.

Maria, one last quick thing, please?

In the testimony, there's a comment, in terms of where we should be going.

It says: First, we need a realistic time line that provides teachers with a new curriculum before we can assess appropriately.

I get it.

Put it in real life.

Like, you know, we're talking about common core.

What do you think that time line should be?

MARIE NEIRA: Right now, we are going to have an assessment on common cores starting next year. We have not rolled out even the exemplary curriculum that would could support it.

I would say, first, you have to have the

curriculum. You need to put the cart first, before you put the horse. And, right now, the time is not aligned.

I would say we need, first, time to practice the core standards, to practice a curriculum that supports it, before it can be tested. And that 2014-2015 is not real, when you go to classrooms, especially the first classrooms that we have in New York State.

I believe that we need two to three years of practice, with the curriculum, with the standards, before students are held accountable, because this is high-stakes testing.

SENATOR FLANAGAN: Thank you very much.

ANDREW PALOTTA: Thank you.

SENATOR FLANAGAN: Next is, the New York State School Boards.

TIMOTHY KRAMER: Good afternoon, Mr. Chairman, members of the Committee -- member of the Committee.

I'm not David Little.

David, unfortunately, got called away. His father is ill in Maine, and I'm filling in.

I'm Tim Kremer. I'm the executive director of the New York State School Boards Association.

SENATOR FLANAGAN: Pull the mic in. Pull the mic closer.

TIMOTHY KREMER: I'm Tim Kremer, the executive director of the New York State School Boards Association, and filling in for Dave.

We hope that his father is doing all well -- alright.

I represent about 650 boards of education throughout New York.

These are people who are representative of millions of New Yorkers, who believe in public education, and believe in their communities, and want their children to succeed.

We do appreciate this opportunity to testify, and we have taken this opportunity very seriously.

I'm not a professional educator, although I have worked for State School Board Association for 33 years, so I -- I've hung around a lot of professional educators for a long time.

And, in so doing, because of this opportunity, and because I don't have this professional education background, I did want to make sure that we were gleaning from those who could help us, and help you, in providing you testimony from the field, if you will.

So, we presented with you -- to you a packet, and I'm hopeful that you have that packet.

And, it contains testimony, you must think of it this way, from virtually hundreds of people who are out there: school board members, administrators, many school board members, who are themselves professional educators.

So, I try to bring that to you as representative. I'm the communicator representing them.

If you look through that packet, you'll see, in Tab 1, there is a letter there from me, where we try to summarize our positions, and where we are, as far as this issue, and the controversy that surrounds testing, which is happening in school districts everywhere every day.

Behind Tab 2, you will find our official positions, our board -- excuse me -- the delegates to our annual business meeting, vote on resolutions that are submitted by member boards, and going back all the way to 2007 -- because once they're five years old, they come off the books -- but, going back to 2007, we picked up those resolutions that are germane to this issue of testing.

And you will see a variety of things in

there.

So, this has been a debate among school board members going on for a long time:

The issues that the teachers were talking about regarding flexibility are a common theme throughout all of these resolutions, that are the official positions of the New York State School Board Association;

Things that have to do with cancellation of Regents exams due to bad weather, what happens;

Advanced notice of test results, getting them in a timely facility;

Component retesting;

Testing of students who are English-language learners;

Modified testing for students who have disabilities;

When those exam results are made available, and how they're made available;

The frequency and scheduling of standardized assessments.

Those have been issues that have been debated by school board members for years, and continue to be.

So, we're very much engaged in this sort of

issue.

Behind Tab 3 is what the real essence is of what I bring to you today.

We assembled 42 people as a focus group.

They were school board members, many of whom were selected because they are professional educators.

They are either teachers, administrators, or school psychologists, and we had some school administrators, district administrators, as well.

The first half of what's behind Tab Number 3 is an 11-page summary that summarizes the rest of the document.

It -- what we tried to do is, is pick out the things we thought were the most salient comments, the things that were unique, so that if there were repetitive comments, we weren't going to have you read all of the repetitive stuff.

So, the first 11 pages are things -- across 8 questions, are things that we think are excellent feedback to a group like yours, a Committee like yours, when you're trying to some decisions about: Where do we go from here?

The first question, for example, that we asked was: Please describe how testing has been

either beneficial or detrimental to improving student achievement.

And you'll see through their comments, most of the -- frankly, most of the remarks we got would suggest detrimental. Although, there were some, I thought very thoughtful things about beneficial aspects of student testing as well.

The second question we asked was: Is testing information relevant and available soon enough to inform instruction?

And we got some very good feedback on there.

I'm not going to read all of this to you.

I want you to know that, this first 11 pages covers 8 questions.

And you'll find, if you continue on, a 38-page document, which is the full transcript of the feedback we got from this focus group, including the questions.

The 11 pages is summarized, for your benefit.

Tab 4, is additional information.

We did, what I call a "pulse poll." And we had 490 school board members respond to this.

Now, this is not a scientific sampling. These are self-selected people.

But, we asked them three very quick

questions:

"In general, does student testing enhance instruction?"

56 percent of them said no.

We asked them a second question.

"Is the cost of and/or administration of State assessments a burden in your district?"

90 percent of them said yes.

Now, "burden," you know, a relative term.

Number three: Does the current level of State assessment infringe on instructional time in your district?

93 percent said yes.

The sense we got from this, was certainly that this is not what we would be doing if we were not forced to do it.

The last tab there, Tab Number 5, is another pulse poll that we did, actually, at the request of the State Education Department, the Commissioner specifically, where they have put forward this idea of separate pathways: one for STEM (science, technology, engineering, and math), and a second for CTE.

And, we asked questions:

To what extent do you think there should be a

separate pathway for STEM, a separate pathway for CTE?

Should there be a separate assessment for those kids who had signed up for the STEM curriculum, for those kids who had signed up for the CTE curriculum?

And the answers to all of those were, generally, yes. We think that that's a good idea to have a separate pathway. There should be a way to assess them differently than you would others.

But here's one thing interesting.

The last two questions said: Should those -- that STEM assessment or that CTE assessment replace global history, that fifth, and sometimes questionable, Regents exam?

And the answer, generally, was more equivocal: Nah, maybe not.

So, they're not saying that the testing is bad, that the global-history test is necessarily bad.

They would say: Probably, if you're going to put a kid into a CTE program or a STEM program, they might be assessed separately, but they should also be accountable for their Regents exam as we know them today.

So, those are -- that's information I wanted to share with you. It's kind of virtual testimony, if you will, to let you know that the -- what people out in the field, that I represent, are saying.

For school board members, really, our job boils down to, kind of, two major questions:

What is it that students need to know today, that's going to prepare them for what they're going to have to do after school, when they graduate from here, when they leave here?

What kind of information are they going to need that's going to be useful, essential, in fact, for them to go forward?

And then, specific to your charge here today: Is testing helping students learn?

It's a very costly proposition, as you've heard, and you've seen the data.

It has enormous implications today on people's lives. Students, staff, communities; everybody is really focusing in on this testing.

It has huge implications for the school boards having to make decisions about curriculum, about teacher qualifications, about resource -- scarce resource allocation.

So, we are really paying much more attention

to test results. And I think the people whom we represent are as well, much more so than ever in the past.

For that reason, the data that we get from these tests has to be accurate. It has to be relevant, instructive, informative, helping us make smart decisions in a timely fashion.

If you read through this packet, I think you're going to conclude that most of the people we reached out to believed that the current system is detrimental to student achievement.

You will see some balance in here. But if I had to, you know, to answer your question, if I was to answer it, I might come in higher.

But if I answered on behalf of the people who filled this, this is probably a "4," or something to that effect.

Here's some of the comments that --

SENATOR MARCELLINO: Why -- why is it detrimental?

TIMOTHY KREMER: Here's some of the comments that people told me when I asked them about: Why is it detrimental?

Testing does more harm than good;

It's too disruptive and too expensive;

It causes too much stress;

It narrows the curriculum;

And, the bureaucracy that the State has put forward, regarding test administration, is too rigid;

Takes up too much instructional time;

The questions that are on these tests sometimes lack validity, and the data that comes from the results of this test, lack validity;

And, the results are not available in a timely fashion for us to use them on the students who took this test.

So that's what I think people would tell you, if asked the question: Why is this detrimental?

I once talked with a guy, who you may have heard of. He's a pretty harsh critic of public education. His name is Mark Tucker, and he's out of Rochester -- or, he was out of Rochester.

He once told me something that I thought was very interesting.

He -- we got to talking about testing, and teaching to the test. A big complaint that a lot of people have.

He suggested to me, that the United States is the only country that complains about teaching to

the test, which I was surprised to learn.

And he said the reason for that is because, in other countries, they invest significant amounts of resources into research and development of tests, to the point where these tests are viewed, and perhaps as a cultural thing, but they're viewed as unassailable: This is indeed what we want our kids to know and be able to learn. These tests are widely respected as being representative of that. And, people seem to admire the fact that these tests are here, and they respect the fact that these measures are accurate.

We don't want to be like Finland and Singapore, maybe not even Canada, all of which are, allegedly, achieving at higher rates of student achievement than the United States is, in general.

However, we do need to get this testing question right.

The school boards that I represent, the communities that those school boards represent, they want us to have in place a system of testing that is widely respected. One that is viewed as being, not just beneficial -- not just deficient -- beneficial, but essential part of the education program.

And right now, I think people look it as an

add-on, a burden, perhaps detrimental.

And we'd like it to be embedded as one where people admire the fact that we have a great testing program.

So that's what we hope that you will be able to develop, in cooperation with the community throughout New York, as a result of these hearings here.

I'd be happy to answer any questions, sir.

SENATOR FLANAGAN: I do have a couple of questions.

Tim, I have to really start off: Got this Friday, and very much appreciate it. I just finished reading it about six minutes ago.

TIMOTHY KREMER: Thank you.

SENATOR FLANAGAN: And all kidding aside, there is an exhaustive amount of information in here from --

[Laughter.]

SENATOR FLANAGAN: -- no, from the people in the field. And the -- it's very, very helpful.

TIMOTHY KREMER: Thank you.

SENATOR FLANAGAN: I'm looking at -- I'm not sure of the page number, but, I wanted to just ask you a couple of very quick, specific things.

TIMOTHY KREMER: Okay.

SENATOR FLANAGAN: And I don't know if these are, paraphrasing, direct comments, but, on the page, it says: Testing's Effect on Instruction.

TIMOTHY KRAMER: Is this in the, one of 38 pages, or one of 11 pages?

SENATOR FLANAGAN: I think it's one of the eleven.

TIMOTHY KREMER: Okay.

SENATOR FLANAGAN: But, nonetheless, the point remains the same.

TIMOTHY KREMER: Yeah.

SENATOR FLANAGAN: It says: "For example, administrator has said that teachers become too focused on preparing for tests rather than teaching the curriculum.

"Though the district has work at teaching" -- "worked at teaching teachers, that if you teach the curriculum, you are teaching for the test, they really don't believe it."

TIMOTHY KRAMER: Yep.

This was a sentiment that came out, that said that this -- the people -- that the teachers do not have faith that these tests are valid measures of the curriculum. And that they, maybe they feel,

ill-prepared to administer these tests because, they're not as familiar with the curriculum, and they're getting these tests for the first -- they're seeing these tests for the first time themselves.

So, that's what I think was coming through there.

SENATOR FLANAGAN: Okay.

Then I'm looking at another one that speaks to the detrimental effects?

TIMOTHY KREMER: Uh-huh.

