

Testimony

to the

New NY Education Reform Commission

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Taking Stock of Progress in NYS Public Schools

A growing collection of objective new research shows that New York State's public education system is making significant progress.

New York State's students — and their public schools — are achieving at levels perhaps never before seen in the state's history. Indeed, viewed as a whole, New York's public education system is among the best in the nation. For example:

- In 1988-89, just 33 percent of New York students earned Regents diplomas. As of June 2011, the percent of graduates earning Regents' diplomas has more than doubled to 66.7 percent.
- New York is a national leader in The College Board's Advanced Placement program. New York ranked second in the nation in 2011 with 26.5 percent of its high school graduates participating in the College Board's Advanced Placement courses and scoring at least a 3 on an AP exam. The number of African-American and Latino students taking AP exams has more than doubled in the last decade.
- In 1980, just 63 percent of New York's public high school graduates entered college. Some 30 years later, the number of New York graduates enrolling in two- or four-year colleges hit 81 percent, tying for the highest mark in New York since 2003. Indeed, New York has the fourth-highest percentage of college-degree holders in the 25- to 34-year-old age group in the nation.
- Much has been written about New York's high school graduation rate, and clearly this remains one of the state's most important challenges. Yet, research shows that New York's high school graduation rate climbed 19.9 points from 1999 to 2009, rising to 78.4 percent in August 2009. New York's 10-year rise in graduation rates is second only to Arizona's among the 50 states and the District of Columbia and is nearly triple the nation's 6.7 percent percentage point gain over that same time span.
- Additionally, NYSUT analyzed State Education Department graduation statistics and found that 195 school districts – or nearly one-third of those school districts operating high schools – had graduation rates of 90 percent or above. While even one dropout is too many, the Commission should publicly recognize that excellence is broad and deep in New York's public education system.

Education Week, which has a well-deserved reputation for rigorous reporting of the national education scene, annually publishes an overview of states education systems nationwide. In its January 2012 report, **Quality Counts**, *Education Week* ranked New York State's overall public education system third in the nation – behind only Maryland and Massachusetts — based on its cumulative score on six broad measures of educational success.

(Additional data and information are available in NYSUT's September 2012 report, *Taking Stock: A Progress Report on Public Education in New York State*, which is attached to this testimony.)

Of course, New York State cannot, and must not, ignore the “other side” — low achievement endemic in too many schools districts. Far too many students are not yet achieving at levels necessary for success in school and in life. The State Education Department recently identified 750 “focus” and “priority” schools where the achievement gap is especially persistent and where too many students, most stuck in a cycle of poverty, are in danger of dropping out. Indeed, if 78 percent of New York’s students are graduating from high school, 22 percent — or one in five — are not. If 80 percent of those graduates go on to two- or four-year colleges, 20 percent do not. In today’s economy, students who drop out before completing high school and/or college face a much more difficult future financially and risk not being able to fully carry out their civic responsibilities. They will be challenged to possess the knowledge and skills necessary to compete successfully in the global economy.

To summarize, hundreds of school districts — and millions of New York students — are performing at high levels, equal to the best public school systems in the nation and even the world. Educational excellence is not solely found in affluent suburban districts. High achievement is common in our small cities, rural communities and in large, urban centers.

However, New York State must also accelerate its development of successful strategies to end the achievement gap once and for all. Poverty, the common denominator in student underachievement, must be addressed. The path forward also must include developing strategies to respond to the challenges faced by students with special needs and those who are English Language Learners. No one knows better than educators how significant these challenges are and how urgently achievement gaps must be addressed to further improve public education for all students at all levels.

Reversing the cycle and ending the achievement gap demands action in many places at once. It cannot be done without resources. When New York State has invested in public education, the result has been measurable progress. Unfortunately, recent rounds of state education cuts have undermined that progress.

New York’s 697 school districts began the 2012-13 school year with \$1.1 billion *less* in state aid and some 35,000 *fewer* teachers and professionals statewide than at the start of the 2008-9 school year. These deep budget cuts have triggered school closings. Some districts have been forced to curtail or eliminate the arts, music, sports and other extracurricular activities. Districts have slashed both Advanced Placement offerings for the college-bound and Academic Intervention Services for students who are struggling.

