

Testimony of the
New York State School Boards Association
to the
New NY Education Reform Commission
Presented by Kelly Lappan, Arlington Central School District

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SUNY Orange County Community College, The Great Hall in Kaplan Hall
80 Grant Street
Newburgh, NY 12550

Good afternoon. Thank you for the opportunity to speak with you today on the topic of education reform in New York State, which is one of the most important ventures that any form of government is involved in. Nothing less than the future of our children and our society rests on the quality of the education that we can provide to each and every one of our community's children. I know that you know that, and that is why you are here today.

The theme of my comments today is "unintended consequences". Many people with many different agendas have contributed their ideas and their rules to improve what is supposedly the "disastrous" educational system in New York. I contend that that premise is false. In fact, New York provides an excellent education – most of the time – and compares very favorably to any other state in the union. Certainly individual statistics can be quoted by anyone out of context, including our governor, but we fundamentally do a good job.

However, the good job we do is not good enough – not good enough by far. We know that – there is more competition globally for jobs and resources, and frankly, today's students not only need to know more things, but have to apply that knowledge in more real life situations. Today's expectations for student learning are nothing like they were when we were in high school – we have made progress. But it needs to go further, much further.

In order to educate children, an educator (be it a classroom teacher, a teaching assistant, or a principal) must get feedback. They need to know and evaluate whether every child has understood the lesson content, whether they need additional help, which areas they need help in, and then they need to alter their lesson delivery, re-teach, and evaluate again. This process is continual. We know that we need tests to do that. Does the focus on standardized tests provide our professionals with this feedback capacity? I believe the "report card" in this area demonstrates that it does not, and the mandate results in an unintended negative consequence relative to learning and teaching.

I submit that the focus on standardized tests is dangerous. The purpose of tests must be clear and the tests themselves must be validated and measure the degree to which the student learned the curriculum. Should tests

measure a child, or should they measure a teacher, a building, a district, a state? In my view, we must use the types of tests that can be useful to the teacher, if the intent is to help the child. It is problematic at this time that many of the tests we are required to administer may not qualify as tools to help a child.

The results of this year's State testing program are troublesome at best. This year, we have seen some errors in the tests (as also occurred in past years), we are still not sure how they are scored, and given the political agendas embedded in APPR, we are not sure whether they are measuring student growth or teach effectiveness. So what are they for?

With the Race to the Top initiative and the new APPR push, we hope that the focus is on ensuring that kids learn. We know that that was the intent. But it is where the rubber meets the road that matters. The scoring determined by the State Education Department for the state testing portion of the APPR measurement is somewhat counter-productive in many ways. How can a teacher be considered "effective" when their score is in the wide range of 9 to 16 out of 20 points? Teachers' professional livelihoods will depend on these ratings. A high end effective teacher has almost twice as many points as a low end effective teacher, but they are both considered equivalent when being rated? That just isn't logical. And the rationale of how those scores correlate to the tests is specious at best – we often refer to the "black boxes" that the scores go through before a number is issued that the educators responsible for the children often really do not understand. In addition, since the actual questions are no longer provided for analysis by teachers, our schools and teachers cannot "drill down" and assess what was missed. Not having the ability to analyze the results of an assessment prevents us from knowing whether or not the test was a good test, at least from the perspective of those who are in the field of study – this is unconscionable.

As long as the focus is on teachers getting points, the professional dialogue and the focus on student learning is diminished.

To date, it is not clear how the testing program aligns the tests with the scoring methodology. We need to ensure that the practitioners who are using the test understand how these assessments meet reliability and validity standards. Let's ensure that they are valid before we hang our hats on their results and before we hang teachers, principals, and school districts out to dry based on results that may not reflect reality.

My second unintended consequence refers to mandates. Mandates are mandates for a reason – somebody somewhere thought they were a good idea, usually based on a valid need. And many times, they ARE good ideas. The problem is that many times they cost us money. This is money that we do not have. Our legislature and our governor passed a tax levy cap which has a huge impact on how we create budgets and how we spend taxpayer money. Unfortunately, despite many pleas not to do so, they did not at the same time relieve us from the significant unfunded and underfunded mandates under which we operate.

For example, school districts do not control pension contributions in any way. Even though the legislation allows for an adjustment to account for pension increases, the adjustment has minimal impact on the levy. By way of illustration, if in 2011 we were required to contribute 10% of our payroll toward the pension system, and then in 2012 we were required to contribute 12% of our payroll toward the pension system, the law says that is a 2%

increase. We need to absorb that increase in our budget. However, if you look at the actual numbers, moving from 10% of payroll to 12% of payroll is a 20% increase in that portion of our budget, not a 2% increase. Because we have to absorb that increase, we then need to take money away from other portions of our budget.

I truly believe that this was not intended, but it is a huge problem for schools, especially in a time where fiscal issues abound and the pension system is not bringing in the returns it needs to sustain itself, causing the contributions to continue to rise faster than the tax cap.

There are even some new mandates that were just recently passed regarding bullying and cyber-bullying, not to mention those that were thankfully vetoed by Governor Cuomo. And these new mandates were added AFTER the tax cap was implemented. This is really unbelievable. Every NY school district already has Codes of Conduct, programs for positive behavior reinforcement, and safety plans. Yes, bullying is a difficult issue – I certainly do not intend to tell you that I don't think that schools should be the least bit concerned about bullying. However, these new laws will cost us money and will also cost us time, which translates to money. The administrative work now required to track and investigate the bullying incidents is costly. If this must be done, okay, but please don't require us to spend our limited funds tracking bullying when you are at the same time giving us significant curricular and assessment challenges that also cost money while providing us state aid at the 2008 level.

There are many other existing mandates that tie our hands in crafting budgets that conform to the tax cap. The schools boards association, the superintendents' association, and many individual school board members have provided to our state government specific examples of the costs of these mandates and ways to remove them. We need you to do the hard work now and deal with these sticky issues in order to allow us to focus on what we are supposed to do – educate our children with proven pedagogy, valid assessments, and a firm commitment to the long term success of each and every child that enters a New York State school. Thank you for your time.