SENATOR FLANAGAN: "The school literally shuts down during the test administration. No teaching occurs when students are testing. After taking the test, the children are mentally and emotionally drained. So, even though they are actually in school, they have absolutely no desire to do anything."

TIMOTHY KRAMER: Right.

Well, of course, these are anecdotal. I can't say that that is something that is generally true everywhere you would go.

But, I heard from these teachers up here just a few minutes ago, about the 90-minute blocks.

And, some kids might be done in 17 minutes, now they have to sit for the rest of the time.

Or, there's other kids who need 90 minutes just to get settled down.

It's a very difficult time to do these tests.

Now, we have to do them at some point in time.

I'm not a test expert. I'm not even a school-administrator expert.

I think you'll hear from some of those people, as to how to administer these test blocks.

But, I would tell you that it's a very frustrating period of time, that we hear from school board members and administrators regularly.

I think a big part of it is indeed that: We shut down the school. Everyone's getting tested at the same time in grades 3 through 8.

And, when you asked the one question, Well couldn't somebody, when they're done, go somewhere else? -- I think it was Senator Oppenheimer who asked the question -- the answer is, there's nowhere else to go.

So I do think that it almost feels like a lockdown.

SENATOR FLANAGAN: Okay.

And, then, one last thing: The -- there's reference here to the Park tests?

TIMOTHY KREMER: Yes.

SENATOR FLANAGAN: And there seem to be comments about the using the Smarter Balanced assessments as opposed to Park?

TIMOTHY KRAMER: News to me. I don't know what that is.

I'm hoping somebody here might be able to add -- that appears to be some sort of a -- it almost sounds like it is a proprietary system, that is in cooperation -- or, excuse me -- is an option to the Park partnership that has been developed.

It is not something that I had ever heard of, and it is contained here.

I will try to find out more about it. And if I do, I will send that information on to you.

SENATOR FLANAGAN: Good.

And, again, I appreciate the depth of the information.

I realize this is a very labor-intensive endeavor, so, thank you.

SENATOR MARCELLINO: Well, as a former -- well, you're never a former teacher. You're always a teacher. Like being a marine, you're never out.

It bothers me that it says: Does the testing enhance instruction? -- and the term, the

overwhelming response was, no.

Which tells me that testing isn't being used appropriately.

What it does tell you?

TIMOTHY KREMER: Well, I don't know if I'd come to that same conclusion.

I could see where some people are not -- or, feel as if it's not informing instruction.

I think what people are saying is: That we don't see the connection between the testing that's taking place, and the results that we would hope to achieve with our students. We don't think it's going to be -- and maybe I'm answering your question just as you would -- but, we don't think it's being -- it's supplementing their educational experience.

SENATOR MARCELLINO: Right. The young lady who was here before, who said: They never see the results. They're not allowed to discuss the results. They're not allowed to talk to the kids about the results, or even handle the results. -- that bothers me.

TIMOTHY KREMER: Right.

SENATOR MARCELLINO: If you're going test to find out where kids are, and make it a useful tool,

then the person involving the teaching has to get the test, and get an analysis of the test, so that that person doing the teaching knows what they did or did not do, what the kids did or did not learn, and why. Come to some conclusions from it.

That, I think goes along to the fact, whether there's a disconnect between staff -- teaching staff and testing. They don't see it worth anything because, they never get the results, and they never get to use the results, to improve their skills or to improve their performance.

That's, to me, a knock on the whole system.

I asked the Governor -- or, the Commissioner of Education, I asked the NYSUT people before, the same question, and maybe you heard it if you were sitting here: The Governor says we spend the most money as a state, yet, we are 37th in performance.

How do you assess the fact that we are 37th in performance?

TIMOTHY KREMER: You know, I was -- have questioned, several times, where that number came from.

And what I've been told that number is, is the percentage of -- or, how we rank, throughout the country, for the percentage of high school graduates

who live in New York, who are over 25 years old.

Now, that includes a lot of people who came to this country, who were never in our schools, who live here now.

I don't know if that's an accurate -- if I'm describing what he is describing accurately, but that's what I've been told, is, that figure is the percentage of high school graduates, 25 years or older, living in New York, and how we compare to other states, is we're 38th.

But, here is the interesting part: I don't remember what the exact percentage is, but the differences between 38th and 37th, 36th and 35th, are, like, tenths of a percent.

So, it's not that significant of a number, and it's -- in my mind, it's been taken out of context.

SENATOR MARCELLINO: I agree with you. And I agree your assessment on the population.

The question is: Who are you testing?

And who is being tested?

And who are the participants in the tests?

So if the -- you have a person who's just moved into the country, may not be totally English speaking, or up to the cognizance of a lifelong

resident, then you'll have different results and different standards.

And that's the -- in my mind, that becomes a reason to get different results, and perhaps a variance in the results, that comes across.

The common core, I hear it from school board members, and I hear it from teachers as well, it's "one size fits all."

What are your members thinking about, as far as imposing a "one size fits all" on a district, whether the district is performing or not?

I represent many districts, as do many of us, represent many districts that are high-performing districts, graduating a high percentage of kids, going to college, moving on high scores in Regents exams, all right, all the test scores.

They're doing very well; yet, they're going have to change their techniques, their skills, their curriculum, their text books -- the whole nine yards -- to fit this common core.

Why?

TIMOTHY KREMER: I am not sure that the people I represent are -- I think the jury is still out with a lot of them.

They have not yet assessed how they feel

about the common core, because they don't really know exactly what the implications are.

I do believe that there are many districts out there that said: We're doing great, as is. Why do we have to change?

But, those who are proponents of the common core have suggested to us, that it will lead to a place where kids are better prepared for college and career. That they will be more proficient upon graduation.

And, one can't deny, that throughout this state, there are school districts where, the graduation rate, and if you go and measure the proficiency rate, it's inadequate.

And there are school districts in this state that have inadequate educational programs.

Those people, those school districts, need to change. Something has to happen there.

The people who I represent have not been very vocal in opposition to the common core. They may not know all the implications. I think the jury is still out.

As time goes on, they may have a more reasoned assessment about that.

SENATOR MARCELLINO: I think your school

board members better get proficient in what the common core means, because their districts are going to be evaluated --

TIMOTHY KREMER: Right.

SENATOR MARCELLINO: -- in a very short period of time.

The lady from NYSUT, Maria, made a very good point --

TIMOTHY KREMER: Right.

SENATOR MARCELLINO: -- there's no chance to even practice the curriculum that's going to be imposed, and tested, and then the districts are going to be evaluated by 2014.

That's a couple of years from now.

TIMOTHY KREMER: I can tell you that, we have a very healthy dose of skepticism when it comes to all of the top-down reforms that have come out, mostly from Washington.

Race to the Top -- you're gonna to hear more about that, I think, later on -- that the costs associated with that, that are not being funded by any federal money, are significant.

And this idea of Race to the Top, probably common core, certainly APPR, all of these top-down reforms --

SENATOR MARCELLINO: Response to intervention.

TIMOTHY KREMER: -- response to intervention; these the top-down reforms, where somebody, somewhere else, has decided what's good for our community, is something that has caused a lot of skepticism among my members.

And common core may fall into that at some point in time. I just haven't heard that voiced in any specific way yet.

We are spending a lot of time of putting together workshops and seminars, and participating in a lot of the network training work with the State Education Department, so that we're up to speed on common core, and we can advise our members properly.

SENATOR MARCELLINO: Thank you. Appreciate your time.

SENATOR FLANAGAN: Senator Robach.

SENATOR ROBACH: I would just -- I have no questions.

I just want to say thank you.

There is a tremendous amount of information.

And, I especially appreciate the part on the STEM and the CTE, because I think you're going to

be -- if we're going to do this right, it really has to be integrated, and all encompassing, given, everybody, no matter what their position is, keeps talking about lead-in times.

So, I appreciate that.

And I'd say, maybe on an equal field note, if you can build consensus amongst school board members, that's a feat in itself.

[Laughter.]

SENATOR ROBACH: I know, just in the groups that I represent, they rarely agree on everything.

So, thank you.

TIMOTHY KREMER: Variety is the spice of life.

SENATOR MARCELLINO: Exactly.

TIMOTHY KREMER: Thank you very much.

SENATOR FLANAGAN: Thank you, Tim.

SENATOR OPPENHEIMER: And I want to thank you --

SENATOR FLANAGAN: Oh, I'm sorry.

TIMOTHY KREMER: Thank you, Senator.

SENATOR OPPENHEIMER: -- for all that you have done over the years.

TIMOTHY KREMER: Thank you. Appreciate it.

SENATOR OPPENHEIMER: For me, and for

everyone.

And I -- I have just one question -- no, I guess it's two.

The evaluation of people -- of teachers who are in specialties, what do you foresee for that?

I have a daughter who's a reading specialist. And, for the most part -- well, it's two parts to the same question -- for the most part, she deals with children who are rather lagging in performance, to -- that's being kind to them.

It's impossible. How are they going to possibly evaluate these children?

She's trying to keep them out of special ed.

That is her purpose.

TIMOTHY KREMER: Well, there are -- I don't know if these -- I don't know if the children that your daughter has in her classroom are subject to standardized tests.

If they're not --

SENATOR OPPENHEIMER: They are.

TIMOTHY KREMER: -- then they --

Okay, well, then, they will participate in the testing system, and will be judged accordingly.

And you'll find in here, positions that our organization has had for a long time, that suggests

that children who have special needs should be looked at differently than "one size fits all."

There is also this system of student-learning outcomes (SLOs) that are being developed. And that has caused a lot of interest. And, you know, we asked for flexibility, but this is almost beyond the pale perhaps, because every teacher is going to be asked to come up with some system, whereby, they're going to evaluate students who are not tested by some standardized measure. And then have that SLO approved by somebody else.

And that's going to be, I think, a very complicated system of approval -- development and approval process.

But that's the kind of thing that will come into play for students, perhaps, who are not -- that are in your daughter's classroom, or, people who she might eventually see.

SENATOR OPPENHEIMER: Thank you.

TIMOTHY KREMER: And congratulations to you as well.

Thank you.

SENATOR OPPENHEIMER: Thank you, Tim.

SENATOR FLANAGAN: Next is, the New York State School Superintendents.

Good afternoon.

ROBERT LOWRY: Good afternoon.

Senator Flanagan, and other Senators, thank you for having us, for conducting this hearing, and inviting our testimony.

I'm Robert Lowry, the deputy director of the State Council of Schools of Superintendents.

And with me is Dr. Lorna Lewis, the superintendent of the East Williston School District in Nassau County. She's a member of our executive committee, and the co-chair of our curriculum and instruction committee.

I'll say just a few words to lead off.

Lorna certainly knows a lot more about testing and what actually is going on in schools today, than I do.

But, it's possible to imagine a much better future for testing; how it's conducted, and the value that it provides.

And some of is it related to things we've talked about this morning: The common core, and, turn to computerized testing.

The common core holds the promise of economies of scale, because it is being used across the country. Hopefully, we'll be able to get better

state tests, better vendor tests, like the TerraNovas, and, better instructional materials, textbooks and instructional technology, than we've had in the past.

And computerized testing also holds the promise of providing teachers and schools and parents, with better information, more sensitive information, on a more timely basis.

But, how we get from here, where we are today, and there, is something that's very much in doubt. And the route we've been traveling has certainly been filled with bumps. Some of them you've heard about already; the concerns about charging ahead with changing the tests to reflect the common core before schools have received curricula or sample tests, and so forth, to gear up for that.

Also, you know, some of the problems we have today with tests are because the -- all 3-through-8 tests were design for a relatively narrow purpose: to try and sort kids at distinctive points. You know, proficient, not proficient; mastery, not mastery.