The gains made by New York State’s education system over the last two decades in graduation rates, Regents diplomas, college readiness and college enrollment, and teacher quality are now very much at risk. In addition to the state’s disinvestment in education, a new cap on growth in state aid means it will take years for school districts to recover from funding cuts, even before accounting for inflationary costs. Meanwhile, the property tax cap enacted in 2011 is undemocratically restraining local communities’ ability to invest in programs essential to continued student success.

While proponents of the property tax cap describe it as a way to curtail homeowners’ tax burdens and encourage business investments, it has a devastating financial impact on local governments and school districts. This is especially true when the tax cap is structured as

severely as it is in New York, and when the state has failed to offset local losses with additional revenues.

Cuts in state funding, a cap on state aid growth and the property tax cap have had significant negative impact on public schools. Without an additional investment from the state, many of our school systems, especially those that educate large numbers of high-needs children, will be unable to provide even the bare minimum educational program.

The impact of state cuts on students in the neediest school districts is reflected in a recent report by the Education Law Center. The report, “Is School Funding Fair? A National Report Card,” gives New York State a grade of D for equity in the distribution of state funding. Indeed, New York State’s system of funding public education effectively takes students who come to school with less, and gives them less. That is unacceptable. Providing equity means every student — whether attending school in a suburb, small city, large city or rural community — has access to a strong public education and an equal opportunity to succeed. As the state makes new investments in schools, it must be sure that equity is taken into account to improve student performance in our most needy schools.

Clearly, New York State has reached a critical juncture. If the Empire State is to retain its place among the top tier of education systems, it must again see public education as an investment in students and the state’s economic future. The Commission’s recommendations will be critical to shaping that future.

In this testimony, NYSUT makes numerous recommendations for finding cost efficiencies, ending the achievement gap and improving New York State’s already strong system of public education even further.

New York State Must Modernize the Process for School District Mergers

In 1920, more than 10,000 school districts operated in New York State. Ten years later, in 1930, New York had about 9,100 school districts. Today, the Regents and State Education Department oversee about 700 school districts.

While school mergers still do occasionally occur, the rate of mergers has slowed significantly. Between 1990 and 2000, for example, voters approved 16 district mergers. However, in the last 12 years, only three district mergers have successfully won approval from voters, in part because state law governing the process is cumbersome, archaic and in need of modernizing.

While merger is not always the best strategy to enhance educational opportunities for as many students as possible, a more efficient process would help determine whether merger is educationally sound and economically beneficial. A streamlined and transparent process would enable voters and communities to make informed decisions.

Streamlining the merger process could enhance educational opportunities for students, particularly in financially strapped rural communities. Many rural school districts simply cannot afford to offer their students a broad array of electives and Advanced Placement courses, making it more difficult for these students to gain admission to college and

compete in the 21st century economy. Through merger or consolidation — or new regional high schools — districts would be able to enrich course offerings and provide savings to taxpayers.

State law surrounding school mergers and consolidations dates from the 1950s. Under the current statute, there are six different types of school consolidations: annexation, centralization, partitioning, consolidation, dissolution and the creation of a central high school district. Each has its own specific rules and procedures for how a merger occurs, the governance structure that results from the merger, and the circumstances for employees of the reorganized school district. Many of these provisions seem more suited to the horse and buggy era than the digital age we live in today.

Prior to 2009, each type of municipality (village, town, special district, etc.) had its own statutory process for reorganization. In 2009, then-Attorney General Andrew Cuomo proposed modernizing and streamlining the merger and consolidation process for municipalities. Chapter 74 of 2009, which resulted from his proposal, created a modern system for merging and consolidating municipal entities.

Consistent with that approach, NYSUT is proposing a new single system for school district mergers and consolidations. The single, streamlined reorganization process contained in Chapter 74 of 2009 should be used as a template for modernizing the state's school merger process.

The new system we recommend is based on three goals: simplify, streamline and ensure transparency. NYSUT proposes a single statutory system for mergers, with no distinction made among types of school districts. With the exception of the Big 5 city school districts, that have their own governance and fiscal structure, this new process would apply to all public school districts equally.