They're less valuable for making distinctions across the whole range of performances, but, now,

with incorporating growth measures into teacher and principal evaluation, we need tests to be able to make those kinds of distinctions.

And so, yet, we're moving ahead with using the tests in that fashion.

So, I think, you know, we can envision a better future.

We support, we recognize, that the need, the importance, of having standardized measures of student performance.

And Lorna will share some thoughts on where we are today, and where we need to go.

DR. LORNA LEWIS: Thank you.

And thank you for the opportunity to address you.

As I begin, I always begin with the thought of our students that are served by what we are doing.

And, so, to answer that question, let's look back at what we -- where we were.

I think your three questions were right on point.

Where were we?

As we began this assessments back in 1998, I was in Three Village at the time. And when that was

being unveiled, we were replacing some rather low-bar assessments. Those were called the "PEP tests."

So, kids -- they were feel-good tests. Everybody did well, and, we celebrated, and we loved the idea that all our schools were doing well. But, really, it didn't really separate out high performance or challenge. It wasn't a challenging assessment.

So when we had the standards -- the content standards introduced, we were introduced to the fourth- and eighth-grade assessments. And that was a -- we felt that that challenged our students. And those teachers who were in fourth and eighth were very challenged.

And when those results came out, we started a new day in our area, and it was high stakes for us.

But, really, the other grade levels were not as attentive as they could be.

So when the 3-through-8 assessments came out, then more people stepped up to the plate, and I think more challenge was there for all of our students.

But, the important thing was, also, what we had our teachers engaged in when we had those

assessments, because we had a tremendous amount of staff development that was associated with it.

And, actually, the scoring of the assessment was, in and of itself, a tremendous opportunity for staff development for our teachers.

We had the results back, we had the actual student performance back, so we could actually look at those assessments and gain a great deal of knowledge about where the gaps in performance were, what the -- where the challenge levels were.

And, so, we gain -- the actual task of doing the assessment was, in and of itself, its own curriculum.

We usually talk about the taught test -- taught, tested, and written curriculum. So, the test, in and of itself, became another version of the curriculum.

We learned so much from it.

So comes the 2011 assessments, and we heard such things as: No vested interests. Teachers could not have a vested interest in the assessments. And, the security measures that had to be in place so that teachers could not see what their children had done.

Now, just imagine a surgeon going in and

doing surgery, and not being able to examine the patient afterwards.

I think that that's what the era that we're in.

So, we have this assessment. And what has been driving all of our assessment procedures now, is the notion of having to have accountability for the teachers.

So that's, rather than a student-focused assessment, we are now into an era where having a score for the teacher is much more important than actual finding out how kids are performing. And, more important, learning from that performance so that we can then adjust and help our students to do better.

So that's an issue of testing.

While we're not saying that we do not want testing, what we're saying, is that the actual format that we're engaged in is not a healthy format, in the sense of wanting to have our teachers grow from the assessment, and have our students benefit from the assessments.

So when we get those results back -- now, this year, our students took the exam in April -- early April. We will not -- we have not seen any

results, and we're not expecting any results back until September.

So, any child who was in that teacher's class, certainly, is not going to benefit because they've not seen any -- any of their work.

And, so, that's fairly major piece.

The other issue is that, as I -- in fact, I hope that you have a copy of the assessments K through 12. That's just one example of a district.

And my colleague can -- who will follow me, will have a much more detailed spreadsheet on cost analysis for other districts.

But, I wanted to focus on my small neck of the wood, as a representative.

I have a small school district, about 1,800 students, and my data is very similar. You could scale it up or scale it down to the various districts.

But, K through 12, and it's not just this year, because we're already in 2012-13, next year every single grade level and every single teacher is going to have to have an assessment that is a benchmark assessment in the fall and a benchmark assessment in the end.

So, a kindergarten teacher has to have at least two assessments in the fall, math and English language arts, and the same thing in the spring.

But what's even more important now, just think -- I want you to think back: A kindergarten teacher needs to know as much about their child's reading ability -- Where are they coming in? What is the reading level? How are they doing in the fall? -- so that they can then monitor instruction. What reading groups are they going to belong to? What kind of materials will I use to help that child?

With the new rules about vested interests, that kindergarten teacher is no longer giving that assessment.

So, typically, in kindergarten, you would do a reading level, or those kinds of things.

So, in addition to the assessments that we will now have to do for the student-learning objectives, we still have to do those other important tests, which we feel informs instruction far more than some of the imposed SLO testing that we will have to do.

In addition, we will have the State assessment. We will also have -- we have to do a

local assessment in all the other grade levels.

So, for example, in my district, we have adopted the NWA, which is -- which comes at a cost, $25 per student.

So, whether you choose the Pearson assessments, which are $35 per student, or you could choose -- I mean, there is variability.

Which, in and of itself, by the way, when you have that much variability, you're, really, how are you comparing districts to -- one district to the other?

Some districts will choose a low-bar assessment, some will choose a high-bar assessment.

So, that is also going to be a part of the testing regime that we'll have for next year, at a very, very high cost.

So in my district, just to implement the required assessments for next year, the scoring of the assessment, every child who gets scored, it's $12.85 per test.

So, we cannot score our tests in-house because of the vested interests. Those tests are going out, $12.85 per test.

So, you can scale it out.

So, the cost is one thing that is prohibitive

for many of us in an era when we have a 2 percent tax cap that we're trying to honor.

That is huge.

Let's talk about the actual time of the test.

We had third-grade students sitting for 90 minutes.

And I think you've heard many of the other folks who have gone before speak about the inappropriateness of the time of the tests.

And, whereas the Commissioner might say, well, the test was really geared to 45 minutes, and 75, you know, you could do it, I mean, yes, there were many students that were finished before the 90 minutes.

But, structurally, when you have kids in a classroom, you cannot take the papers of some students, while other students may choose to have more time.

If the State says, "There's 90 minutes for the test," that's what we're going to have.

Then the other students who are students with disabilities, they -- who may have double time, they get 180 minutes. By the end of the day, they were totally wiped out.

Now, I heard you speak about your daughter

who's a reading specialist.

Every single adult in a building that is -- for example, my middle school is 5 through 7. Every single adult in that building was being used to deliver testing accommodations.

So, there is no other place to send a child because you're using every single adult to do time, location, all of those assessments.

At the end of the day, when a child has taken 180 minutes of testing, there is no other learning that is going on.

And, so those tests were built longer, thicker, because they needed to embed the field tests.

I heard the Commissioner speak about that.

Well, only a few weeks later, we got a slew of field tests that came. Again, using our time.

And, really, since April, we have been engaged in testing. So, there's a tremendous amount of time.

Now, I happen to know that there are some districts that were hit harder than others.

So, for example, when I spoke to Brentwood and to CI and some of the districts of high SDS population, Hicksville, they -- because they needed

to have those populations in the field tests, they had more -- they had a disproportionate number of field tests, as I collected the data.

Now, when we ask kids -- it's always good to ask kids what they think about the tests.

So, in Hicksville, one young man came to his superintendent, and said: They gave us the test right after vacation. I was home for two weeks. Nobody speaks English in my house. So, if they had given me the test before, just after I had had the preparation and intense instruction, I might have done better.

So even the timing of the tests, when you ask about giving you a scale of 1 to 10, those are all the things that become frustration on our part, because of the timing of the test.

You ask about -- we pleaded -- in fact, the superintendents met with the State Ed and pleaded with them not to have concurrent testing.

First, because all of our adults needed to be engaged in giving modifications.

When you have every single test being given at the same time, all of your resources are used at the same time.

There is -- you know, if they had been

staggered -- so, you have a third-grade test on one day, fourth-grade test on another -- so that's a tremendous siphoning of resources.

And, so, when the Park testing comes on board, hopefully, we hope that somewhere in that new testing regime is some kind of adaptive testing, or, some way that all grade levels are not required to take that test at the same time, because, frankly, you cannot test all of Brentwood at the same time.

And, you know, in my district, we have 1,800 kids. Just in terms of the capacity of computers and bandwidth and resources. And, frankly, what a waste of resources.

Why would you want to have that many computers available, only because you want to test?

So, you really have to rethink what is driving the train.

Is it the students, and the outcome for the students, that is driving the train, or is it that we need to test?

You know, we often compare ourselves to Finland and Denmark, and all of these high-performing countries. But the truth is, when you say to Finland that you test every year, and you test twice a year, and, all of the batteries that

are coming, they look at us, and they say: Why would you do that? Is that just -- that's just insanity that you test that much.

My favorite author Doug Reeves, a renowned educator, always says, "You don't pull up the radishes to find out if they're growing."

Let's have some benchmarks that indicate what it is that we want children to know and be able to do.

We already have those benchmarks. There are wonderful assessments. There are NWA that we use for 3 through 8.

But, most important, let's forget about the commercial problem -- the commercial assessments, there is NAEP, which everyone likes to compare us to.

Well, forget about comparing us. Give us NAEP. Bring it on.

Let the -- that's a great test. It is a global assessment. It is an international benchmark.

Why aren't we using the benchmark?

Why are we creating an assessment so that we can then compare ourselves to that assessment?

We have AP and IV, internationally known,

internationally accepted.

Why aren't we setting some parameters, that says -- and we also know, by the way, that exposure to study at the college level is a great indicator of whether or not a student is college- and career-ready.

Let's not create another assessment. Let's not create another measure. We have the measures.

Hold us accountable for performance on those measures.

So, come up with a battery of assessments, of the -- I'm sorry -- a metric that will use already-proven assessments, such as "News Week" does. That includes, for example: Graduation rates, percent distinction on your Regents exams, the AP and IB percentage of students taking IB, percentage of students who are AP scholars.

One of things I have in my district is -- that's my focus. My focus is on percentage of students who are advanced Regents diplomas, and percentage of students who are AP scholars.

If I set that as my benchmark, and I build downward, I know I'm going to get it.

I have 150 students graduating this year. I have 120 AP scholars.

When I first got there, there were 50.

But, you set that as a benchmark, and that's what you move towards; so, the percentage of advanced Regents diplomas.

We don't have to create another assessment.

That's -- that's the point: If you want college- and career-ready, we know what college- and career-ready is.

Those --

SENATOR FLANAGAN: Can I -- I have a couple of questions for you.

And before I do that, I wanted to thank Senator LaValle and Senator Ranzenhofer for joining us.

On the NAEP, in your opinion, can you use the NAEP as a valid assessment with the adoption of the common core?

DR. LORNA LEWIS: I believe so.

I do.

I do.

By the way, I know a lot of people are -- we embrace the common core.

We feel that the work that has been done will lead us to a path that will have better learners, more proficient learners, more creative thinkers.

So, we embrace it.

And, we believe that NAEP may not be currently aligned to the common core that we have now, but it is an assessment that is internationally accepted. And, frankly, what gets measured gets done.

And, so, if NAEP is our benchmark, you will see a transformation in classrooms, because, there's a trust that is associated with that test, as opposed to the trust that we don't have for the assessments that we currently have.

SENATOR FLANAGAN: Okay. In all the testimony, you're the only one that referenced that, which I appreciate.

DR. LORNA LEWIS: Yeah.

SENATOR FLANAGAN: The testimony is very detailed. It hits on all the points that you raised.

And, I don't know if my colleagues have questions, but I have two quick questions for you.

And you heard me ask this to everyone else.

DR. LORNA LEWIS: Yes.

SENATOR FLANAGAN: So, on the scale of 1 to 10, how you would grade New York's testing, and why?

DR. LORNA LEWIS: Okay, on a scale of 1 to 10, the current system, I would rate probably a "4," because I don't think that is it serves our children well. I don't think that we're informed by the results of the tests.