NYSUT proposes two avenues for school mergers under this new framework: merge entire school districts, or partially consolidate educational services by establishing a regional high school operated by a "host" school district or BOCES.

The merger process would involve five steps:

1. Involved school districts would perform a study to determine the educational and financial impact of a merger.
2. Each district's school board (or BOCES board of education if involved) would vote to proceed with the merger based on the merger study.
3. The merger study would be submitted to the state education commissioner to ensure that the merger would enhance educational services to students in participating school districts and produce financial savings for all participating school districts. The commissioner would have 60 days to review and make a determination on the study.
4. Each participating district would then conduct at least three public hearings.

Districts would be required to widely disseminate information to voters explaining the specific educational enhancements and financial savings to be achieved through consolidation. These hearings would occur within 90 days of the commissioner's approval of the merger proposal.

5. Within 30 days of the final public hearing, each participating district would submit the merger proposal to district voters on the same day. The merger would be required to pass in each of the affected school districts in order to proceed.

This new streamlined process would also eliminate a requirement that school districts wait one year before taking a second merger vote if a proposed merger fails in the first public vote.

This blackout period does not seem to have a purpose other than slowing down a merger proposal, such as the one now proposed in the Mohawk Valley. There, four districts considered merging to form a single school district. While voters in three of the four districts approved the reorganization, the fourth district defeated the proposal and, thus, the merger did not pass. The three communities voting "yes" decided to pursue a three-way merger, but state law has prevented a vote for an entire year even though all three school districts preferred to proceed at a much faster pace.

School districts that fully merge would still receive the same type of Reorganization Operating Aid and Reorganization Building Aid. However, these provisions would be updated as well. Currently, a merger has to meet one of six different criteria to receive Reorganization Aid and include different provisions for different types of school districts. While reasons for each of these provisions probably existed at some point, that time has long since passed.

School districts that enter into a Regional High School model would also receive additional Reorganization Building Aid for those capital costs associated with the reorganization.

School district consolidations and regional high schools offer opportunities for cost-savings and, more importantly, a way to provide students with expanded educational opportunities. The Commission should look seriously at simplifying and streamlining the merger and consolidation process for school districts.

Health Care Efficiencies Must Be Capitalized

Over the past 50 years, the cost of health care has consistently increased faster than consumer inflation and the Gross Domestic Product (GDP). Meanwhile, the Center for Medicare and Medicaid Services recently estimated that health care costs will increase by an average of 5.7 percent a year between 2011 and 2021, and that health spending will account for 19.6 percent of the United States' gross domestic product in 2021 —nearly \$1 out of every \$5.

Indeed, rapidly rising health care premiums have been a significant cost-driver for school districts. Through collective bargaining, employee unions and districts across the state work hard to achieve responsible economies while maintaining quality health coverage.

These local efforts would be greatly enhanced by a systemic statewide commitment to lowering costs for school districts, taxpayers and employees.

New York State needs to develop new approaches to make health care plans less expensive for both employer and employee. It can start by tackling the increasing cost of prescription drugs.

New York Should Develop a Statewide Prescription Drug Plan

NYSUT recommends that New York State develop and operate a statewide prescription drug plan, which school districts would be able to opt into for prescription drug coverage for their employees. Such a plan would allow the state to create a larger pool for prescription drug purchases and use its considerable purchasing power to leverage better prices for participating school districts.

New York State currently uses its purchasing power to gain lower prices in more than 1,500 central contracts for information technology, services and various commodities. Nationwide, more than half the states currently use some form of “bulk purchasing” to reduce prescription drug costs for public employees.

The Kaiser Foundation reports six in 10 non-elderly adults take at least one prescription drug on a regular basis and that the number of prescriptions written in the United States increased by 39 percent from 1999 to 2009, while the nation’s population grew just 9 percent. Given these trends, a statewide prescription drug plan that leverages New York’s bulk-purchasing power would go a long way toward reducing future health care costs for school districts and taxpayers, while ensuring employees still have access to quality prescription drug coverage.