I happen to be -- I happen to be a person who is very hands-on. I've involved in the scoring of the assessment, even the new assessments that just came out. It's -- there are flaws in it. Some of the questions are not -- they're -- they go beyond the scope of the curriculum.

A very simple example that I would give on the field test that we had: They had the law of sines and closed sines in a geometry test.

And, I'm a math person, so, I can tell you that that's not in the curriculum for geometry. I mean, you don't do the laws of sine.

And we saw many, many examples where there were actual content that was not -- that, clearly, were field-test items, because they went beyond the scope.

So, I'd say that there's a lot to be -- there's a lot of room for growth.

SENATOR FLANAGAN: And last is: If you could change one thing, you know, again, within reasonable

constraints, what would you change?

DR. LORNA LEWIS: Well, first of all, I would -- the number of assessments that we have, I certainly would change.

And, I would have benchmarks. I would have testing at fourth grade, eighth grade, and the end point. So that, using the whole notion of radishes, so we allow flexibility in some local assessments, in between.

But, at the same time, I'd hold every teacher who has taught that kid, from K through 4, accountable for the fourth-grade assessment.

So that's how you get your teacher of record in, so that every single grade level, every single teacher, who taught K through 4, for that child, is responsible for their fourth-grade assessment.

And the same thing, eighth-grade level.

So, you get the accountability in, but you're not killing us on the number of assessments.

SENATOR FLANAGAN: Okay.

Any questions?

Thank you.

It's obvious you're hands-on.

Take that as a compliment.

DR. LORNA LEWIS: Oh, thank you.

SENATOR FLANAGAN: Next is, the Conference of Big Five.

SENATOR OPPENHEIMER: I'm sorry, I will have to leave. I have grandkids here. And, one is in eighth grade. She's the oldest.

And, she found it very distressing that she had to sit. She finished the test very quickly, and she had to sit for 90 minutes.

And I said: Well, did you -- could you bring a book along so at least you could read?

She's a big reader.

And she said: Absolutely not.

They were not permitted to bring anything in the room.

To make a kid sit for 45 minutes, with their hands folded, and no book, nothing to do? That's insanity. She's 8 years old.

So, it was very good that she heard that.

SENATOR FLANAGAN: Thanks, Sue.

Jennifer, welcome.

JENNIFER PYLE: Good afternoon, and thank you so much for providing us was the opportunity to comment today.

Georgia Asciutto wanted me to extend her apologies, as she's unable to be with us here in

Albany today.

My comments today are going to focus primarily on the fiscal issues, relative to administering the examinations, scoring, and the integrity of the examinations.

As you know, the Big Five recognize and value the importance of having a reliable and effective State assessment system. And we are in support of the current system; however, we believe that much work needs to be done to address deficiencies that we've noted in our testimony.

New York State's testing system has grown to levels that State Ed and school districts cannot afford to maintain.

As you know, each year, there is the discussion with regard to what gets eliminated, what's necessary. We're not always on the same page with regard to those issues, but, we think it's something that everyone needs to come to the table and address.

All of our districts are struggling with limited resources to implement the current State assessment system within the confines of a very limited instructional calendar.

A couple of the recommendations we've put

forth are, as follows:

First: We're again calling for extended school-day, school-week, and school-year initiatives in order to allow us to implement the system in a more effective and efficient manner.

We need additional resources.

As a number of folks have mentioned today, it's quite expensive to hire substitutes and to serve students with a multitude of testing accommodations currently.

In addition, there are a number of issues that could be addressed that would simplify the process.

For example: Eighth-grade students are currently required to, not only take their eighth-grade math and science exams, but if they're enrolled in accelerated Regents program, they take those exams as well; something we think is duplicative and unnecessary, and could be addressed in the current system.

We've put forth a number of recommendations to the Department in recent months, with regard to streamlining, and making the Regents-examination system more effective, and these are some of them:

First: Districts should be permitted to

score exams within the same building where they're administered, so long as individual student exams are not scored by the teachers who administered them.

In addition, districts are struggling with scheduling requirements, and out-year dates for scoring requirements and testing calendars need to be provided in a more timely fashion.

We would again like to emphasize that administration of January and August Regents examinations is critical to our districts, not only for those students struggling that may need an extra chance, but also for students enrolled in accelerated programs.

We've also requested that the June Regents-examination schedule be expanded by two or three days, to allow us to have adequate time for regional scoring models that are in place. And, that the examination schedule be front-loaded, whereby we could overlap certain exams that the same students are not taking, to give us more time for scoring and follow-up procedures.

We've also asked that the State move aggressively toward implementation of a multiple-pathway system. Particularly with regard

to the CTE exams, we would like to allow technical assessments to be put in place of a Regents exam. And we think that that's a good model to pursue.

One other issue that's not contained in our testimony, that our members requested that we note, that has been an ongoing issue with regard to the fiscal impact of these exams, and it may be small, but it just speaks to the -- our efforts to address all the issues at hand, is the -- it's very difficult for us to come up with accurate numbers for how many exams we order each year.

And State Education Department took it upon themselves last year to charge districts a $1 fee per exam for overages over 10 percent.

Now, that may seem small, but in light of the fact that it's very difficult for us to know how many students will be absent, will be sick, will not show up.

And, unfortunately, those numbers are relatively significant in the Big Five. All of our districts were faced with bills that they had -- that were sent forward in the last few months for last year's administration of last year's overages.

It's something that we've asked the Department to address through, not necessarily

eliminating the billing, because, clearly, there are some schools and some districts that are pursuing -- that they're ordering is not in line with their enrollment and their testing, but, perhaps, to raise the threshold so that it's a more reasonable request.

Thank you so much, again, for your consideration.

And, we would welcome the opportunity to bring our chief school officers in to meet with you, and discuss some of the issues that I wouldn't touch upon, that they would be more equipped to address.

SENATOR FLANAGAN: Just one quick question.

And, I appreciate having had that discussion with Georgia before, about all of the extra exams.

I agree with you, I think it's crazy.

But, if we were to allow the schools to score the test themselves, do you have any kind of idea what you think you would save?

JENNIFER PYLE: I don't, but I can certainly get a figure for you.

I don't think that's something our schools could provide.

SENATOR FLANAGAN: Okay.

Thank you.

JENNIFER PYLE: Thank you.

SENATOR FLANAGAN: Thanks a lot.

Next is, Kevin Casey, School Administrators.

Kevin never looked so good.

JAMES VIOLA: Thank you. I get that all the time.

Actually, Kevin Casey wasn't able to join us today due to a scheduled conflict he couldn't resolve. So, he asked me to step in, in his stead.

My name is Jim Viola. I'm the director of government relations for SAANYS.

But, our main speaker today is going to be Paul Gasparini, who is the high school principal at the Jamesville-Dewitt High School.

PAUL GASPARINI: Right. I'm at the -- high school principal a Jamesville-Dewitt High School, which is in Onondaga County.

And with all due respect to Commack, Rocky Point, and Clarence, our parents and teachers and administrators believe that Jamesville-Dewitt is the best school district in the state.

So we're very -- we very much enjoy educating our kids. I love my job, and I truly enjoy.

And I'm grateful for the opportunity to be here to talk about the issues that are before us

that we talked about this morning.

It was mentioned earlier today that great schools do exist in New York State.

"The U.S. News and World Report - Top 100 Schools" that was just recently released, 19 of the top 100 schools in the country were from New York State.

The "News Week" list, which gets a lot of mention as well, over 10 percent of the schools in the "News Week's Top 1,000" are New York State high schools.

Our students routinely outperform the nation on ACT tests and SAT tests. And we also outperform, by a large margin, on AP exams.

I will say this: I'm coming from a high school perspective. I know there's been a lot of conversation today about the 3-8 testing, but at the high school, we do like tests, and we like them in this way: They do organize the curriculum.

I believe that in my testimony, Senator Flanagan, I did recount the history of the Regents exams, and I talked about the Regents exams as being -- as organizing the curriculum and setting a standard.

My own history, prior to becoming an

administrator, I was a social studies teacher. I taught the U.S. history and government. And I also taught advanced placement in European history.

And we did use the exams, in that, in those courses, to organize our curriculum, and to direct our instruction.

So, we are certainly not anti-examination, and we do believe that the New York State has had the gold standard for many years.

They can be very useful. We do get very good information from the exams.

At the end, there are now, we do scan scoring, we get item analysis on the exams pretty quickly, and our two teachers do use that item analysis to inform their curriculum and instruction for the following year.

However, I am concerned, and this I share with my colleague who spoke before me, about how the 3-8 exams are used.

If you recall, when we did start, as superintendent --

(Cellular telephone interruption.)

PAUL GASPARINI: Excuse me. I do apologize very much for this. I will turn this off.

That's from my assistant principal. I hope

everything is well. I'm sure it is.

SENATOR FLANAGAN: They're watching you.

PAUL GASPARINI: They told me to straighten my tie, I'm sure.

I apologize for that.

The 3-8 tests should be -- they are used now as end points.

And you see quite a bit of press about how the 3-8 exams, students failed this math exam, or a percentage of students that passed in this grade or that grade.

When the exams originally came out, they were to be used, not as end points, but as checkpoints in progress toward a Regents examination.

And, therefore, if a student scored poorly on the fourth-grade examination, he or she would be given, what were called "academic intervention services" in the fifth grade.

In order to support that learning, they would have another checkpoint at the eighth grade. And going from eighth grade into the high school grades, there would be academic intervention services, if necessary, for the students, in order for them to perform well on the Regents test.

We think that this is a very useful way to

use the examinations, whether they're 4 and 8, 3 through 8, et cetera, not as end points in and of themselves.

I'm also concerned, it was mentioned earlier today, I think in the opening comments, about the number of examinations that students had. And we'll go with the number "19" that SED established.

That is true.

But the problem is, when you go -- when we begin to move to the five core Regents examinations that every student has to take and pass with 65 or above, our students most at risk, our special-education students, often fail an exam. They have to retake that exam.

You fail two exams, you have to retake two exams.

Et cetera.

So, instead of five Regents, they're taking seven, eight, ten, or more.

And we're very concerned about that, and the burden it places on some of the students who struggle the most in the classroom.

It is interesting to me, we've spoken -- or, the commentators today, from Commissioner King, on, have spoken about the common core. And there had

been several questions from the Senators regarding the common core.

The fact is, we've always had standards in New York State.

New York State has had standards, often which the Regents exams and other exams have been based.

And I think that those standards have been very useful.

Senator Flanagan, I think you've asked the question of almost everybody: What is one thing that you would change?

And I think, for me, the answer would be: I'd stop changing standards every few years, because it has a deleterious impact on the building of curriculum.

Here's an example.

They -- the aspirational graduation standards are used, and used, and we need to get to those.

The problem is, there's no way to judge how -- what a student in 1999, in math, learned, as opposed to a student here in 2012.

Why?

The curriculum for math in the past 15 years has changed four times.

We went from Course 1, to Math A, to, now we

have the integrated algebra, integrated geometry, Algebra 2, trig. And now we're go to common core.

This is extraordinarily frustrating, I can assure, for the teachers.

Extraordinarily frustrating for school districts, because we have to then change, not only the curriculum, but the ancillary materials that go with the curriculum: textbooks, et cetera.

And so I would say, that the common core may be fine. I have no -- as a document, I have no quarrel with the common core. But I do think that if we stop and applied what we have in front of us now, and did that for a number of years, we'd get a very good baseline for what our students could do.

There was then talk, moving from the common core, how are they going to be assessed?

And, the future assessment, where we should be going.