The Growth of Regional Health Care Consortia Should Be Encouraged

To realize additional cost savings without compromising health care quality, New York State should encourage the further development and expansion of regional health care consortiums made up of school districts, BOCES and municipalities.

These regional consortia could reduce overall rates by taking advantage of economies of scale, increasing the pool of insured participants and reducing risk — and costs — for health care providers. Several school district consortia formed from the “bottom up” already exist and are operating successfully in different regions of the state.

While health care cost variations between upstate and downstate likely make a single, statewide consortia unworkable, large regional consortia would create financial benefits to participating school districts.

The state should take a leadership position and encourage further expansion of existing consortia as well as the development of new ones. At a time when increased health care costs create an ever-increasing burden on employers and employees, attractive and cost-efficient offerings will make “opting in” more appealing.

Health Insurance Plans Should Be Analyzed

We recommend creating a state/school district/labor committee to analyze existing health plan from insurance companies and third-party administrators. The committee would analyze each health plan to identify best practices that deliver quality health care coverage while eliminating bureaucratic inefficiencies and red tape. Such an analysis could identify systemic strengths and weaknesses as well as practices by specific insurance companies that should be replicated or reformed.

The State Ought to Accelerate Energy-Saving Initiatives

New York State has multiple programs to improve energy efficiency of its schools. Since 1994, more than 2,000 performance contracts for retrofitting schools have been issued with the support of the NY State Energy Research and Development Authority (NYSERDA), in addition to programs managed by New York City and the New York State Power Authority. With the support of NYSUT and the New York State Building Trades Council, Gov. Cuomo also has worked to expand financing for solar installation in public buildings including schools.

Building on these significant efforts, more should be done. First, New York State must address inequities in use of energy saving programs. Too many school districts lack the administrative capacity to take advantage of these programs and are missing out. Second, New York State must increase the pace and depth of this work.

Earlier this year, the state committed to study energy efficiency in public schools and the possibilities of using existing school infrastructures as a base for clean energy generation. We recommend as a next step that the state commit to decennial energy efficiency audits — conducted by NYSERDA to avoid unfunded mandates on school districts — of every school facility. This would mean auditing more than 400 schools a year. Through the audits, NYSERDA could also identify schools that would be able to house platforms for solar, wind or other clean energy.

New York State can look to Oregon's promising Cool Schools initiative, which provides technical support and options to finance retrofitting, including bonds and other vehicles. Oregon handles the technical aspects of financing so school districts with approved projects simply receive a state loan, currently at 2 percent. Given the pressure school districts are under as a result of the tax cap and cuts in state aid, any similar initiative in New York State should also incorporate new funding streams for those projects deemed to be cost effective by initial studies and audits.

At the federal level, there is significant interest and support for energy efficiency. New York State should call upon its congressional delegation to maximize access to those resources.

Substantive energy initiatives would cut costs, thereby maximizing the use of tax dollars for quality educational programs while creating jobs for New Yorkers and protecting the environment.

New York Should Create “Empire State Partnership Schools” to Address the Achievement Gap

Decades of research confirm that poverty is the single biggest factor impacting students’ chances of academic success. This holds true in New York State’s urban centers as well as in other big city school districts throughout the country.

In New York State, the term “high needs” typically refers to students and public schools immersed in the challenges inherent in living in impoverished communities. The State Education Department recently released a list of about 750 Focus and Priority Schools — places where academic achievement, either for the entire school or a subgroup of students — is unacceptably low. Virtually all are located in high-poverty communities.

As educators we believe children’s academic future must not be determined by their zip code or by their family’s economic status. The promise of a high-quality public education for all is at the core of the American Dream. Sadly, too many children are doomed to a cycle of poverty because New York State has failed to capitalize on its ability to provide the additional supports they need in and around the school environment.

To increase academic achievement, New York State must invest in its high-needs school districts, ensuring a rich and well-rounded academic program is available to students who need it most. More specifically, New York must go beyond its funding of traditional education services in struggling schools and provide the additional support services that students living in poverty — and their families — need to be successful.

As educators who experience first hand the challenges faced by our students who live in poverty, we are calling for the creation of “Empire State Partnership Schools” that invest in the lives of children who now fall into the achievement gap. Partnership Schools would provide a comprehensive and coordinated set of programs and strategies aimed at helping students in high-poverty communities. These schools would recognize that students in struggling districts need not only effective teachers and modern school buildings, but also health and dental clinics, counseling programs, mental health services, tutoring and more.

Such an approach is supported by research and experience.

During his tenure as HUD secretary, Andrew Cuomo used a similar approach to help the homeless. Under his leadership, HUD developed a Continuum of Care program that brought together services while recognizing that homelessness results from more than a lack of housing. Cuomo’s strategy addressed some of the root causes of homelessness — such as domestic violence, drug abuse and mental illness. Recognizing that it took dollars to make this happen, Cuomo successfully advocated for large increases in funding to support the Continuum of Care program.

High-poverty, low-performing schools face similar circumstances as students struggle with a host of issues that interfere with academic performance. That was why a “continuum of care” strategy for children in high need was resoundingly endorsed by researchers, parents and educators who took part in NYSUT’s groundbreaking three-day symposium on Ending the Achievement Gap in 2007. The symposium’s white paper concluded that educators

alone cannot close the gap in educational achievement. Rather, ending the achievement gap and reversing the cycle of poverty demands action on many needs at once. Housing, nutrition, prenatal care, child care, pre-school and early childhood education, access to health care and other critical social and economic factors all impact a student's ability to perform in school. Interlocking these services would go a long way to closing the achievement gap.

Richard Rothstein, a well-known education researcher who took part in NYSUT's Ending the Gap symposium, made the point that establishing full-service clinics in schools — including medical, dental and optometric care — would ultimately be more cost-effective than remedial strategies. Empire State Partnership Schools would incorporate such full-service clinics. The popular saying is true: It does take a village to raise a child. In 21st century, digital-age-America, that means doctors, dentists, counselors, nutritionists and social workers readily available to provide and coordinate services to needy children.

The Partnership Schools' approach has been tried on a limited scale in public schools and in some charter schools nationwide with notable success.

Since incorporating additional supports for students through its Community Schools Program, Cincinnati has become the highest-performing urban district in Ohio. High school graduation rates climbed from 51 percent in 2000 to nearly 82 percent in 2010. Achievement gaps between African-American students and white students narrowed from 14.5 percent in 2003 to 1.2 percent in 2010.

Boosted by private investment, Community Learning Centers are being jointly created by the United Federation of Teachers and New York City, an initiative that parallels Cincinnati's community schools program. Similarly, the Harlem Children's Zone, working through charter schools, also has demonstrated that this model can be successful in high-poverty areas.

The Say Yes program in Syracuse brings together the public and private sector to offer year-round support to students from pre-kindergarten to high school, with its main goal being to help students graduate and go on to college. The supports are aligned to what research indicates is needed to help high-needs students, including extended day and year-round programming, mentoring, tutoring and family outreach. As an incentive, Say Yes includes the promise of free college tuition to students who meet residency, graduation and admissions requirements at nearly 100 colleges and universities, including Syracuse University. Say Yes creates a positive framework supporting students' academic work, and encourages and rewards that effort with the promise of a free college education.

Say Yes and similar models are not designed to work only in urban centers. In suburban Rockland County, leaders have developed Rockland 21, a successful program involving the county's eight school districts, Rockland BOCES, early education and child-care centers, after-school programs, youth development and recreation programs and teachers' centers. These groups work collaboratively with government and business leaders, as well as many public and private agencies including: social service organizations, health and mental health organizations, law enforcement, faith communities and libraries to provide resources and supports to schools.

A key component of Rockland 21 is its Family Resource Centers (FRCs), places where families are invited to participate in programs aimed at improving student achievement and family well-being. Programs include employment assistance, legal aid, translation services and tutoring. At the Kakiat Elementary School in East Ramapo, for example, parents come to learn gardening and the benefits of exercise, and to pick up important information on how to best help their children succeed in school.

On a larger scale is the American Federation of Teachers' initiative in McDowell County, West Virginia. While still in its early stages, there is much to learn from the transformative work being undertaken in this socially and economically impoverished Appalachian community.