The Park assessments have been discussed.

And there was much discussion at the beginning of the hearing today about the computerized -- the Park assessments being computerized.

The Park is moving to a computerized system.

There was some conversation about, that some

school districts have resources to do that.

The school district in which I work is one of the two wealthiest districts in Onondaga County.

And I can assure you, we do not have the infrastructure, nor will we have the infrastructure, to administer computer-based tests.

With computer-based tests, you have to be worried, not only about whether or not you have the Internet system, the network support to do that, but you also have to worry about whether or not the software in your existing machines supports the assessments coming through; whether or not the speed and capacity of those machines matches the assessments; whether the visuals on the screen, you can even read the test that's coming up.

We did an internal analysis of obsolescence in our district of computers.

Computers are obsolete within three to five years.

You cannot -- no district, regardless of their wealth status in New York State, can completely change their internal computer system, their internal network system, in three to five years and maintain that sort of capacity.

So, while it does sound good as we move into

the supposed high-tech world, the idea of online systems, I think it is a recipe, and a cause, for concern.

I do not believe that we have the capacity to move in that direction.

I did discuss, I think a little bit in my testimony, the problems with field tests.

I think they are enormous;

I think the reliability of field tests is very questionable;

And, I do think that most teachers see them as an add-on. They're asked to be administered oftentimes in May, when students are being -- getting prepared for Regents exams. They're doing cumulative projects for the year.

It is a terrible time to administer them. You do not get a huge percentage of students who are involved in the field testing. And, I think the validity of the results that are in question, if that's important, because those field tests are used as a basis for the -- as was mentioned, for the questions, and then the scale scoring on Regents examinations.

Which I could talk about if the Committee so desires.

There was talk about many paths to graduation, which I do endorse.

Back -- way back when, when I was in high school, I was a New York State student as well. We had a very active BOCES program that supported all sorts of career, tech, and vocational education.

Careers and vocations have changed.

Certainly, I can think of, auto mechanics, which my cousin is one. His knowledge of computers is vast, because it has to be, in order for him to do his job properly.

So, there is training that changes for all of those fields. I think it's important to provide for that. I do think that multiple pathways are good option.

And I am concerned, finally, in my final comments here, Senators, about the job changes for the high school.

A very wise mentor of mine once said that the high school principal's job is everything -- involves everything, from the road in front of the school, to the hedgerow behind the school. And is involved with everything.

And most effective principals that I know, know their communities well, know the parents well,

know the concerns of the parents well, know the students, are involved with the students, in a basis outside of the classroom.

If the changes that are proposed go through, particularly for the local exams and service of APPR, the principal will become, I think in many ways, a number-cruncher and a paper-pusher, and, really, a desk jockey, much more than they need to be, or ought to be.

And I think, again, effective principals in any of the districts throughout New York State are people who are actively engaged outside of their office, with the community.

I appreciate, once again, this opportunity to talk; speak to the issues before us.

And I will now accept any questions that you might have, Senators.

SENATOR FLANAGAN: First, let me say thank you.

Second of all, you must be doing something right.

I noticed that you were honored as High School Principal of the Year --

PAUL GASPARINI: Yes, sir.

SENATOR FLANAGAN: -- which is always a nice

thing.

PAUL GASPARINI: Thank you.

SENATOR FLANAGAN: And, the written testimony, which I've certainly gone through, is --

Trust me, this is a compliment.

-- you have some really tough statements in there. You have some really hard-hitting points about things, like, cut scores --

PAUL GASPARINI: Yes.

SENATOR FLANAGAN: -- and other stuff like that.

So, it is worthy of a read for anyone who has not had the opportunity yet.

So, in the interest of time, I really just have one question, which I have asked everyone: If you were to grade New York State's testing system, on a scale of 1 to 10, what would you grade it, and why?

PAUL GASPARINI: I would give the Regents-exam system, 9 through 12, I would give that an "8." I still think that's a strong system.

I'm concerned about the proposed changes. And so I'd say, "8," and wavering.

I wouldn't say "8" with a bullet.

From everything I hear from the 3-through-8

testing, I do think that that's below a "5," for all of the reasons that were articulated before I spoke.

SENATOR FLANAGAN: Okay.

Thank you very much. Appreciate the time.

PAUL GASPARINI: Thank you, Senator.

Thank you.

SENATOR FLANAGAN: All right, next, Dr. Kenneth Mitchell, superintendent, South Orangetown Central School District, part of the Lower Hudson Valley Council of Superintendents.

I got the whole title right.

DR. KENNETH MITCHELL: You're right.

SENATOR FLANAGAN: Doctor, we have met before.

And, you have lengthy testimony, which I know you have no intention of reading.

If you could summarize. And I know there's a lot of good backup on cost factors, and everything else.

So...

DR. KENNETH MITCHELL: All right, I'll try to summarize.

Actually, many of the points that we had planned to raise have already been mentioned by other organizations today.

However, I would like to focus specifically on costs, because there's some questions that were left unanswered, again, by some of the other groups, regarding specific costs. And we've done some analyses.

Now, first of all, again, I would like to thank you. We crashed this party, I know.

And we found out in middle of the week that we would have an opportunity to present. So, some of the documents you received on Friday, and some of the documents I believe you received just this morning.

SENATOR FLANAGAN: Uh-huh.

DR. KENNETH MITCHELL: So, if you could place in front of you the spreadsheet?

This is a spreadsheet that represents the work of 18 school districts in the lower Hudson Valley, and we've analyzed the cost of implementing various components of the New York State reforms in comparison to the Race to the Top funding.

So, I'd like to take you through this, and speak specifically to some of those costs.

First of all, the common-core training, you'll see that -- and there are actually three

elements of that.

There's the specific common-core training.

And I'm prepared to share with you lists of the workshops that teachers have been attending in our region, the cost for the workshop, and the substitute costs.

So we, throughout the lower Hudson, have been preparing our teachers for the common-core assessments.

We have to. It's not a local decision, because these assessments will be based on common core.

And if you look at the bottom of that column, with just 18 districts, these are not projections. These are actual numbers.

If you recall, when I presented to the Mandate Relief Committee, and we had the subsequent meeting, I had given you some projections.

We went back to the group, and we said: We want real numbers.

In fact, we rejected some of the submissions because they were, again, estimates.

These districts can back up all of these numbers with receipts.

Business officials have been involved,

assistant superintendents for curriculum and instruction have been involved, technology directors have been involved, throughout the Hudson Valley.

And the numbers continue to come in.

I received an e-mail sitting here, I received several e-mails yesterday, from districts who were scrambling to get us the data for today.

And we will continue this.

We're also working with our colleagues on Long Island, to gather information. So, we're going to try to extrapolate this across the state, eventually.

So, if you look at the bottom of the column for common-core training, you'll see that districts have expended $783,000, just for the training of teachers.

And if you look all the way to the right, under "Race to the Top Funding," those districts receive $520,000 in Race to the Top funding.

If you go back and look at "Common-Core Revision," again, it is not a choice.

Districts are -- in this region, are in the process of converting their local curriculum and the current New York State teaching standards to the common-core standards.

We are not opposed to common core, but we need to make sure that we have the time to align the common core to our curriculum and to train our teachers.

Districts are just beginning to purchase new materials.

And you'll see that the numbers do vary from district to district. And that's because districts are at different points of development, implementation, and some districts simply do not have the funds to make these changes right now.

So, you look across those common-core columns and you'll see: 783,000 for training. $1.2 million for curriculum revision work.

And that's substitute teachers, summer training, bringing in trainers.

And some districts are spending up to $2 million -- well, the entire region, these 18 districts, over $2 million for new materials -- new instructional materials.

Now, there's just the report from the Thomas B. Fordham Foundation.

And the Thomas B. Fordham Foundation supports common core, very much so. And what they have identified are three approaches to the

implementation of the common core, and the cost analyses of these.

They have the national cost analyses, and also have a New York State cost analyses.

They call the first approach "Business as usual."

We use text books, we have face-to-face professional development. That will cost New York State $583 million to implement common core.

And this is, by the way, just for ELA and math. This isn't for science.

The second option is the bare bones.

And you've heard folks talk about the savings that we will have when common core when it becomes virtual.

Well, there -- yes, with virtual materials, webinars, there will be a saving of $72 million; however, that does not include the technology costs.

And I will get to that.

I've heard folk allude to it.

We have specifics. We've broken it down into classrooms, and into schools, how much it will cost to implement the technology.

Then the balanced approach, which is a more

likely approach, is where we use a little bit of virtual learning, bring in some computers, and we also have some of the more traditional approach.

That will cost New York State $71 million.

Now, remember, this organization supports common core. They want it to work.

There have been some other groups that have talked about the common core.

They believe that -- the Fordham Institute has underestimated common core.

For example: The Pioneer Institute out of Boston believes that common core will cost us $16 billion in seven years. That's nationally.

The Education Council in D.C., it's a bipartisan group, and they specialize in public finance. And they believe that there's a lack of consideration for the technology upgrades: servers --

SENATOR FLANAGAN: Let me ask you -- excuse me.

DR. KENNETH MITCHELL: Sure.

SENATOR FLANAGAN: Let me ask you a couple of different things, because I'm very good at reading numbers, so I can look at this stuff very easily. I get that.

But, what we're really talking about is testing. I mean, that's kind of the purpose of what we're talking about here.

DR. KENNETH MITCHELL: Okay.

SENATOR FLANAGAN: Now -- so, just simple, yes or no: Do you agree with implementation of common core?

DR. KENNETH MITCHELL: I agree with the implementation of common core, but common core is the basis for the testing.

SENATOR FLANAGAN: Okay.

DR. KENNETH MITCHELL: That's what --

SENATOR FLANAGAN: I understand.

But, we could have a philosophical and practical debate at the same time about the cost of common core.

So, I'm thinking about that, more in a budgetary context, because that's something that would be negotiated.

And one of the things that we had done in this year's budget, partially in response to meeting with Senator Ball in his district, and your colleagues, we fought for inclusion in the budget that there would be aid available for school districts for demonstrated expenses, as it relates

to APPR.

Now, I'm not talking about, if we're looking at the charts here, I am hopeful that State Ed will look kindly upon the actual implementation of that, and help provide the financial aid that districts will, I believe, be entitled to, because we pushed hard for that.

And I was clearly involved in that, and I believe that districts not only are entitled to the money, but they should get the money as well.

So, in relation to these testing pieces, are you -- my guess -- part of my question is: Do you think we should be getting rid of tests that we have now?

DR. KENNETH MITCHELL: Get rid of the tests that we have now?

We're in the process of building a testing system, so, we haven't finalized the actual costs and the actual impact of the testing on New York State.

And your question that you had asked other folks coming before you, had to do with rating New York.

It's an incomplete.

We are in the process of developing slow

assessments. That's one the columns that I've also presented in that spreadsheet.

And, the reason why I wanted to work through the spreadsheets, is because numbers don't speak by themselves, obviously. They're pretty loud in terms of the discrepancy between the allocation versus the projected costs, but, understanding what's behind that.

And you heard folks talk about the slows? The student learning objective assessments?

SENATOR FLANAGAN: Yes.

DR. KENNETH MITCHELL: One of the documents that you have is a breakdown of one district's total number of assessments, kindergarten through twelfth grade, to be designed for the local 20 percent evaluation of slows.

That document indicates over 500 assessments. And, the costs for those assessments have still not been determined. And that's where districts are pausing before they send in the information.

But, you see those districts that have done the work, for example, have found initially, and much of this work will take place this summer and in the fall, $262,000.

So, I'm not sure if that answers your

question, whether I support the testing.