Each of these models offers expertise that can help shape Empire State Partnership Schools. The Commission and New York State are fortunate to have a wealth of knowledge available to not just do it — but to do it right!

Many of these efforts have bubbled up from smart, entrepreneurial people who identified a problem and went above and beyond to solve it. In order to bring these successful models to scale, and break down barriers that slow or halt efforts to bring needed services into schools, the Commission has the opportunity to recommend that New York take the lead by setting up and funding Empire State Partnership Schools in all school buildings that have been identified as Priority or Focus School Buildings. That investment should take the form of grants to all Focus and Priority schools to fund the coordination of services among community-based organizations and the school building.

Such a new state investment would pay enormous dividends. Research consistently shows unemployment rates are highest for those with the lowest educational attainment. According to the U.S. Bureau of Labor statistics, the unemployment rate for 25-year-old high school dropouts is nearly 14 percent; unemployment for those with a college degree it is about 4 percent.

New York State owes it to those students who struggle to succeed, the ability to graduate and to live successful lives by providing them with the tools to achieve that success.

Commit to an Investment in Quality Pre-K Programs

Considerable research makes clear the benefits of quality pre-kindergarten programs, especially for those students living in poverty.

NYSUT agrees with the testimony offered by numerous citizens across the state that this Commission should recommend a strong investment in early childhood education. Research shows that providing for early childhood education is the best dollar-for-dollar investment state government can make. Children exposed to high-quality early education programs have better oral literacy; have better reading, writing and math abilities; require fewer remedial services; experience less grade retention; and have a higher likelihood of economic productivity and social stability in adulthood.

In the late 1990s, New York State started down the road to creating a universal pre-

kindergarten program for all 4-year-olds. Unfortunately, New York State has been unable to reach its goal of universal pre-kindergarten for all students. The Commission should take steps to get New York back on track and recommend additional investments in early childhood education, including expanding pre-k programs and making kindergarten full-day for those districts that are not currently offering a full-day program.

Both programs must be run by the home school district to ensure the curriculum flows from pre-k to kindergarten to first grade, as well as to ensure they provide the maximum benefit to students.

Opportunities for Career and Technical Education Must Be Expanded

High school graduation rates have, in fact, improved consistently in recent years. We must build on these recent gains and expand the state's commitment to increase high school graduation and prepare students for careers in the 21st century. As part of that effort, the state must increase support for high-quality career and technical education.

NYSUT has long supported programs integrating technical education with real-world experience in manufacturing and other areas. There are many success stories in career and technical education across our state and throughout the nation. In Chicago, the Chicago Teachers Union and the Chicago Manufacturing Council are partners in a school, Austin Polytechnical Academy, where partner companies provide students with industry experience and financial support, helping them earn industry-recognized credentials using the latest technology. In San Francisco, a similar program operates with the Bay Area Renaissance Council.

New York should expand this kind of cooperation, providing more opportunities for CTE students to have exposure to the world of work and build connections between schools and industry. During a time when youth employment opportunities in general have been evaporating, this serves a purpose beyond enhancing technical skills. Children without any opportunities to enter the world of work are more likely to suffer poor academic outcomes than their peers and are less likely to develop stable attachments to work later in life.

We recommend the Commission support the effort to expand CTE opportunities through partnerships with industry. These partnerships will ensure the CTE pathway will lead to employment opportunities for students after graduation.

Improving Teaching and Learning Requires An Investment of Time, Trust and Resources

As an organization of educators, NYSUT recognizes the importance of focusing on teacher quality and student achievement. Indeed, throughout its history, NYSUT has been a strong advocate for high academic standards, teacher quality, and the state and local resources necessary to ensure students and their public schools succeed.

NYSUT supports the new Common Core Learning Standards and the high level of academic content and critical thinking the standards embody. Likewise, NYSUT is committed to a comprehensive evaluation system focused on improved instruction and student academic growth.

Although New York State has made progress toward an evaluation system that can become a national model, there is still a considerable distance to travel.