I support -- I support the State's move towards common core.

I am concerned about the acceleration of the process, and the failure of the State to do a long-term cost projection, and to, in the middle of this process, determine that we're going to survey school districts to see how much it will cost them to implement the technology that will support the eventual online of Park assessments.

And we've begun to do that work. Again, I have that information for you, broken out in more specific numbers. I can give you a cost per school, I can give you a cost per classroom, what it will take to administer assessments, simultaneously, using technology. We've broken that down. And, again, we're expanding that. The cost is just so much greater than the ideal.

And I was hoping that I'd be able to present the pragmatic presentation -- a pragmatic understanding of how this is impacting New York, just looking at the dollars and cents.

I have to go to my board of education and tell them that we're increasing these categories and making changes in priorities. Or, perhaps, in some

districts, they're not going to be able to address the mandates because they do not have the funding to do that, even with the generosity of the legislature.

SENATOR FLANAGAN: Yeah, and let me say this:

When we get involved in hearings like these, sometimes time gets away from us more quickly than we would like.

And it's not that I don't have a desire to hear chapter and verse on the financial statistics.

But, it will be made part of the record, everything that is being submitted here today.

And I know, having met you and spoken to you before, that you have a penchant for detail, which is -- it is very helpful, because that's the real-life application of things that come from the federal government, find their way through the state, work its way through the legislature, get to the Board of Regents and the State Education Department.

And you're sort of giving where the rubber meets the road, which is very help.

Just for the purposes of today, I'm trying to get a sense on more as it relates to the testing.

I understand the cost factors. And, I

believe the information that is in what this spreadsheet is, plus the written testimony, details a lot of your concerns. So, I'm not worried about that.

But, let me go back to my question, because you said, the testing system, you would give it an "incomplete."

If I had to -- pegged you to give it a number, what would you give it?

DR. KENNETH MITCHELL: I would give it a "3" for its concept, that, with resources, and with time, could be a very powerful assessment system.

There are certain questions about the use of the assessment that need to be answered. And that takes place over time.

This is being rushed.

And when we rush, we don't do things well.

And so we are -- I give it a "3."

SENATOR FLANAGAN: In the concept of being rushed, I've heard a number of people speak to this issue, directly and indirectly.

How long do you think we should delay, or, how much show it be slowed down?

DR. KENNETH MITCHELL: Well, there are so many different elements.

First of all, we need to make sure that we have the common-core curriculum in place. And we need to make sure we have -- if we're going to assess students, teachers, and administrators, we need to make sure that the curriculum that will be used to do is in place.

If we're going to require districts to purchase assessments, or create their own assessments, which that local 20 percent is requiring us to do, we have to understand that there's cost of doing that, and that it may need to be phased in over time.

We need to analyze how much it costs to score the assessments, to analyze the assessments. That takes time.

You want specific years? I don't have those specific years, because everything has been poured onto the table, and we have -- within the last two years, and we've been told: implement.

And we are haven't been given, not only adequate time, but adequate resources, adequate direction.

There are a lot of people -- people a lot smarter than I am who are gathered around this table, to help us to develop an implementation plan.

It's not going be done well. And there are grave concerns that it will fail and we'll start over again, and say: Remember when.

SENATOR FLANAGAN: Well, I certainly hope that's not the case.

And I appreciate your time and your comments.

And, we can follow up on the, quote/unquote, implementation.

And part of the reason I'm asking you is, when we have people come in, if we're going to advocate with SED and Board of Regents and the Executive, "Here are some changes that we think need to be made," having some level of specificity is helpful, I think, to everybody.

So, I very much appreciate your comments.

DR. KENNETH MITCHELL: And I will follow up with more specific documents.

Thank you for having us.

SENATOR FLANAGAN: All right, Doctor.

Thank you.

Mr. Dan.

And, Dan, take this respectfully; I'm not going to even hazard how to properly say it. You can tell me when you come down here.

How about this: Dan, friend of Robach.

Is that --

DAN DRMACICH: And Maziarz.

SENATOR FLANAGAN: And Maziarz. That's true.

DAN DRMACICH: Well, thank you, Senator Flanagan, for the opportunity to testify. I know it was short notice, and we really appreciate being here.

As you know, I'm a retired school principal from Rochester City School District.

For 23 years, I worked as a performance-based assessment school, which is a different pathway than which the current Regents system goes. Even though they do get Regents diplomas, it's a much different assessment system.

And I would be happy to engage in a conversation with you about that as well.

I'm also the chair of the Rochester Coalition for Justice and Education, an advocacy group for more fair treatment and education for kids, especially those in urban areas.

I'm going to let Don Barlow, my colleague, introduce himself.

DONALD BARLOW: My name is Donald Barlow.

I'm a lifetime educator. I've been working in public schools for 48 years.

The last time I was in the classroom was Friday.

And I want to thank you very much, Senator, for staying to hear our remarks.

Of course, you have no choice.

SENATOR FLANAGAN: You are more than welcome.

DONALD BARLOW: Thank you.

DAN DRMACICH: Thank you, Senator Flanagan.

I think the other thing Don and I agreed upon, as we came down here, was -- or, at least within the past three hours, was that, maybe we ought to use this opportunity to engage in a conversation as opposed to us just reading our testimony.

So, I think -- and maybe one way to get that started, would be, we'll deal with your universal question for all the guests here.

And I think what I'll do, in terms of giving New York State a grade on the Regents exams, I'll give them a "zero."

And, again, the reasons for that are outlined in my testimony which I submitted, but, just a couple of the items that I want to focus on with that, is that:

One: The skills, the twenty-first-century

skills that kids need in order to be successful, as scholar -- whether it's scholars in college, whether or not it's workers in the workplace, or whether or not it's as citizens, there's a common list of skills that we can identify. And it's been done by a number of people, including, Tony Wagner, out of Harvard University, and -- as well as number of other organizations, including ASCD.

That, these skills are neither emphasized by the Regents curriculum, nor tested for it.

And, so, when we look at the rates of failure, in terms of why only 54 percent of kids graduate -- or, White kids graduate from college, 14 percent of Blacks and Latinos graduate from college, the low number of voter participation in local elections, the remedial tutorials that have to go on for kids coming into workplaces, we know why: Because, the skills aren't being taught. The Regents tests don't emphasize them.

And there is a way to deal with that.

As I mentioned before, I'm with the New York State Performance Assessment Consortium.

And, I've got -- this just came out yesterday, so that's why I haven't mailed it to you, but, I will e-mail this to you.

And it's got all the data in here, in terms of how kids, in primarily urban school systems, are outperforming other kids; and, how they're -- why they're doing twice the success rate in college as opposed to their counterparts from other traditional urban schools.

The answer is, is that those twenty-first-century skills are being emphasized there. And it's a very unique situation, as opposed to finding it anyplace, including in the suburbs.

Donald --

SENATOR FLANAGAN: Excuse me, I'm sorry.

Are you talking about, in Rochester?

Or --

DAN DRMACICH: Rochester has one school that's a part of the consortium.

There's 30-odd schools in the consortium.

About 26 of them are in New York City. Ithaca has one, and Rochester has one.

SENATOR FLANAGAN: So that group is outperforming its peers, essentially?

DAN DRMACICH: Yes, yes.

And --

SENATOR FLANAGAN: Is that -- excuse me.

Is that outperforming them on high school

graduation rates and performance in college?

Or --

DAN DRMACICH: Yeah, yeah.

And you can look at the data when I sent it to you.

SENATOR FLANAGAN: Okay.

DAN DRMACICH: And, actually, I mean, to clarify that specifically: When we're talking about comparison of students who are persistent in college, succeeding beyond a two-year or three-year graduation, or persistence within college, versus those of their peers.

SENATOR FLANAGAN: Now, do these kids take fewer exams?

DAN DRMACICH: They only take one, which is the Regents English exam.

The other ones are all performance-based assessment exams, which, students have to do projects, keep portfolios, and review those.

As opposed to having one person review them, they have to present those to a team of two certified teachers, usually a college professor or some other professional person in the community, and, usually there's a student on that group as well.

But, they have to have a unanimous vote that they've passed it, and they get feedback as well. So, it ends up being like a college dissertation as opposed to anything else.

SENATOR FLANAGAN: Is that somewhat similar to, like, the IB program?

DAN DRMACICH: Similar.

It's kind of like an IB program for everyone.

And what happens is, is that, the standards, there's high standard for everyone, but what we believe in is individualized standards, as opposed to standardized standards. That makes the process much more meaningful for every kid, in terms of the expectations of what they can do, and how they're going to do it.

SENATOR FLANAGAN: Is that -- would it be a fair, but, perhaps, simple characterization to say that, in essence, you have an IEP for everyone?

DAN DRMACICH: Yes.

Yes, I would say that.

Yeah, that's a very good way of putting it: Every kid has an IEP.

SENATOR FLANAGAN: Which, frankly, should be our goal, even if it's reaching for the stars. I mean, that's --

DAN DRMACICH: Absolutely.

Of course, you'll hear from, I think the traditionalists, that every kid does have an IEP, because, somehow, one way or the other, we're going to get them through the Regents tests, and get them to have a score of a "3" or a "4."

But, it all becomes much more meaningless when we know that (a) the tests are directed at lower-level thinking skill, and that, (b) that kids are normally turned off with all of the test prep.

With our system within the consortium, every kid gets the opportunity to pursue their interests, and have all of the twenty-first-century skills integrated within those courses, classes, or individualized study that they deal with.

SENATOR FLANAGAN: Let me -- Dr. Mitchell just talked with a lot of detail about the costs of the implementation of common core.

DAN DRMACICH: Uh-huh.

SENATOR FLANAGAN: And I think he's, like, dead-on, in terms of real-life application, even though we may not see that effect today. I mean, it will happen sooner rather than later.

But, how do you feel about common core?

DAN DRMACICH: I think common core gets a

little bit closer to the twenty-first-century learning skills, in terms of the goals of what they would like kids to do.

So, I think that's a good idea.

What I don't like, is the fact that it looks like look being geared toward standardized tests for common core.

If they were performance-based, a -- if they were performance-based, in which a student has to do a project or demonstrate something that they know about, a particular skill, or how to do it, how to apply it to the real world, that would make sense.

But, again, it should only be part of the multiple measures of what a kid has to do in order to graduate.

That wouldn't be the only thing that I would require. And it's not the only thing that the consortium schools require.

So they're on the right track, but they need, I think, to be very cognizant of the fact that standardization is going to -- is a slippery slope. And that it's -- if they're really looking to motivate kids intrinsically, as opposed to extrinsically, then they've got to move more towards student interests, and weave those skills into the

student's individualized curriculum.

SENATOR FLANAGAN: Well, going to -- Dr. Mitchell mentioned that he would mark an "incomplete." And, then, you came with a "zero."

It seems like, the longer we stay here, we're getting right down to the bottom there.

But it's -- I'm actually glad that I had asked that question early on, because it's interesting to hear everybody's comments.

But you -- I had also asked another question.

If you could change -- within reasonable constraints, if you could change something in this area, what would you like it to be?

DONALD BARLOW: That's easy.

We've got our Ts mixed up: "T" for testing, "T" for teaching.

What we have been doing, Senator, is concentrating on reforming.

What we haven't been doing is improving.

What I would do -- by the way, I would give it a "1," and I gave extra credit for intention.

The system does not pass my father's test of common sense.

It makes no sense educationally. It makes no sense personally.

I have four grandchildren. I'm in schools every day. I've worked in these schools for 48 years.

We need to concentrate on improving the methods. We are a country without a system for improving teaching methods.

What we've done, is we've allowed testing to become the vehicle for improving education.