It is vitally important for the Commission to hear and understand that — as we will demonstrate in more detail as part of this testimony — New York’s public education system is under tremendous stress. The system simply does not have the capacity at this time to implement all of the Regents’ reforms the right way, under such an unrealistic, hurried timetable. Frustration is boiling over. There are not enough resources — human or otherwise. The promise these reforms hold for transforming our public education system might never be realized if educators are not provided the time and resources to implement the Common Core and the new evaluation system with fidelity.

Some brief history is in order. Over the past three years, NYSUT has worked in collaboration with the Board of Regents and State Education Department to ensure a comprehensive, rigorous and fair system for evaluating teachers and principals that emphasizes professional growth.

New York State’s law recognizes that data and standardized tests can — and do — have a place in evaluations, if used appropriately with other multiple measures of student achievement. The law rightfully recognizes that no single test can accurately and fairly reflect all the many factors that go into teaching and learning. Teaching is complex and the law acknowledges that no single data point can account for all the educational and societal factors that influence what happens in our classrooms.

New York State’s evaluation law also ensures flexibility by giving school districts — through collective bargaining — the ability to make significant local decisions about how to gauge the effectiveness of their own teachers.

Perhaps most importantly, the law links the results of the evaluation to professional development and support for teachers throughout the process. Its underpinning is not firing teachers, but helping all teachers improve and grow professionally.

NYSUT has been a leader in developing and piloting a model teacher evaluation system that focuses on ensuring all students have a well-supported, effective teacher. In 2009, NYSUT was awarded a grant to develop new ways of evaluating teachers through labor-management collaboration. The resulting Teacher Evaluation and Development System (TED) is a comprehensive system that relies on teaching standards aligned with performance rubrics; multiple measures of professional practice and student achievement; and support for continuous growth. Today, many school districts are using TED as a template for their new evaluation systems. It has received praise from the U.S. Department of Education as a model for building effective systems of teacher evaluation.

Evaluating teachers, after all, should not be punitive or a game of “gotcha.” The goal is to have a comprehensive system with professional growth as an integral component: improving teacher practice in order to advance student achievement.

With its new evaluation system and the Common Core, New York State has reforms that hold the potential to transform our already strong public education system — *if* schools

and educators are afforded the time and capacity to implement them in a quality way that ensures excellence.

The complex, multi-faceted work of introducing a brand new curriculum while trying to implement new ways to fairly and accurately assess students — in tandem of course, with a new evaluation system — needs time to realize a positive outcome. In hurrying to “just do it” and not pausing to ask: “What’s working and what is not?” so we can “do it right,” New York State endangers the very reforms intended to advance teacher development, student learning and our shared mission of closing the achievement gap.

As we all know, changes of this magnitude require an investment in building the necessary infrastructure and support needed to succeed. Our current system lacks capacity, which has been underestimated. This has been underscored loudly and clearly by the numerous frustrations expressed by parents, teachers and districts.

Without a doubt, New York State’s march forward in public education is at a crossroads. Is New York merely going to pay “lip service” to the benefits of an evaluation system that embeds professional development and is designed to help every good teacher become a great teacher? Is New York going to wink at the research that draws clear connections among professional development, teacher effectiveness and higher student achievement, especially for high-needs students struggling to close the achievement gap?

Ironically, as New York State introduces its new curriculum and new evaluation system, state budget cuts have slashed funding for Teacher Centers — the very vehicle school districts use to deliver professional development to teachers. Likewise, as New York commits to strengthening teacher effectiveness, funding for mentoring programs that helped boost retention of excellent new teachers has disappeared.

All this is too much, too soon. To use an analogy, New York State is flying an airplane that is still being built — and is doing so without proper testing and before it is deemed safe for passengers.

Our shared mission is to ensure the plane soars and lands safely. We must implement evaluation systems, professional development programs, assessments and new curriculum the right way. In order to do that, the Commission must ensure that districts have the time and resources to do just that.

We recommend the Commission urge the state to make new investments in professional development to help districts provide teachers and evaluators with the support they need to implement the changes.

Hovering over all of this — and contributing to the high stress level — is the fixation with standardized tests, and the effects of over-testing on students, parents, teachers and administrators.