It's not going to do it, anymore than a mother or a father who measures their child every day, and expects them to grow more just because they're measuring them more.

I'm not trying to oversimplify. It upsets me to no end.

We've waited all this time, and we cannot thank you enough for listening to what we have.

This is not my first rodeo.

I have been in schools for 48 years, working with students and teachers.

I currently develop instructional leaders.

You know what they're concerned about, Senator?

They're not talking about the joy of learning. They're talking about two things:

What it used to be like when we could do

projects, and the frustration they find having to deal with raising the test scores all the time.

We've become a profession that looks backward to see the good things we use to do in education.

I have four grandchildren in school, from fourth grade to eleventh. I talk to them about what they do.

They rarely do anything that I would call exciting.

There's a B word.

If you ask most students what you think about school, they will tell you --

And she's laughing, because she knows what the B word is.

-- "It's boring."

And that's what school has become.

I urge the Senate in the New York State to do whatever you can to bring that out.

My testimony is based on the fact that we're going in the wrong direction.

And if the American Dream is to put us, you know, up against countries and for global economy, we're never going to do it this way.

We need, not reform. We need a system to improve, and the energy and the talent, and the

money.

I'll give you one example.

We should establish schools all over the state, regional schools, in the summertime.

Take the $32 million that you give Pearson, and fund those schools, and you tell them one thing:

"We're going to stay away from you.

"What we want you to do is this: We want you to you work with a variety of students, and we want you to come up with the best teaching methods you can. And we're going to support you in doing that."

Look, it is the teachers' and the students' and the parents' responsibility about progress.

It's not solely a State responsibility and accountability.

That responsibility rests with the students, the teachers, the school leaders -- I left them out -- and the parents.

SENATOR FLANAGAN: You certainly don't lack for passion.

DONALD BARLOW: Absolutely.

And I mean every word that I'm saying.

Thank you.

DAN DRMACICH: Senator, I'd like to add to that, in terms of Don's reference to comparisons

with other countries, because I know that you probably often hear this: Oh, you know, they're 25th in the industrialized world -- or whatever.

The interesting point about that, is that, if you were to look at the poverty levels of the United States versus that of Finland or South Korea, you find a very distinctive difference in terms of ours being between 20 and 25 percent, and Finland's, for example, being less than 3 percent.

The point is, is that, if you were to disaggregate and not count the kids who are stricken with high poverty within the United States, then we would move up into the top three in just about every category.

So, the question becomes, you know, that when we look at the performance of poverty-stricken kids in all of the urban areas, which, of course, the NCLB and all this testing was directed at, to try and get kids to perform better, is that, the reality is, is that the expectation that students who are stricken with poverty-like conditions from that of lead poisoning, with that of poor prenatal care, poor nutrition, and so on -- we can name all of those things, and go on forever with them -- they're, generally, not going to perform well.

Heroically, there will be a few, but there aren't going to be many.

What can with do about it?

And this has a direct impact on testing, because if you do this, it will raise test scores:

We -- and this is very unpopular. Kiss of death, in terms of politics. -- is that, if we were to provide suburban schools incentives for working with urban schools, to form more metropolitan or regional schools, we'd see an increase in terms of test scores, because of the socioeconomic values that would be -- through osmosis, would get into kids, as long as it's not more than a 60 percent middle class and a 40 percent maximum on poverty-stricken kids.

This has been proven, in terms of the work that's been done in Wake County in North Carolina.

The book "Hope and Despair in the American City," by Gerald Grant, professor emeritus of education in Syracuse, documents all of this, in which he compares Syracuse to that of Wake County.

So, there is reason for hope with that, but it's a very difficult thing to do.

The other thing: If we can't do that, because of the politics involved, if we can begin to

negotiate, in order to get more effective -- more effective funding, equitable funding, for schools in urban areas.

I think we've got to reduce the class size in half if you're not going to integrate, socioeconomically, to that of, maybe, a 1-to-10 ratio.

You'll see the test scores go up with poor urban kids, but, not until you do that.

SENATOR FLANAGAN: I appreciate that.

And I'll just close on this point:

Senator Cathy Young has worked very hard with a number of my colleague, but she, in particular, will be an outspoken advocate for regional high schools. Not necessarily in the pretext of what you were speaking to, but, it's interesting.

I'm listening.

DAN DRMACICH: Another form of regional school.

SENATOR FLANAGAN: Yeah.

DAN DRMACICH: Yeah. Right.

SENATOR FLANAGAN: All right, thank you very much.

DAN DRMACICH: Thank you very much.

DONALD BARLOW: Thank you. Take care.

DAN DRMACICH: If you need anymore testimony, information, we would be happy to come back to Albany.

Thank you.

SENATOR FLANAGAN: Next is Jaye Bea Smalley from Citywide Council on Special Ed.

Good afternoon.

JAYE BEA SMALLEY: Good afternoon.

Hi.

SENATOR FLANAGAN: Hi.

JAYE BEA SMALLEY: So my name is Jaye Bea Smalley, and I co-chair the Citywide Council on Special Education.

We are a statutory council. We're elected by parents who have children in the New York City public schools with IEPs, and we're non-elected parents who have children with disabilities with IEPs, and we have two public advocate appointees.

So, I'm here on behalf of approximately 160,000 students in New York City who have IEPs.

And, I want to start out a little bit by -- where we are now, instead of where we're coming from.

And, in 2011, in New York State, 9.4 percent of eighth-graders were proficient or above

proficient in reading.

9.4 percent.

When you look at above proficient, it was less than a percent. It was .1 percent.

So, I think that everybody could agree that that is completely unacceptable, and there's a lot of work to be done if all students in New York State are going to be college- and career-ready, including students with disabilities.

When you look at the assessments, and the New York State ELA and math assessments for students with disabilities, they are really inappropriate assessments for students. They do not -- with disabilities.

They don't look at the progress of specific learning disabilities. They don't look at different learning styles. And, you really need multiple measures of progress for students with disabilities.

Also, when you look at the assessments that they're developing right now for these common-core standards, so, New York State is part of the Park Consortium.

I recently went to Washington, D.C., where, they had a meeting where they brought together a number of people who were researching grants for the

assessments.

And they had both consortiums: the Smarter Balance, they have Park.

And the general consensus is --

SENATOR FLANAGAN: Which do you like better?

JAYE BEA SMALLEY: Pardon?

SENATOR FLANAGAN: Which do you like better?

JAYE BEA SMALLEY: They're very similar. I don't -- you know, you look at what they're trying to do.

And, I don't really have an opinion on one of them.

I don't think that -- I don't think we're in the wrong one, if that's what you're asking me.

But, the general consensus among all of the participants, was that, they've done all of this work to ensure that students with disabilities are going to have access to these assessments, but, still, very little has been done to make sure that students are disabilities are getting quality access to instruction, and curriculum.

So, when they start talking about --

SENATOR FLANAGAN: Well, let me just interject there.

Do you believe that students in that category

are getting what they need, today?

JAYE BEA SMALLEY: No, not at all.

Not at all.

I'll give you an example.

When you talk about the technology, and you've heard a lot about where we are with technology, and the fact that we're not going be ready, that's one of the problems.

With the common-core standards, the accommodations that students should get for testing, they should really be getting very similar accommodations now, to be accessing the curriculum.

It should be universally designed.

So, universal design has to do with, how you are presenting material to students, how the students are able to express them -- express their knowledge, and then, also, how students engage.

And when you look at the waiver and the plans, and how New York interprets universal design, the only thing that I really see is, that they talk about teaching -- enabling teachers to really be able to differentiate instruction, which is important. You know, it's -- differentiated instruction is one component of the universal design.

But a huge piece of the universal design is also giving students the ability to use technology to learn. Text-to-speech.

My child, he needs to use keyboarding for any sort of written assignments. He uses them on a test as well.

When I tried to get an evaluation for him, first of all, it was very, very difficult to even argue for an evaluation, because he didn't have some sort of a physical disability. It -- I had to almost go into due process over it.

So then, finally, when I was able to get the assistive-technology team to come into the school and do at the evaluation, the team is composed of a physical therapist and an occupational therapist.

Well, my son has a learning disability. He -- it really wasn't -- it wasn't the appropriate team to do the evaluation.

And, as I look forward, and it's time to do -- he's going to be going into middle school soon, still, there is -- there's no plan in place to really evaluate and provide assistive technology.

And the districts, as they are purchasing all of this different equipment, I really am very concerned that a lot of it is not taking into

consideration accessibility, how it will interface with children who use devices.

There has not been any sort of professional development around consideration for accommodation.

SENATOR FLANAGAN: You know, let me ask you, and this is going to bring a smile to at least one of the people sitting with us.

I had a very interesting meeting last week with the group of behavioral analysts who work in the area of special education and students with disabilities.

So, that might be one group that you might want to talk to.

But -- and I certainly don't mean to sound ignorant, but, if you -- you speak to the concept of universal design, it seems to -- when I think of that: All right, you're going to design whatever it is. There's going to be some universal application.

And, yet, now we're doing something different.

So how do you match universal design with particularized needs of, particularly, students with disabilities?

JAYE BEA SMALLEY: Well, universal design and learning is one of the -- is really one of the goals

with the common-core standards.

Not all of the common-core standards are universally designed, but many of them are.

SENATOR FLANAGAN: Do you -- you think that's a good thing?

JAYE BEA SMALLEY: I think that's good.

I mean, from the perspective of -- you know, when looking at the common-core standards, the one thing that I do think the common-core standards brings to the table, is they do -- they are more universally designed than current standards.

So, like when Senator Marcellino was talking about leave -- Oh, leave school districts alone that are doing well, I do feel that they are going to be more accessible for certain students, because they do enable students to have multiple means of expression of -- for -- not for all of them, though, but more so than some of current standards.

SENATOR FLANAGAN: All right, so let me ask you, which is, I think slightly different, but, I'm going to give you my understanding.

JAYE BEA SMALLEY: Okay.

SENATOR FLANAGAN: Part of what we did with APPR was, obviously, 20 percent based on State tests, 20 percent based on local, 60 percent to be

collectively bargained. But within that, and I've had plenty of conversations on this subject, is the implementation and adoption of student-learning objectives.

So, there are students, maybe like your son, or others similarly situated, who won't be taking the, quote/unquote, conventional tests.

It will be other measures of assessment for them, which I believe are incorporated in these student-learning objectives.

So, do you view that as a good thing or a bad thing?

JAYE BEA SMALLEY: I think -- for the purposes of -- for the APPR purposes, I think it's a bad thing, because you've heard a lot of testimony today about the fact that, right now, teachers are going through a major shift.

They are trying to learn new content standards, and, at the same time, they're being told that they're being evaluated, largely on criteria that's really meant to evaluate students.

They're mutually exclusive.

I mean, ELA and math scores are meant -- are for students, and then you also have ways to evaluate teachers.

So, for the time being, I don't think that it's a good idea. And I think that there's going to be too much differentiation between different school districts on how they're going to develop these different SLOs.

I think that, right now, that what needs to be evaluated, is how teachers are going to have the right tools to be able to deliver the common-core standards, with the right curriculum, and also be able to deliver it with the universal design.

I think that that's really the most important thing.

And I think until you have that, we're not going to be able to effectively -- I don't think those -- I don't think those sort of measures are going to benefit students, because teachers have to -- they have the tools to be able to provide instruction.

And, right now, when I look at our State's waiver, all that I really see, is I see a lot of different turnaround models. I see that there's going to be webinars for teachers.

There's no at-the-elbow professional development for teachers.

The other problem is with the accommodations.