Prior to No Child Left Behind, New York tested just once a year in fourth- and eighth grade for ELA and math. Now, there are at least two statewide assessments in ELA and math each year in grades 3 through 8, plus science exams and field tests. Students who take all the

required tests today would complete a minimum of 4,440 minutes of standardized testing by the time they are high school seniors.

Using these tests for promotion and graduation decisions has dramatically increased stress on students and parents. The consequences attached by the state and federal governments to poor performance on standardized tests have intensified the stress on teachers and administrators as well.

Teachers report that, instead of focusing on real learning, they increasingly feel pressure to spend weeks on test prep — “drill and kill” instruction designed not to teach critical thinking skills, but to help students learn how to fill in more multiple-choice bubbles accurately.

When teachers are forced to spend time on test prep and to “teach to the test,” the curriculum is narrowed and meaningful lessons are eliminated. Students lose out on a rich and full education.

Teachers are not opposed to assessing student performance, nor are teachers afraid of accountability.

NYSUT supports assessments that are aligned with rigorous state standards and a strong curriculum, and guide instructional practice. That being said, we continue to call for multiple measures of student achievement, including authentic assessments to strike the right balance between accountability and a deeper understanding of the whole student.

The current focus on standardized testing has caused us to lose track of the most fundamental goal of public education: preparing students for success.

In charting the way forward on teacher quality and student learning, NYSUT believes what is critical now is how the education system responds to, and meaningfully supports, implementation of the complex reforms.

NYSUT urges the Commission to recommend the state provide school districts with time to recalibrate, in order to implement the new Common Core standards and the new evaluation systems properly. We need to get back on the path to getting these efforts right.

New York State’s teachers are highly educated, dedicated professionals who are passionate about their students and highly skilled at what they do. They perform miracles large and small in their classrooms every single day.

What’s too often missing is trust in teachers, as professionals, to do their jobs the way they know how. No one without a background in cardiac surgery would dream of telling surgeons to “reform” their approach to bypass operations. Yet teachers, on a daily basis, have their professional judgment questioned — and sometimes replaced — by “experts” proclaiming they have all the answers, even if they have never spent a day in front of a classroom.

The Commission can foster renewed trust in teachers by listening to their voices and instilling respect for professionals charged with the awesome responsibility of shaping the lives of the state’s most precious resource — its children.

Acknowledging teachers’ expertise and affirming trust in them would emulate the highly successful international practice of demonstrating confidence in teachers as the professionals they are.

Supportive school environments, where educators are valued, trusted, and have the time and ability to collaborate to improve instruction, are necessary for enabling teachers to be successful. A growing body of research clearly demonstrates that assessing, understanding and improving such conditions can have many benefits, including improved student learning; teacher efficacy and motivation; and teacher retention.

On that point, NYSUT is calling on the Commission to recommend a statewide survey of teaching and learning conditions in our public schools. After all: teaching conditions are student learning conditions.

The statewide survey should, for example, look at how time is used in school; policies relating to teacher recruitment and retention; school leadership; support for instructional practice; school facilities; community and family engagement, and how schools manage student conduct, among other topics.

It is essential that the survey capture the learning conditions for students with disabilities and students who are English Language Learners to help ensure that their special needs are addressed. Particularly in a climate that puts undue emphasis on one-size-fits-all standardized testing, we must ensure that appropriate services and programs are provided to students with diverse learning needs. The survey’s findings will help maintain the state’s commitment to students with special needs, and to English language learners.

The survey’s results would serve as a baseline and be periodically updated to help policymakers and elected leaders make connections and better inform their decisions about public education, including ways to foster the sharing of best practices in schools, provide targeted supports in more challenged schools, and consider changes in state and district policies.

NYSUT is committed to solution-driven unionism aimed at maximizing student achievement and teacher effectiveness. The recommendations in this testimony are meant to be considered in their totality, and build on one another to present a comprehensive strategy for strengthening public education in New York State. Supported by national and international research, our recommendations incorporate some of the best practices of other states and nations that have developed coherent, successful systems of teaching and learning.

We call upon the Commission to make new investments of time and resources to support and build upon the changes taking hold in New York State.