I mean, there's been no sort of professional development, or even consideration for developing professional development, to even talk about how to deliver these accommodations.

So when I start seeing the different mandate relief proposals: Oh, flexibility. They're not -- you know, we're currently not using -- "We're not getting bang for our buck," is what I hear.

We're not getting bang for our buck with all of these additional above-the-federal mandates.

Well, I think that if we actually had the right evaluations, and the teachers actually knew how -- what was available, if we standardized accommodations, and they were delivered through instruction, it would be most helpful.

But, I don't think that we're going to be able to -- I think we're putting the cart before the house, as everybody else said.

I think we need to work on solidifying delivering the content, and then worry a little bit more about how we're going to be assessing it.

Does that make sense?

SENATOR FLANAGAN: It does.

DONALD BARLOW: I mean, it's really -- it's -- you can't be expected to deliver a

completely new content standards, and they're saying that you can differentiate, and not have any of the technology to do that, and be worried about how you're going to be assessed.

I mean, you should be assessing your students every day. And I think that the good teachers are doing that; they're assessing their students every day.

SENATOR FLANAGAN: Yeah, I have two questions for an end, but, just a comment: Part of my concern --

And you have a child in middle school; correct?

JAYE BEA SMALLEY: Two children, with very different issues.

Yeah.

SENATOR FLANAGAN: Okay.

-- the idea of slowing down implementation, part of my reaction is, as a parent, is saying: Why do I have to slow down and wait? Why can't they be taking care of my kid properly right now?

So, that's a rhetorical question.

But, the same question that I asked everybody else: If you were grading New York State's testing system, what would you give it, and why?

JAYE BEA SMALLEY: Well, I would definitely give it a "zero," because it really is not the right assessment system to measure progress and students with disabilities.

And that's the one that is used for accountability purposes.

I think that what we really need, is we need legislation that is going to provide for some sort of a task force, like Maryland did, on universal design, so we can make sure that all of this is being implemented properly.

We need educators on that task force.

And that will, actually, I think all of these cost concerns that are being brought up, all of that can be addressed, and we can make sure that we're not making any mistakes, in terms of how we're implementing things.

And you can also -- one of the things that I know they addressed in Maryland, is: What do you do in areas where you have a lack of infrastructure and technology, when you are rolling out these Park tests that are available online?

So, I think we need to do that.

I think that we also need to give parents of students with disabilities the right to opt out of

these tests, if they're not going to be appropriate for the students, and they're not going be accurate measures of what the students are learning.

If you can't -- if the test is not accessible, and it's not -- if you have a child with an intractable reading disability, and there's nobody who can deliver the proper accommodations for a New York State ELA test, math test, why should -- why should you have to -- what -- why should your child have to take that test?

SENATOR FLANAGAN: I'm going to assume that yours is a rhetorical question, but let me ask you one last thing, please.

Same thing: If you could change something, within reasonable constraints, what would you like that to be?

JAYE BEA SMALLEY: In reasonable constraints, I would amend the APPR bill, to -- to not enforce any of -- to not put the pressure on the educators. To, basically, like a "hold harmless" for two years, as we go through the implementation, so educators can really be more focused on truly developing the skills that they need, and, also, really focus on implementing the right assessments, the right growth models.

SENATOR FLANAGAN: Yeah, I completely agree with you.

I think our move to common core is largely a good thing, but, it is a work in progress.

And if we are going to be basing evaluations ultimately on that, I think -- personally, I think that three years is probably better.

But, I appreciate you coming here, and I appreciate your patience very much.

And the last thing is: This goes to show you can learn something new every day.

I don't know enough about universal design.

I will pay more attention.

And, I sit as the Senate's representative to the Education Reform Commission, formed by Governor Cuomo. So, I'm sure that could be made part of our discussions.

But --

JAYE BEA SMALLEY: Yeah, I would love to -- I can -- I could give you a whole presentation on universal design and learning sometime.

And, they have introduced the bill in the Assembly, 8196.

And, when I submit all of my documents to you, I'll make sure that you have that. Okay?

Thank you.

SENATOR FLANAGAN: Thank you very much.

JAYE BEA SMALLEY: You're welcome.

SENATOR FLANAGAN: Okay, last, but by no means least, Lisa Edstrom, Parent Voices of New York.

Hi, Lisa.

LISA EDSTROM: Thank you, Senator, for this opportunity to speak.

SENATOR FLANAGAN: I married a Lisa, so I have to listen to everything you say.

LISA EDSTROM: Good.

I'm here today -- I have 20 years' experience as an educator, but I'm really here as a parent.

And, I'm part of an organization called "Parent Voices New York," which started up recently in Brooklyn, New York, but we welcome parents from all over the state.

And we're really just trying to get parent voices out there, so we really appreciate that you're allowing me to speak as a parent today.

I'm not as an educator, and not as an expert, in that respect, but as an expert on my children, and representing parents who want to have more of a voice in the conversation.

In thinking about where we've come from, and where we are now, with testing, I have a lot of concerns as a parent.

As an educator, I've experienced 20 years of what testing has looked like in New York State.

I started off as a kindergarten teacher in Mount Kisco many years ago. And, now I'm in teacher education.

But as a parent, what I've seen in the last five years or so, has really distressed me, as I see it distressing my children, in terms of the stakes that are put on.

I think the concern for parents is really around the high stakes of testing.

We want assessments. We want to know what our children are doing, what our children are learning, what they need to improve on.

We want our teachers to have those tools.

And we think that assessment really should be about helping improve children's learning in the classroom, but our concerns, that these high-stakes tests don't do that. That these high-stakes tests that are being used to evaluate teachers, evaluate schools, and school closures are based upon these test scores, put too much pressure on our children,

and put too much pressure on the teachers.

And what we're seeing is, now, teaching to the test.

One of the earlier speakers talked about how four to six weeks, on average, is spent now in test prep.

In New York City, in some schools that I visit, more than that. Test prep start starts in beginning of the year.

I have a child now in third grade.

When he was in first grade, he got homework that was called "test-prep homework." And, there is no test in first grade. This is getting him ready for third grade.

These are the kinds of concerns that we've, as parents. You know, what are the impacts on our children?

My older child, who is now in high school, when he was in seventh grade, developed a facial tick around the time of testing.

And we realized, as soon as his testing was over, the tick went away.

So, there are risks associated with the pressures that are put on our children around these tests. And I think that the pressure is put there

because the testing is now driving the curriculum because there are so many -- the stakes are now so high for our teachers in our schools.

When assessments were really about understanding what our children knew, so that we could improve what was going on the classroom level, we didn't have that -- those kinds of issues that we're having -- that we're seeing now.

I want to speak briefly to the field tests, because I -- that did come up. And it wasn't something that I originally had planned for my testimony, but, I definitely was part of a group that protested at Pearson last week, against the field tests.

And, one of the concerns I have, as a parent, with regards to field testing, is that, as a professional, as an educational researcher, I'm required to get informed consent.

But, field tests are, essentially, research being done on our children, about tests, for Pearson, for State Education Department, and nobody is asking me, as a parent, for my informed consent to use my child for that research.

Again --

SENATOR FLANAGAN: Let me just interject.

LISA EDSTROM: Yeah, sure.

SENATOR FLANAGAN: I agree, to a certain extent, but, if at some point we are going to have reliable tests that do proper assessing, that the field test is the precursor.

LISA EDSTROM: Well, I don't disagree with this idea of the notion of field testing, but I do think that parents should be informed.

And, in New York City, in most schools, parents weren't even told that it was happening.

And it became --

SENATOR FLANAGAN: But whose fault is that?

LISA EDSTROM: I would imagine school administrators.

I mean, what happened within New York City, is that, a network of parents informing parents, got the word out to as many people as possible.

But, even in my own school, as I was talking to parents, the parents in the grades that were testing were saying: What are you talking about? I've never heard of this.

So, again, I don't know whose fault that is.

But, as a parent, I want to know when my child is being asked to sit for a test.

I know about the mandated State tests, but I wasn't informed about the field tests from my school.

And that's a concern to me.

And, again, like I said, there are risks associated with this, in terms of doing the research, because there are reactions that children have, that parents have, that teachers have, around these high stakes, that are stressful to our children.

And we want to be able to say: Maybe I want to opt out of this field test, because I don't think that my child needs to be put through that stress again, after having sat through the mandated State testing for six days.

SENATOR FLANAGAN: Do you agree with the implementation of common core?

LISA EDSTROM: I do agree with the implementation of the common core.

What I don't agree with, is the high stakes that are put on the tests.

SENATOR FLANAGAN: Okay, so which tests would you get rid of?

LISA EDSTROM: If I had my way, I'd get rid of all of the high-stakes testing, and I would go

back to local classroom assessments that are designed by teachers, for teaching.

SENATOR FLANAGAN: So, you would get rid of, virtually, all the New York State tests?

LISA EDSTROM: I would get -- I'm actually not against the Regents. I think they're good standard benchmarks, although, I, as a parent, only just heading into that, because I have a ninth-grader.

But, I really don't think that testing grades 3 through 8, every year, for these standards, and not to measure what my child knows in a way that informs me as a parent, or my child's teachers, to help improve the education that they're getting in the classroom; but, rather, to judge the school, externally, in a way that just puts pressure on my kids.

I'd get rid of those.

If there was some way that they could be tested earlier in the year, that that information could be used by the teachers so they could say, Oh, your child needs to work on X, Y, and Z, and we're going to do that, I wouldn't be against that.

But, I --

SENATOR FLANAGAN: Well, I had asked that

question early on.

The test, right in the beginning of the year, as a diagnostic test. And then --

LISA EDSTROM: That would be okay.

But, right now, what we're seeing is, way too much time spent on test prep, not on good instruction, for these tests that don't inform us of anything, as parents or teachers.

SENATOR FLANAGAN: Okay, the other two questions that I asked everyone, so you've now had a chance to listen to everyone else's answers --

LISA EDSTROM: I have.

SENATOR FLANAGAN: -- on a scale of 1 to 10?

LISA EDSTROM: On a scale of 1 to 10, I would give the tests a "1."

And the reason I don't give them a zero, is because I do think that the current state of the accountability has raised at least more of an awareness of the failures of our education system to really address the needs of children of color and low-income children, by --

SENATOR FLANAGAN: Okay, if you could change one thing?

LISA EDSTROM: I would ditch the system we've got, and look at how we can really, maybe go towards

portfolio-based assessments that are asking children and teachers to look, over time, at the improvements that are being made.

Or, even what you suggested earlier, pre-testing and post-testing.

But, not these tests that are really about high stakes, and only judging teachers in schools.

SENATOR FLANAGAN: Okay, last, but by no means least: If you had to pick out, what's the best thing about education in the state of New York, today?

LISA EDSTROM: Oh, that's a tough one.

I think it varies, but I think the best thing about my children's education in the state of New York, has been the diversity of the experiences they've had.

However, I will add a caveat to that.

My younger child who is this third grade now, is not getting quite the diversity of experiences that my older child had, because of the focus on testing now.

He's not getting as much science or social studies.

He is getting a strong arts program, but that's because it's an enrichment program that's

supported by the PTA.

SENATOR FLANAGAN: Okay.

Thank you very much.

LISA EDSTROM: Thank you.

SENATOR FLANAGAN: For those of you who are still with us, I really appreciate your patience.

And, the room finally cooled down after a long period of time.

But, as I had said in the beginning, we will make sure that, ultimately, there's a record of everything, including all of the comments that we've gotten, that were submitted today formally, and those that we've gotten in our office more informally.

Thank you.

(Whereupon, the public hearing, held before the New York State Senate Standing Committee on Education, concluded.)

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